FOUNTAIN INN
est 1886

AGENDA

Council Chambers
300 Wall Street, Fountain Inn, SC 29644

FORMAL MEETING OF CITY COUNCIL

Thursday, January 8, 2026

Citizens may access the meeting at the following YouTube address:
https://www.youtube.com/@cityoffountaininn3536

1. Call to Order

2. Invocation and Pledge of Allegiance

3. Introduce New Employees
   a. Corey Chaney Natural Gas
      Jay Ford Planning and Zoning
      Tyler Thornton Public Works

4. Public Forum - Persons wishing to speak may signup 15 minutes prior to the meeting. Signups will be on a first-come, first-served basis. Your remarks will be limited to 3 minutes.

5. Consent Agenda - There will be no discussion of Consent Agenda items unless a Council member so requests in which event the item in question will be considered separately.
   a. Minutes from the regularly scheduled Council meeting on December 1, 2025
   b. Monthly financials, November 2025

6. Presentation
   a. Presentation of FY25 Audit

7. Appointment
   a. Approval of the Appointment of Lisa Elliott as Director of Human Resources

Council may enter executive session to discuss any item on the agenda as permitted by S.C. Code Ann. § 30-4-70.

FOIA Compliance – Public notification of this meeting has been published, posted, and distributed in compliance with the Freedom of Information Act and the City of Fountain Inn's requirements.

8. City Administrator’s Report - Shawn M. Bell
    a. Department Reports

9. Unfinished Business
    a. Second and Final Reading of Ordinance 2025-08, providing for the acquisition and lease purchase financing of a fire protection vehicle and related equipment; authorizing the City Administrator to prescribe the form and details of the lease purchase financing; providing for the payment of the lease purchase financing; and providing for other related matters.

10. New Business
    a. First and final reading of Resolution 2026-01, a resolution honoring Mr. PD Terry
    b. First and final reading of Resolution 2026-2, the City of Fountain Inn's commitment to safety statement.
    c. First Reading of Ordinance AXZ-2026-01, an ordinance to provide for the annexation of the property described herein to the City limits of Fountain Inn; to establish a zoning classification therefore; to assign the annexed property to Council Ward; and other related matters (405 Milacron Drive).
    d. First Reading of Ordinance 2026-01, enacting a unified development code as part of the code of ordinances of the City of Fountain Inn, South Carolina, 1992, as amended ("code"); repealing certain portions of the code; invoking pending ordinance doctrine; and providing for other related matters.
    e. First reading of Ordinance 2026-02, authorizing the execution and delivery of (A) a purchase-sale agreement related to an approximately 1.20 acre portion of TMS 0342000100316 and (B) lease agreement related to a portion of the Fountain Inn Elementary School; authorizing the consummation of the transactions contemplated hereby; and providing for other related matters.

11. Executive Session -After coming out of executive session, Council may vote on items discussed during executive session.

12. Adjourn

Council may enter executive session to discuss any item on the agenda as permitted by S.C. Code Ann. § 30-4-70.

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MINUTES
FORMAL MEETING OF CITY COUNCIL
Monday, December 1, 2025 at 6 p.m.

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1. Call to Order

Mayor McLeer called the meeting to order at 6 p.m.

The following members of Council were in attendance: Mayor McLeer, Councilman Sanders, Councilman Thomason, Councilwoman Dearybury, Councilman Clemmer, Mayor Pro-Tem Don and Councilman Blackstone.

2. Invocation and Pledge of Allegiance

3. Oath of Office

a. Jason Sanders, Ward 1

b. A. J. Dearybury, Ward 3

c. John Don, Ward 5

4. Presentation

a. Christmas INN Our Town Proclamation

Mayor McLeer presented the Christmas INN Our Town proclamation, surprise appearance from The Grinch.

5. Public Forum - Persons wishing to speak may signup 15 minutes prior to the meeting. Signups will be on a first-come, first-served basis. Your remarks will be limited to 3 minutes.

No one signed up to speak.

FOIA Compliance – Public notification of this meeting has been published, posted, and distributed in compliance with the Freedom of Information Act and the City of Fountain Inn's requirements.

6. Consent Agenda- There will be no discussion of Consent Agenda items unless a Council member so requests in which event the item in question will be considered separately.

Motion by Councilman Clemmer, seconded by Councilman Sanders to approve the Consent Agenda.

The motion carried unanimously 6/0.

a. Minutes of the Regularly Scheduled Council Meeting from November 13, 2025

b. Monthly Financials, October 2025

7. Mayor Pro-Tem Election

Motion by Councilman Clemmer to nominate Councilman Don as Mayor Pro-Tem.

The motion carried unanimously 6/0.

8. Appointment

a. Board of Zoning Appeals
Mayor's At-Large: Margaret McPartland (January 1, 2026 to December 31, 2029
Ward 3: Stephan Thomas (unexpired term ending December 31, 2027)

Mayor nominated Margaret McPartland for the at large seat January 1, 2026 to December 31, 2029.

The motion carried unanimously 6/0.

Councilmember Dearybury nominated Stephan Thomas for the unexpired term ending December 31, 2027.

The motion carried unanimously 6/0.

9. City Administrator's Report- Shawn M. Bell

City Administrator, Shawn Bell covered the following items: Streetscape schedule hardscape completed by December 6 and paving, electrical will start December 8. Christmas Tree lighting is tomorrow evening, Parade on Wednesday, house decorating on Thursday and carriage rides start on Thursday also. Merry Market and Rudolph Run on Saturday and all Chrismtas

festival schedules on MainStreet.com. Our 12U tackle football team is undefeated and playing Seneca this Saturday.

10. New Business

a. Approval of the 2026 Council Meeting Schedule
Motion by Mayor McLeer, approve the 2026 Council Meeting Schedule.

The motion carried unanimously 6/0.

b. First reading of Ordinance 2025-08, providing for the acquisition and lease purchase financing of a fire protection vehicle and related equipment; authorizing the City Administrator to prescribe the form and details fo the lease purchase financing; providing for the payment of the lease purchase financing; and providing for other related matters.
Motion by Councilman Thomason, second by Councilman Sanders to approve First reading of Ordinance 2025-08, providing for the acquisition and lease purchase financing of a fire protection vehicle and related equipment; authorizing the City Administrator to prescribe the form and details fo the lease purchase financing; providing for the payment of the lease purchase financing; and providing for other related matters.

The motion carried unanimously 6/0.

11. Executive Session -After coming out of executive session, Council may vote on items discussed during executive session.
Motion by Mayor Pro Tem Don, seconded by Councilman Thomason to to go into Executive Session .

The motion carried unanimously 6/0.

a. Discussion of matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other businesses in the area related to Project Ostrich.

12. Adjourn

FINANCE – ACCOUNTING DIVISION DEPARTMENT SUMMARY

Division Highlights

Annual Audit

Mauldin & Jenkins was on site the week of September 8th and has been performing off site work to complete the audit in a timely manner. Our goal is to have the 2024-2025 audit presentation at the January 8th Council Meeting.

FY2026-2027 Budget

The FY2027 Budget timeline is being finalized and will be presented to department heads towards the end of January once we have all historical data completed

December

- ✓ Department Heads meet with HR to prepare personnel budget requests and justifications

January

- ✓ Review with each Department Head the procedures for the budgeting process
- ✓ Finance will send the Department Heads their budget worksheets with 5 years of historical data and actual numbers for FY2026 through December 31st.
- ✓ Finance will review and complete the revenue projections for 2026-2027 budget

February

- ✓ Budget requests, fee schedules and related worksheets are prepared and submitted to Finance by each department
- ✓ Finance prepares recommended operating budget for Administration review
- ✓ Meetings to discuss budgets occur between each Department Head, Finance Director, and Administrators

March

- ✓ Administrator notifies department heads of recommended budget
- ✓ Finance staff prepares budget book, fee schedules and ordinance

April

- ✓ Proposed budget document made available to elected officials
- ✓ Budget workshop sessions conducted to review all aspects of recommended budget
- ✓ Proposed budget made available to public

May

- ✓ Public Hearing and Work Session as needed
- ✓ First Reading of the budget

June

- ✓ FY2026-2027 Budget Adopted

Statistics

Accounts Payable

Accounts Payable	Fiscal Year 22-23	Fiscal Year 23-24	Fiscal Year 24-25	Fiscal Year 25-26 YTD As of Dec 31st
Invoices Processed	7,345	8,294	8035	3910
Checks & ACH Issued	3,416	3,847	3546	1550

Business License

Business Licenses	Fiscal Year 22-23	Fiscal Year 23-24	Fiscal Year 24-25	Fiscal Year 25-26 YTD As of Dec 31st
Total Business License Issued	912	1,011	1036	103
Total Business License Revenue	$1,537,735	$1,546,720	$1,560,294	$253,320

Hospitality

Hospitality Taxes	Fiscal Year 22-23	Fiscal Year 23-24	Fiscal Year 24-25	Fiscal Year 25-26 YTD As of Dec 31st
Total Companies/Food Trucks	68	70	82	73
Total Hospitality Tax Revenue	$671,076	$758,803	$867,331	$409,757

**Revenue is collected in subsequent month.*

FINANCE – UTILITY BILLING DIVISION

Service Lines	Fiscal Year 22-23	Fiscal Year 23-24	Fiscal Year 24-25	*Fiscal Year 25-26 YTD As of Nov 30th
New Service Line Applications	467	660	590	422
Service Lines Completed	441	665	562	359
Total Amount Billed	**Fiscal Year 22-23**	**Fiscal Year 23-24**	**Fiscal Year 24-25**	***Fiscal Year 25-26 YTD As of Nov 30th**
Total Gas Billed	$5,960,138.05	$4,220,194.68	$8,743,473.55	$672,152.54
Aging 30 days	-$8,109.58	-$285,652.66	$158,157.43	$11,099.49
Aging 60 days	$26,891.70	-$11,095.82	$30,419.61	$10,604.53
Aging 90 days	$18,025.10	$498.73	$30,167.70	$2,846.91
New Applications	**Fiscal Year 22-23**	**Fiscal Year 23-24**	**Fiscal Year 24-25**	***Fiscal Year 25-26 YTD As of Nov 30th**
New Customer Applications	960	1,496	1,965	1,051

(-) A/R balances include unapplied overpayments for customers who take advantage of budget billing

** Total gas billed is not finalized until middle of subsequent month*

CITY ADMINISTRATOR REPORT

Agenda Date: January 8, 2026

To: Mayor and City Council

From: Shawn M. Bell, ICMA-CM
City Administrator

Administration

- Main Street Streetscape
  - The paving team is mobilizing on 1/7 and scheduled to complete all paving by 1/9
  - Electrical installation is in progress and expected to be complete in approximately two weeks
  - Landscapers are mobilizing on 1/8 and are expected to be complete in approximately two weeks
  - The entire project is expected to be completed by 1/31
- Municipal Complex
  - Floor plans are complete
  - LS3P is finishing the interior and exterior schematic designs
  - Next steps are to procure a construction manager at-risk (CMAR) and begin the design development phase of the project
- GoFountainInn.com - "25 over 40" for 2026
  - Luncheon on 1/28 at the Activities Center from 11:30 a.m. to 1:00 p.m.
  - Mayor McLeer, Mayor Pro-Tem Don, Public Works Director Brison Taylor, and Firefighter Chad Beam are among the honorees

Community Relations

- Events Recap:
  - Christmas INN Our Town 2025
    - Tree Lighting Ceremony - 3,800 attendees
      - 3,900 attendees in 2024 (-2.6%)
    - Christmas Parade - 7,300 attendees
      - 7,400 attendees in 2024 (-1.8%)
    - Merry Market - 5,500 attendees
      - 5,700 attendees in 2024 (-3.5%)
    - 1st Annual Deck the (Golf) Carts Parade
      - 32 participating golf carts
    - Carriage Rides
      - 8,796 tickets sold

        - 6,922 in 2024 (+27%)
    - Attendees came from eight states outside of South Carolina, representing 57 different zip codes
    - 20 carriage workers and 20 horses
    - 62 volunteers and eight part-time helpers
  - 129,000 people came to downtown Fountain Inn in December (-0.25%) from 64,400 unique visitors (+1.5%), with an average dwell time of 77 minutes
- Upcoming Events
  - 20th Annual Mac Arnold Cornbread & Collard Greens Blues Festival on April 11 from 12:00 - 6:00 p.m.
  - Italian American Heritage Festival on April 18 from 12:00 - 6:00 p.m.
- Main Street Fountain Inn
  - Calendar Year 2025
    - 1.5 million people came to downtown Fountain Inn from 225,500 unique visitors, with an average dwell time of 82 minutes
  - Calendar Year 2024
    - 1.4 million people (+9.2%), 205,500 unique visitors (+9.7%), and an average dwell time of 78 minutes (+5.1%)
- Social Media - 2025
  - Main Street Facebook & Instagram had a 40% increase in followers
  - City of Fountain Inn Facebook & Instagram had a 13% increase in followers
  - Fire Facebook & Instagram had a 3,300% increase in followers
  - Police Facebook & Instagram had a 93.7% increase in followers
  - Recreation Facebook & Instagram had a 13% increase in followers
  - Natural Gas Facebook had a 9% increase in followers

Fire

- Calendar Year 2025
  - 2,432 calls for service
    - 2,371 in 2024 (+2.6%)
  - 30.8% of calls for service overlapped (748)
  - 1,486 were Rescue & EMS incidents (61.1%)
  - Average response time of 4:35
- Fire Station #3
  - Work continues on value engineering and solidifying the pricing
  - Geo-technical work and construction drawings are the next steps

Human Resources

- Community Relations
  - Main Street Coordinator - One vacancy; reposting in January
- Fire
  - Firefighter - One vacancy; interviews scheduled
- Natural Gas
  - Technician I-III - One vacancy; offer made
- Police
  - Certified Uniform Patrol Officer - One vacancy; candidate in process
  - Community Police Officer - One vacancy; reposting in January
  - Records Technician - One vacancy; interview scheduled
  - Lieutenant - One vacancy; posting in January
  - Sergeant - One vacancy; posting in February
  - Detective - One vacancy; on hold
- Public Works
  - Sewer/Stormwater Technician I-III - Two vacancies; posting in January
  - Sanitation CDL Driver - Two vacancies; posting in January

Judicial

- November 2025
  - 254 total cases
    - 64 criminal and 190 traffic
  - 199 pending cases
  - 27 disposed cases
- December 2025
  - 311 total cases
    - 58 criminal and 253 traffic
    - 253 pending cases
    - 23 disposed cases
- Calendar Year 2025
  - 3,707 total cases
    - 2,243 in 2024 (+65.3%) and 1,891 in 2023 (+96%)
  - 780 criminal cases
    - 605 in 2024 (+28.9%) and 624 in 2023 (+25%)
  - 2,927 traffic cases
    - 1,638 in 2024 (+78.7%) and 1,267 in 2023 (+131%)
- 1st Quarter Jury Trials scheduled for 2/9 - 2/13
- Projected total cases for 2026 range from 4,615 (+24.5%) to 5,190 (+40%)

Natural Gas

- Gas Supply
  - Deliveries for November 2025
    - Gas volume of 104,033 Dekatherms
    - Gas consumption for November 2025 was 13% higher than November 2024 and 0.31% higher than the November three-year average
  - Deliveries for December 2025
    - Gas volume of 182,244 Dekatherms
    - Gas consumption for December 2025 was 0.16% lower than December 2024 and 4.7% higher than the December three-year average
- Gas Prices/Rates
  - The price of natural gas for December 2025 settled at $4.424 per Dekatherm, representing a $1.048 increase from November's price
  - The price of natural gas for January 2026 settled at $4.687 per Dekatherm, representing a $0.263 increase from December's price
- Operations
  - November 2025 Key Indicators
    - 5,211 feet of new main lines installed
    - 2,783 feet of new service lines installed (57)
    - Average hours of employee training: 33 hours per employee
  - December 2025 Key Indicators
    - 3,134 feet of new main lines installed
    - 2,882 feet of new service lines installed (65)
    - 13,155 active customers
    - Average hours of employee training: 37 hours per employee
  - The Inn Circle improvement project has been completed - all old steel mains and service lines have been replaced with new plastic lines
- Calendar Year 2025
  - 152,965 feet of natural lines installed
    - 149,646 in 2024 (+2.2%)
  - 677 new customers added
    - 768 in 2024 (-11.9%)
  - 5.4% single-year customer growth
    - 6.5% in 2024
  - Delivered 1,079,907 Dekatherms
    - 1,039,865 in 2024 (+3.9%)

Planning & Development

- November 2025 Building & Codes
  - Inspections & Permits
    - 46 permits issued with a total valuation of $5,840,077
    - 375 inspections
    - 47 residential plan reviews and eight commercial plan reviews
    - 46 certificates of occupancy issued
  - Code Compliance Complaints
    - 4 vehicle/other
    - 1 building - unsafe conditions
    - 0 property maintenance
- December 2025 Building & Codes
  - Inspections & Permits
    - 58 permits issued with a total valuation of $11,809,148
    - 359 inspections
    - 73 residential plan reviews and eight commercial plan reviews
    - 30 certificates of occupancy issued
  - Code Compliance Complaints
    - 5 vehicle/other
    - 0 building - unsafe conditions
    - 3 property maintenance
- Calendar Year 2025
  - Inspections & Permits
    - 614 permits issued with a total valuation of $122,866,882
      - 614 in 2024 with a total valuation of $136,996,207 (-10.3%)
    - 4,534 inspections
      - 5,854 in 2024 (-22.5%)
    - 490 residential plan reviews and 68 commercial plan reviews
      - 413 residential (+18.6%) and 54 commercial (+26%) in 2024
    - 334 certificates of occupancy issued
      - 479 in 2024 (-30.3%)
- Impact Fees
  - Parks & Recreation: $221,278 collected through the end of November 2025

Police

- Annual Superhero 5K on April 18 at 8:30 a.m.
- 2026 calendar sales raised over $8,000 (new record) for community programs
- K9 Officer Kunz and Deuce & K9 Officer Atwood and Chops received national certification in Narcotics Detection and Tracking from the North American Police Working Dog Association

- Key Indicators for November 2025
  - 2,195 calls for service
  - 403 inbound 911 calls
  - 244 citations issued
  - 480 warnings issued
  - 32 collisions
  - Animal Control
    - 25 calls for service
    - 12 intakes
    - 0 incident reports
    - 4 transferred to Greenville County Animal Control
    - 6 returned to owner
    - 0 quarantined
    - 60% kennel usage
- Key Indicators for December 2025
  - 2,626 calls for service
  - 510 inbound 911 calls
  - 253 citations issued
  - 393 warnings issued
  - 44 collisions
  - Animal Control
    - 23 calls for service
    - 2 intakes
    - 0 incident reports
    - 2 transferred to Greenville County Animal Control
    - 2 returned to owner
    - 0 quarantined
    - 13% kennel usage
- Calendar Year 2025
  - 26,902 calls for service
    - 18,983 in 2024 (+41.7%)
  - 5,514 inbound 911 calls
    - 3,213 in 2024 (+71.6%)
  - 3,193 citations issued
    - 1,784 in 2024 (+79%)
  - 4,560 warnings issued
    - 2,391 in 2024 (+90.1%)
  - 477 collisions
    - 408 in 2024 (+16.9%)
  - 23 violent crimes

        - 21 in 2024 (+9.5%)
    - 153 property crimes
        - 183 in 2024 (-16.4%)
    - 176 part-1 crimes
        - 204 in 2024 (-13.7%)

Recreation

- 2025 Rudolph Run at Night
    - Registered Participants: 290
        - 218 in 2024 (+33%)
    - $9,042 in revenue generated for FIKE and Miriam Foundation
        - $6,689 in 2024 (+35.2%)
- Annual Daddy-Daughter Dance on February 21 from 6:00 - 8:00 p.m. at the Activities Center
- Tackle Football
    - 12U All-Stars were the state champion runners-up
    - Back-to-back state championship appearances
- Wrestling
    - Final meet of the season on 1/21 at Fountain Inn High School
    - 56% of participants are 9 years old or younger
- 2026 Registration Schedule
    - Spring Baseball/Softball: 1/12 to 2/13
    - Summer Camps: 4/27 to 5/29
    - Adult Co-Ed Softball: 4/30 to 5/31
    - Football/Cheerleading: 6/1 to 7/3
    - Volleyball: 6/15 to 7/17
    - Fall Baseball/Softball: 6/15 to 7/17
    - Miracle League: 8/3 to 9/4
    - Basketball/Wrestling: 9/28 to 10/30
- 55+ Program
    - Enrollment is now at 1,709
        - 1,150 in 2024 (+48.6%)
    - Veteran's Day Ceremony welcomed approximately 200 guests
    - Monthly Bingo consistently draws more than 100 participants
    - Valentine's Tea and a *Bee's Knees Tea* each reached the maximum capacity of 77 guests
    - 54 participants traveled to the Atlanta Aquarium
        - Trip to Helen, GA in 2026
- 2025 Participants
    - Spring Baseball/Softball: 503
        - 660 in 2024 (-23.8%)
    - Fall Baseball/Softball: 240

        - 300 in 2024 (-20%)
    - Basketball: 260
        - 226 in 2024 (+15%)
    - Flag Football: 110
        - 115 in 2024 (-4.3%)
    - Tackle Football: 138
        - 133 in 2024 (+3.8%)
    - Wrestling: 72
        - 65 in 2024 (+10.8%)
    - Volleyball: 80
        - 108 in 2024 (-25.9%)
    - Cheerleading: 53
        - 45 in 2024 (+17.8%)
    - Miracle League: 12
        - 14 in 2024 (-14.3%)
    - Summer Camps
        - Basketball: 39
            - 40 in 2024 (-2.5%)
        - Volleyball: 40
            - 45 in 2024 (-11.1%)

Younts Center for Performing Arts

- An Evening with Dave Anthony (magic, illusion, and hypnosis) on January 31
- On the Border: The Ultimate Eagles Tribute Band on February 7 at 7:30 p.m.
- Motown: A Tribute Concert on February 21 at 7:30 p.m.

Assistant City Administrator – January 2026 and 2025 Year End Report

PROJECT HIGHLIGHTS

- **Main Street Streetscape**: The paving team will mobilize on Wednesday, January 7th and are scheduled to complete all paving by Friday, January 9th. Final electrical installation is in progress and will take approximately 2 weeks to complete. Landscapers for the project will be mobilized on Thursday, January 8th. Landscaping will take approximately 2 weeks to complete. All aspects of the project should be completed by Saturday, January 31st.

- **Parking Lot Revitalization Project**: The project was put out to bid with a closing bid date of Monday, August 11th. Due to scheduling conflicts, we intend to start the project on approximately June 1st 2026.

- **Municipal Complex**: The programming document has been completed. Completed floor plans and next step is to lock down the exterior style. Will start CM@R selection process shortly.

- **Fire Station #3**: Continue to value engineer the project and further lock down the pricing. Next steps would be to start geo technical with S&ME and move forward with construction drawings.

YEAR END REVIEW

- **Woodside Streetscape and Connector**. Completed the Woodside Streetscape and Woodside Connector projects, a project that had been in the planning process for over 8 years.

- **Stormwater Model.** Completed the stormwater model and identified future stormwater projects when funding is available.

December 2025
Council Report

The Inn Place to Be...

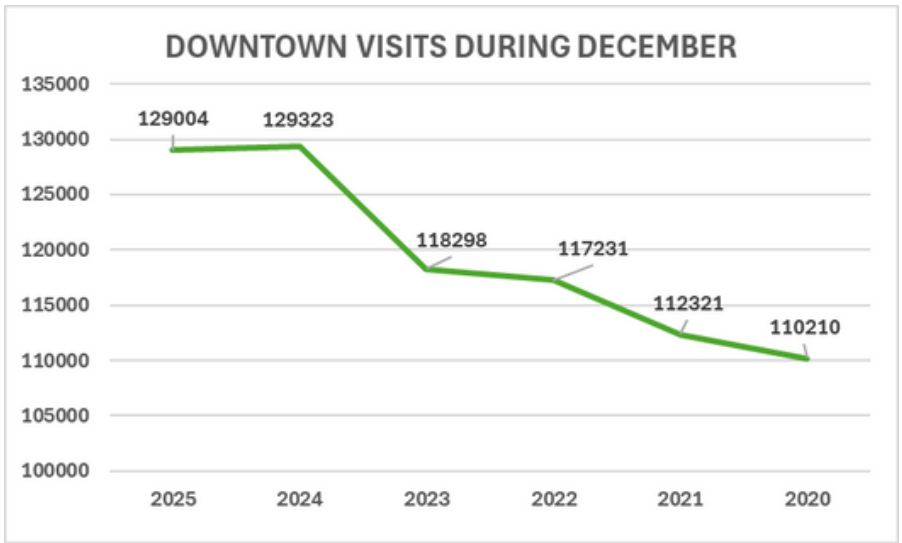
Christmas INN OUR TOWN

The Post and Courier GREENVILLE'S BEST 2025

129,004 VISITORS DURING THE MONTH OF DECEMBER	**71** EVENTS PROMOTED IN DOWNTOWN FOUNTAIN INN	SAT DEC **13** BUSIEST DAY OF THE MONTH	**6-8 PM** MOST POPULAR HOURS

THANK YOU TO OUR CHRISTMAS INN OUR TOWN SPONSORS

IPCO Industrial Power COrporation
Rotary Golden Strip Sunrise Club
Prescott + Foushee Construction People First
Triangle Construction Co. Inc. Integrity · Commitment · Loyalty Since 1947
DRB Homes
EnergyVision
Founders Federal Credit Union
Parker Poe
ReWa renewable water resources
Craig Gaulden Davis | PBK
Edifice Construction
King Kozlarek Root
LCWSC Trust in Every Drop



The Inn Place to Be...
2025

Christmas INN OUR TOWN

DEC 2 TREE LIGHTING 5 - 8 pm	3800 DOWNTOWN ATTENDEES	AVG DWELL TIME 108 MIN	11 VENDORS 16 PARTICIPATING BUSINESSES	52% OF ATTENDEES LIVE OUTSIDE 29644
DEC 3 CHRISTTMAS PARADE 5 - 8 pm	7327 ATTENDEES	AVG DWELL TIME 88 MIN	7 STATES REPRESENTED 100 PEOPLE VISITING FROM OUTSIDE SC	HOSTED BY THE CHAMBER OF COMMERCE
DEC 4 HOME DECOR CONTEST	18 OUT OF TOWN JUDGES	28 WINNING PROPERTIES	HELPING FOUNTAIN INN SHINE	6 WARDS + DOWNTOWN BUSINESSES PARTICIPATING
DEC 6 MERRY MARKET 11 - 5 PM	768 SHOPPERS	AVG DWELL TIME 76 MIN	41 VENDORS + A PETTING ZOO	11 AM-2 PM MOST ACTIVE TIME
DEC 6 RUDOLPH RUN 6 PM	290 REGISTERED PARTICIPANTS	33% INCREASE FROM 2024	"RECOVERY ROUND" IN DOWNTOWN BUSINESSES	
DEC 4 - 18 CARRIAGE RIDES 5 - 9 PM	57 HOURS OF SANTA PHOTOS	MORE THAN 3000 PIECES OF PEPPERMINT HANDED OUT	8 STATES 57 ZIP CODES	COZY CARRIAGE KIT ADD-ONS BIG HIT
ELF WORKSHOP	OPERATING 13 NIGHTS =65 HOURS	8 TABLES OF CRAFTS & GAMES	ELF ACADEMY HOSTED BY PRISMA HEALTH ON DEC 8	INN SEARCH OF ELVES ALL MONTH IN LOCAL BUSINESSES
DEC 11 DECK THE CARTS PARADE 6 PM & HOLIDAY STORY TIME	1ST ANNUAL GOLF CART PARADE	PARTNERED WITH MISS JOY FROM THE LIBRARY	32 PARTICIPATING GOLF CARTS	TRUCK LOAD OF DONATIONS DELIVERED TO THE JAMES MONROE HOUSE
TOUCHES OF MAGIC	SPECIAL PHOTO OPP SPOTS	POPUP GUESTS LIKE THE GRINCH	6 GALLONS OF SNOW FILLED THE AIR	#GRINCHINN DOWNTOWN BUSINESSES "GRINCHED" THEIR NEIGHBORS

2025 Inn Pictures...

IT TAKES THE ENTIRE #BESTINNSC TEAM

20 CARRIAGE WORKERS	20 HORSES FROM GA & OH	62 VOLUNTEERS	8 PT HELPERS	196+ EMPLOYEE SHIFTS	983+ EVENT HOSTING STAFF HOURS	∞ PLANNING, DECORATING, & CLEANING UP

Downtown Merchants Shined...

Shop LOCAL

SANTA ENJOYED VISITING DOWNTOWN BUSINESSES FOR A PHOTO SHOOT WITH OUR COMUNITY RELATIONS DEPARTMENT

VISITORS ENJOYED PARTICIPATING IN #INNSEARCHOFELVES THROUGHOUT THE MONTH

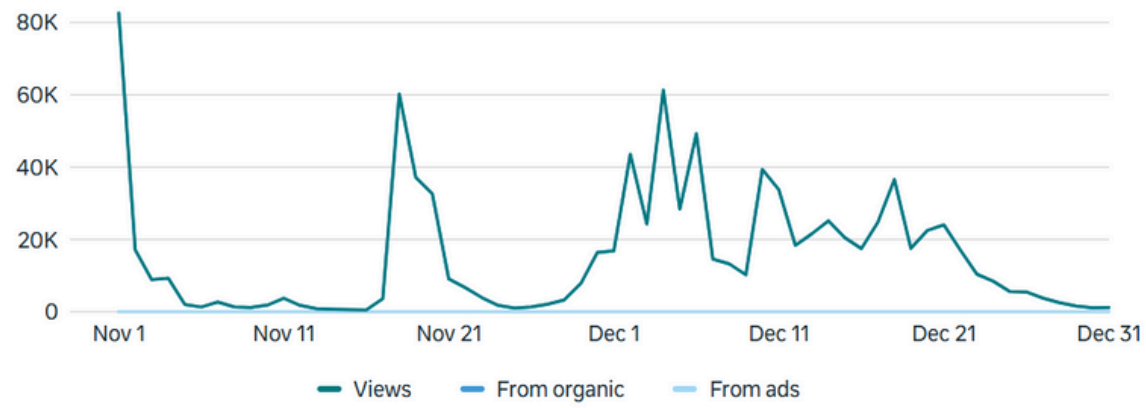
CONGRATULATIONS TO THE CLOCK FOR WINNING!

MAIN STREET FOUNTAIN INN

Main Street Facebook Nov 1 - Dec 31

82.4% women & 17.6% men
43% women ages 35-54

Views	3-second views	1-minute views	Content interactions	Watch time
943.3K ↑ 109.8%	27.4K ↑ 170.1%	2 ↓ 60%	11.9K ↑ 182.1%	4d 15h ↑ 160.2%



Views breakdown
Nov 1, 2025 - Dec 31, 2025

Total
943,269 ↑ 109.8%

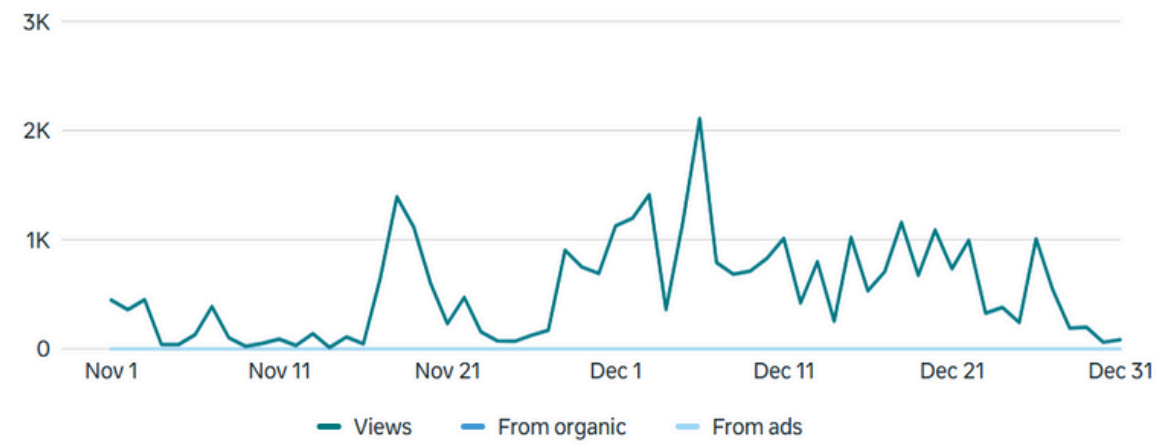
From organic
943,269 ↑ 109.8%

From ads
0 0%

Viewers
190,820 ↑ 93.1%

Main Street Instagram Nov 1 - Dec 31

Views	Reach	Content interactions
32.6K ↑ 16.9%	2.9K ↓ 6.1%	757 ↑ 29.2%



Views breakdown
Nov 1, 2025 - Dec 31, 2025

Total
32,630 ↑ 16.9%

From organic
32,630 ↑ 16.9%

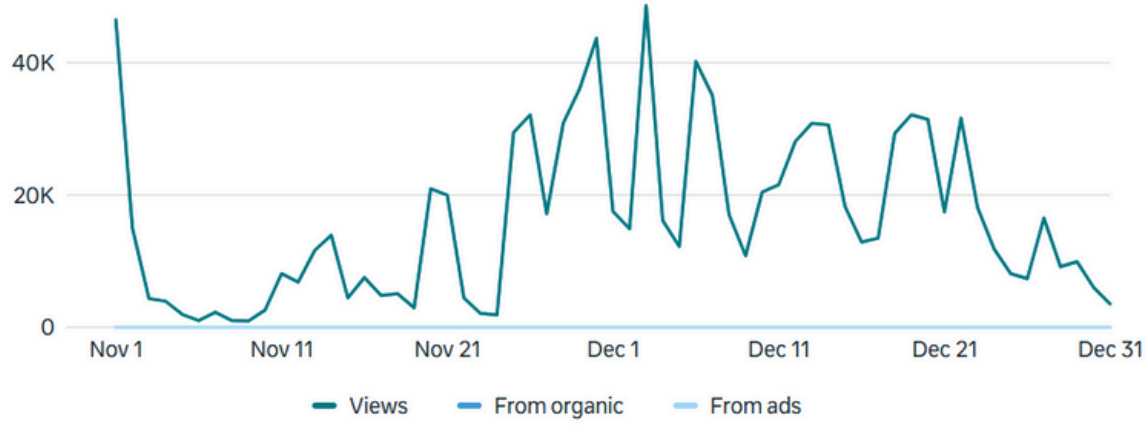
From ads
0 0%

December 2025
Council Report

77% women & 23% men
40% women ages 35-54

City of Fountain Inn Facebook Nov 1 - Dec 31

Views	3-second views	1-minute views	Content interactions	Watch time
1.0M ↑ 53.1%	14.8K ↑ 1.1K%	6 ↑ 200%	10.5K ↑ 52.7%	2d 6h ↑ 982%



Views breakdown
Nov 1, 2025 – Dec 31, 2025

Total
1,004,607 ↑ 53.1%

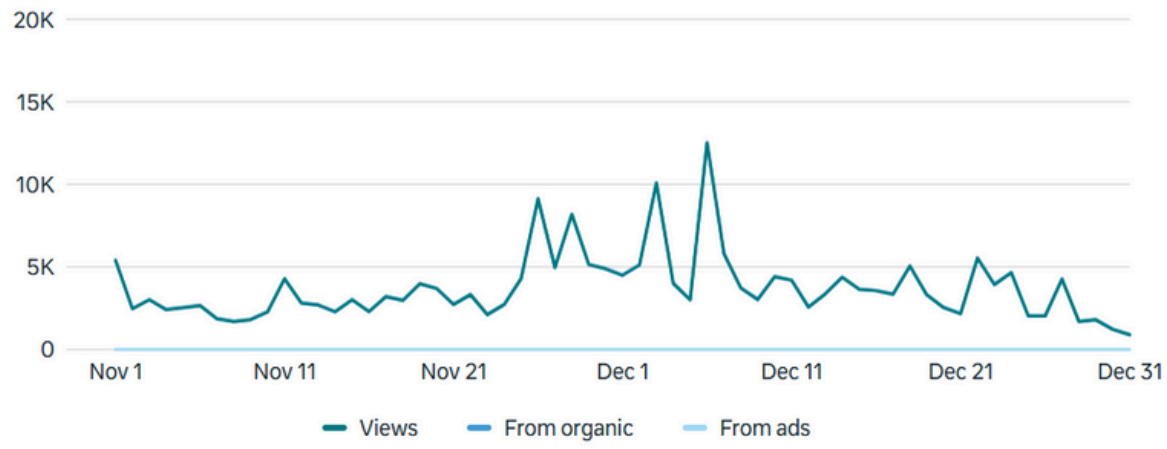
From organic
1,004,607 ↑ 53.1%

From ads
0 0%

Viewers
188,707 ↑ 5.5%

City of Fountain Inn Instagram Nov 1 - Dec 31

Views	Reach	Content interactions
227.2K ↑ 36.4%	18.2K ↑ 54.3%	3.5K ↑ 57.8%



Views breakdown
Nov 1, 2025 – Dec 31, 2025

Total
227,225 ↑ 36.4%

From organic
227,225 ↑ 36.4%

From ads
0 0%

City of Fountain Inn Linkedin Nov 1 - Dec 31

Visitor Highlights

229	109
Page views	Unique visitors
▲13.9%	▲16%

2025 Highlights

FOUNTAIN INN
est 1886

2025 Excellence on Main Street Award

News Release

The Mill received the Municipal Association of SC's highest honor in winning the 2025 Excellence on Main Street Award in South Carolina!

Video

COFI Named One of the Safest Cities in South Carolina

We are proud to be in The 20 safest cities in South Carolina! Great job Chief and the entire FIPD!

Fountain Inn Natural Gas Honored with SOAR Award

Eduardo Noriega, Gas Director for the City of Fountain Inn, recently returned from the American Public Gas Association's (APGA) Annual Conference, where he officially accepted the System Operational Achievement
This marks a proud achievement for Fountain Inn Natural Gas, joining only 16 utilities nationwide recognized in 2025. Congratulations to our FING Department for this outstanding accomplishment!

Local Halloween Display goes Viral

A local Halloween display in town (home owners Sam Lee & Amanda Peden) caught attention, made National News —and served an important purpose! The Red Cross partnered with the Fountain Inn Police Department to use this fiery decorations to teach fire safety, turning spooky fun into a valuable safety lesson for the community.

47 Year Old High School Ring Returned to Owner

Fountain Inn Natural Gas Tech III, Chris Craine, made an unexpected discovery — a Hillcrest High School class ring buried near a gas line. With help from our amazing Fountain Inn residents, the owner was found. Tommy Jennings, drove a school bus and worked second shift (while attending school) and purchased the ring with his own money! He had the ring for less than a year when it was accidentally lost, 47 years ago. What a treat it was to see the smiles on his face when he picked up the ring. Great job Chris and everyone that helped find Mr. Jennings!

47 Year Old High School Ring Returned to Owner

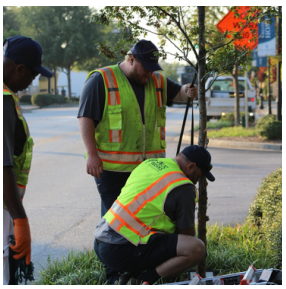
The Fountain Inn 12u football team made history by capturing the 2024 South Carolina Recreation and Parks Association (SCRPA) State Championship title. The team achieved this remarkable feat with an undefeated season, showcasing exceptional skill, teamwork, and determination.

Downtown Public Art

We're thrilled to welcome the "Hetty" Piano to Downtown Fountain Inn and can't wait to hear the melodies flowing from the breezeway beside Steam Coffee & Cream. Erika DeRoberts of Cherry Lane Art has beautifully captured nostalgia, cherished memories, and heartfelt warmth through her design: "Inspired by Robert Quillen and his beloved Aunt Het, this piano honors the matriarchs in our lives—those who loved with strength, served with grace, and always had something sweet cooling on the windowsill."

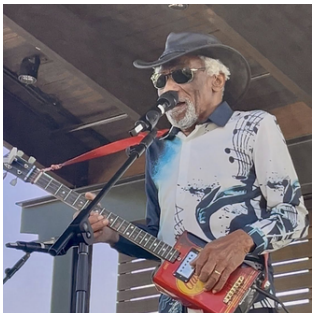
Domestic Violence Awareness Walk

Our community came together in a powerful show of unity during the Domestic Violence Awareness Walk, hosted by the Fountain Inn Police Department and led by Felisha Miller, Victim Advocate. With 50 participants signing up, the event brought together city staff, local organizations, and residents to honor survivors, raise awareness, and promote prevention.



Our Public Works team was extra busy putting up and taking down holiday decor, street light banners, and keeping our event spaces trash free throughout the year!

2025 IN REVIEW · EVENTS



19th Annual Mac Arnold Cornbread & Collard Greens Blues Festival - April 12

8,740 Downtown Visitors
96 Jeeps Registered
13 Downtown Businesses in Duck Hunt
12 Food Trucks · 22 Vendors
120 Duck Hunt visitor participants
#ducksoffountaininn

Fountain Inn Police Department Superhero 5K for Autism - April 26

Supporting Little White House
274 Run/Walk Participants
300 Handmade Pottery Puzzle Piece Medals
32 Volunteers

Sounds of Summer
May 23-Aug 8

12 Bands Performing
3300 = Avg Downtown Attendance per Event
39,800 Downtown Visitors
142 minute avg dwell time
56% of visitors from outside 29644

Juneteenth
Soul Food Festival
June 21

5,600 (4900 in 2024) Downtown Visitors
62 vendors
3 DJs + 7 Live Performances

Jeepers Creepers
Oct 25

8,770 Downtown Visitors
145 Participating Jeeps

Earth Day Community Clean Up - April 22

30 bags of trash collected

Partnership with Keep Greenville co. Beautiful & Keep Laurens Co. Beautiful

Italian American Heritage Festival - April 26

7700 Downtown Visitors
180 Volunteers
1.8 Tons of Trash Collected by City Sanitation

Farmer's Market
May 24-Sept 27

48 Farms + Vendors
17 Days Open
36,400 Downtown Visitors

Fireworks Spectacular
July 3

11,680 Downtown Visitors

Halloween on N Main St
Oct 31

2,400 (2100 in 2024) Attendees

FOUNTAIN INN
CHAMBER OF COMMERCE

Fountain Inn Chamber of Commerce Ribbon Cuttings

Queen Bee Gifts & Decor
Feb 21
114 N Main Street, Fountain Inn

Maverick Biscuit & Travinia
April 4
113 Weston Street, Fountain Inn

Candy Craft
June 20
115 South Main Street, Fountain Inn
New Ownership
Formerly Candy & Chronicles

The Chill Factory
June 27
109 N. Main Street, Fountain Inn
New Ownership

Anytime Fitness
July 11
1122 North Main Street, Fountain Inn

Sherwin Williams
Aug 1
175 Bates Street, Fountain Inn

Make & Believe Artists
Aug 15
Younts Center for Performing Arts

Elite Custom Golf Carts
Aug 22
1129 N. Main Street, Fountain Inn

Wendy's
Aug 22
303 McCarter Road, Fountain Inn

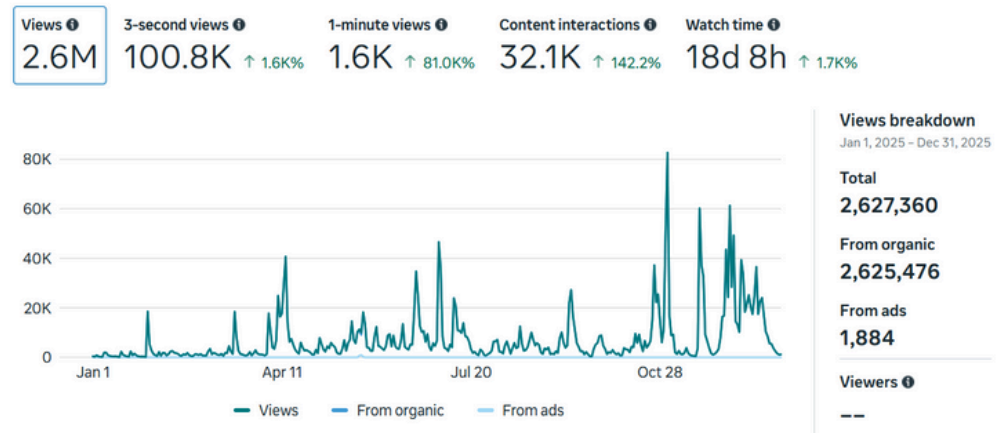
Legacy Women's Health & Wellness
Aug 8
105 N. Main Street, Fountain Inn

Let's Dance Collective
Sept 1
610-A N. Woods Drive, Fountain Inn

D.R. Horton Homes – Cedar Gap
Sept 5
201 Roocroft Court, Fountain Inn

2025 IN REVIEW

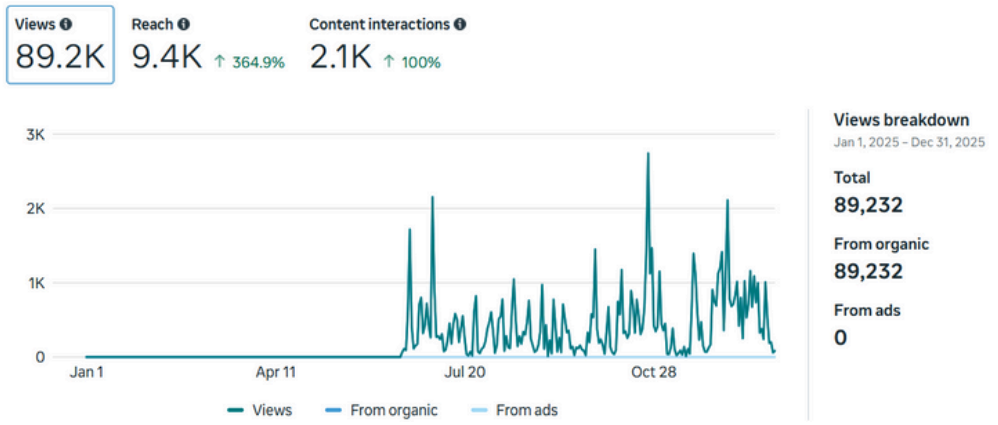
MS FB Jan 1 - Dec 31



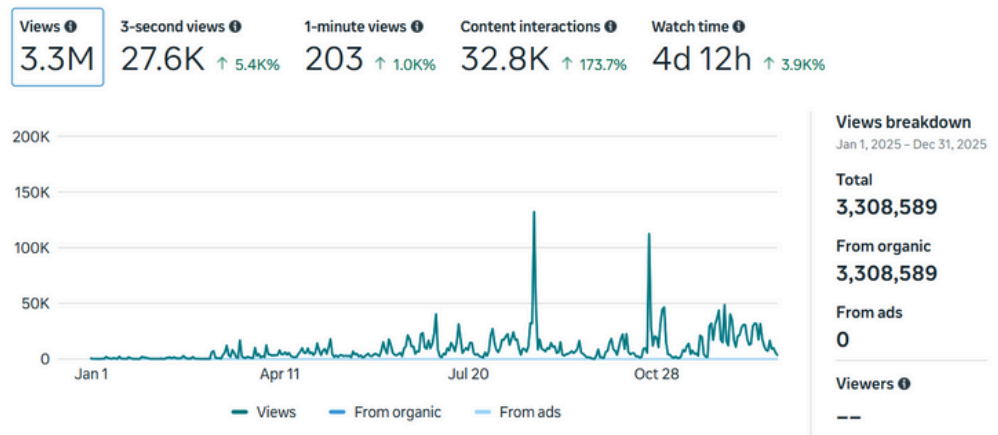
11,027 Total followers

+40.4% from previous 365 days

MS Insta Jan 1 - Dec 31



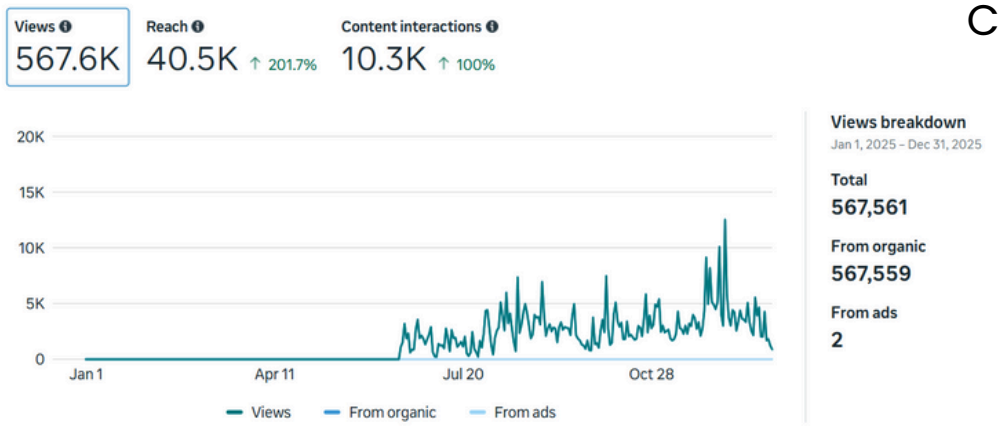
COFI FB Jan 1 - Dec 31

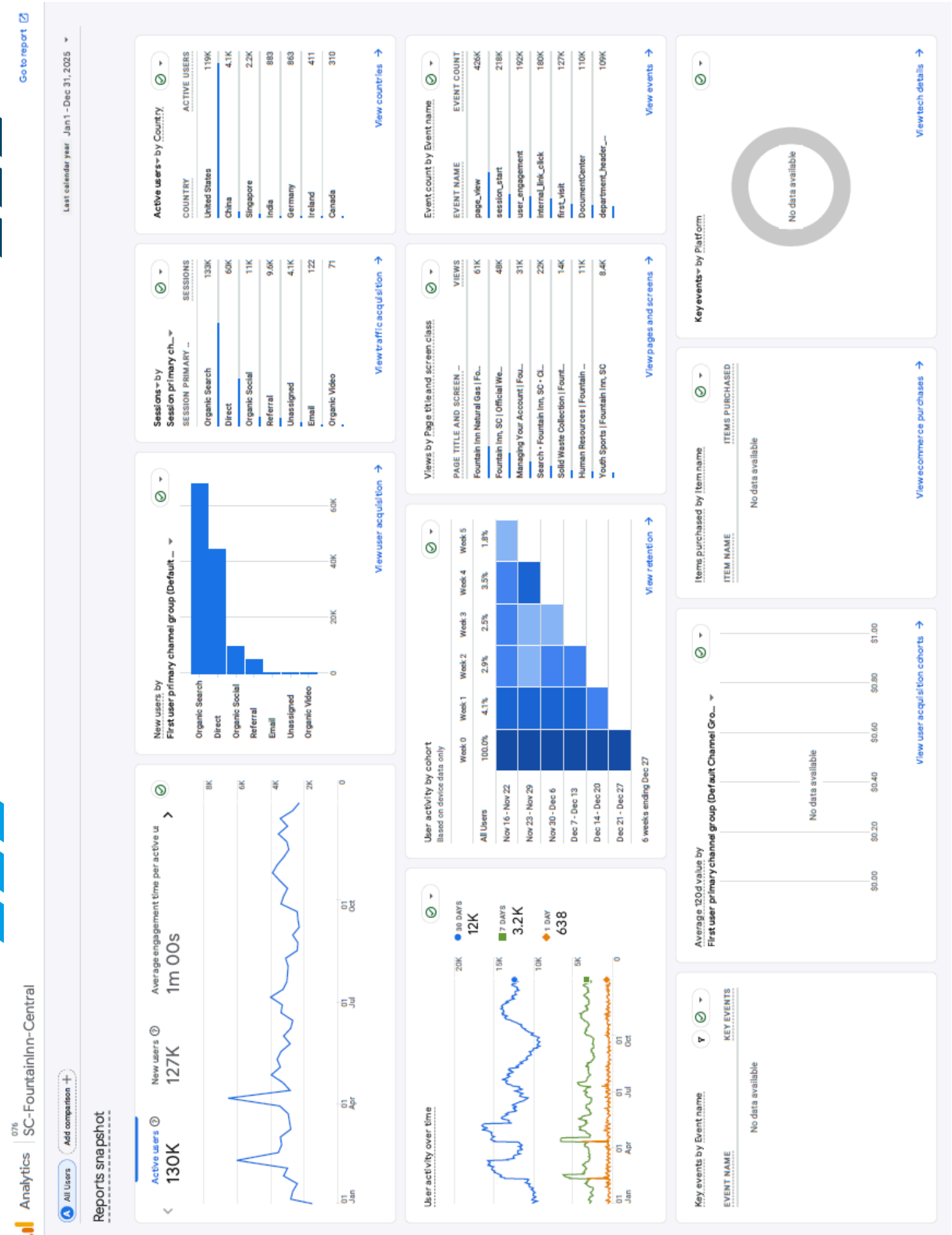


13,624 Total followers

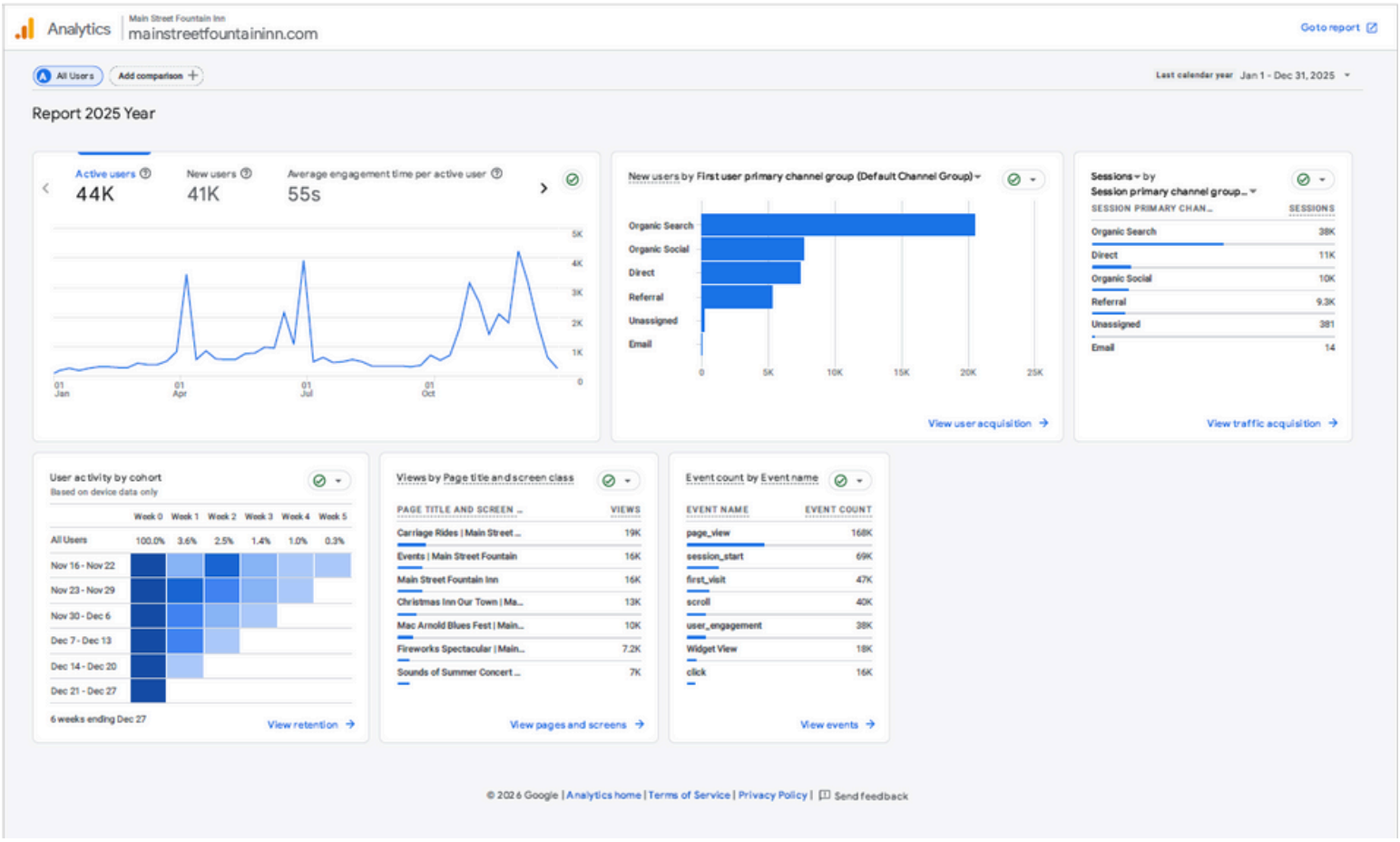
+13.4% from previous 365 days

COFI Insta Jan 1 - Dec 31




Analytics
076
SC-FountainInn-Central
Go to report
All Users
Add comparison +
Last calendar year Jan 1 - Dec 31, 2025
Reports snapshot
Active users
130K
New users
127K
Average engagement time per active u
1m 00s
Jan
Apr
Jul
Oct
New users by
First user primary channel group (Default ...
Organic Search
Direct
Organic Social
Referral
Email
Unassigned
Organic Video
0
20K
40K
60K
View user acquisition →
Sessions by
Session primary ch...
SESSION PRIMARY ...
SESSIONS
Organic Search 133K
Direct 60K
Organic Social 11K
Referral 9.6K
Unassigned 4.1K
Email 122
Organic Video 71
View traffic acquisition →
Active users by Country
COUNTRY
ACTIVE USERS
United States 119K
China 4.1K
Singapore 2.2K
India 883
Germany 863
Ireland 411
Canada 310
View countries →
Views by Page title and screen class
PAGE TITLE AND SCREEN ...
VIEWS
Fountain Inn Natural Gas | Fo... 61K
Fountain Inn, SC | Official We... 48K
Managing Your Account | Fou... 31K
Search - Fountain Inn, SC - Cl... 22K
Solid Waste Collection | Fount... 14K
Human Resources | Fountain ... 11K
Youth Sports | Fountain Inn, SC 8.4K
View pages and screens →
Event count by Event name
EVENT NAME
EVENT COUNT
page_view 426K
session_start 218K
user_engagement 192K
internal_link_click 180K
first_visit 127K
DocumentCenter 110K
department_header_... 109K
View events →
User activity over time
30 DAYS
12K
7 DAYS
3.2K
1 DAY
638
20K
15K
10K
5K
0
User activity by cohort
Based on device data only
Week 0
Week 1
Week 2
Week 3
Week 4
Week 5
All Users 100.0% 4.1% 2.9% 2.5% 3.5% 1.8%
Nov 16 - Nov 22
Nov 23 - Nov 29
Nov 30 - Dec 6
Dec 7 - Dec 13
Dec 14 - Dec 20
Dec 21 - Dec 27
6 weeks ending Dec 27
View retention →
Items purchased by Item name
ITEM NAME
ITEMS PURCHASED
No data available
View ecommerce purchases →
Key events by Platform
No data available
View tech details →
Key events by Event name
EVENT NAME
KEY EVENTS
No data available
Average 120d value by
First user primary channel group (Default Channel Gro...
$0.00
$0.20
$0.40
$0.60
$0.80
$1.00
No data available
View user acquisition cohorts →

2025 ANALYTICS · WWW.MAINSTREETFOUNTAININN.COM

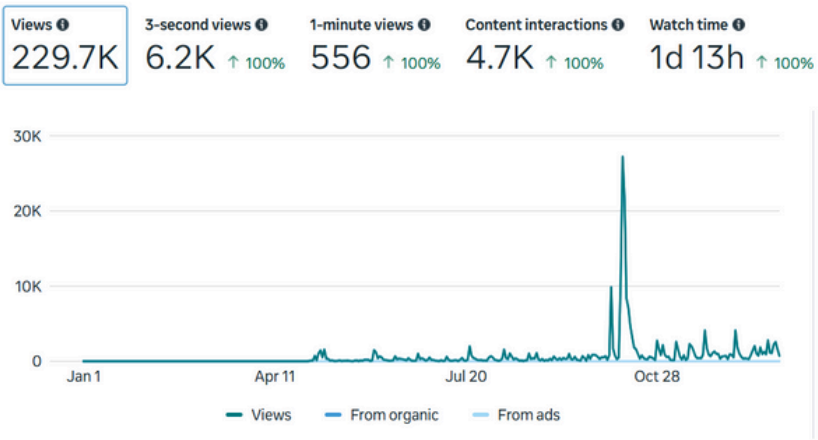


2025 NEWSLETTERS

	Send dates	Sends	Open rate	Click rate
Inn the Know!	Jan 07, 2025 5:11 pm	11,899	46.0%	0.9%
Inn the Know! February 2025	Feb 03, 2025 4:15 pm	12,627	45.3%	5.6%
Inn the Know! March 2025	Mar 03, 2025 9:24 am	12,513	39.7%	5.4%
Inn the Know! April 2025	Apr 02, 2025 7:45 pm	12,471	55.5%	5.5%
Inn the Know! May 2025	May 13, 2025 1:00 pm	12,362	54.0%	5.8%
Inn the Know! June 2025	Jun 05, 2025 2:05 pm	12,328	51.9%	4.3%
Inn the Know! July 2025	Jul 02, 2025 11:34 am	12,309	51.4%	4.3%
Inn the Know! August 2025	Aug 07, 2025 10:00 am	12,289	51.8%	4.6%
Inn the Know! September	Sep 04, 2025 12:24 pm	12,259	52.2%	4.4%
INN the Know - City of Fountain Inn October 2025 Newsletter	Oct 02, 2025 2:57 pm	12,234	51.8%	5.8%
INN the Know - City of Fountain Inn November 2025	Nov 06, 2025 9:01 am	12,249	47.8%	7.6%
INN the Know - City of Fountain Inn December 2025	Dec 12, 2025 1:29 pm	12,191	44.8%	4.3%

Mark your 2026 calendar:

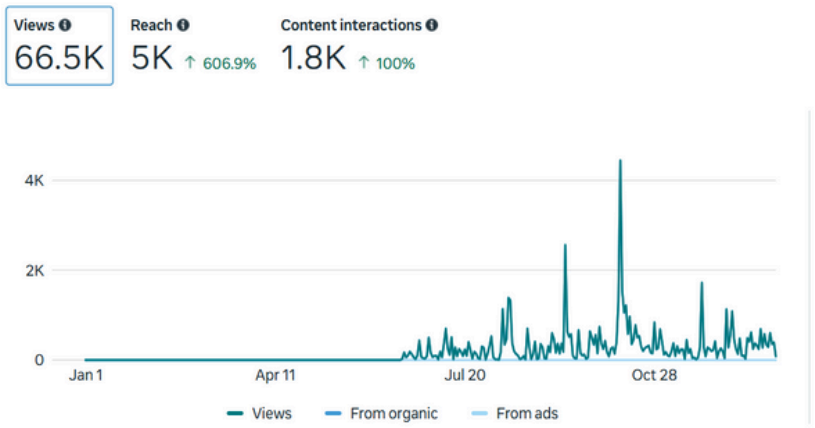
January 28	Go Fountain Inn - 25 over 40 Luncheon	11:30-1:00 PM
April 11	20th Annual Mac Arnold	12:00-6:00 PM
April 18	Superhero 5K	8:30 AM
April 18	Italian Heritage Festival	12:00–6:00 PM



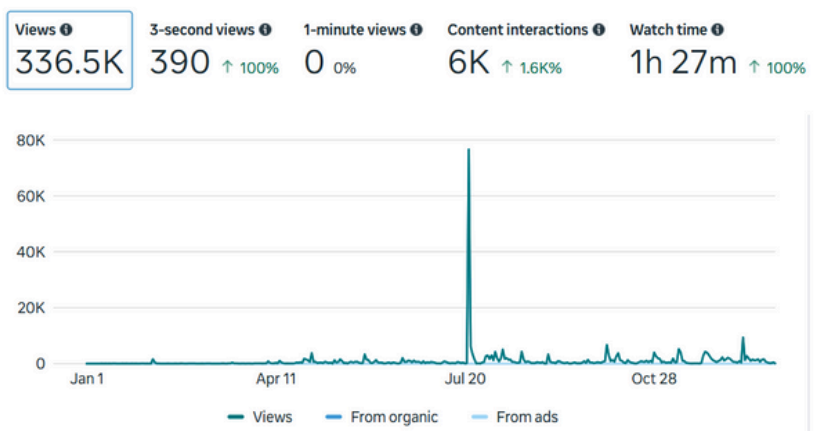
Fire FB Jan 1 - Dec 31

511 Total followers

+3,300.0% from previous 365 days



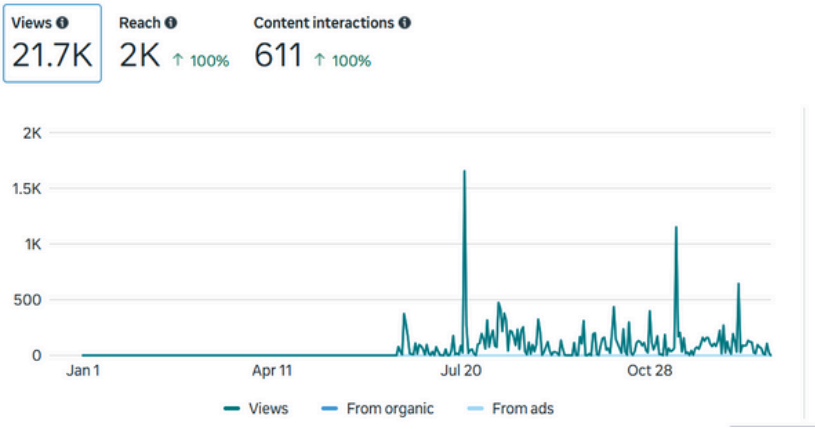
Fire Insta Jan 1 - Dec 31



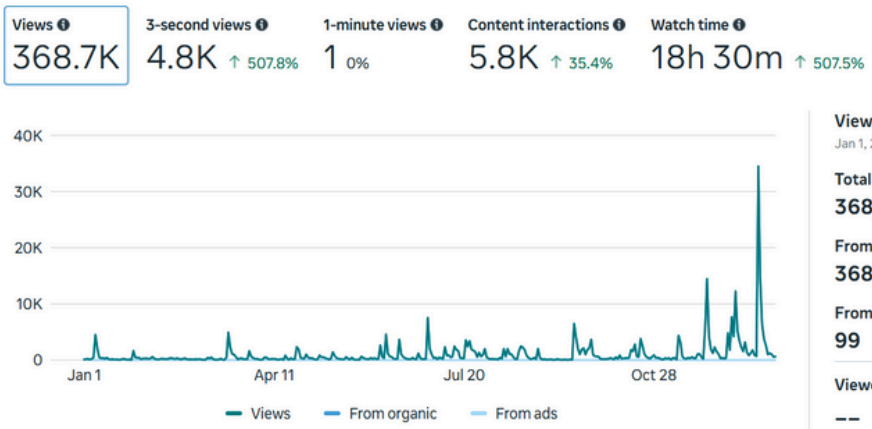
PD FB Jan 1 - Dec 31

1,170 Total followers

+93.7% from previous 365 days



PD Insta Jan 1 - Dec 31

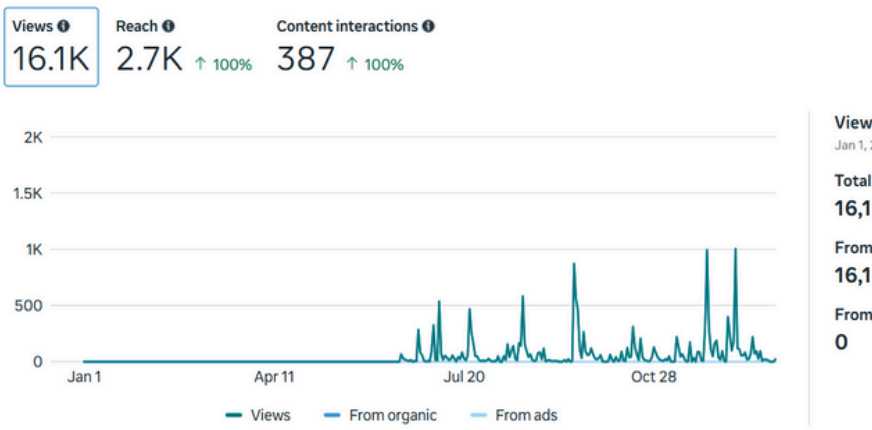


PARKS RECREATION FOUNTAIN INN

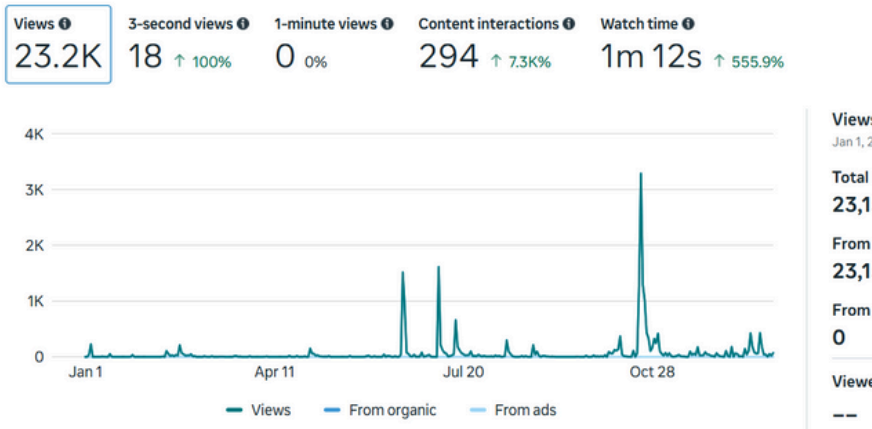
Rec FB Jan 1 - Dec 31

4,284 Total followers

+13.3% from previous 365 days



Rec Insta Jan 1 - Dec 31



FOUNTAIN INN NATURAL GAS

FING FB Jan 1 - Dec 31

438 Total followers

+9.0% from previous 365 days

Follow us in all the places...

Fountain Inn Fire Department:
Facebook @FountainInnFireDepartment
Instagram @fountaininnfiredepartment
Fountain Inn Police Department:
Facebook @fountaininnpd
Instagram @fountaininnpd

City of Fountain Inn:
Facebook @fountaininnsc
nstagram @fountaininnsc
Linkedin
Main Street Fountain Inn:
Facebook @MainStreetFountainInn
Instagram @mainstreetfountaininn
Fountain Inn Natural Gas:
Facebook @FtnInnNaturalGas
City of Fountain Inn Parks and Recreation:
Facebook @FIPARD
Instagram @fountaininnrec

Impact Fees

City Council officially approved Impact Fees to help support growth and fund essential city services.

Main Street Streetscape

The City's zoning code has not seen a major rewrite since 2006. OD-2026-01 (UDO + zoning map) is currently under review.

SpringHill Suites

In July 2025, City Council approved an ED agreement to support a new 109-room ($20 million project) SpringHill by Marriott hotel downtown — expected to begin construction in early 2026.

101 S. Main

This new commercial building, will feature up to 8,779 square feet and is designed to accommodate approximately three tenants. Construction began in July 2025.

Zoning

March 2025, project kicked off with significant progress throughout the year. Work is advancing toward completion.

Municipal Complex

Programming was completed and design steps are underway.

Swamp Rabbit Trail Expansion

An extension is planned to directly connect Simpsonville and Fountain Inn.

Parking Lot Revitalization

Located at Jones and Wall Streets on the former Public Works/Natural Gas property; will feature approximately 61 spaces, including 4 ADA-accessible spots.

Alert Center

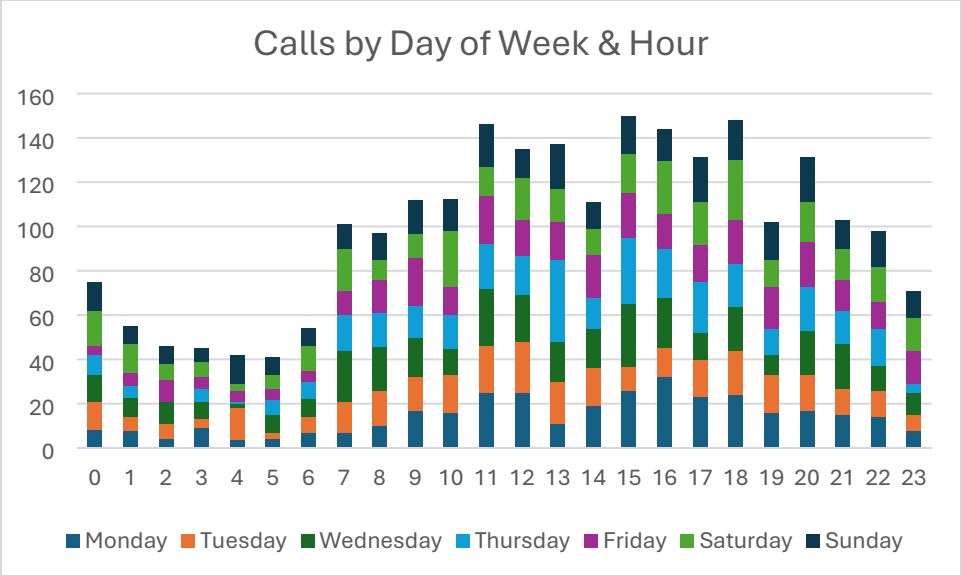
Opt in to receive City updates & notifications.

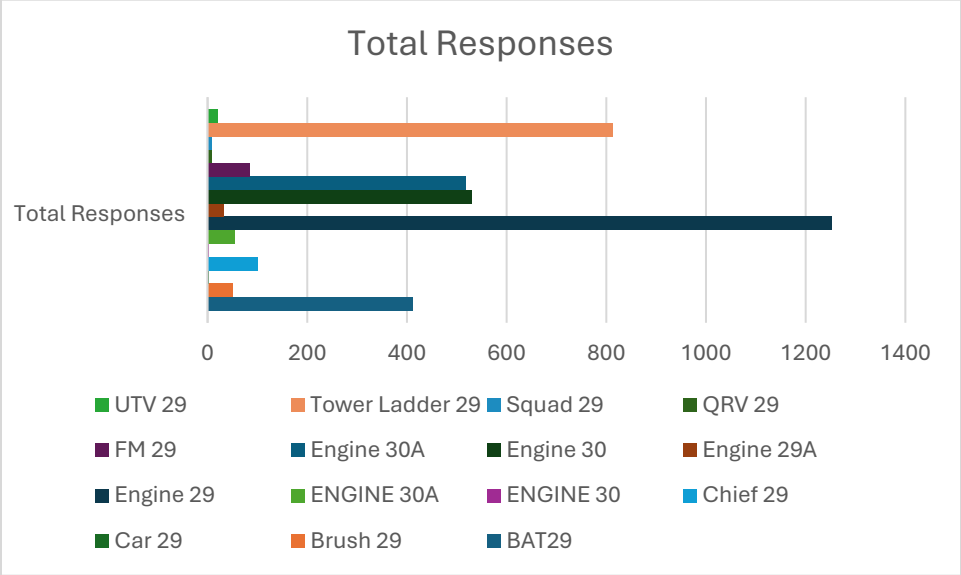
Fountain Inn Fire 2025 Review

- Community Risk Reduction / Code Enforcement: FM Crenshaw has done a tremendous job at re-branding our Fire Marshal/CCR/Code Division this year. He ahs brough new ideas to better the safety of our members and community.
- Structure (Additional Ranks): Created a Battalion Chief role to better assist the shifts with structure and make our scenes safer for all responders.
- Position Task Books, Promotions, Development & Training: Updated all current new hire and promotional materials to better our employees
- Replacement Engine: Contract secured for a stock Engine to arrive in early 2026 to replace a 2007 that was sold due to limitations in safety of members.
- Focus on Professional Development with a concentration on Officer Development. Multiple members completed Fire Officer I and Fire Officer II. One member completed Fire Officer III
- Implemented a new Record Management System
- We were able to send 4 members to FDIC in Indianapolis. This was a first time training event for our members.
- Average response times were 04:45
- 729 Overlapping Incidents. This relates to 30.5% of our calls
- Continue to push Community Connect for citizens to send home information to a secure system for our members to see while responding to their emergency. [Fountain Inn Community Connect]

Report numbers are for December 1, 2024 – November 30, 2025

Fountain Inn Fire 2025 Review





Community Connect Accounts

Fountain Inn Fire 2025 Review

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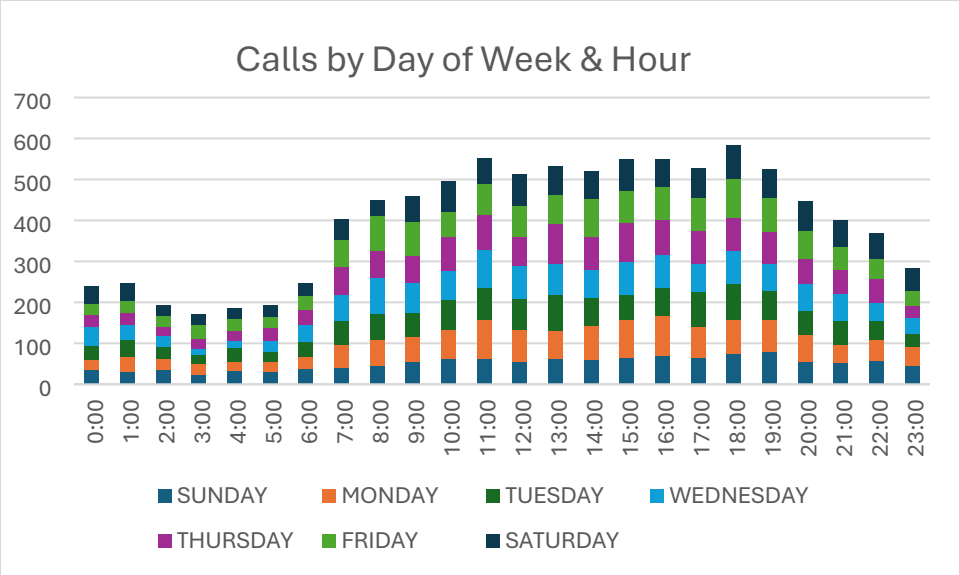
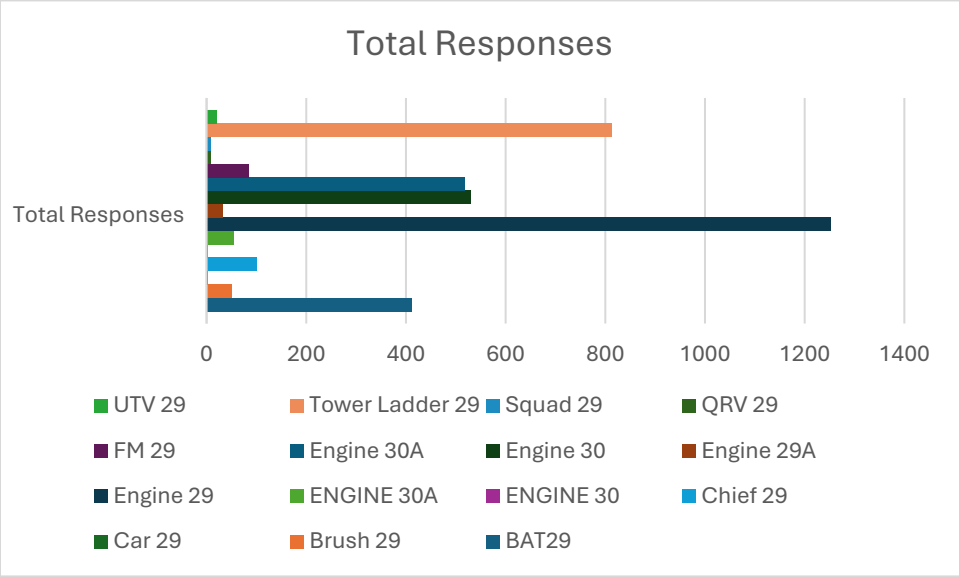
- Focus on Professional Development with a concentration on Officer Development. Multiple members completed Fire Officer I and Fire Officer II. One member completed Fire Officer III
- Implemented a new Record Management System
- We were able to send 4 members to FDIC in Indianapolis. This was a first time training event for our members.
- Average response times were 04:35
- 748 Overlapping Incidents. This relates to 30.5% of our calls
- Continue to push Community Connect for citizens to send home information to a secure system for our members to see while responding to their emergency. [Fountain Inn Community Connect]

Report numbers are for January 1, 2025 – December 31, 2025

Fountain Inn Fire 2025 Review





Community Connect Accounts

Fountain Inn Fire 2025 Review

Judicial Department Monthly Report

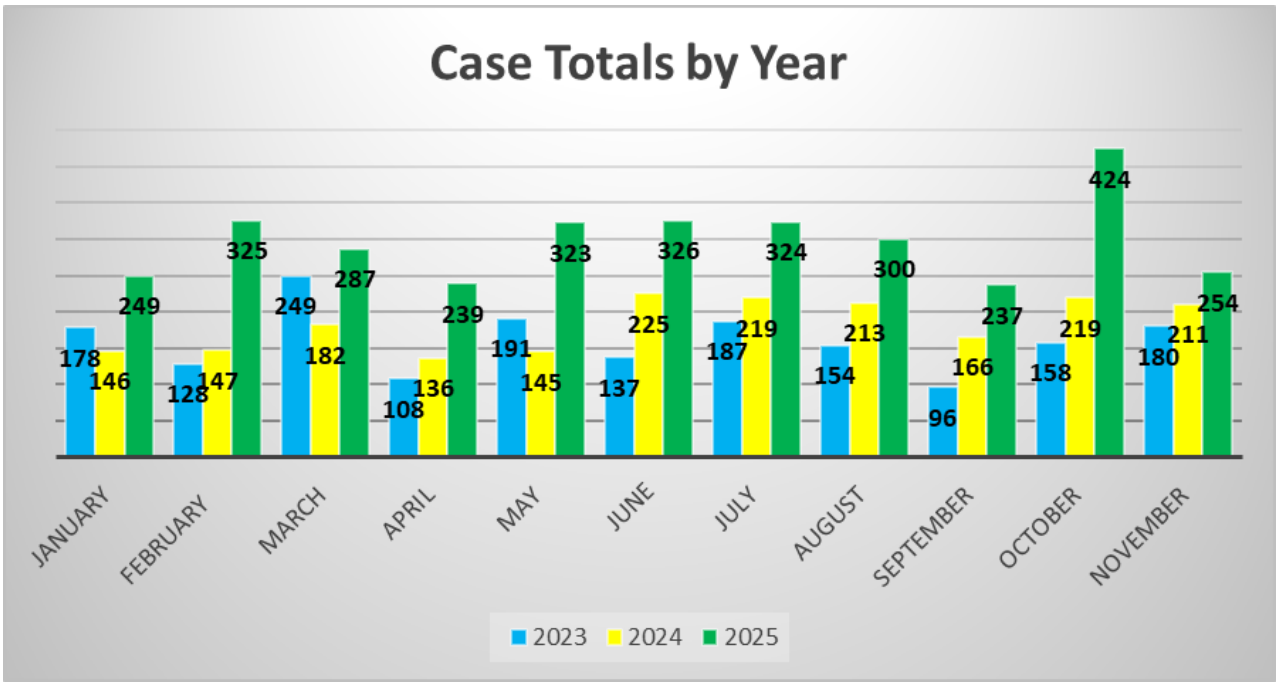
At- a-Glance Summary - November

PERFORMANCE INDICATORS	CRIMINAL	TRAFFIC	TOTALS	YTD Totals
CASE TOTALS	**64**	**190**	**254**	**3,396**
TRANSFERRED CASES	15	13	28	460
DISPOSED CASES	1	26	27	2,185
PENDING CASES	48	151	199	751

DEPARTMENT HIGHLIGHTS

Current Projects:

- Jury trials for the first quarter of 2026:
  - February 9th through 13th


Case Totals by Year
JANUARY
FEBRUARY
MARCH
APRIL
MAY
JUNE
JULY
AUGUST
SEPTEMBER
OCTOBER
NOVEMBER
178
146
249
128
147
325
249
182
287
108
136
239
191
145
323
137
225
326
187
219
324
154
213
300
96
166
237
158
219
424
180
211
254
2023
2024
2025

Judicial Department Monthly Report

At- a-Glance Summary – December 2025

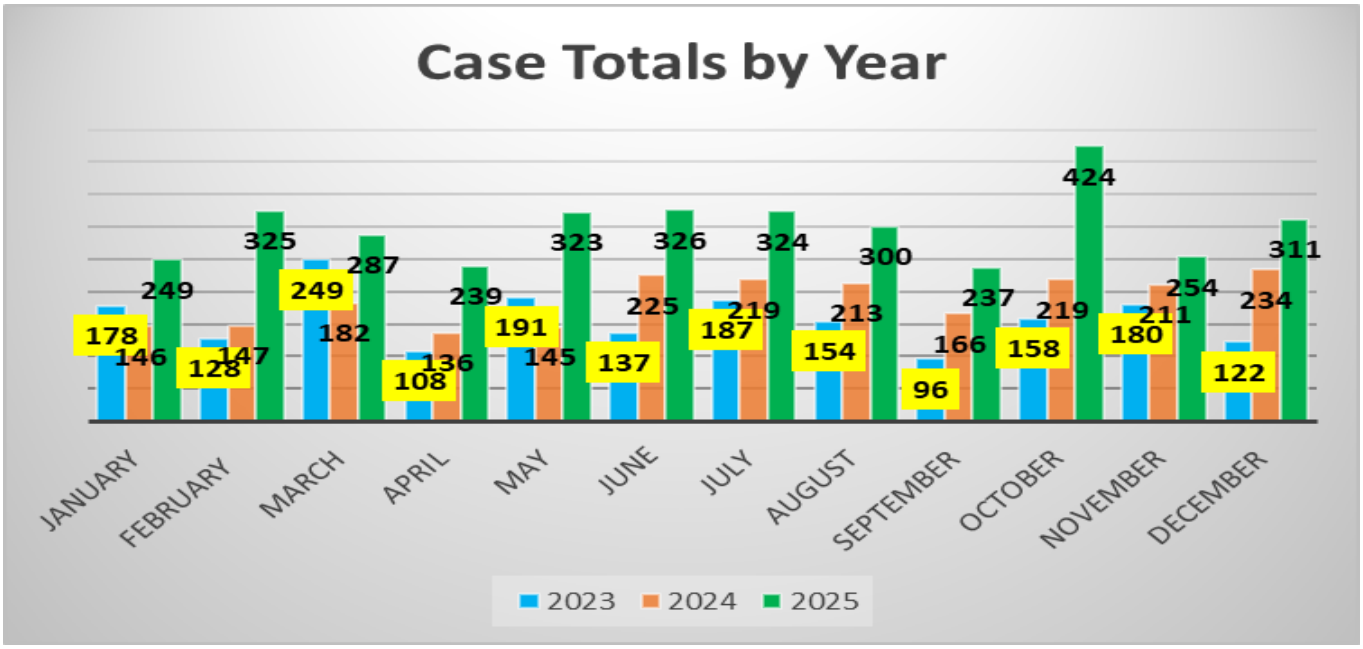
PERFORMANCE INDICATORS	CRIMINAL	TRAFFIC	TOTALS	YTD Totals
CASE TOTALS	**58**	**253**	**311**	**3,707**
TRANSFERRED CASES	24	11	35	495
DISPOSED CASES	6	17	23	2,208
PENDING CASES	28	225	253	1,004

DEPARTMENT HIGHLIGHTS

December recorded 311 new cases with 23 disposed and 253 pending. Traffic cases continue to dominate filings (81%), while criminal cases remain steady. Pending cases increases slightly. Preparations for February jury trials are underway.

Current Projects:

- Pretrial hearings for first quarter jury trials:
  - January 12th and 14th
- Jury trials for the first quarter of 2026:
  - February 9th through 13th


Case Totals by Year
JANUARY
FEBRUARY
MARCH
APRIL
MAY
JUNE
JULY
AUGUST
SEPTEMBER
OCTOBER
NOVEMBER
DECEMBER
178
146
249
128
147
325
249
182
287
108
136
239
191
145
323
137
225
326
187
219
324
154
213
300
96
166
237
158
219
424
180
211
254
122
234
311
2023
2024
2025

Judicial Department 2025 Yearly Overview

At- a-Glance Summary

PERFORMANCE INDICATORS	CRIMINAL	TRAFFIC	TOTALS
CASE TOTALS - 2025	**780**	**2,927**	**3,707**
CASE TOTALS – 2024	**605**	**1,638**	**2,243**
CASE TOTALS - 2023	**624**	**1,267**	**1,891**

DEPARTMENT HIGHLIGHTS

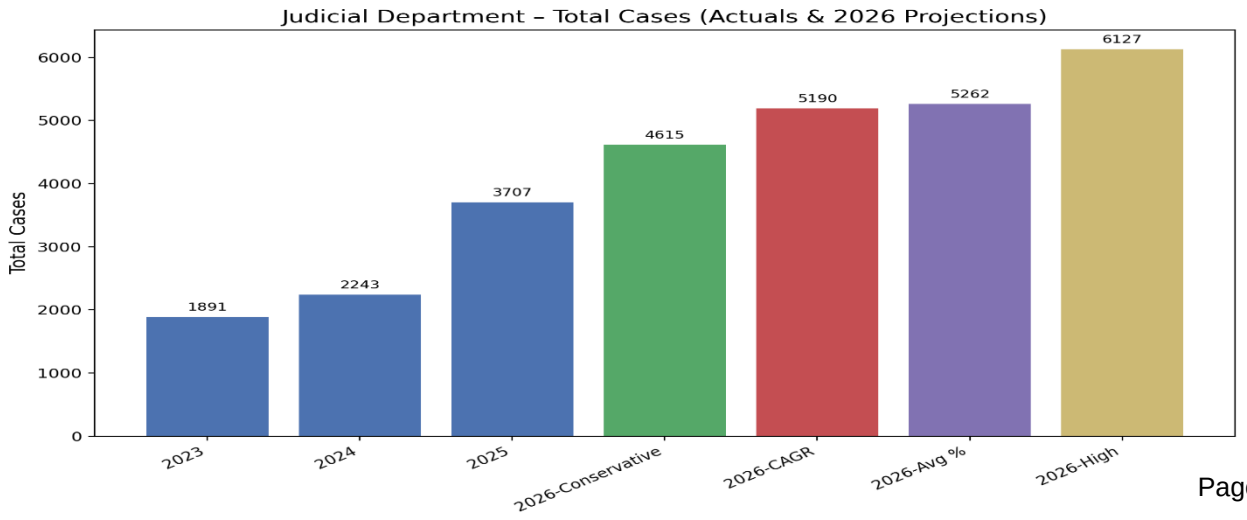
Current Projects:

- Pretrial hearings for first quarter jury trials:
    - January 12th and 14th

2025 Highlights:

- Night and weekend Judge Jhonnea McAllister hired for vacant position.
- Records retention project completed in second quarter.
- New city prosecutor transition on July 1, 2025.
- Second year participating in MASC Set off Debt Program to collect delinquent court fines.

2026 Forecast:



Key Insights:

- Growth accelerated significantly in 2025, suggesting higher variability.
- Projections for 2026 range from **4,615 to 6,127 cases**, with a **baseline near 5,200 cases**.
- If 2025's growth repeats, workload could increase by **65%.**

FOUNTAIN INN
est 1886

Gas Department
Monthly Report
Period Ending, December 2025

Fountain Inn Natural Gas

GAS SUPPLY

- December Gas Volume: 182,244 Dths.
- December Consumption: 0.16% lower than December 2024 and 4.7% higher than the 3-year average for December.
- Natural Gas Pricing:
  - January Gas Price: $4.687 per Dekatherm
  - Change from December: increase of $0.263 per Dekatherm.
    - Note: This price reflects the commodity cost only. The final "Cost of Gas" includes additional factors such as transportation, fees and other costs which affect FING's monthly billing.

GAS OPERATIONS

- Customer Base: Currently we serve 13,155 customers in total.
- The improvement project at the Inn Circle neighborhood has been completed. All old steel gas mains and service lines have been replaced with new plastic lines.
- Fountain Inn Natural Gas has partnered with *Utility Financial Solutions* to perform a comprehensive review of FING's cost of service, rate structure, reserve funding, and meter charges. This analysis is intended to ensure that rates are properly aligned with the true cost of providing service, that adequate reserves are maintained for system reliability and growth, and that the utility is positioned to meet future capital, operational, and regulatory requirements in a financially responsible way. The study should be completed by early Spring.
- System Improvement: The planned 3 miles of 6" high pressure steel job to serve the North end of our system will start Spring of 2026.
- Williams/Transco City Gate:
  FING and Williams have reached an agreement on the upgrade of the existing city gate.
  Estimated project cost $2.3 million to $3.1 million.
  Williams has submitted the contract agreement for City's review and approval.

FOUNTAIN INN
est 1886

Gas Department
Monthly Report
Period Ending, December 2025

KEY INDICATORS

PERFORMANCE INDICATORS	CURRENT	Y-T-D
NEW MAIN LINES INSTALLED	3,134 ft.	119,096
NEW SERVICE LINES INSTALLED	65 SL; 2,882 ft.	670 SL; 33,869 ft.
AVERAGE HORS OF EMPLOYEE TRAINING		Avg. 37 hrs./EE

SOUTH CAROLINA RESIDENCIAL GAS RATES

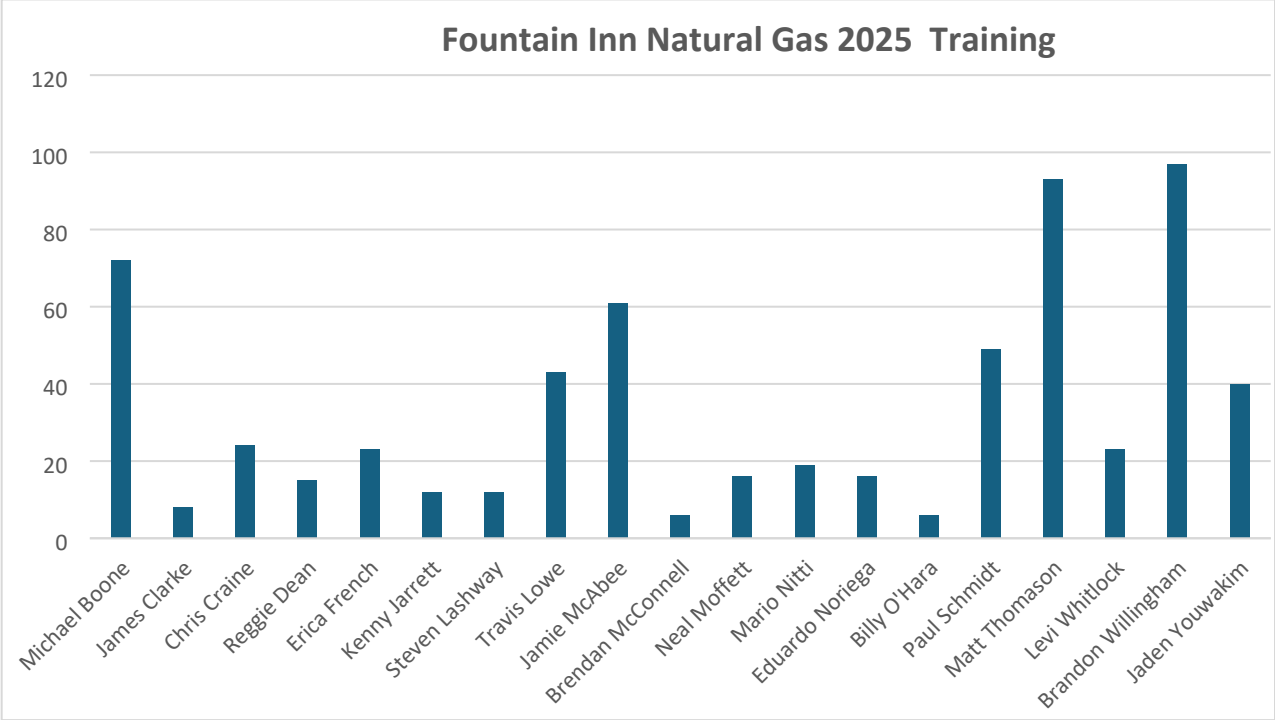
Rate Comparison Notice

Below are the names and rates of other natural gas providers in South Carolina for reference. Please note that each company operates under a different rate structure, cost-recovery method, and set of fixed charges, which makes it difficult to establish a direct, one-to-one comparison. These figures are intended only to provide general context and should not be interpreted as equivalent rate comparisons.

SOUTH CAROLINA GAS RATE COMPARISONS					
For December 2025 Gas Rates					
COMPANY	SERVICE CLASS	METER CHARGE PER MONTH	AVEWRAGE RATE PER THERM	EST.AVG. USAGE THERMS	TOTAL COST PER MONTH
GREENWOOD CPW, SC	Residential	$10.00	$1.04160	100.00	$114.16
YORK NATURAL GAS, SC	Residential	$9.25	$1.15375	100.00	$124.63
FORT HILL NATURAL GAS, SC	Residential	$10.75	$1.24000	100.00	$134.75
CHESTER COUNTY, SC	Residential	$6.50	$1.28899	100.00	$135.40
CITY OF ORANGEBURG, SC	Residential	$13.00	$1.24974	100.00	$137.97
FOUNTAIN INN, SC	**Residential**	**$10.00**	**$1.28170**	**100.00**	**$138.17**
GREER CPW, SC	Residential	$10.00	$1.28200	100.00	$138.20
CLINTON-NEWBERRY, SC	Residential	$18.00	$1.30200	100.00	148.2
PIEDMONT, SC	Residential	$10.00	$1.54189	100.00	$164.19
DOMINION, SC	Residential	$10.90	$1.88112	100.00	$199.01
LANCASTER COUNTY, SC	Residential	$5.00	n/a	100.00	#VALUE!

,

2025 TARINING HOURS PER EMPLOYEE



Fountain Inn Natural Gas

2025 Year in Review

In 2025, Fountain Inn Natural Gas continued to grow, even as natural-gas prices increased across the market. We delivered more gas to customers than in 2024 with 1,079,907 dekatherms compared to 1,039,865, an increase of 3.85%. The cost of natural gas rose significantly, with the average price increasing from $2.269 to $3.427 per dekatherm. These price changes reflect broader market conditions and not decisions made by the City.

Customer growth remained strong, driving the need for major investment in new gas mains and service lines. In 2025, we installed 152,965 feet of gas line, compared to 149,646 feet in 2024, an increase of about 2.2%. The infrastructure installed this year represents long-term assets that will serve new homes, businesses, and industries for decades.

Training hours per employee remained strong at 37 hours per employee. As staff time was heavily devoted to construction and operations, the department continues to meet safety and regulatory training requirements.

Overall, these indicators show a system that is growing, investing heavily in infrastructure, and operating in a higher-cost gas market, underscoring the need for careful financial and operational planning going forward.

Customer Growth Milestone

Fountain Inn Natural Gas added 670 new customers in 2025, increasing the system from approximately 12,478 to more than 13,155 customers, representing 5.3% customer growth in a single year. This achievement reflects the continued residential, commercial, and industrial development taking place across and outside the City which reinforces the long-term strength and relevance of the gas utility.

National Recognition – APGA Silver SOAR Award

In 2025, Fountain Inn Natural Gas was awarded the Silver System Operational Achievement Recognition (SOAR) Award by the American Public Gas Association (APGA). The SOAR program is a nationally recognized, peer-reviewed program that evaluates public natural gas utilities on system integrity, operational excellence, employee safety, and continuous improvement.

Receiving the Silver SOAR designation places Fountain Inn Natural Gas among a select group of utilities nationwide that have demonstrated a high level of

performance in these critical areas. This recognition reinforces the department's commitment to safe, reliable, and professionally managed gas service for the City of Fountain Inn.

City Gate Modernization – Cost Control & System Design

After more than two years of detailed negotiations with Williams/Transco, Fountain Inn Natural Gas reached a final agreement in the fall of 2025 for the City Gate modernization project. Throughout this process, FING maintained a firm and disciplined position against an over-designed station and the installation of oversized or unnecessary equipment that would have significantly increased project costs without providing commensurate operational or capacity benefits.

As a result, the final design was right sized to meet Fountain Inn's actual system requirements at an estimated cost of $2,332,474, saving the City of Fountain Inn more than $900,000 in avoided capital costs while still ensuring long-term system reliability, safety, and future growth capacity.

Winter Preparedness & Regulatory Compliance

In preparation for the 2025–2026 winter heating season and based on natural-gas sales trends over the past three years, Fountain Inn Natural Gas secured additional pipeline capacity for the peak demand months of December, January, and February. This proactive step reduces the risk of day-to-day capacity shortages, improves our ability to meet customer demand during extreme cold-weather events, and limits exposure to price volatility in tight gas markets. This strategy supports both system reliability and fiscal responsibility on behalf of our customers.

Finally, the South Carolina Office of Regulatory Staff (ORS) conducted a comprehensive four-day audit of Fountain Inn Natural Gas operations in late August 2025. No violations or significant findings were reported, confirming that the system continues to meet or exceed all applicable safety and regulatory requirements.

PLANNING & ZONING

Boards & Commissions

Board of Zoning Appeals (November 6th)

- VAR-2025-02
  - Request: Variance, accessory structure closer to the front setback than the primary structure.
  - TMS: 0556010101000
  - Location: 980 Jones Mill Road
  - Current Zoning: R-12, Residential
  - Vote: 7-0, Approved
- SE-2025-04
  - Request: Special Exception, to allow the use of a school
  - TMS: 0340000600101, 0340000600107
  - Location: 127 Babb Street, 127A/B/C Babb Street
  - Current Zoning: R-M Residential Multifamily
  - Vote: 7-0, Approved

Planning Commission (November 20th)

- No Agenda Items

Board of Zoning Appeals (December 4th)

- VAR-2025-03
  - Request: Variance, permit a driveway to be narrower than the drive aisle of a parking lot.
  - TMS: 0555030101003
  - Location: 1344 Jones Mill Road
  - Current Zoning: R-15, Residential
  - Vote: 5-0, Approved

Planning Commission (December 18th)

- AXZ-2026-01
  - Request: Annexation
  - TMS: 0349000100300
  - Location: 405 Milacron Drive / North Nelson Drive
  - Requested Zoning: C-2, Commercial
  - Vote: 6-0, recommend approval
- ORD-2026-01
  - Request: Recommendation for the adoption of a Unified Development Ordinance
  - TMS: 0349000100300
  - Vote: 6-0, recommend approval

2025 Summary

Subdivisions Approved

- Mill View Village
  - 37 single-family attached units
- The Hamptons, Revision
  - 166 single-family detached (Previously Approved)
  - 41 single-family detached (Added)

Commercial/Industrial Approved

- Springhill Suites
- Golden Strip Medical Park
- Evelina Smiles
- Pump South
- IPCO
- 101 S Main, multi-tenant building
- 200 S Weston, multi-tenant building

Annexations

- None

Rezonings

- 418, Golden Strip Medical Park, FRD
- 400 S Main St, partial rezoning, I-1 to C-2
- 201 Chevy Dr, IPCO, C-2 to S-1

Misc.

- Text amendment for home occupations
- Resolution for the Impact Fee Analysis
- Ordinance for the UDO

BUILDING AND CODES

INSPECTIONS	DECEMBER	NOVEMBER	END OF YEAR
TOTAL INSPECTIONS	359	375	4534
PERMITS ISSUED	58	46	614
SUBMITTED PERMITS	69	48	723
NEW SINGLE FAMILY	35	21	352
NEW MULTI-FAMILY (UNITS)	0	0	0
NEW COMMERCIAL	1	0	7
CERTIFICATES OF OCCUPANCY-ISSUED	30	46	334
REMODEL/ADD. RESIDENTIAL	5	1	37
REMODEL/ADD. COMMERCIAL	4	0	18
SIGN/ROOFING/SOLAR/MISC TRADE	15	20	292
COMMERCIAL PLAN REVIEWS	8	8	68
RESIDENTIAL PLAN REVIEWS	73	47	490

CODE COMPLIANCE

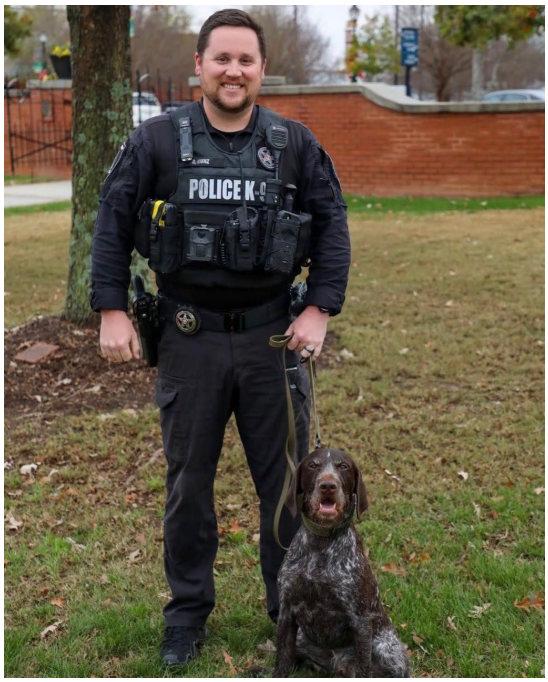
BUILDING CODE COMPLAINTS	DECEMMBER	NOVEMBER	END OF YEAR
VEHICLES/OTHER	5	4	49
BUILDING – UNSAFE CONDITIONS	0	1	10
PROPERTY MAINTENANCE	3	0	70
TOTAL COMPLAINTS	8	5	129

FINANCIAL SUMMARY

FINANCIAL STATISTICS	DECEMBER	NOVEMBER	END OF YEAR
TOTAL VALUATION	$ 11,809,148	$ 5,840,077	$ 122,866,882
TOTAL PERMIT FEES COLLECTED	$ 74,789.20	$ 43,471.67	$ 574,886.79
TOTAL PLAN REVIEW REVENUE	$ 36,185.00	$ 21,430.00	$ 286,295.00

Police Department

November 2025 Monthly Report



K9 Officer Kunz and Deuce
and
K9 Officer Atwood and Chops

Received a Second National Certification in Narcotics Detection and Tracking from the North American Police Working Dog Association

Officer Loyola, K9 Officer Kunz and Deuce

Significant Drug Seizure:

460.2 grams of Marijuana
136 grams Psilocybin Mushrooms
21.6 grams of Fentanyl
31 bags of THC Gummies
78 THC Vapes

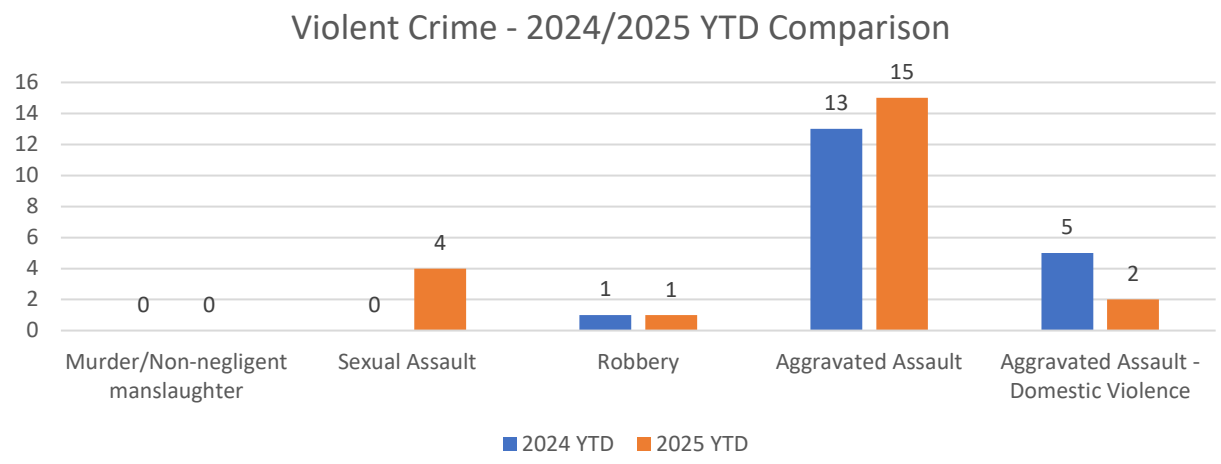
Sgt. Hendrickson and Off. Loyola at Homeschool Career Fair

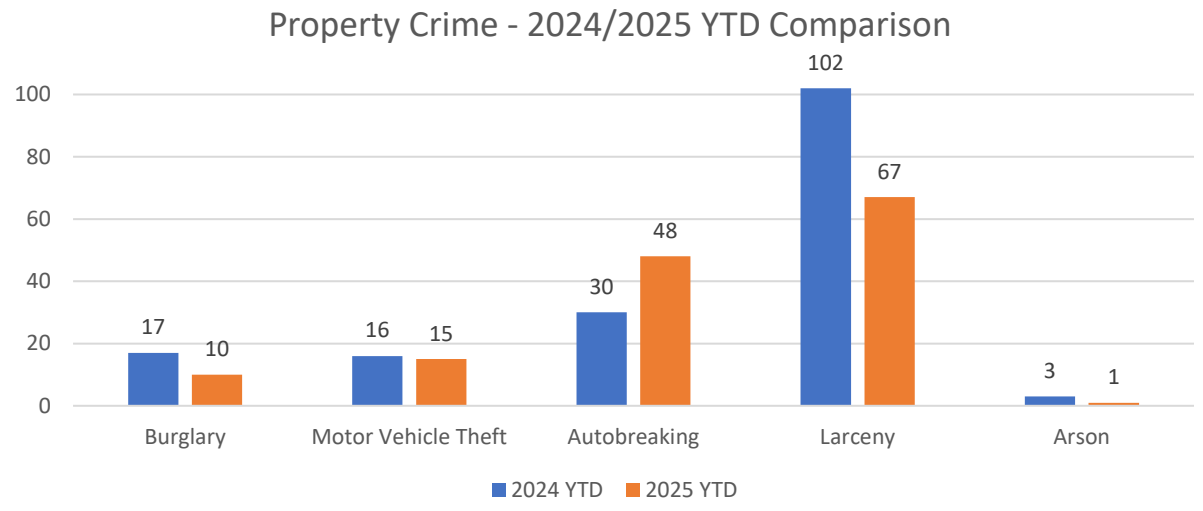
Thanksgiving Meal Preparation and Delivery for Senior Watch Participants

SRO Zapata presented
Quilt of Valor

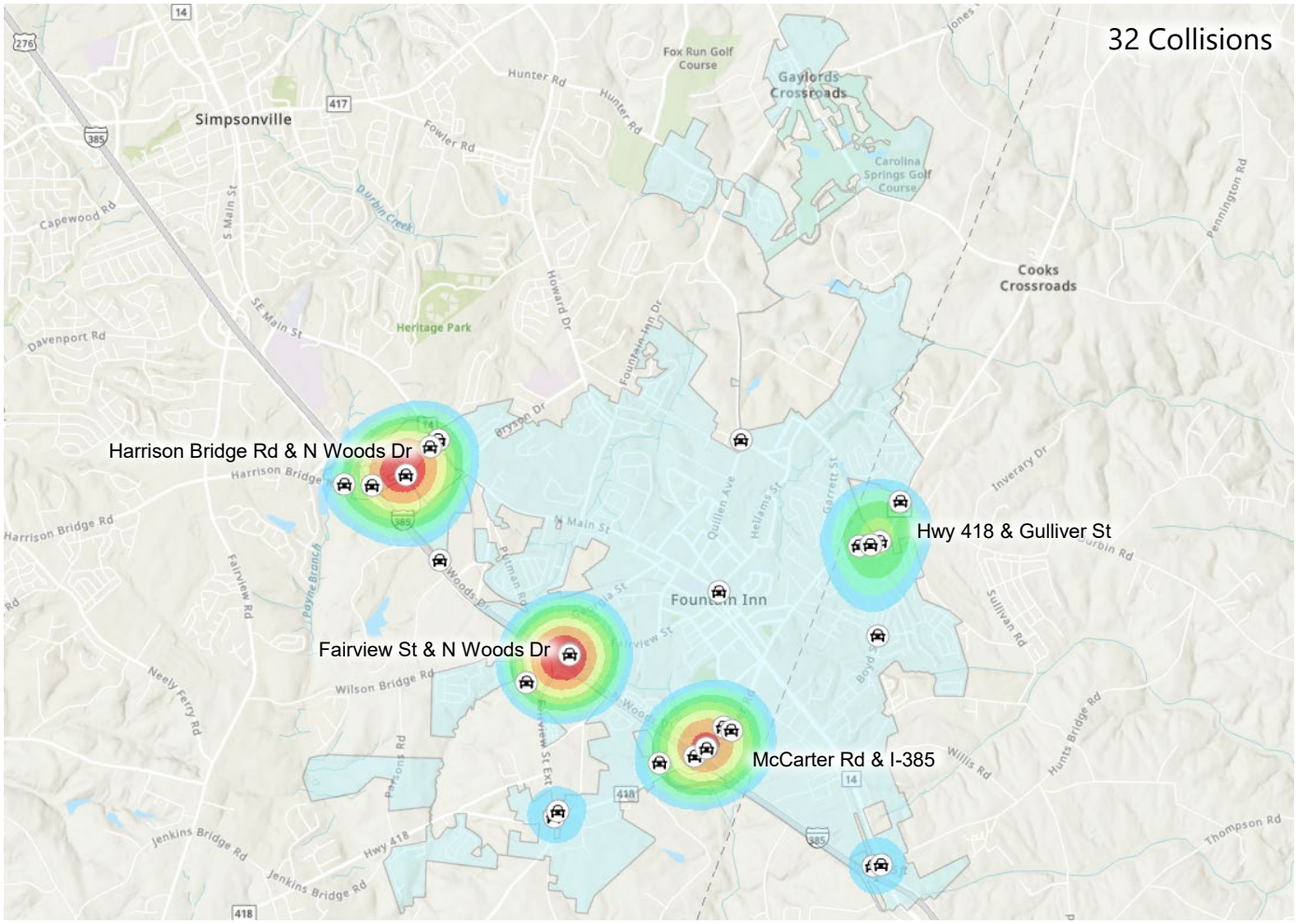
Violent Crime						
Crime Type	**Nov 2024**	**Nov 2025**	**Difference**	**2024 YTD**	**2025 YTD**	**Difference**
Murder/Non-negligent manslaughter	0	0	0	0	0	0
Sexual Assault	0	0	0	0	4	4
Robbery	0	0	0	1	1	0
Aggravated Assault	2	0	-2	13	15	2
Aggravated Assault - Domestic Violence	0	0	0	5	2	-3
Total Violent Crime	**2**	**0**	**-2**	**19**	**22**	**3**
Property Crime						
Crime Type	**Nov 2024**	**Nov 2025**	**Difference**	**2024 YTD**	**2025 YTD**	**Difference**
Burglary	2	1	-1	17	10	-7
Motor Vehicle Theft	2	2	0	16	15	-1
Autobreaking	1	14	13	30	48	18
Larceny	9	5	-4	102	67	-35
Arson	1	0	-1	3	1	-2
Total Property Crime	**15**	**22**	**7**	**168**	**141**	**-27**
Total Part I Crime	**17**	**22**	**5**	**187**	**163**	**-24**

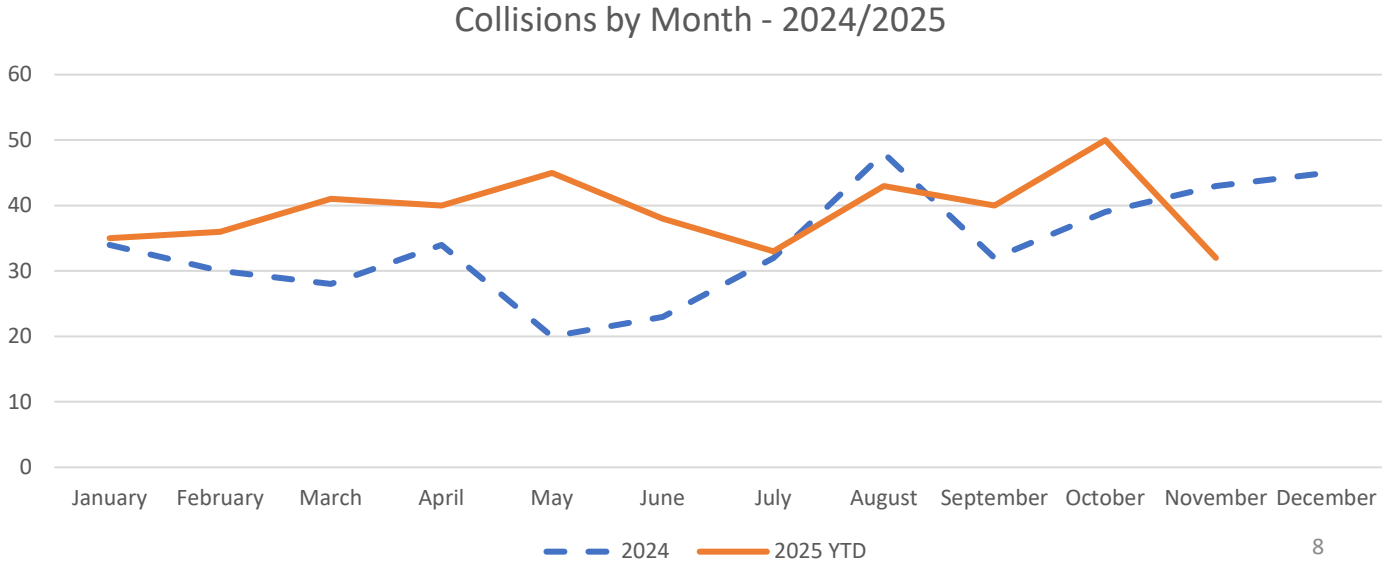
Unfounded Cases Removed / Source: VConnect





Collisions	Nov 2024	Nov 2025	Difference	2024 YTD	2025 YTD	Difference
Count	43	32	-11	363	433	70



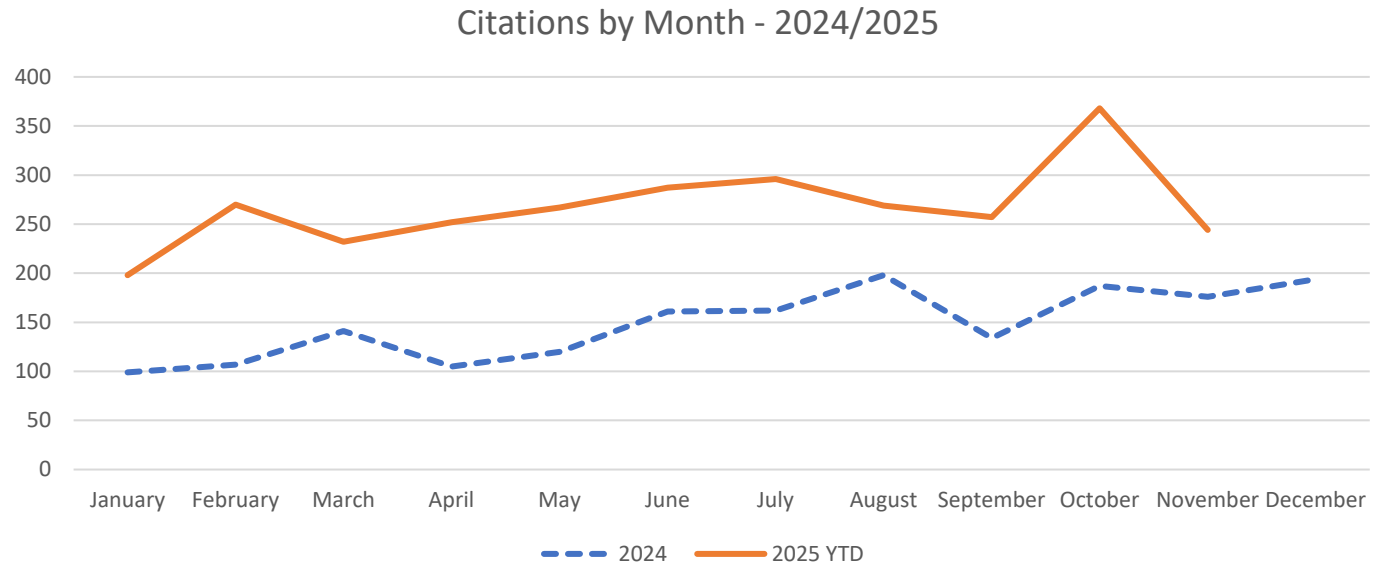


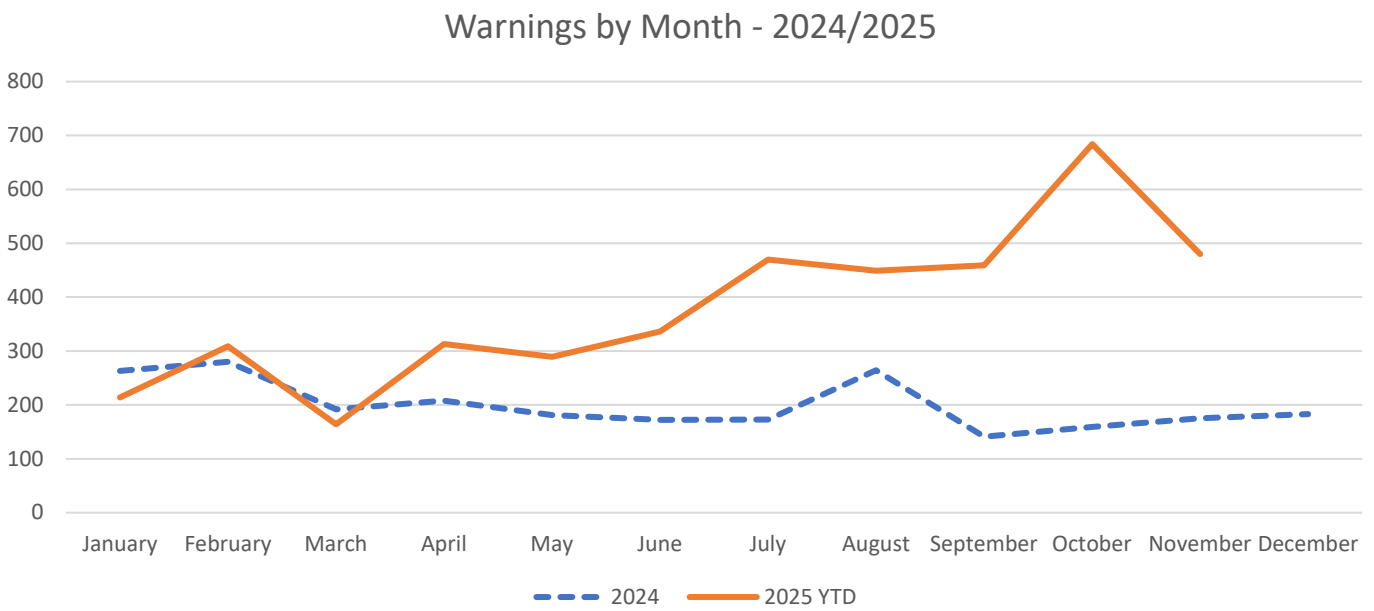
November 2025 Collisions by Day of Week and Hour								
Hour	**Sunday**	**Monday**	**Tuesday**	**Wednesday**	**Thursday**	**Friday**	**Saturday**	**Grand Total**
0000-0059						1		**1**
0200-0259	1							**1**
0400-0459	1					1		**2**
0700-0759		1			1			**2**
0800-0859			1		1			**2**
0900-0959		1	1					**2**
1100-1159			1	1				**2**
1200-1259		1						**1**
1300-1359		1			1		1	**3**
1400-1459				1			1	**2**
1500-1559		1			1	1		**3**
1600-1659		1						**1**
1700-1759		1	1		1			**3**
1800-1859	1			1				**2**
1900-1959					1	1	1	**3**
2000-2059					1			**1**
2200-2259		1						**1**
Grand Total	**3**	**8**	**4**	**3**	**7**	**4**	**3**	**32**

Primary Contributing Factor	**Count**
Followed Too Closely	8
Failed to Yield Right of Way	7
Improper Backing	4
Other Contributing Action	3
Unknown	3
No Contributing Action	3
Inattentive, Careless, Negligent	2
Ran off Road	1
Ran Red Light	1
Grand Total	**32**

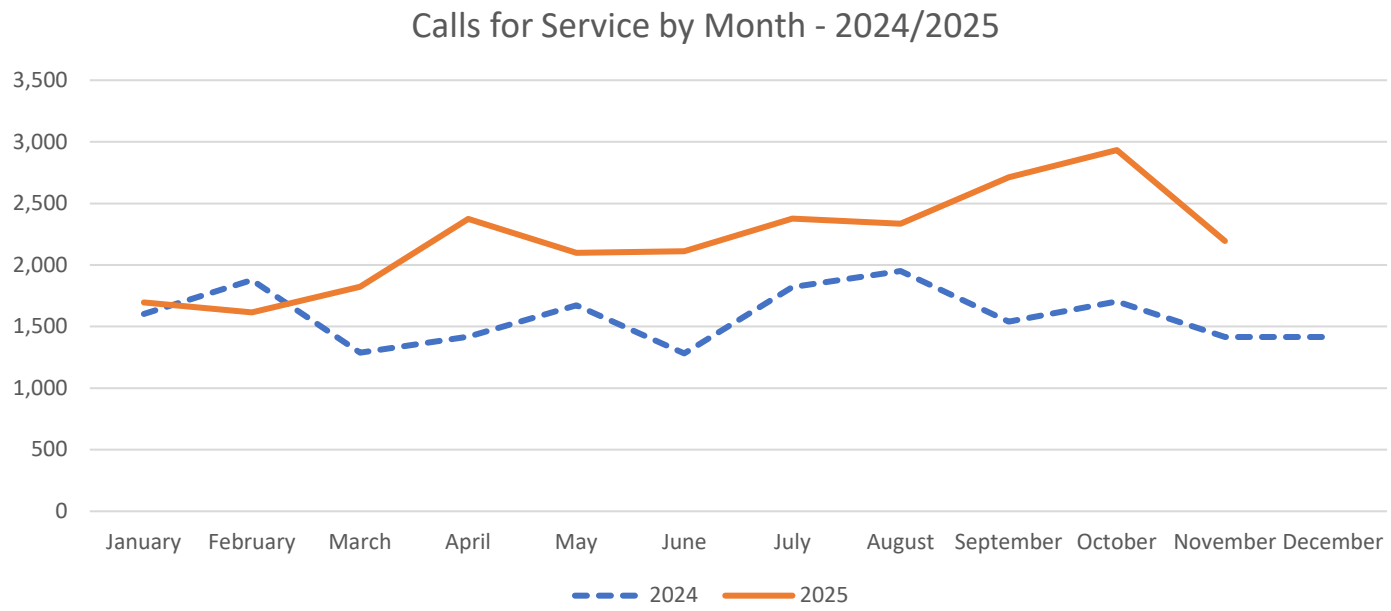
Citation/Warning Statistics

Contact Type	Nov 2024	Nov 2025	Difference	2024 YTD	2025 YTD	Difference
Citations	176	244	68	1,590	2,940	1,350
Warnings	175	480	305	2,208	4,167	1,959



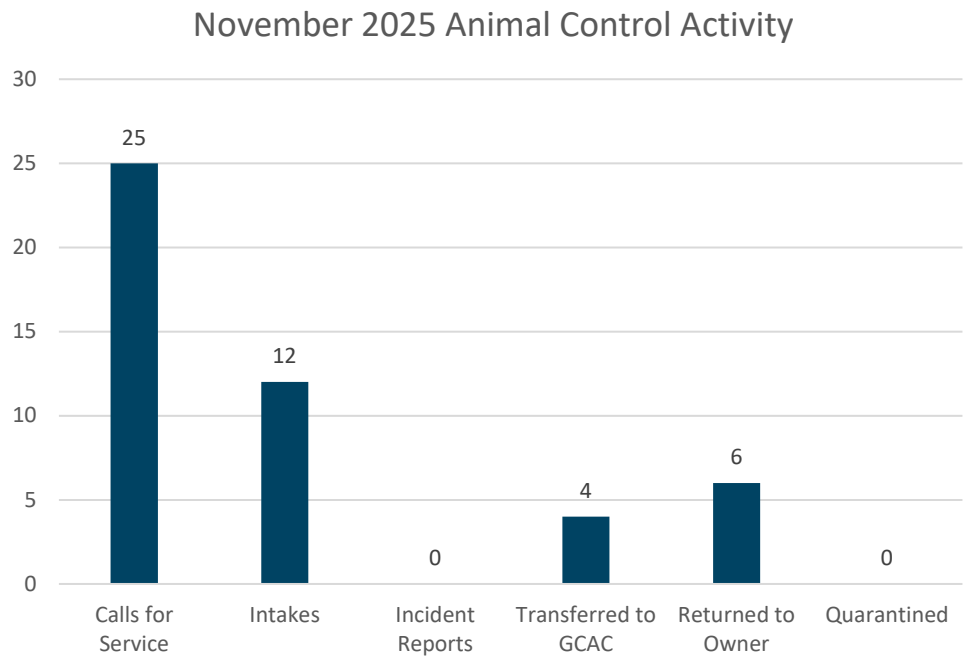


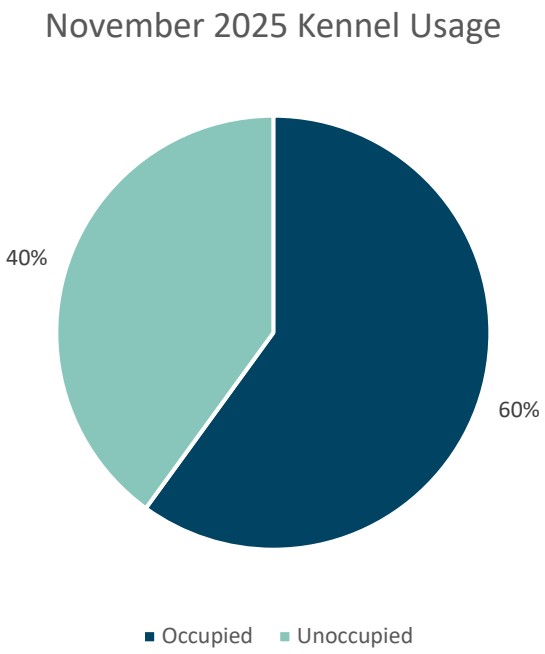
Nov 2024	Nov 2025	Difference	2024 YTD	2025 YTD	Difference
1,416	2,195	779	17,569	24,276	6,707



Communications Call Summary Report

November Call Summary				
Call Type		Nov 2024	Nov 2025	% Change
911	Inbound	295	403	36.6%
Administrative	Inbound	1,546	1,259	-18.6%
	Outbound	730	690	-5.5%


November 2025 Animal Control Activity
30
25
20
15
10
5
0
25
12
0
4
6
0
Calls for Service
Intakes
Incident Reports
Transferred to GCAC
Returned to Owner
Quarantined


November 2025 Kennel Usage
40%
60%
Occupied
Unoccupied

Police Department

December 2025 Monthly Report/ 2025 Year-End Statistics

Operation Christmas Cheer

FOUNTAIN INN
POLICE

Bringing Cheer to Local Families in Need

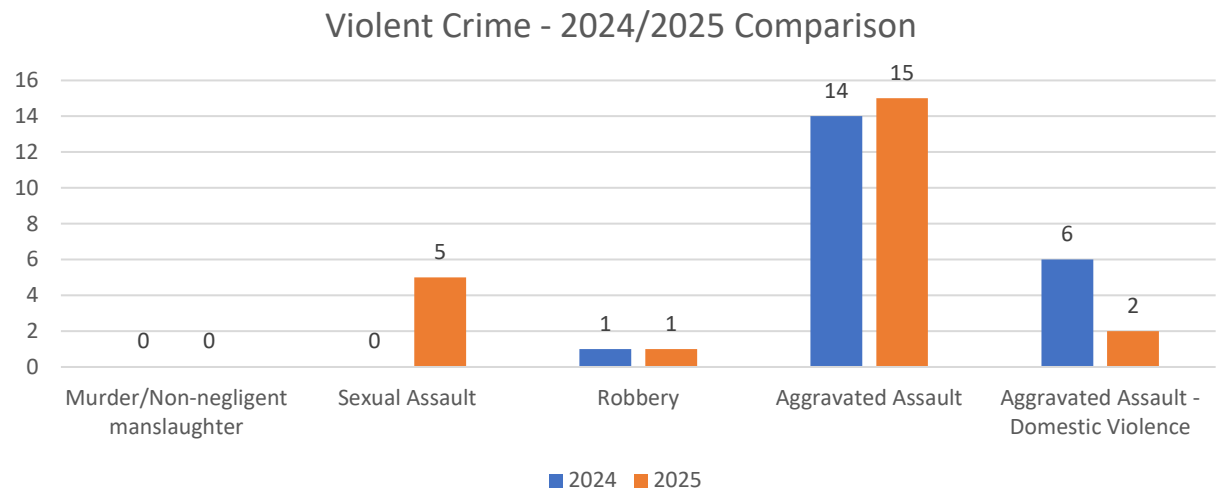
DROP OFF LOCATION

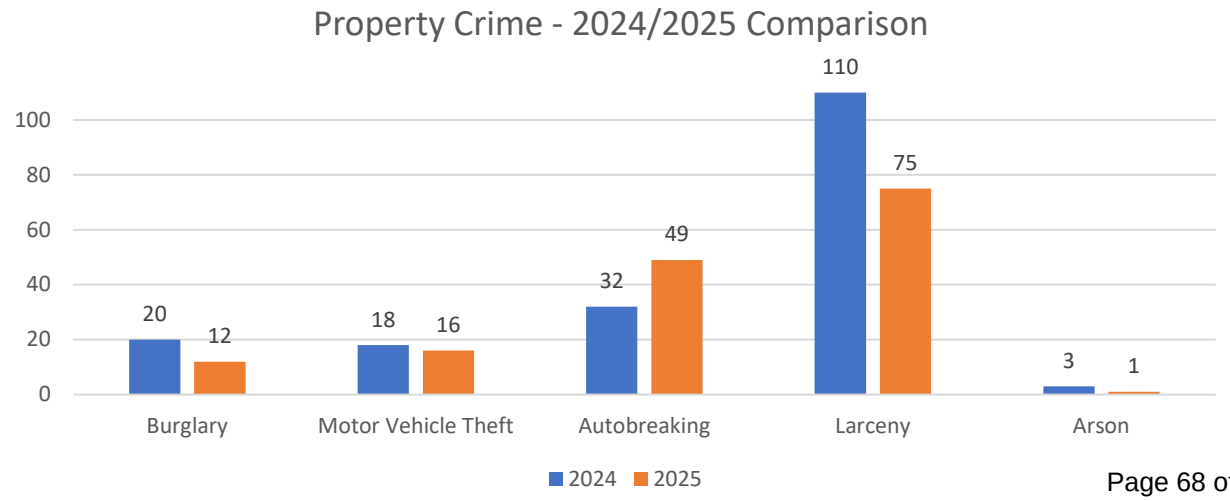
Record-Breaking

Annual Calendar Sales raised over $8000 for our Community Programs

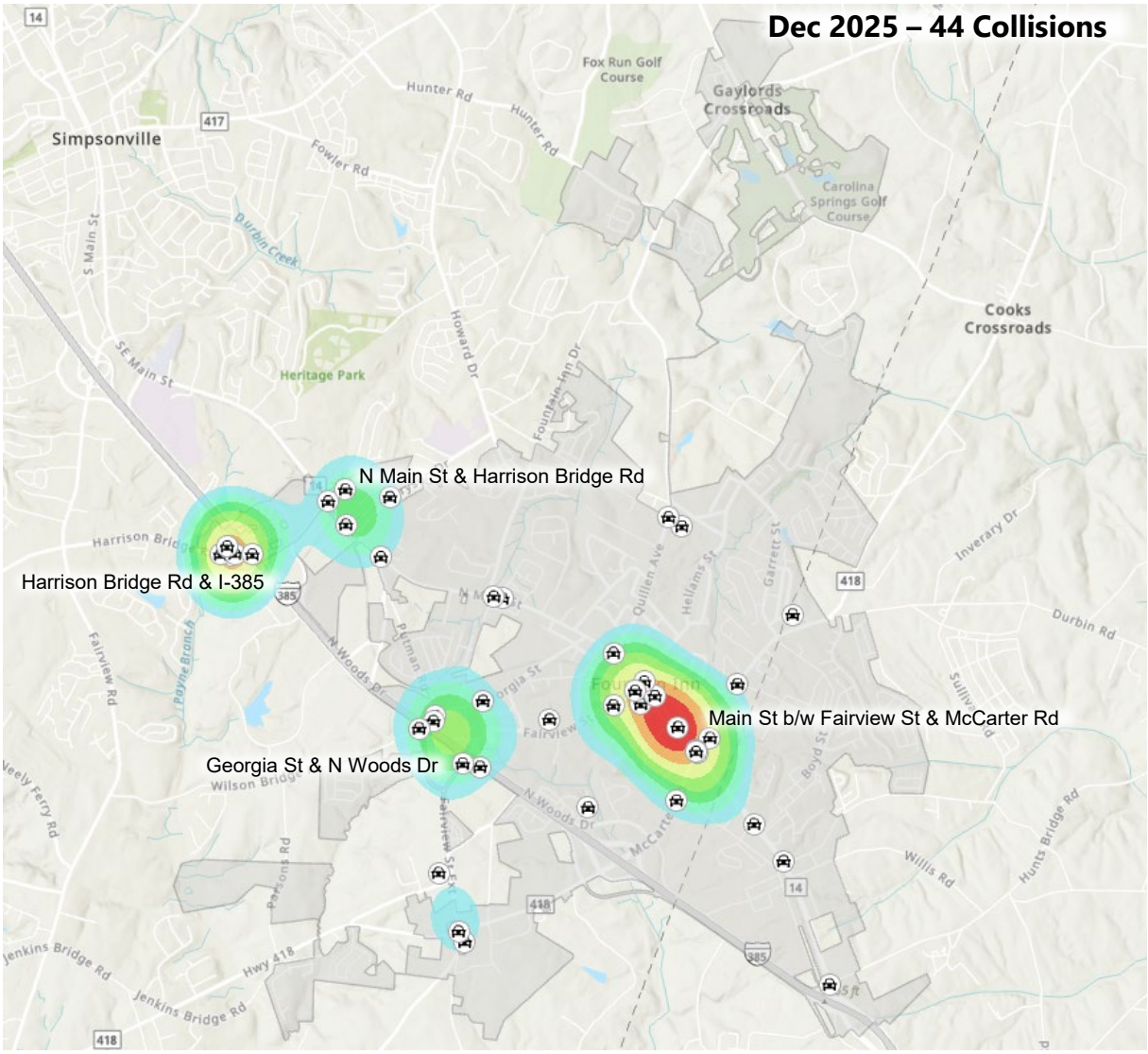
Violent Crime						
Crime Type	**Dec 2024**	**Dec 2025**	**Difference**	**2024**	**2025**	**Difference**
Murder/Non-negligent manslaughter	0	0	0	0	0	0
Sexual Assault	0	1	1	0	5	5
Robbery	0	0	0	1	1	0
Aggravated Assault	1	0	-1	14	15	1
Aggravated Assault - Domestic Violence	1	0	-1	6	2	-4
Total Violent Crime	**2**	**1**	**-1**	**21**	**23**	**2**
Property Crime						
Crime Type	**Dec 2024**	**Dec 2025**	**Difference**	**2024**	**2025**	**Difference**
Burglary	3	2	-1	20	12	-8
Motor Vehicle Theft	2	1	-1	18	16	-2
Autobreaking	2	1	-1	32	49	17
Larceny	7	10	3	110	75	-35
Arson	0	0	0	3	1	-2
Total Property Crime	**14**	**14**	**0**	**183**	**153**	**-30**
Total Part I Crime	**16**	**15**	**-1**	**204**	**176**	**-28**

Unfounded Cases Removed / Source: VConnect

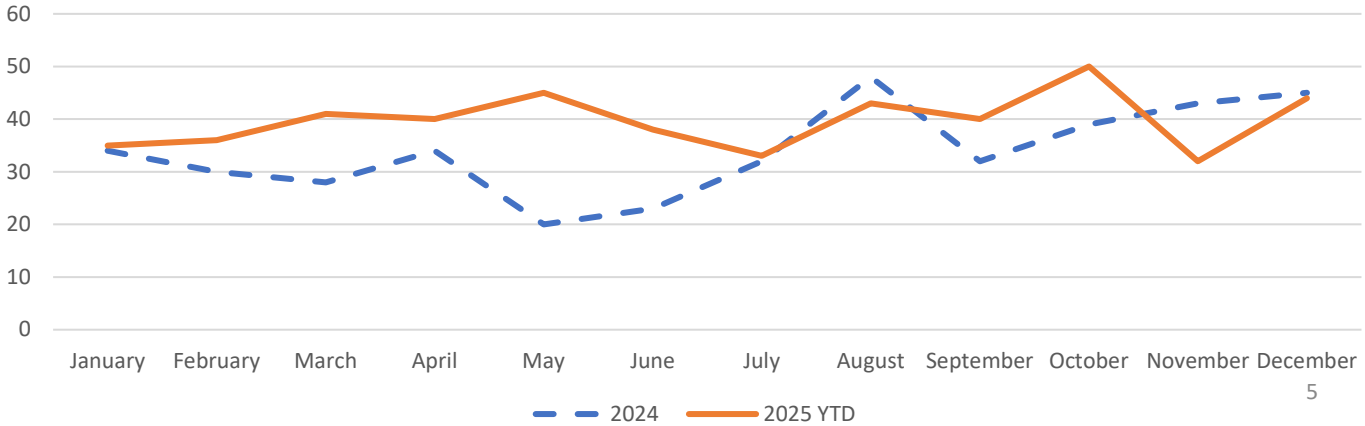




Collisions	Dec 2024	Dec 2025	Difference	2024 YTD	2025 YTD	Difference
Count	45	44	-1	408	477	69



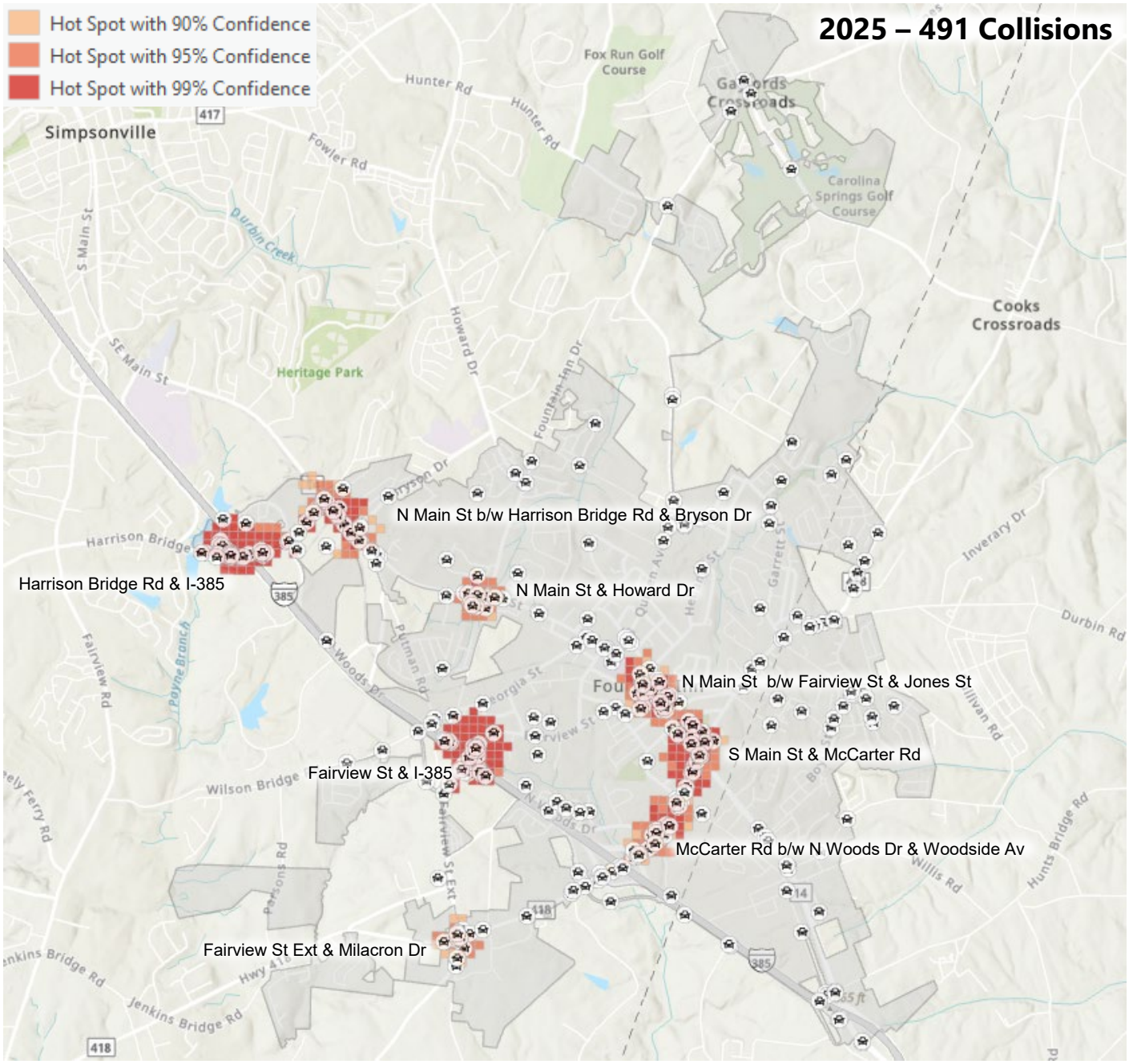
Collisions by Month - 2024/2025



December 2025 Collisions by Day of Week and Hour								
Hour	**Sunday**	**Monday**	**Tuesday**	**Wednesday**	**Thursday**	**Friday**	**Saturday**	**Grand Total**
2 AM	1							**1**
3 AM						1		**1**
5 AM				1				**1**
6 AM				1	1			**2**
7 AM				2				**2**
8 AM		1				2		**3**
9 AM		2				2		**4**
11 AM		2	1					**3**
12 PM		1		1	1			**3**
1 PM	1					1	1	**3**
2 PM			1			2		**3**
3 PM			1			1		**2**
4 PM		2		2	2			**6**
5 PM		1	3			1		**5**
6 PM		1					1	**2**
7 PM						1		**1**
8 PM					2			**2**
Grand Total	**2**	**10**	**6**	**7**	**6**	**11**	**2**	**44**

Hot Day for Collisions in December
Fridays – 11 collisions
Hot Time Range in December
1600-1659 – 6 collisions

Primary Contributing Factor	Count
Failed to Yield Right of Way	10
Followed Too Closely	10
Unknown	7
No Contributing Action	3
Made Improper Turn	2
Other Contributing Action	2
Disregarded Other Traffic Sign	2
Improper Passing	2
Inattentive, Careless, Negligent	2
Asleep or Fatigued	1
Swerving to Avoid Object	1
Improper Backing	1
Ran off Road	1
Grand Total	**44**


Hot Spot with 90% Confidence
Hot Spot with 95% Confidence
Hot Spot with 99% Confidence
2025 – 491 Collisions
Simpsonville
Fox Run Golf Course
Carolina Springs Golf Course
Cooks Crossroads
Heritage Park
N Main St b/w Harrison Bridge Rd & Bryson Dr
Harrison Bridge Rd & I-385
N Main St & Howard Dr
N Main St b/w Fairview St & Jones St
S Main St & McCarter Rd
Fairview St & I-385
McCarter Rd b/w N Woods Dr & Woodside Av
Fairview St Ext & Milacron Dr

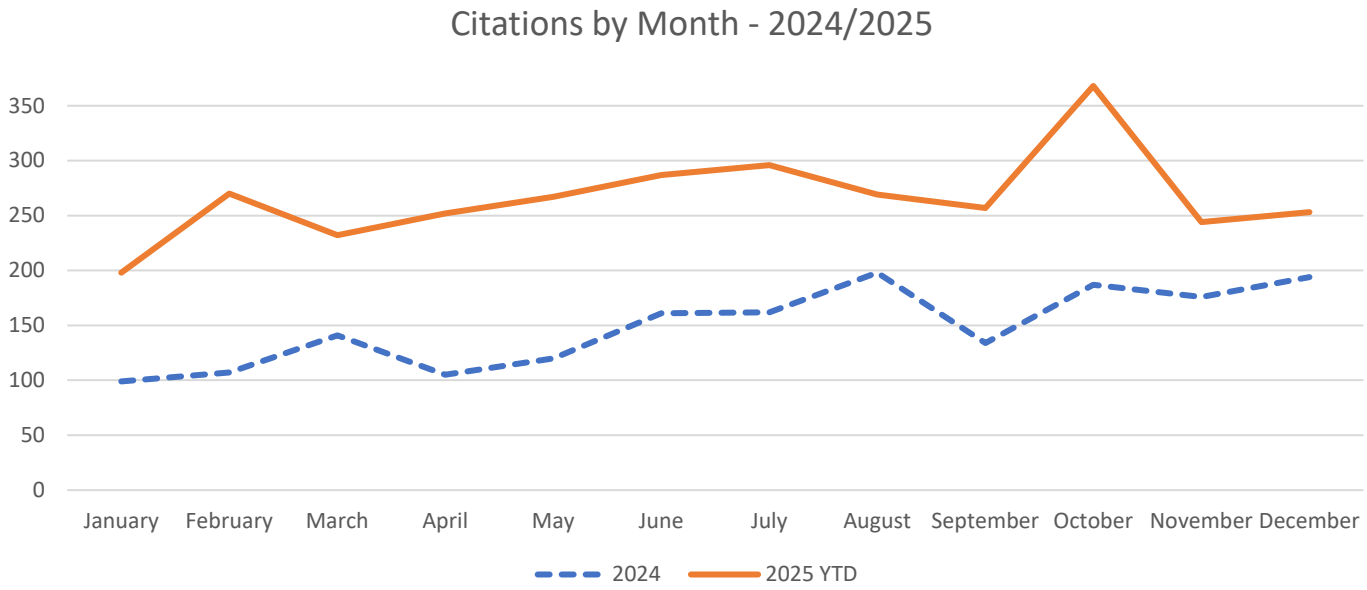
2025 Collisions by Day of Week and Hour								
Hour	**Sunday**	**Monday**	**Tuesday**	**Wednesday**	**Thursday**	**Friday**	**Saturday**	**Grand Total**
12 AM	2		1		1	2		**6**
1 AM	2		1		1		2	**6**
2 AM	4			1			2	**7**
3 AM					1	1		**2**
4 AM	2				1	1		**4**
5 AM				2	2		1	**5**
6 AM		1	4	4	4	5		**18**
7 AM		2	7	12	5	6		**32**
8 AM	1	5	2	8	12	4		**32**
9 AM		6	4	3	4	4	3	**24**
10 AM		4	2	3	4	3	3	**19**
11 AM	3	6	4	6	1	4	3	**27**
12 PM	3	6	5	2	6	5	2	**29**
1 PM	3	2	3	3	7	4	6	**28**
2 PM	1	7	4	7	3	11	2	**35**
3 PM	1	8	6	4	5	10	1	**35**
4 PM	4	7	8	9	7	7	3	**45**
5 PM		9	6	8	7	5	2	**37**
6 PM	5	12	7	7	7	5	5	**48**
7 PM		5		3	3	4	4	**19**
8 PM	3	4		1	3			**11**
9 PM	1	1		1	1	4		**8**
10 PM		1	1	2	3	3		**10**
11 PM		3		1				**4**
Grand Total	**35**	**89**	**65**	**87**	**88**	**88**	**39**	**491**

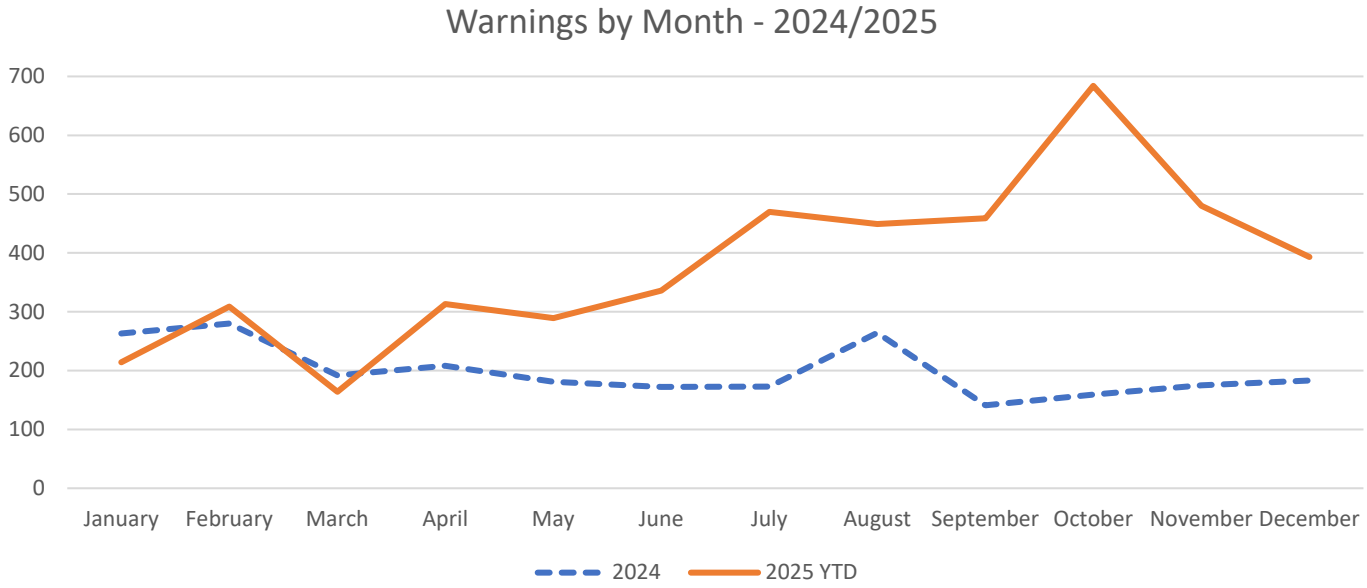
Hot Days for Collisions in 2025
Mondays – 89 collisions
Thursdays/Fridays – 88 collisions

Hot Time Ranges for Collisions in 2025
1800-1859 – 48 collisions
1600-1659 – 45 collisions

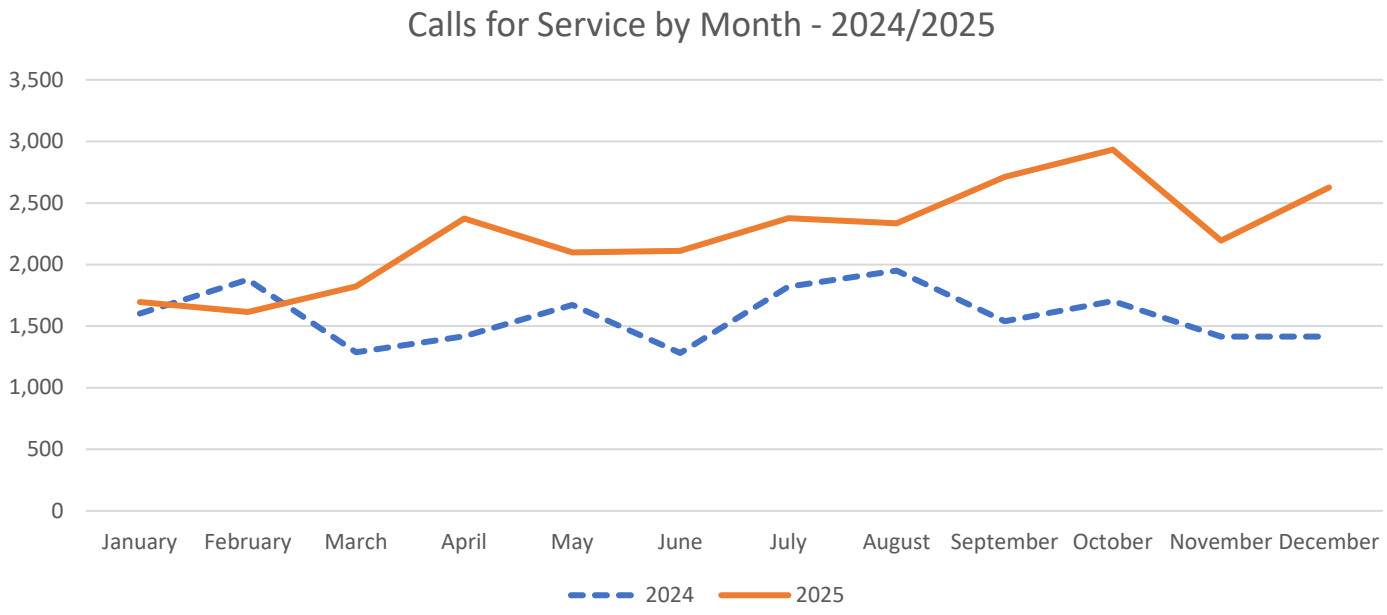
Citation/Warning Statistics

Contact Type	Dec 2024	Dec 2025	Difference	2024	2025	Difference
Citations	194	253	59	1,784	3,193	1,409
Warnings	183	393	210	2,391	4,560	2,169





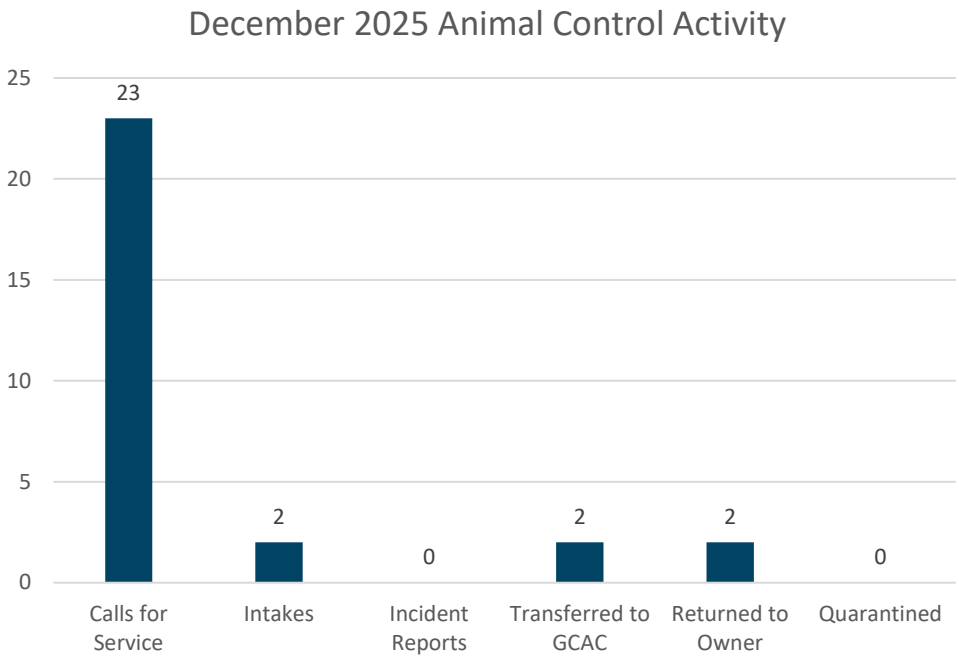
Dec 2024	Dec 2025	Difference	2024	2025	Difference
1,414	2,626	1,212	18,983	26,902	7,919

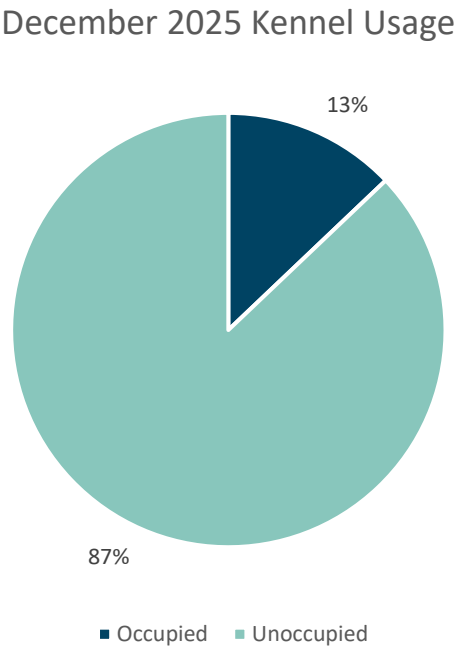


Communications Call Summary Report

December Call Summary				
Call Type		Dec 2024	Dec 2025	% Change
911	Inbound	377	510	35.3%
Administrative	Inbound	1,509	1,376	-8.8%
	Outbound	690	700	1.4%

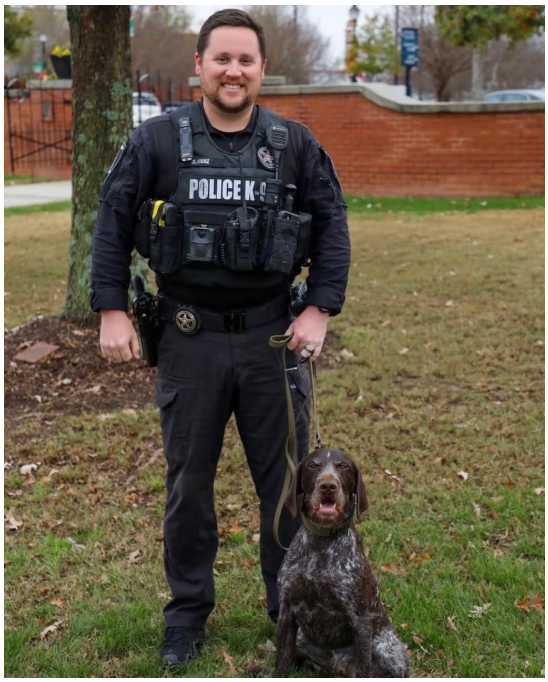
Annual Call Summary 2025				
Call Type		2024	2025	% Change
911	Inbound	3,213	5,514	71.6%
Administrative	Inbound	18,187	18,238	0.3%
	Outbound	7,878	8,776	11.4%


December 2025 Animal Control Activity
25
20
15
10
5
0
23
2
0
2
2
0
Calls for Service
Intakes
Incident Reports
Transferred to GCAC
Returned to Owner
Quarantined


December 2025 Kennel Usage
13%
87%
Occupied
Unoccupied

FOUNTAIN INN POLICE DEPARTMENT HONORED WITH FBI-LEEDA AGENCY TRILOGY AWARD

Fountain Inn Recognized as one of the Safest Cities in South Carolina



K9 Officer Kunz and Deuce
and
K9 Officer Atwood and Chops

Second National Certification in
Narcotics Detection and Tracking

North American Police Working Dog Association

Fountain Inn Police Department

Uniform Patrol Division

100% of Officers Trained

Officer Borkowski

SRO Zapata

Officer Beach

Officer Clarke

Officer Klokocnik

Police Department Assumes Animal Control Duties

City of Fountain Inn's First Sworn Animal Control Officer

Live Scan Station Installed- Electronic Fingerprinting

Rifle Training / Deployment for Uniform Patrol Division

StealthStat Covert Traffic Data Collector

Used to analyze traffic data for verification of speeding complaints, best times to deploy officers for traffic enforcement, and to determine peak road usage times.

2025 Department Community Programs

- **Summer Camp- 3 Weeks**
- **Superhero 5K for Autism**
- **Golf Tournament**
- **Thanksgiving Meals for Seniors**

3rd Annual DV Walk

Participated in National Drug Take Back Day

Operation Christmas Cheer

Citizens Police Academy

Recreation Council Year End Report

PARKS RECREATION FOUNTAIN INN

2025

Recreation Staff

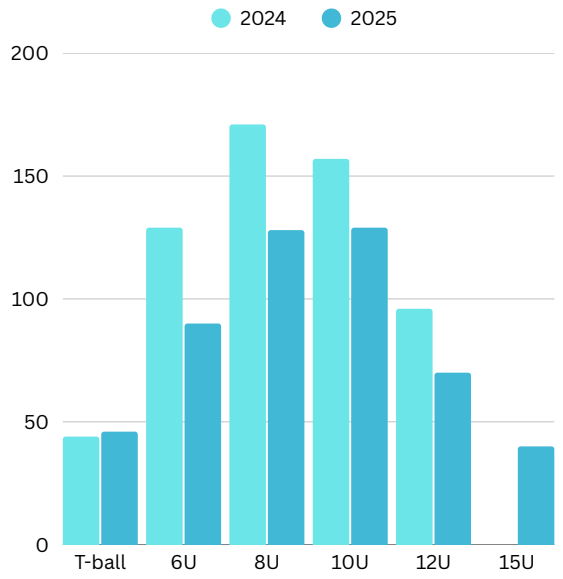
1. Recreation Director - James Rice
2. Recreation Supervisor - Myles Prosser
3. Recreation Coordinator - Christopher Moore
4. Recreation Coordinator - Michael Williams (hired July 2025)
4. Customer Care Coordinator – Beth Anne Zivitski
5. Senior Activities Coordinator – Sue Grubbs
6. Activities Supervisor – Heather Johnson
7. Recreation Support Leader - Marshall King, Drequan Colley, & Taya Steele
8. Recreation Support Staff - Destyne Abrams, Piper Akins, Fred Pyles, Kamryn Rector, Harold Chapman, Callie Burnside, CJ Jones, Dannette O'Neill, Luke Tanner, Michael Kozar, Olivia Winston, & Wayne Rosado

Spring Baseball / Softball

We are entering the 2026 Spring season with strong momentum, particularly within our youth baseball divisions. Our primary focus for the upcoming year is to leverage high participation rates in younger divisions to build long-term retention through improved operational efficiency. Additionally, we aim to capitalize on our great facilities to drive growth in our baseball/softball programs by continuing to structure consistent practices and schedules. 2026 will offer T-Ball, 6U, 8U, 10U, 12U/13U, & 15U allowing baseball and softball to align with other Golden Strip Recreational Leagues.

2025

BASEBALL	SOFTBALL
T-Ball- 46 participants	
6U- 90 participants	
8U - 95 participants	8U - 33 participants
10U - 81 participants	10U - 48 participants
12U - 46 participants	13U - 24 participants
15U - 27 participants	15U - 13 participants



Fall Tackle / Flag Football

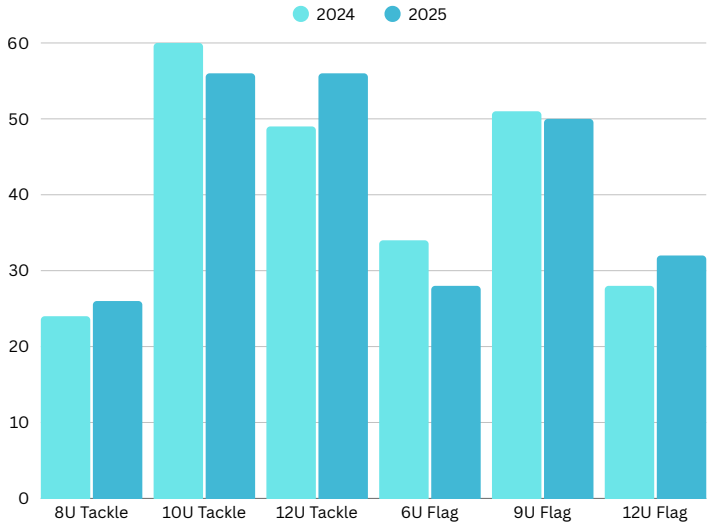
All age groups (8U, 10U, & 12U) competed at an elite level this season, demonstrating the depth of our talent pool and with the addition of 50 new Riddell helmets and shoulder pads our focus continues be on providing safe spaces to play.

The 12U Tackle Football team showed incredible resilience and skill, competing for their second consecutive State Title. While they came up just short in the final, their back-to-back championship appearances have set a new standard for the program.

Flag football continues to see rising interest as a safe, high-energy entry point for younger athletes and those looking for a more foundational approach.

2025

TACKLE	FLAG
8U - 26 participants	6U - 28 participants
10U - 56 participants	9U - 50 participants
12U - 56 participants	12U - 32 participants



Wrestling

Our wrestling program continues to thrive through a strong partnership with Fountain Inn High School. Practices and matches are held at the high school, offering participants a unique and engaging experience. Athletic Director and Head Wrestling Coach Robbie Bell is dedicated to helping kids learn and grow both on and off the mat.

The program is open to students in 1st through 6th grade and currently has 72 participants, up from 56 last year. Approximately 56% of participants are 9 years old or younger, setting the stage for continued growth and future success. The program's final meet of the season is scheduled for January 21, 2025, at Fountain Inn High School, alongside the high school varsity wrestling match.

Adult Softball

Our adult softball league is thriving, hosting an average of 7/8 teams per season. The competitive yet social atmosphere continues to be a staple of Fountain Inn's adult recreation. Our goal is to increase the numbers slightly to around 10 teams moving forward and continue providing consistency and structure through rules compliance and team structure.

2025

7 teams

Winter Basketball

Youth basketball remains one of our highest-volume programs with nearly 260 youth participating. We saw a significant increase in registrations for the 2026 season, particularly in the 6U & 8U youth Divisions.

With the increased numbers, we are focusing on securing additional court time through local church partnerships to ensure all teams have adequate practice space moving forward. Currently, we are partnering with Trinity United Methodist Church for practices and games. Games begin Monday, January 5th.

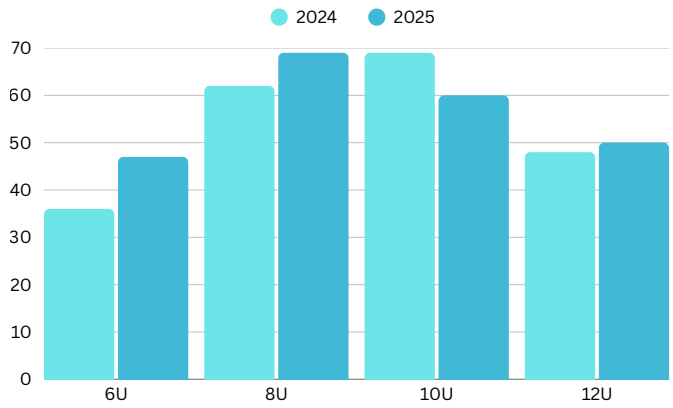
2025

6U - 47 participants

8U - 69 participants

10U - 60 participants

12U - 50 participants



Volleyball

We consider Volleyball a core sport within our Recreation department, with participation continuing to increase. With our primary focus on 3rd–8th grade youth we are committed to growing this program further by scaling our league capacity and enhancing our instructional framework to support this new level of interest. In addition, we've added a new netting system, balls, and officials stand to build upon this momentum.

2025

3rd-5th grade - 36 participants

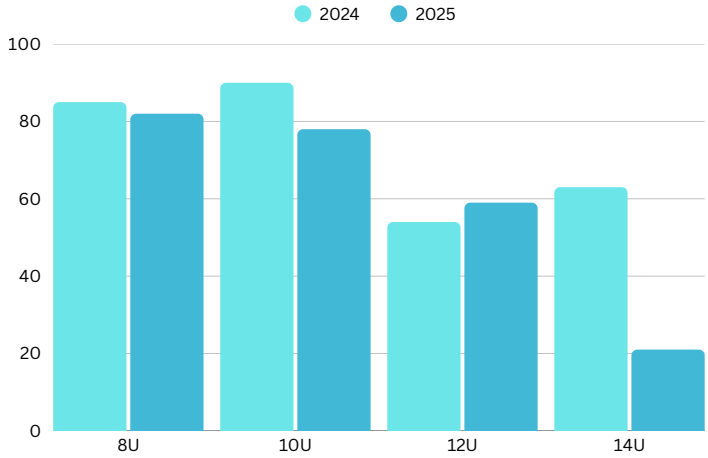
6th-8th grade - 44 participants

Fall Baseball / Softball

The Fall Baseball and Softball season serves as a vital extension of our Spring program, providing a dedicated environment where coaches and players can shift their focus toward fundamental skill development. While the atmosphere is centered on learning, we successfully maintained high participation levels, mirroring the energy of our primary season.

2025

BASEBALL	SOFTBALL
8U - 58 participants	8U - 24 participants
10U - 41 participants	10U - 37 participants
12U - 33 participants	12U - 26 participants
14U - 21 participants	14U - 0 participants

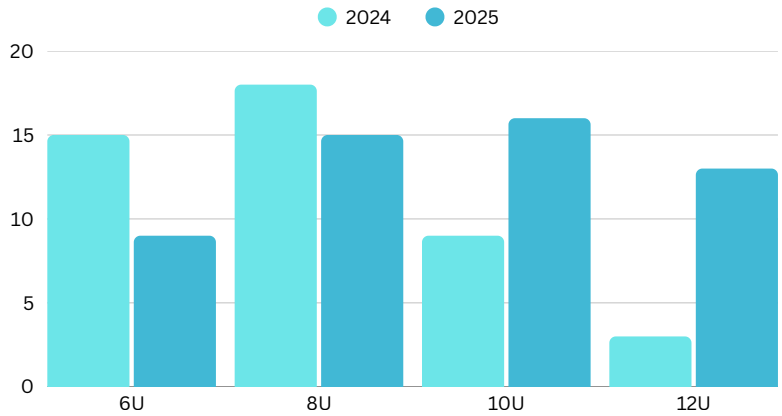


Cheerleading

The cheer program saw a boost in numbers this year, providing essential sideline support for our football teams. The focus for 2026 will be towards skill building and fundamentals, and competition-style choreography. By introducing competition-style choreography, we aim to elevate the program's athletic standard and level of interest. Crucial to this growth is our commitment to coaching consistency, ensuring that the high-quality leadership established in 2025 remains the foundation for our athletes' development.

2025

6U - 9 participants
8U - 15 participants
10U - 16 participants
12U - 13 participants



Summer Camps *(Basketball & Volleyball)*

Our specialized sports camps served as a vital bridge between seasons, experiencing a tremendous increase in participation this past year. Rather than simply filling spots, these camps functioned as a key recruitment tool; we saw a direct correlation between camp attendance and the increased registration numbers in both Winter Basketball and Volleyball. These programs provide a low-pressure environment for youth to explore different sports, develop foundational skills, and determine where they feel most comfortable. By identifying talent early, these camps continue to be instrumental in building our long-term league rosters.

2025

Basketball - 39 participants

Volleyball - 40 participants

Miracle League

The City of Fountain Inn Miracle League remains one of our most impactful programs, ensuring children of all abilities experience the joy of the game in a safe, accessible environment. While we hosted a successful Fall season with 12 dedicated participants. The season was a success thanks to Fountain Inn High School Sports, Coaches, and AD! Our 2026 priority is strategic recruitment. By developing new community partnerships, we aim to increase participation and expand the reach of the Miracle League program to more families in the Fountain Inn area and beyond.

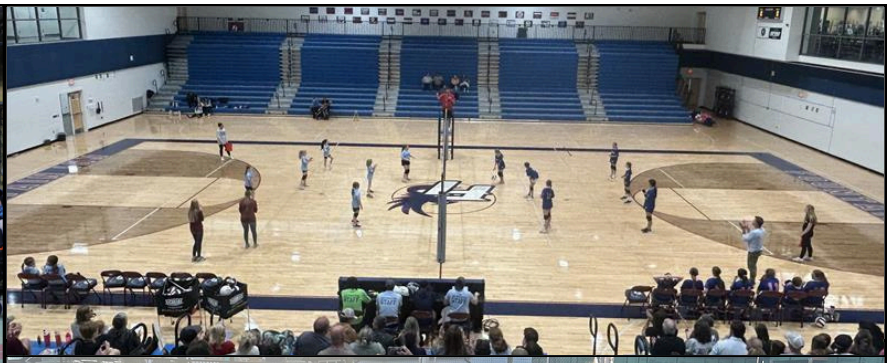
2025

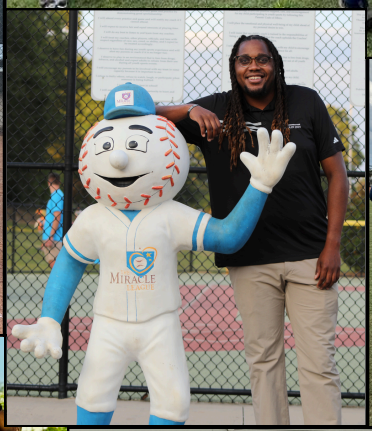
12 participants

2026 Registration Schedule

- 1/12 - 2/13: Baseball / Softball
- 4/27 - 5/29: Summer Camps
- 4/30 - 5/31: Adult Co-Ed Softball
- 6/1 - 7/3: Football / Cheer
- 6/15 - 7/17: Volleyball
- 6/15 - 7/17: Fall Baseball / Softball
- 8/3 - 9/4: Miracle League
- 9/28 - 10/30: Basketball / Wrestling

HOMER
1





Rudolph Run at Night

We once again enjoyed a successful partnership with Upstate Race Series for this year's race on December 6th. Runners embraced the festive spirit, with many sporting creative costumes for the occasion. This year's sponsors included GameOn, Burdette's Hardware, McCraw Veterinary Medicine, and The Mill.

Registrations totaled 290 runners, up from 218 last year, generating $9,042 in revenue compared to $6,558 the previous year. After expenses, we received a check for $6,689.19. Proceeds from the race benefit the Miriam Foundation and the FIKE Center.

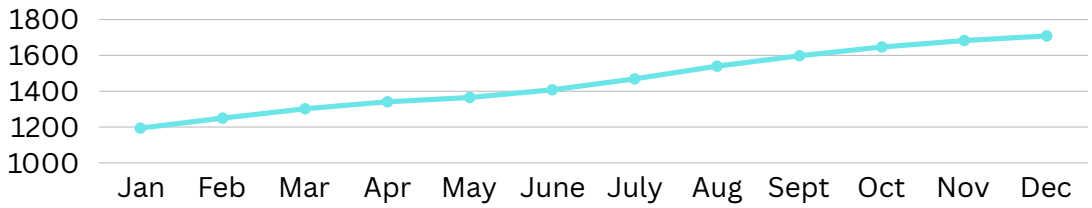
National Parks and Recreation Month

The community enjoyed a variety of fun activities as we celebrated Parks and Recreation Month in July. Outdoor fitness classes were held under The Pavilion at Commerce Park, and a lively party at the Splash Pad brought families together with music, dancing, and popsicles for all.

We also hosted an "Inn the Parks" rock hunt, featuring rocks painted by our 55+ group and hidden throughout the parks for residents to discover. The month-long celebration wrapped up with a Community Fun Day at the Emanuel Sullivan Sports Complex, where residents were invited to enjoy games set up throughout the park along with complimentary snacks and drinks.

55+ Program

Our 55+ Program is booming! Enrollment has reached an impressive 1,709 participants, up from 1,150 just a year ago in December 2024. This growth reflects the increasing interest in our programs and the vibrant, active community we're building for our 55+ members.



Events

Bingo remains the most popular event for our seniors, held once a month and consistently drawing more than 100 participants. Our quilting, knitting, and painting groups meet weekly, while a monthly nutrition class and a bi-monthly Diabetes Support Group with Prisma Health continue to provide valuable education and support.

Tea Parties are another highly anticipated highlight of the year. The Center hosted both a Valentine's Tea and a Bee's Knees Tea, each reaching the maximum capacity of 77 guests. The summer tea featured a special guest speaker, a beekeeper from Seaside Honey in Oak Island, NC, who shared fascinating insights on honey production and caring for bees.

Travel

Our biggest trip of the year welcomed 54 participants as we traveled to the Atlanta Aquarium, followed by a classic dinner at The Varsity. These annual adventures continue to be a favorite among our seniors, who are always appreciative of the City's efforts in making them possible. We anticipate our 2026 trip to Helen, GA to fill up quickly.

In October, a smaller group of 26 enjoyed a scenic visit to Jeter Mountain Farm in Hendersonville, with lunch at A Day in the Country. Throughout the year, our 55+ Night Out program featured several popular local outings, including Bridgeway Station, The Mill at Fountain Inn, the Laurens County Museum, and the crowd favorite—Boondocks Fish Camp & Smokehouse.

Fall “Inn” to Fitness

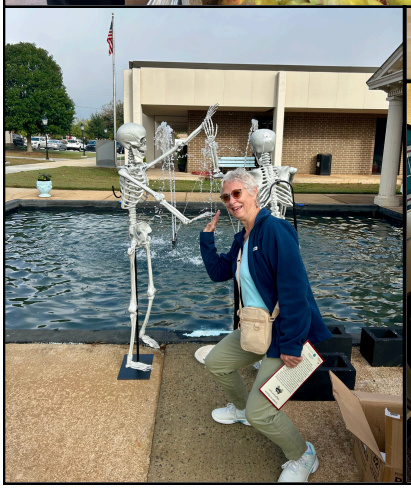
Our 55+ members took full advantage of the warm fall weather by getting out and exploring our community’s outdoor spaces. Participants enjoyed a Main Street scavenger hunt in search of the stagecoaches, and a relaxing yoga class held under the shelter at the Emanuel Sullivan Sports Complex. The program wrapped up with our 3rd annual Turkey Trot, once again utilizing the scenic trail behind the ESSC park.

Veterans Day

Our Veterans Day Ceremony welcomed approximately 200 guests and was once again a meaningful success. With this year’s focus on mental health, we were honored to hear from Taye Adams of Riverstone Counseling Center, Representative Mark Willis, and SFC (RET) Bradley Kennedy.

Nimble Thimbles provided beautiful quilts to the Upstate Quilts of Valor, who wrapped five of our local veterans in recognition of their service. Guests enjoyed a delicious BBQ lunch from Big D’s Catering and desserts from Inkworks Tattoo, all while the Upstate Senior Band performed patriotic selections.

A sincere thank you to everyone who contributed to making this event so special for our veterans and community.



FOUNTAIN INN est 1886	**REQUEST FOR COUNCIL ACTION** City of Fountain Inn, South Carolina To: Mayor and Members of City Council From: Shawn M. Bell, City Administrator	January 8, 2026 Regular City Council Meeting

☐ Ordinance/First Reading ☒ Ordinance/Second Reading ☐ Resolution/First & Final Reading

Agenda Date Requested: January 8, 2026

Ordinance/Resolution Caption: Ordinance 2025-08
An ordinance providing for the acquisition and lease purchase financing of a fire protection vehicle and related equipment; authorizing the City Administrator to prescribe the form and details of the lease purchase financing; providing for the payment of the lease purchase financing; and providing for other related matters.

Summary Background:
Fountain Inn Fire Department's current response apparatus:

- Frontline engine at Headquarters (HQ) is a 2012
  - Nearing the end of life for a frontline engine per NFPA Guidelines (10-15 years), and frequently requires service
- Frontline engine at Station #2 is a 2016
  - Only seats two firefighters safely
- Reserve or backup engine for both HQ and Station #2 is a 2016 of the same make/model as the frontline engine for Station #2
- A 2019 mid-mount tower/ladder truck located at HQ
  - The Department does not own a reserve/spare tower/ladder truck

The Department's operational standard is two engines and a ladder, or three engines. When the 2012 frontline engine goes out of service, FIFD must borrow a truck from the City of Simpsonville because the 2016 engines can accommodate only two firefighters. The City has two custom engines on order, but delivery is not expected until April 2028. Station #3 is scheduled to open sometime in 2027.

Impact If Denied:
Effectively responding to community emergencies may be significantly impacted if the City does not obtain another engine that can carry four firefighters and is within its recommended service life.

Impact If Approved:
The City of Fountain Inn will take possession of a 2025 side-mount engine, which will become the new frontline engine at HQ. The 2012 engine will then become Station #2's frontline engine, leaving both 2016 engines as reserves. The proposed acquisition of a brand-new frontline engine will immediately improve operational readiness and community protection.

The City's financial advisors issued a request for proposals (RFP) to banks on December 15, with bids due on January 7, 2026. The City is anticipated to close on the funds on January 22, 2026, and take delivery shortly thereafter.

Financial Impact:
The purchase price is $885,750. The interest rate and amortization schedule for this lease-purchase financing will not be known until bank bids are received on January 7, 2026.

CITY OF FOUNTAIN INN, SOUTH CAROLINA

ORDINANCE NO. 2025-08

PROVIDING FOR THE ACQUISITION AND LEASE PURCHASE FINANCING OF A FIRE PROTECTION VEHICLE AND RELATED EQUIPMENT; AUTHORIZING THE CITY ADMINISTRATOR TO PRESCRIBE THE FORM AND DETAILS OF THE LEASE PURCHASE FINANCING; PROVIDING FOR THE PAYMENT OF THE LEASE PURCHASE FINANCING; AND PROVIDING FOR OTHER RELATED MATTERS.

ADOPTED: JANUARY 8, 2026

ORDINANCE NO. 2025-08

PROVIDING FOR THE ACQUISITION AND LEASE PURCHASE FINANCING OF A FIRE PROTECTION VEHICLE AND RELATED EQUIPMENT; AUTHORIZING THE CITY ADMINISTRATOR TO PRESCRIBE THE FORM AND DETAILS OF THE LEASE PURCHASE FINANCING; PROVIDING FOR THE PAYMENT OF THE LEASE PURCHASE FINANCING; AND PROVIDING FOR OTHER RELATED MATTERS.

CITY OF FOUNTAIN INN, SOUTH CAROLINA, CITY COUNCIL ORDAINS:

SECTION 1. ***Findings and Determinations***. The City Council ("Council") of the City of Fountain Inn, South Carolina ("City"), finds and determines the following:

(a) The City is a body political and a municipal corporation formed and existing under the laws of the State of South Carolina and has all powers granted to municipalities by the Constitution and the general law of the state, including the power to enter into agreements to acquire and finance equipment.

(b) The City determines that it is within the best interest of the City to acquire a certain fire protection vehicle and related equipment to be used for fire protection services (collectively, "Equipment").

(c) To enable the City to acquire the Equipment, the City desires to undertake a lease purchase financing in an amount not to exceed $950,000 with a bank or other financial institution selected by the City or the vendor of the Equipment ("Purchaser").

SECTION 2. ***Approval of Acquisition and Financing; Delegation of Authority***. The City is authorized to acquire and finance the Equipment. The City is further authorized to utilize a lease purchase financing, or other means of financing (collectively, "Financing"), which is repayable by annual appropriations from any source, to provide funds for the Equipment.

The City shall request bids from various banks and other financial institutions as the City Administrator determines after receipt of advice from the City's Municipal Advisor, First Tryon Advisors. Without further approval, the Council delegates authority to the City Administrator to: (a) determine the maturity and payment schedule of the Financing; (b) determine the date and time for receipt of bids under the request for bids; (c) award the sale of the Financing to the responsive bid which is in the best interest of the City, which determination will be made in part by which responsive bid provides the lowest interest rate to the City, in accordance with a request for bids; (d) make changes to the quantity, description or particular details of the Equipment; and (e) request bids for the Equipment and negotiate the specifications and price of the Equipment as the City Administrator deems to be in the best interest of the City.

SECTION 3. ***Approval of Transaction***. The Council hereby authorizes the acquisition and financing of the Equipment and payment of the costs of the Financing in an amount not to exceed $950,000 subject to and in accordance with the provisions of this Ordinance.

SECTION 4. ***Execution of Documents***. Without further authorization, the Mayor and the City Administrator, and their respective designees, are each authorized and directed to approve the form, terms and provisions of the documents evidencing the Financing ("Transaction Documents"). The Mayor and the City Administrator are authorized, empowered and directed to execute, acknowledge and deliver the Transaction Documents in the name and on behalf of the City. The Transaction Documents are to be in the form as shall be approved by the Mayor or the City Administrator, upon the advice of the City Attorney in consultation with the special counsel to the Financing, Parker Poe Adams & Bernstein LLP, the execution thereof to constitute conclusive evidence of that approval.

SECTION 5. ***Further Assurances***. The Mayor, or his designee, the City Clerk, and the City Administrator, or his designee, are fully empowered and authorized to take further action, make covenants, and to execute and deliver all documents as may be reasonably necessary to effect the Financing and the delivery of

the Transaction Documents and any related documents in accordance with their terms and conditions, and the contemplated transactions, and the action of these officers in executing and delivering any of these documents, in the form as the Mayor or the City Administrator shall approve, is fully authorized.

SECTION 6. ***Federal Tax Covenant***. The City covenants that, to the extent the Financing is a tax-exempt obligation of the City, it will not take any action which will, or fail to take any action which failure will, cause interest components of the payments to be made under the Transaction Documents to become includable in the gross income of the Purchaser or its successors or assignees for federal income tax purposes pursuant to the provisions of the Internal Revenue Code of 1986, as amended ("IRC"), and regulations promulgated thereunder in effect on the date of original issuance of the Transaction Documents, and that the City will comply with all applicable provisions of Section 103 and Sections 141 through 150 of the IRC, and any regulations promulgated thereunder, to maintain the exclusion from gross income for federal income tax purposes of the interest portion of the payments to be made under the Transaction Documents; and to that end the City shall:

(a) comply with the applicable provisions of Section 103 and 141 through 150 of the IRC and any regulations promulgated thereunder so long as the Financing is outstanding;

(b) establish funds, make calculations and pay amounts in the manner and at the times required to comply with the requirements of the IRC relating to required rebates of certain amounts to the United States; and

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

The City will timely file Form 8038-G in accordance with the applicable regulations of the Internal Revenue Service.

SECTION 7. ***Qualified Tax-Exempt Obligations.*** To the extent the Financing is a tax-exempt obligation of the City, the Mayor or the City Administrator are authorized to designate the Financing as a "qualified tax-exempt obligation" under Section 265(b)(3) of the IRC, if the City is not expected to issue in the aggregate more than $10,000,000 (or, should such amount be increased legislatively, such increased amount) in tax-exempt obligations, including the Financing authorized hereunder, during the 2026 calendar year.

SECTION 8. ***Reimbursement from Proceeds of the Financing***.

(a) To the extent the Financing is a tax-exempt obligation of the City, this Ordinance is the Council's official declaration of intent pursuant to Regulation §1.150-2 promulgated by the Internal Revenue Service and U.S. Treasury Department to reimburse the City for Equipment-related expenditures incurred and paid on or after the date occurring 60 days prior to the date of adoption of this Ordinance from the proceeds of the Financing.

(b) The City understands that Expenditures which may be reimbursed are limited to Expenditures which are (i) properly chargeable to a 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) under general federal income tax principles, or (ii) certain *de minimis* or preliminary expenditures satisfying the requirements of Regulation §1.150-2(f).

(c) The source of funds for the Expenditures with respect to the Equipment is expected to be the City's general fund.

(d) The City understands that to be eligible for reimbursement of the Expenditures, the reimbursement allocation must be made not later than 18 months after the later of (i) the date on which the Expenditures were paid, or (ii) the date the Equipment is placed in service, but in no event more than three years after the City made the original Expenditures.

SECTION 9. ***Severability***. All ordinances, resolutions, orders, policies, and any parts of the same in conflict with this Ordinance are, to the extent of that conflict, repealed.

SECTION 10. ***Effective Date***. This Ordinance is effective after its second reading.

[ONE SIGNATURE PAGE FOLLOWS]
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CITY OF FOUNTAIN INN, SOUTH CAROLINA

_____
George Patrick McLeer, Jr., Mayor

[CITY SEAL]

ATTEST:

_____
Elizabeth Adams, City Clerk

APPROVED AS TO FORM:

_____
Michael E. Kozlarek, Esq.
King Kozlarek Root Law LLC

First Reading: December 1, 2025
Second Reading / Final Approval: January 8, 2026

Introduced by Councilmember: _____

CITY OF FOUNTAIN INN, SOUTH CAROLINA
2026 Lease Purchase

FINANCING SCHEDULE

Nov-25						
Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23/30	24	25	26	27	28	29

Dec-25						
Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

Jan-26						
Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

DATE	TASK	RESPONSIBILITY
November 19	Distribute Draft of Ordinance	BC
By November 21	Comments Due on Ordinance	Working Group
November 24	Distribute Revised Draft of Ordinance	BC
December 1	City Council Meeting – First Reading of Ordinance	City
December 10	Distribute Draft of Bank RFP	FA
By December 12	Provide Comments to Draft Bank RFP	Working Group
December 15	Send Bank RFP to Bidders	FA
January 7	Bank Bids Due / Select Winning Bank Finalize Numbers	Working Group FA
January 8	City Council Meeting – Second Reading of Ordinance	City
Week of January 12	Distribute Draft of Closing Documents	BC
January 22	Closing (2025B)	Working Group

Note: County Council typically meets the 2nd Tuesday and 4th Thursday of each month

RESPONSIBILITY LEGEND:

Role	Entity	Defined
Issuer	**City of Fountain Inn, South Carolina**	**"City"**
Bond Counsel	**Parker Poe Adams & Bernstein**	**"BC"**
Financial Advisor	**First Tryon Advisors**	**"FA"**

Request for Proposals

City of Fountain Inn, South Carolina
$950,000* 2026 Lease Purchase Financing

Bids due by: Wednesday, January 7, 2026 @ 12:00pm

The City of Fountain Inn, South Carolina (the "City"), is requesting electronic proposals from financial institutions with respect to a commercial loan to be evidenced by its $950,000* tax-exempt lease purchase financing (the "Financing") between the lessor and the City. The following key assumptions are to be utilized in preparing your proposal:

Issuer: City of Fountain Inn, South Carolina.

Use of Proceeds: The proceeds of the Financing will be used to (i) finance the costs of a Pierce Side Mount Pumper and (ii) pay cost of issuance. The Pierce Side Mount Pumper is referred to herein as the "Vehicle".

Tax Treatment: Tax-Exempt.

Bank Qualified: Yes.

Title: Title to the Vehicle will be in the name of the City, subject to the lessor's rights under the financing agreement. The successful bidder shall be responsible for taking all actions it deems necessary to impose its lien upon or perfect any security interest in the Vehicle.

Unencumbered title to the Vehicle must be provided to the City, and the bidder's lien on the Vehicle must be released, on the date of final payment, whether upon maturity or prior redemption of the financing agreement.

Acquisition / Escrow Account: The City will require the successful bidder to transfer by Federal funds the full amount of the Financing on the date of the closing. If a bidder requires that an acquisition/escrow account be held by it or its designee, the bidder must so indicate in its proposal. Otherwise, the City retains the right to designate a bank or the South Carolina Local Government Investment Pool to act as custodian of the acquisition/escrow account. If held by the lender, the acquisition/escrow account must be an interest-bearing account with earnings accruing to the benefit of the City. This acquisition/escrow account will be structured to allow payments therefrom to be made to the vendor of the Vehicle for payment as directed by the City. All funds invested or deposited in the acquisition/escrow account shall at all times be invested or deposited, as applicable, in a manner which satisfied the requirements of the laws of the State of South Carolina relating to investment or deposit of public funds, including, without limitation, Sections 6-5-10, 6-5-15 and 6-6-10 or of the Code of Laws of South Carolina 1976, as amended, as applicable.

Deficiency Judgment: No deficiency judgment can be assessed or imposed against the City nor will the full faith, credit and taxing power of the City be pledged to the payment of the Financing.

*Not-to-exceed

Non-Appropriation: There must be a non-appropriation clause in the financing agreement. Any and all amounts due including, but not limited to, scheduled lease payments, reimbursements, penalties or fees under the financing agreement or any acquisition/escrow account must be subject to annual appropriation by the City.

Non-Substitution: Non-substitution clauses are not permitted.

Issue Size: $950,000*.

Debt Structure: The City has provided three preliminary amortizations below, which should be used in preparation of your bid. The City reserves the right to revise the amortizations to achieve its desired level debt service structure. A fixed rate for the entire term of the Financing is required. Please note that a proposal for multiple or all amortizations is not required.

Payment Date	Option 1*	Option 2*	Option 3*
2/1/2027	$ 175,000	$ 120,000	$ 77,000
2/1/2028	183,000	125,000	82,000
2/1/2029	190,000	130,000	85,000
2/1/2030	197,000	135,000	89,000
2/1/2031	205,000	141,000	93,000
2/1/2032	-	147,000	96,000
2/1/2033	-	152,000	100,000
2/1/2034	-	-	105,000
2/1/2035	-	-	109,000
2/1/2036	-	-	114,000
Total	$ 950,000	$ 950,000	$ 950,000
Average Life	3.103 Years	4.184 Years	5.871 Years

*Preliminary; subject to change

Principal Payments: Annual principal payments on February 1, commencing February 1, 2027.

Interest Payments: Annual interest payments (calculated on a 30/360 basis) on February 1, commencing February 1, 2027.

Prepayment: The City is seeking flexibility with respect to redemption provisions. Please specify the redemption structure(s) that would provide the City with flexibility at the lowest cost of funds. Proposals with multiple redemption options are permitted.

Denominations: The Financing will be issued in a single denomination equal to the par amount of the Financing.

Delivery Date: The Financing will be delivered on or about January 22, 2026 or such other date as may be determined by the parties. The loan proceeds constituting the purchase price then due must be paid in Federal funds or other immediately available funds.

Award: Although the selection will be based substantially on the lowest total financing cost (including both interest cost (calculated on a true interest cost basis) together with any upfront fees and expenses), the City reserves the right to award the Financing to the Bank that provides terms deemed most advantageous to the City. Any fees or costs to be paid by the City to the Bank will be treated as additional interest cost.

Any bid containing the following provisions will be rejected: (i) a default rate; (ii) a requirement that the City indemnify the bidder; (iii) a rate adjustment due to change in law affecting bidders; or (iv) a requirement that the City waive sovereign immunity. The City reserves the right to reject any and all bids, to waive irregularities in any bid and to negotiate with the lowest responsive Bank.

Rating: No rating will be obtained for the Financing.

Legal Opinion: The City shall furnish upon delivery of the Financing the final approving opinion of Parker Poe Adams & Bernstein LLP, Columbia, South Carolina, which opinion shall accompany the Financing, together with the usual closing documents, including a certificate that no litigation is pending affecting the Financing.

Increased Cost: The City will not consider any proposals that include future interest rate adjustments relating to increased costs, changes in tax law/tax rate or changes in capital adequacy, capital requirements, etc.

Audit/Budget: The City will provide its annual financial statements in electronic format to the Bank upon request. Historical financial statements of the City as well as other financial information are available on the City's website at the following link: https://www.fountaininn.org/298/Finance

Closing Costs: The costs of issuance of the Financing will be borne by the City. However, the City does not anticipate paying any closing costs to or on behalf of the Bank. Please specify any exceptions.

Annual/Ongoing Costs: None anticipated to be paid to or on behalf of the Bank. Please specify any exceptions.

Representations: The Bank will be required to execute a letter to the City acknowledging, among other things, that (1) no official statement or other offering material has been furnished other than the RFP; (2) it had an opportunity to make inquiries of, and receive answers from such officials, employees, agents and attorneys of the City; (3) it has knowledge and experience in financial and business matters and that it is capable of evaluating the merits and risks of making the loan to be evidenced by the Financing and is financially able to bear the economic risk of holding the Financing; (4) it is acquiring the Financing as a vehicle for making a commercial loan and without a present view to the distribution or resale thereof (subject, nevertheless, to any requirement of law that the disposition of its property shall at all times be under its control) within the meaning of the Federal securities laws; and (5) it is acquiring the Financing solely for its own account and no other person now has any direct or indirect beneficial ownership or interest therein.

The Bank will also be required to covenant that it will not voluntarily dispose of all or any portion of the Financing unless it procures from each assignee thereof representations and covenants in form and content substantially the same as those made by the Bank.

Miscellaneous: The City reserves the right to request additional information from the Bank and to waive any irregularity or informality and to negotiate provisions directly with any bidder.

To be considered, a proposal must be received by 12:00 pm on Wednesday, January 7, 2026. Email submission of the proposal to the following individuals is required:

shawn.bell@fountaininn.org
christine.furino-koehne@fountaininn.org
rayjones@parkerpoe.com
emilyluther@parkerpoe.com
dcheatwood@firsttryon.com
chabliston@firsttryon.com

Questions may be addressed to the City through its special counsel or municipal advisor:

Special Counsel
Ray Jones / Emily Luther
Parker Poe Adams & Bernstein LLP
(803) 253.6841
rayjones@parkerpoe.com
emilyluther@parkerpoe.com

Municipal Advisor
David Cheatwood
First Tryon Advisors
(704) 926-2447
dcheatwood@firsttryon.com

RESOLUTION 2026-01

JANUARY 8, 2026

A RESOLUTION HONORING AND REMEMBERING RODGER GLENN “PD” TERRY

WHEREAS, the City Council of the City of Fountain Inn desires formally to recognize and honor the life, service, and legacy of Rodger “PD” Glenn Terry, a devoted public servant whose work profoundly shaped the community of Fountain Inn; and

WHEREAS, PD Terry began his career with the City of Fountain Inn on February 28, 1977, and faithfully served the City for more than three decades until his retirement on June 9, 2011; and

WHEREAS, throughout his distinguished career, PD Terry became synonymous with Parks and Recreation in Fountain Inn, serving for many years as Recreation Director and dedicating his talents, leadership, and passion to building programs, facilities, and traditions that strengthened the fabric of the community; and

WHEREAS, under his leadership, countless children participated in their first organized sports, families celebrated their loved one’s accomplishments, and friendships were formed; and

WHEREAS, a lifelong love of recreation, teamwork, and community pride was instilled in generations of residents; and

WHEREAS, PD Terry’s commitment and genuine care for others left an enduring and meaningful mark on the City—one so significant that PD Terry City Park proudly bears his name as a permanent symbol of his impact and service; and

WHEREAS, PD Terry will be remembered not only for what he accomplished, but for who he was—a mentor, a leader, and a cornerstone of the Fountain Inn community; and

WHEREAS, the City of Fountain Inn mourns his passing and extends its deepest sympathy, prayers, and support to the Terry family during this time of loss, most especially his wife of forty-seven years, Nancy Louise Hughes Terry, and their children William Joshua “Josh” Terry and Thomas Tyler Terry;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Fountain Inn that the Council hereby honors and remembers Rodger Glenn “PD” Terry for his extraordinary

service, leadership, and unwavering dedication to the City of Fountain Inn and its residents; and

BE IT FURTHER RESOLVED that the City Council expresses its sincere gratitude for the lasting contributions PD Terry made to the quality of life in Fountain Inn, and affirms that his legacy will continue to live on through the programs he built, the park that bears his name, and the many lives he touched; and

BE IT FURTHER RESOLVED that January 9, 2026, be proclaimed “PD TERRY DAY” in the City of Fountain Inn in honor; and

BE IT FURTHER RESOLVED that a copy of this resolution be presented to the Terry family and the Fountain Inn Museum as a lasting expression of the City’s appreciation, respect, and remembrance.

ADOPTED this 8th day of January, 2026, by the City Council of the City of Fountain Inn, South Carolina.

ADOPTED: January 8, 2026

_____

Mayor George Patrick McLeer, Jr.

Attest:

_____

Elizabeth Adams

City Clerk

Approved as to Form:

_____

Michael Kozlarek

City Attorney

City of Fountain Inn

Safety Committee

COMMITMENT TO SAFETY STATEMENT

The City is committed to promoting a safe and healthy work environment and to encourage safe employee work habits and practices as well as healthy lifestyles. Safety and health in our business must be a part of every operation. Without question it is every employee's responsibility at all levels.

It is the intent of City of Fountain Inn to comply with all laws. We depend on our employees to:

1. Become familiar with and comply with all safety rules and procedures for their work activity.

2. Promptly report any job-related injury, illness, or property damage to their supervisor.

3. Promptly report to their supervisors all unsafe/unhealthy practices and conditions they observe.

4. Cooperate/assist in investigations of accidents to identify causes and correctable measures.

5. Actively support and participate in safety/health promotional and educational measures.

The personal safety and health of each employee of City of Fountain Inn is of primary importance. The prevention of injuries and illnesses is of such consequence that it will be given precedence over operating productivity whenever necessary. To the greatest degree possible, management will provide all mechanical and physical facilities required for personal safety and health in keeping with the highest standards.

The City of Fountain Inn is committed to doing all in its power to make its safety and loss control program a success and expects all employees to assist in this effort by contributing expertise and by following all established rules and procedures.

Safety Committee:

The Safety Committee is to be comprised of City employees representing all departments. The Human Resources Director will chair the committee and will be responsible in matters related to the development, administration, and management of the city's safety and health program. Members of the committee can be recommended by the Department Head and will be appointed by the committee. The Safety Committee shall establish a loss control program, review losses and loss trends, make recommendations for prevention and assign other safety responsibilities as needed. Recognizing that each City Department may already have in place a safety or loss review committee, the Safety Committee appointed pursuant to this policy shall coordinate its efforts with those of departmental committees.

ADOPTED: January 8, 2026

_____
Mayor George Patrick McLeer, Jr.

Attest:

_____
Elizabeth Adams
City Clerk

Approved as to Form:

_____
Michael Kozlarek
City Attorney

FOUNTAIN INN est 1886	**REQUEST FOR COUNCIL ACTION** City of Fountain Inn, South Carolina To: Mayor and Members of City Council From: Shawn M. Bell, City Administrator	January 08, 2026 Regular City Council Meeting

☒ Ordinance/First Reading ☐ Ordinance/Second Reading ☐ Resolution/First & Final Reading

Agenda Date Requested: January 08, 2026

Ordinance/Resolution Caption: Ordinance AXZ-2026-01

An ordinance to provide for the annexation of the property described herein to the city limits of the City of Fountain Inn; to establish a zoning classification therefor; to assign the annexed property to a council ward; and other related matters (405 Milacron Drive).

Summary Background:

The applicant, Church of Jesus Christ of Latter-Day Saints, represented by Andy Goldsmith, has submitted a signed petition requesting annexation of approximately 10.14 acres located at 405 Milacron Drive / North Nelson Drive (Tax Map #0349000100300) into the City of Fountain Inn pursuant to South Carolina Code of Laws Section 5-3-150.

The property is currently unzoned in Greenville County and the applicant is requesting zoning to C-2 (Commercial) upon annexation. The site is currently undeveloped and is proposed for development as a church. Churches are permitted within the C-2 district by special exception, which would require separate approval by the Board of Zoning Appeals following annexation.

The City's INNvision Comprehensive Plan designates this area as Commercial Mixed-Use, and the requested zoning is consistent with that designation as well as surrounding zoning patterns.

Impact If Denied:

The property would remain outside the City limits and unzoned by the City, limiting the City's ability to ensure development standards consistent with the Comprehensive Plan and municipal regulations.

Impact If Approved:

Approval would allow the property to be incorporated into the City, assigned to **Council Ward 5**, and regulated under the City's zoning and development standards. Annexation and zoning would support orderly growth consistent with the City's long-term planning vision and would not negatively impact surrounding properties.

Financial Impact:

Not applicable.

No. AXZ 2026-01

ORDINANCE

AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF THE PROPERTY DESCRIBED HEREIN TO THE CITY LIMITS OF THE CITY OF FOUNTAIN INN; TO ESTABLISH A ZONING CLASSIFICATION THEREFOR; TO ASSIGN THE ANNEXED PROPERTY TO A COUNCIL WARD; AND OTHER RELATED MATTERS (405 MILACRON DRIVE).

WHEREAS, Matthew R. Cummings and Church of Jesus Christ of Latter-Day Saints, have filed a proper petition with the City using the 100 percent petition method concerning those parcels or tracts of land, which property is contiguous to the City limits petitioning for annexation of said property to the City of Fountain Inn under the provisions of South Carolina Code Annotated section 5-3-150-(3) and described as follows:

> **ALL those certain pieces, parcels or tracts of land containing approximately 10.14 acres, being on North Nelson Drive in Greenville County, South Carolina, and described as follows:**
>
> **SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE.**
>
> **GREENVILLE COUNTY TMS # 0349000100300**

WHEREAS, it appears to the City Council that annexation would be in the best interest of the property owners and the City; and

WHEREAS, the notice and public hearing requirements of South Carolina Code Annotated section 5-3-150 have been complied with:

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Fountain Inn, South Carolina, as follows:

Section 1. **ANNEXATION:** That the property herein described is hereby annexed to and becomes a part of the City effective on the date of the passage of this Ordinance.

Section 2. **ZONING CLASSIFICATION:** The property herein described is hereby assigned the zoning classification of C-2: Commercial District.

Section 3. **DISTRICT ASSIGNMENT:** The described property shall be assigned to City Council Ward 5.

Section 4. **FLOOD RATE INSURANCE MAPS:** In accordance with the provisions of 44 CFR §64.4, in the event that the newly annexed area was previously located in a community participating in the NFIP Program, pending formal adoption of the amendment to its flood plain management regulations, the City hereby certifies that within the newly annexed area the flood plain management requirements previously applicable in the area remain in force. In the event that the newly annexed area was previously located in a community not participating in the NFIP Program, upon annexation, and pending formal adoption of the amendments to its flood plain management regulations, the City certifies that it shall enforce within the newly annexed area, existing flood insurance policies which shall remain in effect until their date of expiration may be renewed, and new policies may be issued.

Section 5. **AUTHORIZATION**. The Mayor, the City Administrator, and the City Clerk, for and on behalf of the City, acting jointly or individually, are fully empowered and authorized to take such further action as may be reasonably necessary to affect the actions authorized by this Ordinance in accordance with the conditions herein set forth.

Section 6. **EFFECTIVE DATE**. This Ordinance shall be effective upon second and final reading by the City Council.

No. AXZ 2026-01

CITY OF FOUNTAIN INN, SOUTH CAROLINA

_____
George Patrick McLeer, Jr., Mayor

[CITY SEAL]

ATTEST:

_____
Elizabeth Adams, City Clerk

APPROVED AS TO FORM:

_____
Michael E. Kozlarek, Esq.
King Kozlarek Law LLC

First Reading: January 8, 2026
Second Reading / Final Approval: February 12, 2026

EXHIBIT A
DEPICTION OF PROPERTY

FOUNTAIN INN
est 1886

AGENDA ITEM

January 8, 2026

To:	City Council
From:	Planning Director, Jason Knudsen
Subject:	AXZ-2021-01, Proposed Annexation/Rezoning of 405 Milacron Drive
Meeting Date:	**January 08, 2026**
Type of Agenda Item:	Annexation/Rezoning, First Reading
Attachments:	Zoning Map Aerial Map Proposed Ordinance

OWNER(S):	McCarter Road, LLC
AUTHORIZED REP(S):	Andy Goldsmith
APPLICANT(S):	Church of Jesus Christ of Latter-Day Saints (Applicant)
LOCATION:	405 Milacron / North Nelson Drive (Tax Map #0349000100300)
CURRENT ZONING:	UNZONED
DESIRED ZONING:	C-2, Commercial
COUNCIL WARD:	5 – John Don
SIZE OF PROPERTY:	+/- 10.14 acres

REQUEST

The City of Fountain Inn has received a signed petition requesting annexation into the City pursuant to South Carolina Code of Laws Section 5-3-150.

The Applicant has requested that this tract of land, which is presently un-zoned within Greenville County, to C-2 (Commercial) within the City.

LOCATION & SITE DESCRIPTION

The property in question is comprised of just over ten (10) acres and is currently undeveloped. The assigned address is 405 Milacron Road, however only has frontage on North Nelson Drive (a frontage road on the southern side of Interstate 385). To the north is residential zoning (R-10), to the west is industrial zoning (I-1), and to the south and east is commercial (C-2). Applicant is the contract purchaser of the property in question, which will be developed into a church.

COMPREHENSIVE PLAN

The City's INNvision Comprehensive Plan identifies the area of this tract of land as "Commercial Mixed-Use." The Commercial Mixed Use designation serves a larger area than a Neighborhood Center and includes larger buildings with a retail anchor store. The area includes typically one anchor store, such as a grocery store with a variety of uses including commercial, service, office, and a mix of residential housing types. It may occasionally include taller buildings (max. 4-5 stories high). Multi-family housing may be integrated as part of mixed use. Higher density housing (e.g. apartments and townhomes) should be located near shopping and services.

PROPOSED ZONING DISTRICT

Per Section 5:6 of the Fountain Inn Zoning Ordinance, the C-2 Commercial District is established to provide goods and services for the convenience of local residents. Churches are permitted by special exception within this district at 5:6.2. Once annexed into the City, Applicant will need to file an application with the Board of Zoning Appeals for special exception approval.

PUBLIC HEARING PROCEEDING

A public hearing regarding this petition was conducted on December 18, 2025, before the body of the Fountain Inn Planning Commission. There was no public comment.

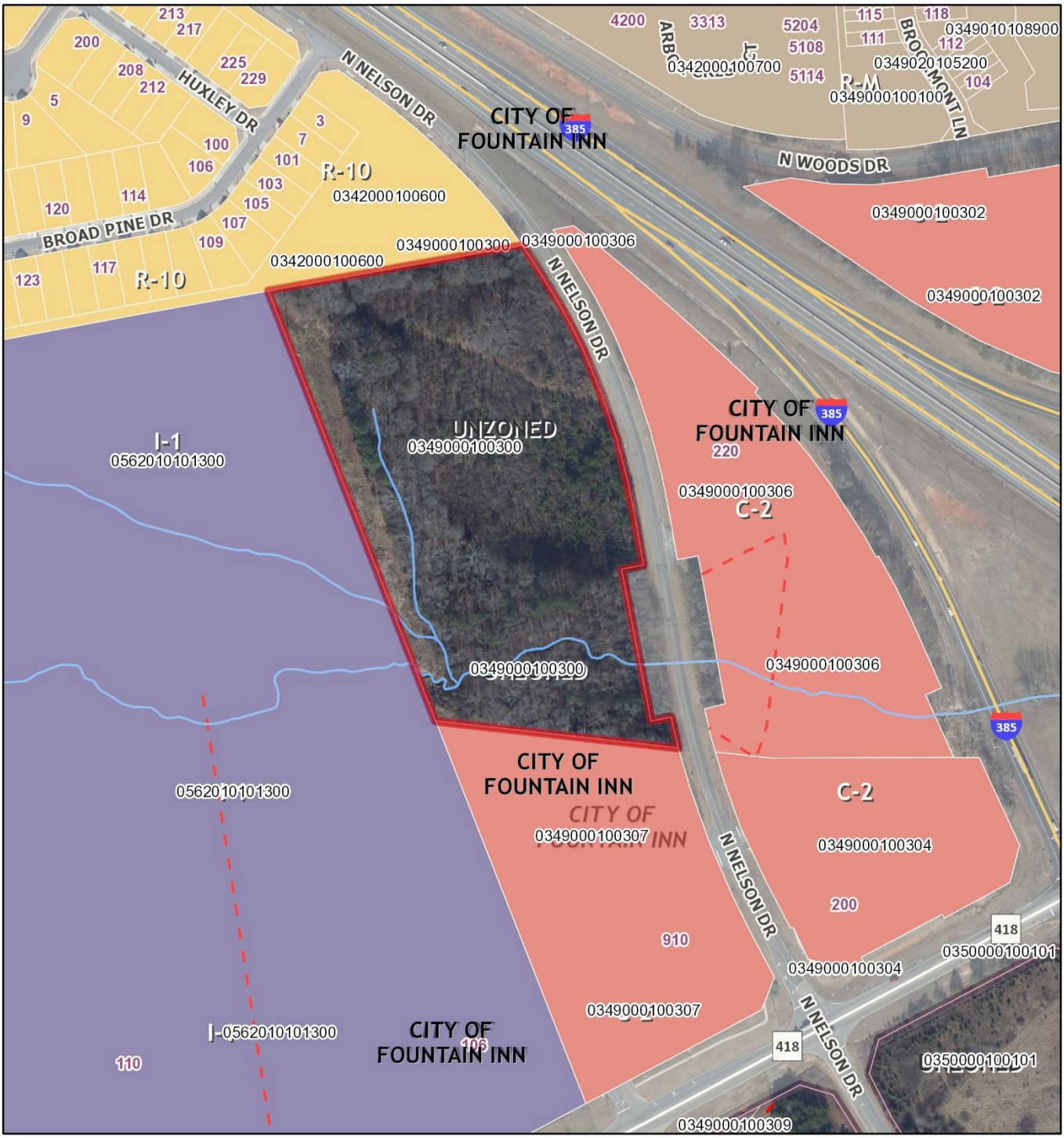
PLANNING COMMISSION REVIEW

The Fountain Inn Planning Commission has reviewed the request to annex and rezone this property to the C-2, Commercial District at their December 18, 2025 meeting. By a vote of 6-0, the Planning Commission recommends approval of the requested annexation and zoning for Ordinance AXZ-2026-01.

STAFF COMMENTS

Staff finds that this requested zoning change is consistent with the continuing vision for this area. Staff is not aware of any aspect of annexing and rezoning this property that would negatively impact the public health, safety, and welfare of neighboring properties.

ZONING MAP



November 18, 2025

1:3,200

0 150 300 600 ft

0 40 80 160 m

Greenville County GIS Division, Greenville, South Carolina, Greenville County GIS Division, Greenville County, South Carolina GIS Division

AERIAL MAP

CITY OF FOUNTAIN INN
N NELSON DR
HUXLEY DR
BROAD PINE DR
N WOODS DR
BROOMONT LN
0342000100600
0349000100300
0349000100306
0349000100302
0562010101300
0349000100307
0349000100304
0350000100101
0349000100309
385
418
November 18, 2025
1:3,200
0 150 300 600 ft
0 40 80 160 m
Greenville County GIS Division, Greenville, South Carolina, Greenville County GIS Division, Greenville County, South Carolina GIS Division

FOUNTAIN INN est 1886	**REQUEST FOR COUNCIL ACTION** City of Fountain Inn, South Carolina To: Mayor and Members of City Council From: Shawn M. Bell, City Administrator	January 08, 2026 Regular City Council Meeting

☒ Ordinance/First Reading ☐ Ordinance/Second Reading ☐ Resolution/First & Final Reading

Agenda Date Requested: January 08, 2026

Ordinance/Resolution Caption: Ordinance 2026-01

Enacting a unified development code as part of the code of ordinances of the city of Fountain Inn, South Carolina, 1992, as amended ("code"); repealing certain portions of the code; invoking pending ordinance doctrine; and providing for other related matters.

Summary Background:

The City of Fountain Inn is undertaking a comprehensive update to its zoning and land development regulations by merging the existing Zoning Ordinance and Land Development Regulations into a single Unified Development Ordinance (UDO), titled INNtheZone. This effort is intended to modernize development regulations, improve clarity and usability, and align the City's regulatory framework with the recently adopted INNvision Comprehensive Plan.

The proposed UDO updates zoning districts, consolidates development standards, introduces a new zoning map, and establishes a unified table of permitted uses. While some zoning districts have been reclassified or renamed, many properties retain zoning designations consistent with their current use. The UDO is designed to promote orderly development, protect community character, and provide predictability for residents, businesses, and developers.

Extensive public engagement was conducted throughout the process, including workshops with City Council, the Planning Commission, and the Board of Zoning Appeals, as well as an open public comment period. All comments received were reviewed and considered as part of the final draft.

Impact If Denied:

The City would continue to rely on outdated and fragmented development regulations that are more difficult to administer and less aligned with current planning best practices and the Comprehensive Plan.

Impact If Approved:

Adoption of the Unified Development Ordinance would provide a clear, modern, and consolidated regulatory framework to guide future growth and development. The UDO would improve transparency, streamline development review processes, and ensure consistency between zoning, land development regulations, and the City's long-term vision.

Financial Impact:

Not applicable.

CITY OF FOUNTAIN INN, SOUTH CAROLINA
ORDINANCE 2026-01

ENACTING A UNIFIED DEVELOPMENT CODE AS PART OF THE CODE OF ORDINANCES OF THE CITY OF FOUNTAIN INN, SOUTH CAROLINA, 1992, AS AMENDED ("CODE"); REPEALING CERTAIN PORTIONS OF THE CODE; INVOKING PENDING ORDINANCE DOCTRINE; AND PROVIDING FOR OTHER RELATED MATTERS.

WHEREAS, the City Council ("Council") of the City of Fountain Inn ("City") finds:

(a) The Council is authorized and empowered to provide for its internal operation according to South Carolina Constitution Article VIII, section 17, and the Home Rule Act of 1975;

(b) South Carolina Code Annotated Title 6, Chapter 29, Article 1, section 310, through and including section 380, permits a local government to provide for land use regulations;

(c) The Code currently provides for land use regulations in Appendix A and Appendix B;

(d) The Council has had prepared a proposed Unified Development Code, a copy of which is attached to as Exhibit A, and incorporated in, this Ordinance by reference ("UDO");

(e) The Council intends by this Ordinance to enact the UDO as part of the Code and simultaneously repeal Appendix A and Appendix B; and

(f) The Council makes such other findings and determinations as are contained in the UDO;

NOW, THEREFORE, the Council ordains:

1. Enactment and Repeal. The UDO is enacted and, contemporaneously therewith, Appendix A and Appendix B of the Code are each repealed in their entirety.

2. Codification. The City shall codify the contents of Exhibit A to this Ordinance, and repeal Appendix A and Appendix B of the Code as existed prior to the enactment of this Ordinance, online as soon as practicable and in print as part of the City's next, regular, re-codification of the Code as and if next codified.

3. Reservation to City. The City reserves the right to repeal or amend this Ordinance, at any time, from time to time, as often as the City, in its sole discretion, deems appropriate.

4. General Repealer. Each ordinance, resolution, order, or part of the same in conflict with this Ordinance, is, to the extent of that conflict, repealed.

5. Severability. If any part of this Ordinances is unenforceable for any reason, then the remainder of this Ordinance remains in full force and effect.

6. Pending Ordinance Doctrine; Effective Date. The "Pending Ordinance Doctrine," as described and applied by the South Carolina Supreme Court in *Sherman vs. Reavis*, 273 S.C. 542, 257 S.E.2d 735 (1979), and as adopted and applied by South Carolina courts in other decisions, is adopted and declared to be in full force and effect in the City with respect to application of any City planning, zoning, and development matters, including the matters contained in this Ordinance. As a result, this Ordinance shall be deemed to be applicable at and after first reading.

[ONE SIGNATURE PAGE AND ONE EXHIBIT FOLLOW]
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CITY OF FOUNTAIN INN, SOUTH CAROLINA

George Patrick McLeer, Jr., Mayor

[CITY SEAL]

ATTEST:

Elizabeth Adams, City Clerk

APPROVED AS TO FORM:

Michael E. Kozlarek, Esq.
King Kozlarek Root Law LLC

First Reading: January 08, 2026
Second Reading / Final Approval: February 12, 2026

EXHIBIT A

UNIFIED DEVELOPMENT CODE OF FOUNTAIN INN, SOUTH CAROLINA

[SEE 355 PAGES, ATTACHED]

Proposed Zoning

- O-S: Open Space
- R-C: Residential Conservation
- GR-1: General Residential 1
- GR-2: General Residential 2
- R-TR: Transitional Residential
- R-M: Residential Multi Family
- NC: Neighborhood Commercial
- D-MU: Downtown Mixed-Use
- C-1: Central Business District
- C-2: Commercial
- S-1: Services District
- I-1: Industrial
- FRD: Flexible Review District

Overlays

- Woodside Cotton Mill Village Overlay
- Gateway Corridor Overlay

Proposed Zoning Map

Fountain Inn, SC

STEWART

Last Modified: 12/10/2025 6:33 PM

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DISCLAIMER: This map was created using the best available data, and is provided without warranty of any representation of accuracy or completeness. The information herein does not necessarily represent a legal survey. This data is dynamic and in a constant state of maintenance.

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FOUNTAIN INN
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AGENDA Jan 8, 2026

To:	City Council
From:	Planning & Development Director, Jason Knudsen
Subject:	ORD 2026-01, INNtheZone, Unified Development Ordinance (UDO)
Meeting Date:	**January 8, 2026**
Type of Agenda Item:	Enacting a UDO, First Reading
Attachments:	Proposed Zoning Map Executive Summary FAQ Commissioner's Comments Allie Martinsen's Comments (Upstate Forever) Ordinance

REQUEST

The City of Fountain Inn is undertaking a comprehensive update of its Zoning Ordinance and Land Development Regulations, merging them into a single, streamlined Unified Development Ordinance (UDO). This initiative is driven by the need to modernize and clarify the city's development standards, ensure consistency across regulations, and better align with current best practices in planning and development. By consolidating these documents, the city aims to provide greater transparency and predictability for residents, property owners, and developers, support sustainable growth, and enhance the overall quality of life in Fountain Inn. Importantly, all proposed changes and revisions are consistent with the goals and policies outlined in the recently adopted Comprehensive Plan, ensuring that the city's regulatory framework supports its long-term vision for growth and development.

As part of this process, the city's zoning districts have been thoroughly reviewed and updated. Some existing districts have been removed, while new districts have been created to better reflect the city's present and future needs. A new zoning map has been developed, and properties have been assigned zoning designations that best suit their current and anticipated uses. It is important to note that not all properties have had their zoning district changed; many remain consistent with their previous designations. The proposed zoning map is attached, and an interactive comparison map can be viewed at https://www.fountaininn.org/460/Zoning-Update. The current draft UDO document can be viewed via the same link.

PUBLIC INVOLVEMENT / COMMUNITY INPUT

The City of Fountain Inn prioritized public engagement throughout the UDO development process. A workshop with City Council was held on October 21, 2025, followed by a joint workshop with the Planning Commission and Board of Zoning Appeals on November 6, 2025. To ensure transparency and accessibility, a dedicated page on the city website provided information about the UDO process, draft documents, and opportunities for input. Public comments were accepted online, and through email, from October 22, 2025, to December 12, 2025. All comments received were shared with the city's consultants and thoughtfully considered in the current UDO draft. In all, 4 people responded with comments that are summarized below. Additionally, comments submitted via email by a Planning Commissioner have been included and are attached to this report.

- A comment raised the question of whether the proposed rezoning from R-15 to D-MU would result in increased property taxes for property owners.
- Comments addressed the proposed sign regulations, including uncertainty about the definition and determination of "nuisance," and concerns about restrictions on temporary and window signs. These concerns referenced potential impacts on business, charitable, political, and celebratory signage, as well as questions about the permitting process for banners, the display of signs for graduates, birthdays, and community events, and the absence of an explicit appeals process. It was noted that sign types not expressly permitted would be prohibited, which could affect common community practices.
- Clarification was requested for the definition of "short-term rental," with a suggestion to specify that it applies to rental periods of less than 30 days.
- Concerns were expressed regarding the discretionary authority granted to the Planning Director, particularly in interpreting ordinance provisions and approving uses not explicitly listed. Suggestions were made for such decisions to be handled by public boards and for staff-level decisions to be guided by objective criteria.
- Comments addressed nonconforming uses and site improvements, including suggestions that the six-month cessation period for nonconforming uses may be too short for seasonal businesses or extenuating circumstances, and concerns about the complexity and cost of requirements for altering nonconforming site improvements.
- Observations were made that recent edits appear to centralize approval authority with the Planning Director, reducing the role of the Planning Commission and Board of Zoning Appeals. Advocacy for greater citizen involvement and transparency was noted.
- The shift of approval authority for public infrastructure dedication from City Council to the Planning Director was noted, along with a request for clearer public council involvement and a more transparent appeals process.
- The absence of transition rules for pending applications and ongoing business was highlighted, with a suggestion that additional notice and engagement with residents and business owners would improve transparency and trust, especially for rezonings.
- It was noted that recent ordinances related to home-based businesses may not have been incorporated into the current draft.
- Feedback was provided on limitations for temporary signs and a critique of the list of prohibited sign types, with examples of common community decorations and signs that may now be disallowed.

PUBLIC HEARING PROCEEDING

A public hearing regarding this ordinance was conducted on December 18, 2025, before the body of the Fountain Inn Planning Commission. There were two speakers, Laura Widell-Jenkins & Allie Martinsen. Ms. Widell-Jenkins submitted her comments during the public comment period and have been accounted for in the "PUBLIC INVOLVEMENT / COMMUNITY INPUT" summary. Ms. Martinsen, with Upstate Forever, submitted comments after the public comment period closed. Her comments are attached.

PLANNING COMMISSION REVIEW

The Fountain Inn Planning Commission has reviewed the proposed UDO and new Zoning Map at their December 18, 2025 meeting. By a vote of 6-0, the Planning Commission recommends approval of Ordinance AXZ-2026-01 and requests that the provided comments be considered.

STAFF COMMENTS

Staff supports the adoption of the Unified Development Ordinance (UDO) because it modernizes and streamlines the City's development regulations, making them clearer and more accessible for all stakeholders. The UDO aligns with the recently adopted Comprehensive Plan, ensuring that the city's growth is guided by a unified vision and best practices. By updating zoning districts, consolidating regulations, and providing a new zoning map, the UDO promotes orderly development, protects community character, and enhances predictability for property owners and developers. Staff believes these improvements will help Fountain Inn manage growth effectively and support a high quality of life for residents.

“UNIFIED DEVELOPMENT ORDINANCE”

Summary of edits since December 18, 2025 Planning Commission Recommendation. These edits have been incorporated into an updated UDO dated January 6, 2026.

1. Article 3.2.5 - Table 3.2 (Approval Requirements)

- Add *Review/Report (“RR”) requirement to Planning Commission* column for the following steps of the development process: *Preliminary Plat – Major Subdivision, Final Development Plan – FRD*.
- Added a note below the table that RR shall occur before Final Decision.

2. Article 3.2.6(C)(1) (Public Infrastructure Acceptance)

- Changed City Engineer to Public Works Director

3. Table 4.5 (Table of Permitted Uses)

- Added *Special Exception (“S”) in Industrial* column for Day Care facilities.

4. Article 5.7.3(B)(A) (Gateway Overlay)

- Added below in red:

  The following land uses shall not be located within 2,000 linear feet of any existing land use of the same designation, including those existing uses located outside of the GCO boundaries:

  1. Automobile service/ *Gas station.*
  2. Billiard hall.
  3. Car wash.
  4. Discount store.
  5. Liquor store.
  6. Mini warehouses/Self *Storage facilities*.
  7. Nightclub.
  8. Pawn shop.
  9. Truck terminals, freight terminals, passenger terminals.
  10. Used car lot.

5. 5.7.3(Q) (Gateway Overlay)

1. Monument signs shall not exceed 12 feet in height, measured from the elevation of the right-of-way, be made of brick, stone, or composite material and must include lighting and landscaping in accordance with Article 9.

6. Article 6.7.1(Car Wash)

A. All structures and equipment shall be located no closer than 50 feet from the nearest property line of any residential property.

B. Noise generated by car wash operations shall comply with the City's noise ordinance.

7. Article 6.6.1(B) (Bar Parking)

Parking areas related to the bar or other drinking place shall be located a minimum of 30 feet from any property line abutting a Residential use or land in a Residential zoning district unless located in the Central Business District. For bars in the D-MU zoning district, parking areas must be located a minimum of 30 feet from any land with a residential zoning district. Public parking, which may be located near a bar or drinking place, may be used by customers of the bar or other drinking place without violating this provision.

8. Article 6.11.7(A) (Home Based Businesses)

- The following home occupations shall not be permitted.
    a. Automotive repair
    b. Nail salons
    c. Public or private clubs
    d. Repair and maintenance of equipment, such as home appliances and small engines
    e. Restaurants or commercial food preparation, except home-based food production operations.
    f. Tattoo and body piercing establishments
    g. Woodworking, *unless wholly confined to an enclosed room or enclosed accessory building.*
    h. Sexually oriented businesses
- ~~The following types of home occupations shall be permitted. Similar uses that are not specifically listed may be approved by the Planning Director or duly authorized staff.~~
    ~~a. Accounting and bookkeeping~~
    ~~b. Art instruction~~

~~c. Attorney~~
~~d. Baby sitting~~
~~e. Barber~~
~~f. Beautician~~
~~g. Chiropractor~~
~~h. Consulting~~
~~i. Crafts and artisan goods, for purposes of selling at public markets (excludes home sales)~~
~~j. Dance instructor~~
~~k. Dressmaking~~
~~l. Florist~~
~~m. Insurance agent~~
~~n. Ironing~~
~~o. Manufacturer's representative~~
~~p. Massage therapist~~
~~q. Music teacher~~
~~r. Notary public~~
~~s. Online sales, excluding warehousing and storage of products sold~~
~~t. Photographer~~
~~u. Real estate agent~~
~~v. Secretarial service~~
~~w. Sewing~~
~~x. Tailoring~~
~~y. Tax consultant~~
~~z. Tutoring~~

9. Article 6.12.4(i) (Food Truck Signage)

- Signs affixed to the Food Truck advertising the name of the truck and a menu of items sold are permitted. One (1) A-Frame style sign may be placed within 25 feet of the food truck, with permission of the property owner, during the time when active food service is conducted. All other signs, balloons, banners, streamers, or other similar items to attract customers are prohibited.

10. Article 9.1.3(E)(4) (Flags)

~~*Flags on Private Property. A maximum of three (3) flags may be displayed per parcel, and each flag must be different in design, content, or symbolism, and*~~

11. Article 9.1.4(A) (Temporary Residential Signs)

Temporary Signs allowed at any time. A property owner may place *two (2) signs* no larger than *12 inches by 18 inches ~~in one window~~* on the property at any time. *Signs shall not block visibility, or physical access, for any driveway, roadway, sidewalk, public utility infrastructure, or public easement.*

12. Article 9.1.4(C) (Temporary Signs During Elections)

Temporary Signs allowed prior to and following election or ballot measure. ~~*Up to two (2) temporary signs*~~ *Additional Temporary Signs* are allowed ~~*per parcel*~~ beginning 40 days before an election involving ballot measures or ~~*candidates*~~ *elected offices* representing the district where the property is located, with the property owner's permission. ~~*Properties with greater than 100 feet of street frontage may have one additional sign per 50 feet of frontage, up to a maximum of 5 signs per parcel*~~. ~~*Such signage shall not exceed 6 square feet per sign*~~ *Individual sign measurements shall not exceed 24 inches by 48 inches. Signs shall not block visibility, or physical access, for any driveway, roadway, sidewalk, public utility infrastructure, or public easement.* Signs subject to this Section must be removed within 10 days following the election.

13. 9.2.4D Monument Signs

Permitted Districts: Added N-C as a permitted district.

Height:

~~Maximum of 6 feet above the center line of the closest adjacent street.~~Property zoned C-2, S-1, I-1: Maximum of 16 feet above the center line of the closest adjacent street.

Property zoned O-S, R-C, GR-1, GR-2, R-M, R-MHP, C-1, D-MU, N-C: Maximum of 6 feet above the center line of the closest adjacent street.

14. 5.4 Open Space Residential Option

To ensure conservation subdivision design is a viable option for developers, consider incentivizing open space residential development by allowing developers to build to the maximum allowable density in the base district.

- 1. Article 4: Increased the minimum lot size of R-C zoning district from 15,000 to 18,000 sq ft.
- 2. Article 5: Adjusted the density bonus option to match the density of the base district. This is reflected in Table 5.1.

15. Table 5.10 Required Tree Density Units for Developments

- Adjusted All other uses to 15 tree density units per disturbed acre, as recommended.

16. Table 5.11 Tree Density Units for Preserved Trees

- Adjusted the tree density units to better match Greenville Co., but still kept it as a range for simplicity of use.

17. Table 5.12 Tree Density Units for Replacement and Planted Trees

- Table 5.12. Adjusted the tree density units to match Greenville Co. Very unlikely a tree over 4" would be planted.

18. 5.6.6(G) Tree Fund for Alternative Compliance

- Added this sentence: "The payment shall be capped at $25,000 per disturbed acre during development, to be adjusted upward or downward on a pro rata basis based upon the amount of acres disturbed."

19. Section 6.11.1 Accessory Dwelling Units

- Added this condition, as recommended by Upstate Forever: "The design of the accessory dwelling units shall be compatible with the design of the primary structure and surrounding neighborhood in building material, roof pitch, and color."

INN *the* ZONE

Unified Development Ordinance • Fountain Inn, SC

Draft Date: January 6, 2026

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Table of Contents

Article 1. General Provisions

Article 2. Administration

Article 3. Procedures

Article 4. Zoning Districts and Regulations

Article 5. General Development Standards

Article 6. Conditional Uses

Article 7. Parking, Access, and Streets

Article 8. Utilities and Stormwater

Article 9. Sign Ordinance

Article 10. Definitions

ARTICLE 1.
GENERAL PROVISIONS

1.1 TITLE

This document shall be officially known as the "Unified Development Code of Fountain Inn, South Carolina," and may be referred to as "the UDO" or "this Ordinance."

1.2 PURPOSE

The zoning and land development regulations herein set forth have been made in accordance with a comprehensive plan and are designed to promote health, safety and the general welfare; facilitate orderly development and planned growth; assure the timely provision of streets, utilities and services; provide safe and convenient transportation access and circulation, both vehicular and pedestrian; assure the reservation of land for open space, recreation, education, transportation and other public purposes. Such regulations have been made with reasonable consideration, among other things, to the character of each district and to its suitability for particular uses, and with a view to protecting property value and encouraging harmonious and appropriate use of land throughout the City of Fountain Inn.

1.3 AUTHORITY

The provisions of this Ordinance are adopted under authority granted by South Carolina Code of Laws, Title 6, Chapter 29, and the South Carolina Local Government Comprehensive Planning Enabling Act of 1994.

1.4 JURISDICTION

The regulations set forth in this Ordinance shall be applicable within the corporate limits of the city now or hereafter as designated on the Official Zoning Map. No property shall be annexed into the city under any

1

CONTENTS

Article 1. General Provisions.....1
1.1 Title.....1
1.2 Purpose.....1
1.3 Authority.....1
1.4 Jurisdiction.....1
1.5 Application.....2
1.6 Separability.....3
1.7 Minimum Requirements.....3
1.8 Relationship to Comprehensive Plan.....3
1.9 Nonconformities.....3
1.10 Interpretation.....6
1.11 Effective Date.....6
1.12 Repeal of Preexisting Regulations.....6

zoning classification until a public hearing is conducted and proper notice given thereof as set forth in the zoning amendment procedures of Article 2 of this Ordinance. Furthermore, no annexation shall be accepted until the zoning is approved by City Council.

1.5 APPLICATION

The regulations set forth in this Ordinance affect all land, every building, and every use of land and/or buildings and shall apply as follows.

1.5.1 NEW USES OR CONSTRUCTION.

After the effective date of this Ordinance, any new construction or uses of land shall conform to the use and dimensional requirements for the district in which it is to be located.

1.5.2 OPEN SPACE REQUIREMENTS.

After the effective date of this Ordinance, no part of a yard, court, or other open space, or off-street parking or loading space required for the purpose of complying with the provisions of this Ordinance shall be included as part of a yard, open space, or parking and loading space required for any other building unless specified in Article 6.

1.5.3 REDUCTION OF LOT AND YARD AREA PROHIBITED.

No yard or lot existing at the time of passage of this Ordinance shall be reduced in size or area below minimum requirements set forth herein. Yards or lots created after the effective date of this Ordinance shall meet at least the minimum requirements established herein.

1.5.4 CONFORMING USES.

After the effective date of this Ordinance, structures or the uses of land or structures which then conform to the regulations for the district in which such structures or uses are located may be continued; provided that any structural alteration or change in use shall conform with the regulations herein specified.

1.5.5 NONCONFORMING USES.

After the effective date of this Ordinance, structures or uses of land or structures which would be prohibited under the regulations for the district in which such structures or uses are located shall be considered as nonconforming. Nonconforming structures or uses may be continued; provided they conform to the provisions contained in Section 1.9.

1.5.6 NONCONFORMING LOTS.

In any district in which single-family dwellings are permitted, if a lot of record at the effective date of adoption of this Ordinance does not contain sufficient land area to

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permit a building to conform to the dimensional requirements of the Ordinance, such lot may be used as a building site for a single-family residence provided there is a conformance to the minimum front and side yard requirements set forth in this Ordinance for the district in which the residence is located; and further, that any permitted use serviced by a private septic tank system shall meet minimum South Carolina Department of Environmental Services (DES) regulations.

1.6 SEPARABILITY

If for any reason one or more sections, sentences, clauses, or parts of this Ordinance are held unconstitutional or invalid, such decision shall not affect, impair, or invalidate the remaining provisions of this Ordinance and any obligations previously created thereto.

1.7 MINIMUM REQUIREMENTS

The provisions of this Ordinance shall be minimum requirements, adopted for the promotion of the public health, safety, morals, or general welfare. Whenever the requirements of this Ordinance that conflict with the requirements of any other lawfully adopted rules, regulations, Ordinances, deed restrictions, or covenants, the most restrictive or that imposing the higher standards shall govern.

1.8 RELATIONSHIP TO COMPREHENSIVE PLAN

Prior to the adoption of this Zoning Ordinance, the City of Fountain Inn adopted a Comprehensive Plan in 2024, pursuant to the authority of Title 6, Chapter 29, Article 3 of the South Carolina Code of Laws (1976), as amended, which includes, among other things, a land use element, including a future land use map, a natural resources element, a cultural resources element, a housing element, an economic development element, and a transportation element. This Zoning Ordinance is adopted primarily to implement the goals of the Comprehensive Plan's land use element and its future land use map.

1.9 NONCONFORMITIES

1.9.1 EXTENSION OF NONCONFORMING USES; NONCONFORMING STRUCTURES.

Nonconforming uses of land or structures existing at the time of adoption of this Ordinance shall not hereafter be enlarged or extended in any way unless specified below.

A. Nonconforming single-family residential structures may be enlarged or extended in any zoning district provided that the new additions conform to the setback requirements provided in the zoning district in which such structures or uses are located.

B. Nonconforming structures in existence on the effective date of this Ordinance or structures made nonconforming as a result of road improvements or right-of-way acquisition may be expanded if the expansion conforms to setback requirements specified in Article 4.

1.9.2 Maintenance and Repair of Nonconforming Uses.

Normal maintenance and repair of a building occupied by a nonconforming use is permitted provided no other provisions of this Ordinance are violated.

1.9.3 Alteration of Nonconforming Site Improvements.

Nonconforming site improvements may be permitted as long as the alterations or additions meet the following criteria:

A. Do not increase the nonconformity of the structure or site improvements related to setbacks, height limitations, or other provisions related to the size and placement of structures for the district in which the nonconforming structure is located;
B. Result in an increase in no more than 25% of existing paved area;
C. Increase the size of the structure no more than 2,500 square feet or 25% of the gross floor area of the existing building(s), whichever is less;
D. Cost of improvements annually is 50 percent or less of the current assessed value of the principal structure. For the purposes of determining if upgrading of nonconforming site features is required by this section, the cost of the expansion shall be as shown on the approved building permit application. In cases where no building permit is required, the applicant shall provide a written cost estimate detailing the cost of the expansion. The Planning Director may require a written cost estimate to be reviewed by a licensed professional engineer to ensure accuracy.

Alterations or additions that meet the above criteria may be permitted by the Planning Director during the development application review without a complete upgrade of site conditions to meet current ordinance regulations provided that gradual increase in conformance is demonstrated. Reasonable site improvements may include landscaping, pedestrian facilities, lighting, access and parking improvements, screening or other improvements provided that such site improvements are reasonable.

Alterations or additions that do not meet the above criteria must be brought into compliance with current ordinance regulations applicable to the use and zoning district.

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1.9.4 Change of Nonconforming Use

Any nonconforming use may be changed to any conforming use, or with the approval of the Planning Director, to any use more in character with the uses permitted in the district. In permitting such change, the Planning Director may require appropriate conditions and safeguards in accordance with the provisions of this Ordinance.

1.9.5 Cessation of Nonconforming Uses

When a nonconforming use of land ceases for a continuous period of six consecutive months, subsequent use of the land shall conform to the regulations for the district in which the land is located. The Planning Director shall have the authority to determine if a legal nonconforming use has been abandoned for a period of six months or more. In making such a determination, the following shall be considered:

A. If steps have been taken by the property owner to resume the nonconforming use;
B. If utility services such as water, gas, and/or electricity to the property have been disconnected;
C. If equipment or fixtures necessary for the operation of the nonconforming use have been removed from the property;
D. If structures have fallen into disrepair, as defined by applicable building codes;
E. If signs advertising the nonconforming use have been removed from the property or have fallen into disrepair;
F. If any applicable business licenses for the nonconforming use have expired or have not been renewed;
G. If activities generally associated with the nonconforming use are not longer observed on the property; or
H. Other actions which, as determined by the Planning Director, demonstrate an intention to abandon the nonconforming use.

1.9.6 Cessation of Nonconforming Uses of Structures

When a nonconforming use of a structure is discontinued or abandoned for six consecutive months, the use shall not be resumed; and the subsequent use shall conform to the regulations for the district in which the structure is located.

1.9.7 Damage or Destruction of Nonconforming Uses

Any structure containing a nonconforming use which has been damaged by fire or other causes may be reconstructed and used as before if reconstruction is substantially begun within 12 months of such damage provided that a building

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permit is applied for under applicable building codes. However, reconstructed structures shall not exceed the square footage contained in the structure at the time the damage occurred by an excess of 25%. Reconstructed structures which alter, improve on, or are built on a different site from the original construction shall meet all applicable requirements for the district in which the structure is to be located unless such requirements are waived or modified by the Board of Zoning Appeals pursuant to its powers enumerated in Article 2.

1.9.8 Temporary Nonconforming Uses of Land

Temporary nonconforming uses of land for carnivals and similar uses may be permitted according to the provisions of Article 5.

1.9.9 Nonconforming Signs

See Article 9.

1.10 Interpretation

In interpreting the regulations expressed in this document, they shall be considered as the minimum provisions for the protection of the health, safety, and welfare of the general public.

1.11 Effective Date

This ordinance shall become effective on TBD.

1.12 Repeal of Preexisting Regulations

This Ordinance repeals and replaces Appendix A and Appendix B of the Code of Ordinances.

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ARTICLE 2. ADMINISTRATION

2.1 PLANNING DIRECTOR

2.1.1 PLANNING DIRECTOR

This Ordinance shall be administered and enforced by the Planning Director of the City of Fountain Inn, with the assistance of such other person(s) as the City Council may direct.

2.1.2 DUTIES OF THE PLANNING DIRECTOR

The duties of the Planning Director shall include:

A. Administration and staffing of the Planning Commission and Board of Zoning Appeals.
B. Interpretation of the terms and provisions of this Ordinance, including the determination of the appropriateness and compatibility of uses permitted in certain districts which are not listed outright.
C. Administration and enforcement of the provisions of this Ordinance relating to Building Permits and Zoning Certificates.
D. Administration and enforcement of the provisions of this Ordinance relating to applications for uses permitted upon review, variances, appeals from an administrative decision and other actions before the Board of Zoning Appeals.
E. The receipt of complaints from persons who allege that violations of this Ordinance have occurred, to properly investigate or cause to be investigated such complaints and to initiate or cause to be initiated action to prevent, enjoin, abate, or remove such violations.
F. The maintenance of the official copy of the Zoning Map and other such records and official materials as may relate to the adoption, amendment, enforcement, or administration of this Ordinance.

2

CONTENTS

ARTICLE 2. ADMINISTRATION 1
2.1 Planning Director 1
2.2 City Council 2
2.3 Planning Commission and Board of Zoning Appeals 2
2.4 Amendments 7
2.5 Administration and Enforcement 7

G. Other such duties as may properly relate to the accomplishment of the spirit and intent of this Ordinance.

2.2 CITY COUNCIL

The City Council shall possess the powers set forth in the City Code of Ordinances and this Ordinance including final action on rezoning decisions, text amendments to the Unified Development Ordinance, annexation petitions, fee schedules and the appointment of members to boards and commissions.

2.3 PLANNING COMMISSION AND BOARD OF ZONING APPEALS

2.3.1 ESTABLISHMENT OF PLANNING COMMISSION

A Planning Commission for the City of Fountain Inn is hereby established by Ordinance to be the official Planning Commission for the City of Fountain Inn. Jurisdiction for said Planning Commission shall be the corporate limits of the City of Fountain Inn as such limits may be adjusted by annexation or otherwise as of the date of this Ordinance or in the future.

2.3.2 ORGANIZATION AND COMPOSITION OF PLANNING COMMISSION

The Planning Commission for the City of Fountain Inn shall have duties and responsibilities as currently designated in the Code of Ordinances for the City of Fountain Inn together with the overall plan for the City of Fountain Inn and any other Ordinances or plans. The Planning Commission shall be comprised of seven members with one member being appointed from each of the six wards of the City of Fountain Inn to be made by the representative to the City Council of that ward and an additional At Large member to be appointed by the Mayor of the City of Fountain Inn. New members shall be appointed in this fashion upon the expiration of the terms of existing members, and shall serve for a term of three years.

If the City Council seat representing a ward is vacant when the ward's seat on the Planning Commission is vacant, the Mayor may appoint a Planning Commissioner to represent that ward.

All appointments to the Planning Commission shall be subject to approval as a group by simple majority vote of City Council members present at the meeting when the nomination is made.

Members may not serve more than two consecutive terms on any given board each, except by special permission and vote of the governing body of the City of Fountain Inn.

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No other adjustment shall be made to the current authorization, duty, organization or rules and regulations of the Fountain Inn Planning Commission except as authorized by City Council.

2.3.3 Functions, Powers and Duties of Local Planning Commission

It is the function and duty of the Fountain Inn Planning Commission to undertake a continuing planning program for the physical, social and economic growth, development and redevelopment of the City of Fountain Inn. The plans and programs must be designed to promote public health, safety, morals, convenience, prosperity or the general welfare, as well as the efficiency and economy of its area of jurisdiction. Specific planning elements must be based upon careful and comprehensive surveys and studies of existing conditions and probable future development and include recommended means of implementation. The Fountain Inn Planning Commission may make, publish and distribute maps, plans and reports and recommendations related to the plans and programs in the development of its area of jurisdiction to public officials and agencies, public utility companies, civic educational, professional and other organizations and citizens. The Planning Commission, its members, employees or agents, in the official performance of their function, may enter upon any land with consent of the property owner or after ten days written notification to the owner of record to make examinations and surveys and place and maintain necessary monuments and marks on such property.

In the discharge of its responsibilities, the Planning Commission has the power and duty to:

A. Prepare and revise periodically plans and programs for the development and redevelopment of its area as provided in this chapter.
B. Prepare and recommend for adoption to the appropriate government authority or authorities as a means for implementing the plans and programs in its areas.

Furthermore, the Fountain Inn Planning Commission shall have all authority and duties set forth in S.C. Code § 6-29-340, and as may be necessary to the proper use and planning within the City of Fountain Inn.

Furthermore, the City Council of the City of Fountain Inn may refer matters to the Commission and the Commission may accept matters from other government agencies as allowed in S.C. Code §§ 6-29-520 and 6-29-370, and may establish advisory commissions as allowed by S.C. Code § 6-29-520.

When actions of the Planning Commission are subject to the ultimate approval of the City Council of the City of Fountain Inn the Chairman or Vice Chairperson as the

designated representative is recommended to be present to represent the decision to the City Council.

The Planning Commission shall follow the rules and procedures specified in the Fountain Inn Planning Commission Rules of Procedure document, which are reviewed and approved by City Council.

Members shall be required to adhere to education requirements as required by S.C. Code §§ 6-29-1310 through 6-29-1380.

2.3.4 Meetings of the Planning Commission

At its initial meeting, after enactment of this Ordinance, the Planning Commission as so constituted shall elect one of its members as a chairman and one as a vice chairman. The Commission may appoint a secretary who may be a member of the Commission or an officer or employee of the City of Fountain Inn to keep records of its meetings. All meetings shall be subject to the Freedom of Information Act and shall be open and announced in accord with the provisions of said Act and current Ordinances for the City of Fountain Inn. All meetings shall be on record and any decisions or votes shall be recorded in writing.

2.3.5 Decisions

The Planning Commission shall be governed in accord with the rules and regulations and procedures as outlined in the Comprehensive Planning Guide for Local Governments together with S.C. Code §§ 6-29-510 through 6-29-540.

2.3.6 Board of Zoning Appeals

There is created hereby a Board of Zoning Appeals by the City of Fountain Inn. The purpose of said board shall be to hear and decide any appeals from the Planning Director or duly authorized staff for the City of Fountain Inn. Jurisdiction of said board shall lie within the city limits of the City of Fountain Inn as such exist on the date of enactment of this Ordinance or as may become determined in the future.

2.3.7 Organization and Composition of Board of Zoning Appeals

The Board of Zoning Appeals shall be composed of seven members who shall elect a chairman and vice chairman from their membership at the first meeting of said board after the enactment of this Ordinance. Each member of the City Council of the City of Fountain Inn shall appoint one member and the Mayor shall appoint one member to the Board of Zoning Appeals. If the City Council seat representing a ward is vacant when the ward's seat on the Board of Zoning Appeals is vacant, the Mayor may appoint a member to represent that ward. Appointments shall be for a period of three years. Members may not serve more than two consecutive terms on any

particular board. Appointments after nomination shall be simple majority vote of the members of the City Council of the City of Fountain Inn.

2.3.8 Powers and Duties of Board of Zoning Appeals

The activities of the Fountain Inn Board of Zoning Appeals shall be governed in accord with S.C. Code § 6-29-790, and as governed by the procedures outlined in the Comprehensive Planning Guide for Local Governments. Any decisions of the board shall be in writing and in the form of an order signed by the chairman and secretary to the board. Furthermore, the powers of the board shall be in accord with S.C. Code § 6-29-800, which is specifically adopted by reference as authority within the Code of Ordinances for the City of Fountain Inn.

The Board of Zoning Appeals shall follow the rules and procedures specified in the Fountain Inn Board of Zoning Appeals Rules of Procedure document, which are reviewed and approved by City Council.

Members shall be required to adhere to education requirements as required by S.C. Code §§ 6-29-1310 through 6-29-1380.

2.3.9 Meetings of the Board of Zoning Appeals

At its initial meeting, after enactment of this Ordinance, the Board of Zoning Appeals as so constituted shall elect one of its members as a chairman and one as a vice chairman. The Board may appoint a secretary who may be a member of the Board or an officer or employee of the City of Fountain Inn to keep records of its meetings. All meetings shall be subject to the Freedom of Information Act and shall be open and announced in accord with the provisions of said Act and current Ordinances for the City of Fountain Inn. All meetings shall be on record and any decisions or votes shall be recorded in writing.

2.3.10 Notification

Notice of any hearing of the Planning Commission and Board of Zoning Appeals of the City of Fountain Inn shall be given in advance of a public hearing as specified in Article 3. All hearings and activities of said board shall be in accord with the Freedom of Information Act and local Ordinances. The owner of the property for which the variance is requested or his agent shall be notified by mail. Notice of hearing shall be made in a newspaper of general circulation, posted on the property for which a variance is requested and posted at City Hall.

2.3.11 Variance Decisions

In deciding any variance or approval or denial of the action of the Planning Director or designee, the Board may consider the following factors:

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A. that there are special conditions and circumstances which are peculiar to the land, structure or building involved which are not applicable to other lands, structures, or buildings in the same district;
B. a literal interpretation of the provisions of the Ordinances for the City of Fountain Inn would deprive the applicant of rights commonly enjoyed by other properties in the same district or area under the terms of the zoning Ordinance of the City of Fountain Inn;
C. that special conditions and circumstances do not result from the actions of the applicant;
D. granting any variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to other lands, structures or buildings in the same area or district;
E. the variance requested will be in harmony with the general purpose and intent of the Ordinances of the City of Fountain Inn and will not be injurious to the neighborhood or otherwise detrimental to public welfare; and
F. the variance requested is a minimum variance that will make possible the legal use of the land, buildings or structures.

When reviewing the variance request, the board should also consider the following:

A. The fact that the property may be used more profitably, if a variance is granted, may not be considered as grounds for a variance.
B. Often, a property owner wishes to achieve a particular design and is unable to do so because of some physical conditions of the property. Alternate designs are possible but do not meet the property owner's preferences or may not yield the best economic return. It is inappropriate to grant such variances.
C. In granting a variance, the board may attach conditions to it. These conditions should be the requirements that ensure compatibility, that the property owner does not receive special privileges, and that the variance is the minimum modification necessary to achieve the purpose. The conditions should be consistent with the spirit and intent of the zoning regulations, and should be designed to minimize any adverse impact that may arise from the grant of a variance.
D. The board may not grant a variance that would allow the establishment of a use not otherwise permitted in a zoning district, physically extend a nonconforming use of land or change the zoning district boundaries shown on the official zoning map.

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E. The board should take care to review each application on its own merit. Previous decisions—especially those that were not made in accordance with the rules governing variances—do not set a precedent. Poorly supported decisions in the past should not lead to poor decisions now or in the future.

2.3.12 Appeals

A person who may have a substantial interest in any decision of the Board of Zoning Appeals or an officer or agent of the City of Fountain Inn may appeal from a decision of the Board of Zoning Appeals to the Circuit Court by filing with the Clerk of Court a complaint in writing setting forth plainly, fully and distinctly why the decision is contrary to law. The appeal must be filed within thirty days after the decision of Board of Zoning Appeals is forwarded in writing to the proposed appellant. The party appealing the decision is responsible for providing a summary of the proceedings before the Board of Zoning Appeals.

2.4 Amendments

The regulations, restrictions, and boundaries set forth in this Ordinance may from time to time be amended, supplemented, changed, or repealed by the City Council, after review and recommendation by the Planning Commission, and in accordance with the procedures described in Article 3 Applications and Procedures.

2.4.1 Reconsideration of Request for Amendment

When the City Council shall have denied a request for an amendment, it shall not consider the same reclassification for an amendment affecting the same property until one year from the date of the previous denial.

2.5 Administration and Enforcement

2.5.1 Violations

As applicable, any of the following shall constitute a violation of this ordinance:

A. It shall be unlawful to commence or continue any activity regulated by this Ordinance which is not in full conformance with the provisions of this Ordinance, or which is not in full conformance with the provisions of any permit or approval, including any conditions attached hereto, pursuant to this Ordinance.

B. It shall be unlawful to construct, reconstruct, alter, demolish, change the use of, or occupy any land, building, or other structure, without first obtaining the appropriate permit or permit approval. No permit may be issued or approved unless the requirements of this Ordinance are complied with.

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C. It shall be unlawful to submit for filing or to record a subdivision plat or other land development plan without proper approval as required by this Ordinance.
D. It shall be unlawful to use any land or portion thereof other than as specifically designated on an approved land development plan or as otherwise regulated by this Ordinance.
E. It shall be unlawful to remove, deface, obscure, or obstruct any notice to be posted or otherwise given pursuant to this Ordinance.
F. It shall be unlawful to continue any violation of this Ordinance after notice of such violation by the Planning Director or duly authorized staff, with each day of continued violation considered a separate offense.

2.5.2 Responsibility for Administration and Enforcement

This ordinance shall be administered and enforced according to South Carolina state law and the authority and procedures of all Articles contained herein. The responsibility for the interpretation and enforcement of this Ordinance is delegated to the Planning Director or duly authorized staff. The Planning Director, or duly authorized staff, shall have the authority to enter onto any site for the purpose of enforcing the provisions of this Ordinance and shall have the authority to enact those procedures and means of enforcement established in this section of this Ordinance.

2.5.3 General Procedures for Enforcement

If the Planning Director or duly authorized staff shall find or determine that any of the provisions of this Ordinance are being or have been violated, he shall notify in writing the property owner and any other person or entity responsible for such violations, setting forth the nature of the violation and order the action necessary to correct such violation.

No provision of this Article shall prevent the City from taking such lawful action as is necessary to prevent or remedy any violation of this Ordinance.

2.5.4 Complaints

Whenever a violation of this Ordinance occurs or is alleged to have occurred, any person may file a signed written complaint with the Planning Director or duly authorized staff, which shall state fully the causes and basis thereof.

The Planning Director or duly authorized staff shall properly record any complaint, immediately investigate to determine the validity of the charge, and take such appropriate and reasonable action as may be necessary to assure compliance with this Ordinance.

2.5.5 General Enforcement Actions

The Planning Director or duly authorized staff, on behalf of the City, may take any one or more of the following actions as a remedy for a violation of this Ordinance:

A. Withhold permits. The City may withhold any building permit or any approval or permit required by this Ordinance.
B. Stop Work. The City may issue stop work orders against any work undertaken by any person or entity not having a proper building permit or other permit or approval required by this Ordinance.
C. Institute an injunction. The City may institute an injunction, mandamus, or other appropriate action or proceeding to prevent the unlawful erection, construction, reconstruction, alteration, conversion, maintenance, or use, or to correct or abate the violation, or to prevent the occupancy, of any building, structure, or land.
D. Prosecution. The City may prosecute the violation as a misdemeanor. Any person convicted of a violation of this Ordinance shall pay such penalties as the court may decide, as prescribed by South Carolina law, not to exceed $500 or 30 days imprisonment for each violation. Each day during which any violation shall continue shall constitute a separate offense.

2.5.6 Contempt and Penalty

In case of contempt by a party, witness, or other person before the Board of Zoning Appeals, the Board may certify such fact to the Circuit Court and the judge of the court, in open court or in chambers, after hearing, may impose a penalty as authorized by law.

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ARTICLE 3. APPLICATIONS AND PROCEDURES

3.1 General

3.1.1 Conformity with the Zoning Ordinance

No City of Fountain Inn official or employee shall issue a building permit, grading permit or business license that conflicts with this Ordinance. Any permit or license issued in violation with this Ordinance is null and void.

3.1.2 Preapplication Conference Required

A. Prior to submittal of an application subject to a public hearing under this Ordinance, the applicant must attend a preapplication conference with the Planning Director. The Planning Director may, at their discretion, waive the pre-application conference requirement for applications that are determined to be of low complexity.

B. Reserved for future preapplication requirements for Fountain Inn Planning Advisory Committee.

3.1.3 Sequence of Applications

When two or more applications are required for development approval, final action by the applicable body shall occur in the following sequence:

A. Annexation and Initial Zoning
B. Text Amendment
C. Rezoning
D. Variance from the Land Development Regulations
E. Preliminary Plat
F. Variance or Special Exception
G. Site and Landscape Plan and/or Final Plat
H. Grading Permit
I. Building Permit and/or Sign Permit

3

CONTENTS

Article 3. Applications And Procedures 1
3.1 General 1
3.2 Procedures 5
3.3 Financial Security Requirements 42

The Planning Director at his discretion may expedite the review process by overlapping the processing of sequential applications. The costs for preparing plans and associated application fees shall be incurred at the applicant's risk and does not guarantee entitlements.

3.1.4 Application Submittal

All applications subject to this Ordinance shall be submitted to the Planning Director on forms approved by the City of Fountain Inn. In any case where the applicant is not the owner of the subject property, the property owner must be party to the application in a form approved by the Planning Director.

3.1.5 Fees

Filing fees for applications subject to this Ordinance shall be established by the City Council and posted on the city website. Applicable fees shall be paid prior to an application being deemed complete by the Planning Director. No fee shall be required if the application is made by the City of Fountain Inn or any agency created or appointed by the city. No refund of any fee or part of any fee shall be made unless deemed accepted in error by the Planning Director, or in the case where the fee paid exceeds the amount due.

3.1.6 Submittal Deadlines

All applications must be submitted to the Planning Department and deemed complete prior to the application deadlines specified on the published calendar of submittal deadlines. The calendar of submittal deadlines shall be available at the Planning Department or on the city website. Applications that are incomplete or submitted after the posted deadline will not be considered for the corresponding meeting.

3.1.7 Completeness Determination

The Planning Department shall only review and process an application under this ordinance if it is deemed complete. If an application is deemed incomplete, the Planning Department shall notify the applicant in writing of the deficiencies within seven (7) business days. An incomplete application will be considered withdrawn if the required materials are not submitted within 60 calendar days of notification, unless the deadline is extended by mutual agreement between the Planning Director and the applicant.

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3.1.8 PUBLIC NOTICE REQUIREMENTS

Table 3.1 Public Notice Requirements

APPLICATION	PUBLISHED NOTICE	POSTED NOTICE	TIMING PRIOR TO PUBLIC HEARING
Acceptance of Public Improvements	•		15 days
Appeal of Administrative Decision	•		15 days
Annexation	•	•	30 days
Concept Plan for Flexible Review Districts (FRD)	•	•	15 days
Public Project Review	•		15 days
Rezoning	•	•	15 days
Special Exception	•	•	15 days
Street Name Change (see C. below)			15 days
Text Amendment	•		15 days
Variance	•	•	15 days

A. **Published Notice.** The Planning Department shall prepare the content and publish the notice in a newspaper of general circulation. The notice shall be blocked in, carry an appropriate descriptive title, address and/or general location of the property subject to the application, a description of the nature, scope, and purpose of the application, and the date, time and place of the public hearing.

B. **Posted Notice.** The Planning Department shall prepare and post a notice of public hearing on the subject property. The public notice shall be posted in a conspicuous location on or adjacent to the property affected, with at least one such notice being visible from each public thoroughfare that abuts the property. Where more than one parcel is subject to the application, the Planning Director shall determine the number and location of required public notice signs. All signs must be removed within 30 days after the public hearing.

C. Street name changes require mailed notice in accordance with Section 3.2.16.D.2.

3.1.9 WITHDRAWAL OF APPLICATION

A request to withdraw an application shall be submitted in writing to the Planning Department. The withdrawal notice must be received prior to the meeting date to which the application is noticed for consideration. When an application is withdrawn after the application has been legally advertised for public hearing, another

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application shall not be considered for an amendment affecting the same property for six months following the date of withdrawal.

3.1.10 Time Limits for Resubmittal of Applications

Time limits apply to the following applications: rezoning, variance, special exception, FRD Concept Plan, and annexation. If any of these applications are denied or disapproved by the Planning Commission, City Council, or Board of Zoning Appeals, an application for the same request shall not be refiled for one year from the date of mailing of the notice of denial. The Planning Director or Building Official, as appropriate, upon petition by the applicant, may permit the refiling of an application prior to the end of the one-year period upon a determination that significant physical, economic, or land use changes have taken place on the subject property or within the immediate vicinity, or a significant text amendment to this Ordinance has been adopted. A more restrictive classification is not subject to the 1-year period.

3.1.11 Vested Rights

A. In accordance with South Carolina Code Section 6-29-1510, et seq., a vested right is established for a period of two years upon the approval of a site-specific development plan, as indicated by the issuance of an approved site plan or preliminary plat (excluding Final Development Plans).

B. Property owners with vested rights may request up to five one-year extensions beyond the initial two-year period. Requests for extensions must be submitted in writing to the Planning Director. The Planning Director shall grant the extension unless there is a change in the ordinance since the time of approval prohibits it.

C. Unless otherwise specified by the Planning Director at the time of approval, Final Development Plans approved for a Flexible Review District shall have vesting right of five (five) years from the date of approval.

3.1.12 District Conversion for Planned Development Districts (PD) and Planned Office District (POD)

A. **Planned Development District.** Any property zoned Planned Development District (PD) prior to the effective date of this ordinance is hereby converted to Flexible Review District (FRD) and shall maintain any conditions approved for the PD at the time of approval unless otherwise amended pursuant to the procedures applicable to the FRD as outlined in this ordinance, including any amendments to an approved concept plan. Alternatively, a property previously zoned PD may be rezoned to a standard zoning district and/or overlay if the approved development plan is consistent with the

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requirements of that district. A rezoning shall follow the standard rezoning procedures outlined in this ordinance.

B. **Planned Office District (POD).** Any property zoned Planned Office District (POD) prior to the effective date of this ordinance is hereby converted to Neighborhood Commercial District (N-C) and shall maintain any conditions approved for the POD at the time of approval unless otherwise amended pursuant to the procedures applicable to the N-C as outlined in this ordinance, including any amendments to an approved site plan.

3.1.13 Council Decisions

A. The City Council shall not consider any matter that has been considered by the Planning Commission unless and until at least the seventh day after the Planning Commission's having taken final action on the matter being presented to the City Council. Before taking such lawful action as the City Council may deem advisable, the City Council shall consider the recommendation of the Planning Commission on each proposed zoning amendment or annexation. If no action is taken by the Planning Commission within 30 days from the date of the public hearing, then the Planning Commission shall be deemed to have approved the proposed amendment.

B. The City Council may reject any recommendation of the Planning Commission by a favorable vote of two-thirds of the Council members present and voting. If the vote of the Planning Commission on any proposed amendment results in a tie, then the Planning Commission is deemed to have provided no recommendation to the City Council.

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3.2 Procedures

3.2.1 Zoning Compliance Permit

A. **Zoning**. No land shall be used or occupied and no land shall be graded for construction and no building or other structure shall be erected, structurally altered, added to or moved until a Zoning Compliance Permit shall have been issued in conformity with the provisions of this Ordinance by the Planning Director or duly authorized staff.

A record of all Zoning Compliance Permits issued shall be kept on file in the office of the Planning Director or duly authorized staff, and copies shall be furnished, on request, to persons having a proprietary or tenancy interest in the building or land involved.

B. **Application Procedure.** Application for a Zoning Compliance Permit shall be made prior to construction, alteration, or moving of any structure, or change of land use.

If the proposed plan conforms with the provisions of this Ordinance, the Zoning Administrator shall issue a Zoning Compliance Permit and return one copy of the plan to the applicant. The Planning Director or duly authorized staff shall mark the plan as approved and attest to the same by his signature. The second copy of the plan, similarly marked, and a copy of the Zoning Compliance Permit shall be retained by the Planning Director or duly authorized staff.

C. **Expiration of Zoning Compliance Permit.** If the work described in any Zoning Compliance Permit has not been substantially completed within one year of the date of issuance, or if a vacant parcel of land for which a Zoning Compliance Permit has been issued is not used for the purpose for which the permit was issued within three months of the date of issuance, the permit shall expire and be canceled by the Planning Director or duly authorized staff, and written notice shall be given to the persons affected, together with notice that further work as described in the canceled permit shall not proceed unless and until a new Zoning Compliance Permit has been obtained.

3.2.2 GRADING PERMIT

A. A Grading Permit is required for any activity that disturbs or alters the grade of a site, except when such activity is already covered under the Site Plan or Preliminary Plat processes described in this Section.

B. A Grading Permit application and associated Grading Plan shall be submitted to the Planning Department in a form approved by the Planning Director, which shall detail minimum submittal requirements.

C. The Planning Director or duly authorized staff shall review the submitted Grading Plan to determine compliance with all provisions of this Ordinance and any other conditions or requirements associated with any other development approvals for the subject property. The Director shall notify the applicant in writing regarding the determination within 30 days of submittal.

D. Grading Plan approval shall be effective for two years during which time the Grading Permit will not be affected by any changes to this Ordinance. If grading activities are not pursued during the two-year period a new application must be submitted subject to the effective ordinance

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3.2.3 CERTIFICATE OF OCCUPANCY FOR NEW, ALTERED, OR NONCONFORMING (CURRENT 10.3)

A. **Certificate of Occupancy.** It shall be unlawful to use or occupy or permit the use or occupancy of any building or premises, or both, or part hereafter crated, erected, changed, converted, or wholly or partly altered or enlarged in its use or structure until a Certificate of Occupancy shall have been issued by the Building Official stating that the proposed use of the building or land complies with the provisions of this Ordinance.

No nonconforming structure or use shall be maintained, renewed, changed, or extended until a Certificate of Occupancy shall have been issued by the Building Official. The Certificate shall state specifically how the nonconforming use differs from the provisions of this Ordinance, provided that upon enactment or amendment of this Ordinance, owners or occupants of nonconforming uses or structures shall have six months to apply for certificates. Failure to make such application within six months shall be presumptive evidence that the property was a conforming use at the time of enactment or amendment of this Ordinance.

A record of all Certificates of Occupancy issued shall be kept on file in the office of the Planning Director, and copies shall be furnished, on request, to persons having a proprietary or tenancy interest in the building or land involved.

B. **Application Procedure.** For changes of use application for a Certificate of Occupancy shall be made coincidentally with the application for a Zoning Compliance Permit.

The Certificate of Occupancy shall be issued after the erection, move, or structural alteration of any building or change in the use of any premises and prior to public occupation.

C. **Temporary Certificate of Occupancy.** A temporary Certificate of Occupancy may be issued by the Building Official for a period not exceeding six months during alterations or partial occupancy of a building pending the completion, or for bazaars, carnivals, and such; provided that such temporary permit may require such donations and safeguards as will protect the safety of the occupants and the general public.

D. **Failure to Obtain Certificate of Occupancy.** Failure to Obtain a Certificate of Occupancy shall be a violation of this Ordinance and punishable under Article 2 of this Ordinance

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3.2.4 Construction and Use to be as Provided in Applications, Plans, Permits, and Certificates of Occupancy

Zoning Compliance Permit or Certificates of Occupancy issued on the basis of plans and applications approved by the Planning Director or duly authorized staff authorize only the use, arrangement, and construction set forth in such approved plans and applications. Use, arrangement, or construction that differs from that authorized shall be deemed a violation of the Ordinance and punishable as provided by Article 2 of this Ordinance.

3.2.5 Development Review Procedures

The following table summarizes the development review procedures of the City of Fountain Inn. In the event of any conflict between the provisions of this table and the specific procedures, the text of the specific procedures shall prevail.

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Table 3.2 Development Review Procedures

Key: RR-Review/Report PH-Public Hearing REC- Recommendation FD-Final Decision A-Appeal

Application	Staff	Planning Commission	City Council	Board of Zoning Appeals	Court of Common Pleas	Section Ref.
Planning Commission Decision						
Public Project Review	RR	PH, FD			A	
Street Name Change	RR	PH, FD			A	
City Council Decision						
Acceptance of Public Infrastructure	FD			A		
Annexation	RR	PH, REC	FD		A	
Concept Plan for Flexible Review Districts (FRD)	RR	PH, REC	FD		A	
Rezoning	RR	PH, REC	FD		A	
Text Amendment	RR	PH, REC	FD		A	
Board of Zoning Appeals						
Administrative Appeal	RR			PH, FD	A	
Special Exception	RR			PH, FD	A	
Variance	RR			PH, FD	A	
Planning Director Decision						
Final Development Plan Flexible Review Districts (FRD)	FD	RR		A		
Minor Subdivision	FD			A		
Preliminary Plat – Major Subdivision	FD	RR		A		
Final Plat – Major Subdivision	FD			A		
Record Plat	FD			A		

Sign Permit	FD			A		
Site and Landscape Plan	FD			A		
Written Interpretation	FD			A		
Zoning Compliance Permit	FD			A		
Grading Permit	FD			A		

*Greenville County Subdivision Advisory Committee makes a recommendation to the Planning Director

A. Review/Report (RR) to the Planning Commission shall occur before Final Decision (FD) occurs.

3.2.6 ACCEPTANCE OF PUBLIC INFRASTRUCTURE

A. **Applicability**. This section shall apply to any public infrastructure proposed for dedication to and acceptance by the City of Fountain Inn, including but not limited to streets, sidewalks, water and sewer facilities, stormwater systems, and other improvements intended for public use and maintenance. Acceptance of public infrastructure is subject to Planning Director approval.

B. **Application Requirements.** A petition for acceptance of public infrastructure shall be submitted to the Planning Department in accordance with the general procedures of this section. The petition must include the following:

1. A detailed description and as-built drawings of the public infrastructure prepared and sealed by a registered professional engineer.
2. A certification letter from the project engineer stating that the infrastructure has been constructed in accordance with approved plans, applicable regulations, and city standards.
3. Documentation of inspections and approvals from applicable regulatory agencies, including any required testing results.
4. A maintenance bond or other financial guarantee, if required, to cover a specified period for defect correction.
5. Any additional information deemed necessary by the Planning Director or Public Works Director.

C. **Approval Process**

1. ***Staff Review and Decision –*** The Planning Director and City Engineer shall review the petition and evaluate compliance with city standards, maintenance obligations, and the public benefit of accepting the

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infrastructure. Appropriate staff shall approve or deny based on information provided.

2. ***Recording.*** The City Engineer shall document the acceptance of public infrastructure, including updates to city records, within 60 days of final approval.

D. **Appeals**

Any party aggrieved by Staff's decision may appeal to the Board of Zoning Appeals within 30 days of the date of the staff's decision.

3.2.7 ADMINISTRATIVE APPEAL

A. ***Authority.*** The Board of Zoning Appeals shall consider appeals of decisions made by the Planning Director.

B. ***Process.***

1. ***Appeal*** – Any person aggrieved by an administrative decision or interpretation made by the Planning Director may file an appeal to the Board of Zoning Appeals within 15 days a written decision from the Director. The appeal shall be submitted in a form approved by the Planning Department and shall include reasons the Planning Director erred in making the decision.
2. ***Staff Review and Report –*** The Planning Director shall prepare the written record of the decision or interpretation and the appeal filed for the Board of Zoning Appeals. The record shall include all application materials, a staff report explaining the context of the decision, the written decision of the Director, the written appeal, and any other public record applicable to the decision.
3. ***Board of Zoning Appeals Decision.*** The Board of Zoning Appeals at its next available regular meeting shall conduct an evidentiary hearing and receive testimony from the appellant and Director. After closing the hearing, the Board of Zoning Appeals shall consider and take one of the following options:
   a. Affirm the Planning Director's decision, or
   b. Modify the decision of the Planning Director and in doing so assume all of the Planning Director's powers applicable to the decision being made as established in this Ordinance, or

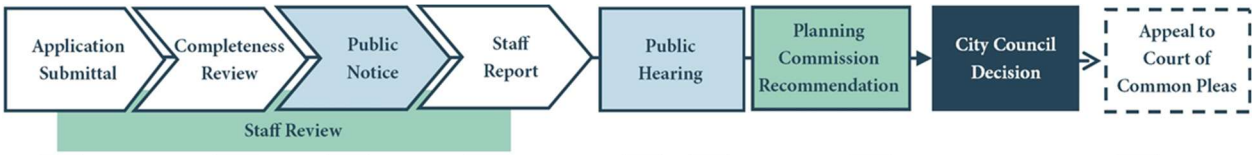
DRAFT

c. Reverse the action of the Planning Director and in doing so assume all of the Planning Director's powers applicable to the decision being made, and may issue a permit or direct a permit be issued.

C. ***Findings to be Documented in Writing.*** The findings to the criteria established in this Section and the final decision of the Board of Zoning Appeals shall be expressed in writing.

D. ***Appeal.*** An appeal of the Board of Zoning Appeals decision may be made to the Court of Common Pleas within 30 days from the date the applicant receives the determination in writing.

3.2.8 ANNEXATION



A. **Applicability**. The City Council shall consider any requested change in the corporate limits of the City of Fountain Inn. In any case that the provisions of this section conflict with State Law, State Law shall prevail.

B. ***Application Requirements.*** A petition to annex property into the City of Fountain Inn corporate limits, or for any amendment to the corporate boundary of the City of Fountain Inn shall be submitted to the Planning Department in accordance with the General procedures of this section. The petition must include the following:

1. A boundary plat of the subject property prepared and sealed by a registered land surveyor. Any petition for annexation must follow parcel lines.
2. A rezoning application to run concurrently with the annexation process.
3. Any additional information deemed necessary by the Planning Director.

C. **Approval Process**

1. ***Staff Review and Report –*** The Planning Director shall prepare a staff report for the Planning Commission describing the context of the proposed annexation, relevant sections of this Ordinance, and its relationship to the Comprehensive Plan.
2. ***Planning Commission Public Hearing and Recommendation –*** The Planning Commission shall conduct a public hearing. At the close of the public hearing, the Planning Commission shall consider any factor the body deems relevant to rendering a decision, including but not limited to

the impacts of the proposed annexation, and the proposed action's consistency with the Comprehensive Plan. The Planning Commission shall forward a recommendation to the City Council. The Planning Commission recommendation must include the proposed zoning of the property.***City Council Decision-*** The City Council shall consider the Planning Commission's recommendation at its next scheduled meeting. Approval of any amendment to the boundaries of the City of Fountain Inn requires two affirmative readings of an Ordinance. City Council shall assign a zone district to the subject property at the time of annexation.

D. **Amendment of the Official Zoning Map.** The Planning Department shall amend the Official Zoning Map of the City of Fountain Inn within 60 days of City Council approval.

E. **Appeals.** Any party aggrieved by City Council's decision may appeal to the Court of Common Pleas within 30 days of the date of City Council approval of the Ordinance.

3.2.9 CONCEPT PLAN FOR FLEXIBLE REVIEW DISTRICT (FRD)

A. **Applicability**. This section shall apply to any land zoned Flexible Review District (FRD). Rezoning to FRD and the associated concept plan are subject to City Council approval.

B. **Application Requirements.** Each application shall choose a base general use district. All zoning requirements that apply to the general use district are also applicable to the corresponding Flexible Review District unless alternative conditions are specified. Applications submitted to the Planning Department shall include the information below, at a minimum. Additional submittal requirements can be found on the City of Fountain Inn website. Any property zoned Flexible Review District (FRD) shall have an accompanying Concept Plan with the following information:

1. Statement of Intent to include the following:
    a. General description of the land use and density of proposed development,
    b. Compliance with the comprehensive plan,
    c. Projected development schedule,
    d. Statement of public improvements (on and off site) supported by letters of ability to serve from public service providers,

e. Statement describing the landscaping, screening, buffering and open space,
f. Statement describing pedestrian or multi-use facilities throughout the project,
g. Any information or description necessary for appropriate review.

2. Boundary survey with the following information:
   a. Vicinity map, title block, scale and north arrow,
   b. Total number of acres,
   c. Location and orientation of existing facilities with square footage
   d. Existing circulation patterns and parking facilities,
   e. Land cover,
   f. Topographic contour lines at 4 ft. intervals,
   g. Stream and floodplain information.
3. Sketch plan with the following:
   a. Approximate location of major streets, utilities, entrance locations on existing streets, major open space and buffer features, conceptual drainage plan,
   b. Land uses,
   c. Residential density (if applicable),
   d. Open space acreage,
   e. Other related development features.
4. Descriptions and illustrations of architectural style.
5. Other relevant information as determined by the Planning Director.

C. **Approval Process**

1. ***Staff Review and Report –*** The Planning Director shall prepare a staff report for the Planning Commission describing the context of the proposed development, relevant sections of this Ordinance, and its relationship to the Comprehensive Plan.
2. ***Planning Commission Public Hearing and Recommendation –*** The Planning Commission shall conduct a public hearing. At the close of the public hearing, the Planning Commission shall make a recommendation to the City Council. In considering the application, Planning Commission shall consider the following:
   a. Consistency with the Comprehensive Plan,
   b. Suitability of the property for proposed and permitted uses,
   c. Availability of sanitary sewer, water, stormwater and transportation facilities

DRAFT

d. Compatibility with the zoning and conforming uses of nearby properties.

In its decision, Planning Commission may recommend the following actions:

- Approval;
- Approval with Conditions or Modifications;
- Disapproval with reasons for decision and the option for resubmittal as a new application.

3. ***City Council Decision-*** The City Council shall consider the Planning Commission's recommendation at its next scheduled meeting.
   a. ***Rezoning.*** The rezoning to a Flexible Review District (FRD) must be approved by two affirmative readings of an Ordinance.
   b. ***Concept Plan,*** *The associated* Concept Plan shall be considered concurrently with the rezoning and approved by a single affirmative vote of City Council.

In its decision, City Council may recommend the following actions:

- Approval;
- Approval with Conditions or Modifications;
- Disapproval with reasons for decision and the option for resubmittal as a new application.

D. **Amendments to Approved Concept Plans.** Concept Plans approved as part of a rezoning to the Flexible Review District (FRD) may be amended after initial approval without requiring a new rezoning, provided the underlying zoning district remains FRD. Concept Plan amendments shall be reviewed in accordance with the procedures for major amendments in Section 3.2.10(F)(2), which require a Planning Commission recommendation and a single affirmative vote of City Council.

E. **Appeals.** Any party aggrieved by City Council's decision may appeal to the Court of Common Pleas within 30 days of the date of City Council approval of the Ordinance.

F. **Final Development Plan Required.** No building permit shall be issued until a Final Development Plan has been reviewed and approved by the Planning Director in accordance with this Final Development Plan process described in this Section.

DRAFT

3.2.10 Final Development Plan for Flexible Review District (FRD)

A. **Applicability**. Approval of a Final Development Plan associated with any property zoned Flexible Review District (FRD) is subject to approval of the Planning Director.

B. **Application Requirements.** Two reproducible copies of the Final Development Plan meeting the requirements of this section and those listed on the website, if applicable, must be submitted to the Planning Department for consideration. No building permit shall be issued until site plans have been reviewed and approved by the Planning Commission following the process outlined in this section.

C. **Final Development Plan.** The Final Development Plan must include the following information:
   1. The Final Development Plan must be drawn to scale of not less than 100 feet to 1 inch by a registered engineer/surveyor of the state of South Carolina;
   2. A vicinity map, title block, scale, north arrow, site size, and property line survey;
   3. The location of any utility easements;
   4. The land use for every part of the site and the number of acres devoted to each use;
   5. Delineation of phases if the site is to be developed in multiple phases;
   6. The site's traffic circulation plan, including the location of curb cuts and points of ingress/egress, and also including the location and width of all streets, drives, medians, service areas, dumpster pads, entrances to parking areas, etc.;
   7. The site's parking plan, including all off-street parking, loading/unloading areas, and structures, and also including all parking spaces and their dimensions;
   8. Storm water management and sedimentation and erosion control plans, which must be submitted to the county soil and water conservation district;

DRAFT

9. The site's lighting plan, including the location, height, and type of all exterior light fixtures;
10. If applicable, the location of all proposed nonresidential buildings or structures, their general exterior dimensions, and gross square footage;
11. The location and general dimensions of all detached residential lots.
12. If applicable, the location of all proposed attached and/or multi-family residential structures, their general exterior dimensions, the number of dwelling units by type;
13. If applicable, the site's pedestrian circulation plan, including the location of all sidewalks, paths, trails, etc., and the dimensions thereof;
14. The screening and landscape plan for the site; including the location, size, and type of plant material;
15. Specifications indicating the proposed treatment or improvements to all open space areas and the delineation of those areas proposed for specific types of developed recreational activities;
16. Representative elevations of proposed development; and
17. Information indicating colors and materials of all structures and screening.
18. **Written Narrative.** The Final Development Plan shall be accompanied by a written narrative describing the nature and details of the proposed development, proposed form of ownership (fee simple, horizontal property regime, property owner association, etc.), an itemization of any improvements to be dedicated to any public agency upon improvement, and any other information necessary to provide clarity regarding the proposed development.
19. **Legal Documents.** Applicant shall submit draft easements, covenants, conditions and restrictions, and other legal documents pertaining to the operation and management of the proposed development if required by any other provisions of this Ordinance.

D. **Approval.** The Planning Director shall review the submitted Final Development Plan to determine compliance with the Concept Plan for the subject property approved by City Council, all provisions of this Ordinance, and any other conditions or requirements associated with any other development approvals for the subject property. Within 30 days of submittal, the Director shall notify the applicant in writing regarding the determination:
   1. Approval;
   2. Approval with Conditions;

DRAFT

3. Notification of incomplete application;
4. Disapproval with reasons for decision and the option for resubmittal as a new application.

E. **Appeal.** An aggrieved party may appeal the Planning Director's decision to the Board of Zoning Appeals under the process for an Administrative Appeal as described in this Section.

F. **Amendments to a Final Development Plan.**

1. ***Minor Amendments*** – An amended Final Development Plan that does not significantly alter the basic concept and general characteristics of the applicable district may be approved by the Planning Director provided that no minor change may be approved by the Planning Staff which is in conflict with specific conceptual considerations of the Concept Plan as approved by City Council or the Final Development Plan as approved by the Planning Commission. Examples of minor amendments include:
   a. Reduction in density or square footage,
   b. Increase in landscaping or open space,
   c. Minor changes to parking or lighting,
   d. Reorientation of structures, realignment of approved ingress and egress, changes to more restrictive land uses, or changes in density from one portion of the site to another than constitute less than 10 percent of the area of that use on the site.
2. ***Major Amendments*** - Changes to an approved Concept Plan or Final Development Plan that would significantly alter the basic concept and general characteristics of the district shall require City Council approval in accordance with the Concept Plan procedures established in this Section. After approval of a major change to the Concept Plan by City Council, approval of a Final Development Plan showing such changes must be submitted to the Planning Director for consideration. Examples of major changes include, but are not limited to:
   a. Boundary changes,
   b. Decrease in open space,
   c. Increase or decrease in the number of ingress and egress points,
   d. Changes to more intensive land uses,
   e. Any change as determined by the Planning Director that significantly alters the basic concept and general characteristics of the district.

DRAFT

3.2.11 MINOR SUBDIVISION

A. **Applicability**. This section shall apply to all subdivision of land within the corporate limits of the City of Fountain Inn resulting in four or fewer lots and meeting the following requirements:
   1. Does not involve the creation of a new street or road,
   2. Does not involve the extension of a public utility,
   3. Does not require the extension of municipal facilities,
   4. Does not create any public improvements,
   5. Does not adversely affect the remainder of the parcel or adjoining parcels,
   6. Does not conflict with the Comprehensive Plan, Zoning Map, Zoning Ordinances, or these Regulations.

Minor Subdivisions are subject to Planning Director approval.

B. **Application Requirements.** A Minor Subdivision shall be submitted to the Planning Department in accordance with the General procedures of this section. The Minor Subdivision shall be submitted in both paper and digital formats and shall be drawn on a scale of not less than one inch to 200 feet or as specified below and shall include the following. Maximum plat size shall not exceed 30" × 42".
   1. The name, address, phone number, signature and seal of a registered professional engineer or registered land surveyor licensed in South Carolina,
   2. The name of a subdivision if within an existing subdivision,
   3. The proposed name of the subdivision if not within a previously platted subdivision, the proposed name of which shall not duplicate the name of any recorded subdivision,
   4. The tract name if no subdivision name has been chosen,
   5. A key map if the entire subdivision will not fit on one sheet, along with matchlines to facilitate the matching of separate sheets,
   6. Municipal and County boundaries within 200 feet,

DRAFT

7. The name, address, and telephone number of the owner of property or the applicant if not the owner. If the applicant is not the owner, a statement consenting to the subdivision shall be signed by the owner,
8. The location, size, and purpose of any existing or proposed easement, right-of-way, or land reserved or dedicated for public use,
9. The names, locations and widths of all existing or planned streets or other public ways within and immediately adjacent to the tract,
10. Existing covenants or restrictions,
11. The names of adjoining property owners,
12. Tract boundary lines at lot lines with accurate dimensions, bearings or deflection angles of all curves,
13. Contours at two-foot intervals,
14. Number of proposed lots shown on each sheet and the dwelling density,
15. The use of any lots for uses other than residential uses,
16. Location of all structures,
17. Location and name of all streets,
18. Location and descriptions of all monuments,
19. The location of all watercourses, including lakes and ponds within 200 feet , including the 100-year flood line,
20. Existing and proposed location, size, elevation and slope of all storm and sanitary sewers, water mains and other underground structures within and immediately adjacent to the site,
21. Connections and proposed connections to the existing water supply and sanitary sewer or other means of providing water and sewage disposal,
22. Any proposal for collecting and discharging of surface water drainage,
23. Profiles of center line elevations of existing and proposed roads; approximate radii of all curves, lengths of tangents and central angles on all streets;
24. Plans and profiles showing the locations and typical cross-sections of street pavements including curbs and gutters, sidewalks drainage easements, rights-of-way, fire hydrants, manholes and catch basins; the location, size and invert elevations of existing and proposed stormwater drains and sanitary sewers including connections to existing or proposed systems; and the location and size of water lines, gas lines or other underground utilities,
25. Site grading and erosion control plans, and
26. Any additional information deemed necessary by the Planning Director.

DRAFT

C. **Approval Process.** The Planning Director in consultation with the City Engineer shall review the submitted preliminary plat to determine compliance with all provisions of this Ordinance and any other conditions or requirements associated with any other development approvals for the subject property. Within 30 days of submittal, the Director shall notify the applicant in writing regarding the determination:
   1. Approval;
   2. Approval with Conditions;
   3. Notification of incomplete application;
   4. Disapproval with reasons for decision and the option for resubmittal as a new application at the discretion of the Planning Director.

D. **Effect of Approval.**
   1. Minor Subdivision approval shall be effective for two years during which time the plat shall not be affected by any changes to this Ordinance. If the Minor Subdivision is not recorded during the two-year period a new application must be submitted subject to the effective ordinance.
   2. Construction improvements may commence in accordance with the Preliminary Plat subject to the following conditions:
      a. Grading shall not commence until a grading permit is granted and all requirements of the applicable sediment control ordinance have been satisfied,
      b. Any changes required during the course of construction shall only be installed after written approval of revised plans by the City Engineer.

E. **Appeals.** Any party aggrieved by Planning Director's decision may appeal to the Board of Zoning Appeals within 30 days of the date of Planning Director decision pursuant to the Administrative Appeal process described in this Chapter.

3.2.12 PRELIMINARY PLAT – MAJOR SUBDIVISION

A. **Applicability**. This section shall apply to all subdivision of land within the corporate limits of the City of Fountain Inn not classified as a Minor Subdivision and meeting one of the following criteria:
   1. Having more than four lots,

2. Involving the creation of a new street or road,
3. Involving the extension of public facilities,
4. Involving the creation of any public improvements,
5. Adversely affecting the remainder of the parcel or an adjoining property,

Preliminary Plats are subject to approval by the Planning Director and the Greenville County Subdivision Advisory Committee.

B. **Application Requirements.** A Preliminary Plat shall be submitted to the Planning Department in accordance with the general procedures of this section and submitted to the Greenville County Subdivision Advisory Committee in accordance with their requirements, if applicable. Applications submitted to the Planning Department shall include the information below, at a minimum. Additional submittal requirements can be found on the City of Fountain Inn website.
   1. The preliminary plat shall be submitted in digital format and shall be drawn on a scale of not less than one inch to 200 feet or as specified below and shall include the following.
   2. Maximum plat size shall not exceed 24" × 36".
   3. A preliminary lot layout and an accurate boundary survey of the property of the proposed subdivision showing bearings and distances prepared by a registered land surveyor licensed to practice in the State of South Carolina.
   4. The name of the subdivision and roadway; the owner or owners and current address; the name of the engineer, surveyor, landscape architect, land planner, etc. who prepared the plan; proposed street names; the names of the adjoining subdivisions or property owners; and location of the proposed subdivision.
   5. The location, right-of-way widths, and inventory numbers of all streets and roads adjacent to any property proposed for subdivision and whether they are public or private.
   6. A location sketch showing the relationship of the property submitted for approval with adjoining property and to all streets or roads existing within 1,000 feet of any part of the property to be approved. In addition the property will be located on this sketch from at least one highway or well-known road or intersection by indicating the mileage to the nearest tenth to the property.
   7. The location and size of sanitary and storm sewers, location and size of water mains, and other utilities immediately adjacent to the tract. Also, the names of the owners of the utilities should be included in the

DRAFT

preliminary plan. If water mains and sewers are not on or adjacent to the tract, indicate the direction, distance to, and size of nearest accessible mains.

8. Topographic contour intervals, not greater than ten feet, shall be overlaid on the preliminary lot layout.
9. The location of watercourses, live streams, marshes, floodplains, floodways, wooded areas, water impoundments, existing houses, barns, garages, or storage sheds and other significant features on the land proposed for approval.
10. The location, width of all street rights-of-way, centerline road radii, and other areas proposed to be dedicated to the public or intended for public use and proposed lot lines and approximate lot dimensions.
11. Scale, north arrow, and date.
12. Total area stated in acres of the land proposed for subdivision and a table showing the lot number and the approximate area of each proposed lot.
13. If public sewage facilities are proven infeasible, the developer shall contact the SCDES for septic tank approval information. Approval of the Preliminary Plat may not be granted until such time as the subdivision has successfully completed any SCDES posting requirements for the creation of a subdivision utilizing septic tanks.
14. All preliminary subdivision plans shall show the existing zoning classification for the area being platted and all abutting property. The Preliminary Plat plan shall comply with the requirements of the Zoning Ordinance in effect in the area proposed for a subdivision. If the area or any part being platted will not meet the minimum requirements of the Zoning Ordinance, and the developer's design requires the area to be rezoned, the developer must make an application for a zoning change with the appropriate authority. The application for rezoning must be submitted to the appropriate legislative body and have received at least second reading approval prior to the submittal of a preliminary subdivision plan.
15. If the area or any part of the area being platted lies within a special sewer or water district, this district shall be shown clearly on the preliminary plan.
16. To promote safe and orderly access, preliminary plats shall, to the maximum extent feasible, incorporate internal road networks to provide access to newly created lots. Relying solely on direct access to major thoroughfares should be avoided whenever possible.

DRAFT

17. Any additional information deemed necessary by the Planning Director.

C. **Approval Process.** The Planning Director, in consultation with the City Engineer and the recommendation from the Greenville County Subdivision Advisory Committee, shall review the submitted preliminary plat to determine compliance with all provisions of this Ordinance and any other conditions or requirements associated with any other development approvals for the subject property. Incomplete applications are subject to the procedures in Section 3.1.7. Within 45 calendar days of submittal, the Director shall notify the applicant in writing regarding the determination:
   1. Approval;
   2. Approval with Conditions;
   3. Notification of incomplete application;
   4. Disapproval with reasons for decision and the option for resubmittal as a new application at the discretion of the Planning Director.

D. **Effect of Approval.**
   1. Preliminary Plat approval shall be effective for two years during which time the plat shall not be affected by any changes to this Ordinance. If Final Plat approval has not been obtained during the two-year period a preliminary plat must be submitted subject to the effective ordinance.
   2. Construction improvements may commence in accordance with the Preliminary Plat subject to the following conditions:
      a. Grading shall not commence until a grading permit is granted and all requirements of the applicable sediment control ordinance have been satisfied,
      b. Any changes required during the course of construction shall only be installed after written approval of revised plans by the City Engineer and Greenville County.
      c. All improvements and public infrastructure shall be subject to inspection and approval by the City Engineer and/or the designated representative from the applicable oversight entity. Preliminary Plat approval does not constitute acceptance of roads, infrastructure, land or facilities to be dedicated.

E. **Appeals.** Any party aggrieved by the Planning Director's decision may appeal to the Board of Zoning Appeals within 30 days of the date of decision pursuant to the Administrative Appeals process described in this Chapter.

DRAFT

3.2.13 FINAL PLAT – MAJOR SUBDIVISION

A. **Applicability**. This section shall apply to all subdivision of land within the corporate limits of the City of Fountain Inn not classified as a Minor Subdivision and having obtained Preliminary Plat approval. Final Plats are subject to Planning Director and Greenville County Subdivision Advisory Committee approval.

B. **Application Requirements.** Two copies of the Final Plat shall be submitted to the Planning Department at a scale of at least one inch to 100 feet. The Final Plat shall not exceed 24" × 36" overall dimensions. If the Final Plat is drawn in two or more sections, each section shall be accompanied by a key map showing the location of each section. The Final Plat shall include the following details at a minimum. Additional submittal requirements can be found on the City of Fountain Inn website.

1. The title of each map shall contain the following information: subdivision name, name of owner and his address, location as to county and state, the date or dates the survey was made, scale in feet per inch in words or figures, and graphic scale, name, address, registration number, and crimped with the seal of the registered land surveyor who prepared the plat.
2. There shall appear on each map a certificate by the person making the survey stating the origin of the information shown on the map including deeds and any recorded data shown thereon or written notice that no survey was made. If a complete survey was made, the error of closure as calculated by latitudes and departures must be shown. The maximum allowable error of linear closure shall not be in excess of 1:3000. Any lines on the map that were not actually surveyed must be clearly indicated and a statement included revealing the source of information.
3. If the area of land parcels is shown, the method of computation used by the surveyor must be shown. Area "by estimation" or copied from another source is not acceptable.
4. At a minimum every map shall contain the following specific information:
   a. Accurately positioned north arrow coordinated with any bearings shown on the map. Indication shall be made as to whether the north index is true, magnetic, or grid.

DRAFT

b. The Final Plat shall show sufficient data to determine readily and reproduce accurately on the ground the location, bearing, and length of every street and alley line, lot line, easement boundary line, and other property boundaries including the tangent and/or radius and other data for curved property lines to an appropriate accuracy and in conformance with good surveying practice.
c. The names of adjacent landowners and lot, block, and subdivision designations shall be shown where they have been determined and verified by the surveyor.
d. All visible and apparent rights-of-way, watercourses, utilities, roadways, and other such improvements shall be accurately located and appropriately sized easements provided.
e. Steel or iron pipe survey markers at least 24 inches long and one-half inch in diameter shall be set at all lot corners and at all other survey points not marked by monuments.
f. The Final Plat shall present the full plan of development for the subject land, delineating by solid lines areas to be dedicated to the public for street, highway, park, and other public purposes. Easements for public or private uses (with such uses clearly noted) and building setback lines shall be indicated by broken lines. Plats accomplishing a resubdivision of land previously divided into streets and lots shall show existing property boundaries and lot designations in broken lines and proposed property boundaries and lot designations in solid lines.
g. If applicable, provide a statement dedicating an appurtenant utility easement to the appropriate agencies by the developer or owners' association in a horizontal property regime, planned unit development, or similar development.
h. If applicable, Final Plat shall indicate that roads are private and will not be maintained by the City unless improved to City standards.
i. The Final Plat shall show the existing zoning classification provided the subdivision is situated in a zoned area. The plat shall indicate all applicable yard requirements and other dimensional requirements contained in the Zoning Ordinance.
j. If applicable, deed restrictions or restrictive covenants shall be recorded with the Final Plat. No deed restriction shall stipulate lower standards than the minimum standards required herein.
k. If applicable the base flood (BFE) must be shown on the Final Plat prior to recording, along with a finished floor elevation chart.

DRAFT

l. Any additional information deemed necessary by the Planning Director.

C. **Maintenance of Common Areas within Subdivision Developments.** The membership rights and obligations related to the common areas in a subdivision shall be described in covenants running with the land. All common areas shall be maintained by the homeowners association or property owners within the subdivision. Failure on the part of an individual, corporation, firm, partnership, or association to meet all maintenance obligations shall be in violation of this Ordinance and subject to the penalties contained herein.

D. **Standards for Deed Restrictions or Restrictive Covenants.** No deed restrictions or restrictive covenants shall stipulate lower standards than the minimum required herein or within the City of Fountain Inn Zoning Ordinance.

E. **Approval Process.** The Planning Director shall review the submitted Final Plat to determine consistency with the approved Preliminary Plat and compliance with all provisions of this Ordinance and any other conditions or requirements associated with any other development approvals for the subject property. Within 30 days of submittal, the Director shall notify the applicant in writing regarding the determination:

1. **Approval**. If approved by the Planning Director, the director or designee shall stamp and sign three copies of the Final Plan as approved. Two stamped and signed copies shall be returned to the applicant for recording. The Planning Department shall retain one paper copy and associated documents on file.
2. **Disapproval.** Disapproval shall include reasons for decision and the option for resubmittal as a new application at the Planning Director's discretion.
3. Notification of incomplete application.

F. **Recording of Final Plat.** The applicant shall be responsible for recording the Final Plat with the County Register of Deeds.

G. **Effect of Approval and Recording.** Approval of the Final Plat and subsequent filing of such plat in the office of the County Register of Deeds shall be deemed an offer to dedicate all streets and other public areas shown on the plat.

H. **Appeals.** Any party aggrieved by the Planning Director's decision may appeal to the Board of Zoning Appeals within 30 days of the date of decision pursuant to the Administrative Appeal process described in this Chapter.

DRAFT

I. **Planning Commission Updates.** To maintain coordination and transparency, the Planning Commission shall receive regular updates on all Preliminary Plats in process or recently approved.

1. **Purpose.** The briefing is intended to keep the Planning Commission informed of development activity and to provide an opportunity for discussion or comment on plats under review and monitor effectiveness of requirements.
2. **Timing.** The Planning Director shall include a summary of Preliminary Plats submitted, under review, or approved during the preceding month as an informational item on each regular Planning Commission agenda.
3. **Effect.** Comments by the Planning Commission shall be advisory and non-binding and shall not delay or alter the staff approval process established by this Ordinance.

3.2.14 Financial Security

A. See Section 3.3 Financial Security Requirements

3.2.15 Public Project Review

A. **Applicability**. Pursuant to South Carolina Code § 6-29-540, all proposed public projects, other than minor utilities, shall be submitted to the Planning Commission for review and recommendation regarding consistency with the Comprehensive Plan.

B. **Application Requirements.** Applications for public project review shall be submitted to the Planning Department by an authorized agent of the applying entity. The application shall include the following:

C. Documentation of public ownership of the parcel, a lease indicating public tenancy, or a notarized affidavit that more than 50-percent of the proposed project is funded with public monies,

D. A written narrative including the following:

1. The public need for the project,
2. A reference to and graphic depiction of the location of the proposed project,

3. The character of the proposed project, its compatibility with the surrounding area and the character of the site on which the project is proposed,
4. The location of wetlands or floodplain in the vicinity of the proposed project.

E. Description of maintenance responsibility for improvements,
F. If applicable, a site plan of the proposed project,
G. Any comments or approvals of affected public agencies,
H. Any additional information deemed necessary by the Planning Director.
I. **Review and Findings**
   1. ***Staff Review and Report –*** The Planning Director shall prepare a staff report for the Planning Commission describing the proposed project's relationship to the Comprehensive Plan.
   2. ***Planning Commission Recommendation–*** The Planning Commission shall review the project for consistency with the comprehensive plan and provide written findings and recommendations to the sponsoring public entity within thirty (30) days, or within such longer period as may be agreed upon with the governing authority
   3. ***Effect of Findings.*** The findings of the Planning Commission are advisory. If the public entity elects to proceed with a project that is inconsistent with the Comprehensive Plan, it must publicly state its decision and reasons. Written notice of the decision and reasons shall be provided to the City Council and the Planning Commission at least thirty (30) days before construction begins.

3.2.16 RECORD PLAT

A. **Applicability**. This section shall apply to Record Plats, designed for the purpose of indicating ownership of existing recorded lots and a rerecording of specific properties that have been surveyed or resurveyed for recording ownership at the Register of Deeds Office. Lots subject to the Record Plat consideration process must satisfy the following conditions:
   1. The process does not apply to the creation of new lots.
   2. All lots shall be determined to have access to a public right-of-way which has been accepted by the City, County or the South Carolina Department

of Transportation (SCDOT) for continuous maintenance, or otherwise maintained for private maintenance by a homeowners or property owners association or equivalent maintenance framework.

3. Water and sewer service shall be available to the lots subject to the Record Plat.

The Planning Director has the authority to review and approve record plats via signature. For the purpose of this section, a record plat may also be referred to as a mortgage plat or summary plat.

B. **Application Requirements.** A Record Plat shall be submitted to the Planning Department with an in accordance with the General procedures of this section. Two paper copies of the Record Plat shall be submitted on a scale of at least one inch = 100 feet, and shall not exceed 24" x 36" overall dimensions. The Record Plat shall include the following information:
   1. Street names
   2. Lot lines and building lines
   3. Lot and block book numbers
   4. Reservations, easements, floodplain drainage easements, public accesses or site other than residential uses with explanation of purpose
   5. North arrow, graphic scale, date and title
   6. Location and description of monuments
   7. Name, location, and ownership of adjoining property
   8. Name of owner
   9. Name of surveyor or engineer with certifications
   10. Number of acres
   11. Embossed seal of registered land surveyor
   12. Any additional information required by the Greenville County Register of Deeds, and
   13. Any additional information deemed necessary by the Planning Director.

C. **Approval Process.** The Planning Director in consultation with the City Engineer shall review the submitted preliminary plat to determine compliance with all provisions of this Ordinance and any other conditions or requirements associated with any other development approvals for the subject property. Within 30 days of submittal, the Director shall notify the applicant in writing regarding the determination:
   1. Approval;

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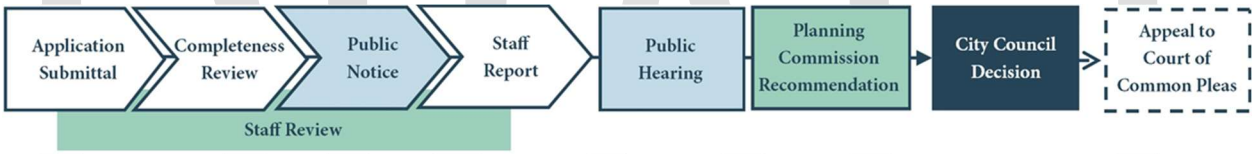
2. Disapproval with reasons for decision and the option for resubmittal as a new application at the discretion of the Planning Director.
3. Determination that additional information is necessary to render a decision. The determination shall list the information required and a submission deadline as determined by the Planning Director based on the nature of information required.

D. **Effect of Approval.** Record Plat approval shall be effective for two years during which time the plat shall not be affected by any changes to this Ordinance. If the Record Plat is not recorded during the two-year period a new application must be submitted subject to the effective ordinance.

E. **Appeals.** Any party aggrieved by the Planning Director's decision may appeal to the Board of Zoning Appeals within 30 days of the date of the date of decision pursuant to the Administrative Appeals process described in this Chapter.

3.2.17 REZONING



A. **Applicability**. This section shall apply to any land within the corporate limits of the City of Fountain Inn or any property petitioned to be annexed into the City of Fountain Inn. Rezoning applications are subject to City Council approval.

B. **Application Requirements.** A rezoning application shall be submitted to the Planning Department in accordance with the General procedures of this section. The petition must include the following:
1. A boundary plat of the subject property prepared and sealed by a registered land surveyor or unique tax parcel number sufficient to define the subject property. Any petition for annexation must follow parcel lines.
2. For rezoning to Flexible Review District (FRD), the rezoning application must include a Concept Plan to be considered concurrently with the rezoning process.
3. Any additional information deemed necessary by the Planning Director.

C. **Approval Process**
1. ***Staff Review and Report –*** The Planning Director shall prepare a staff report for the Planning Commission describing the context of the

DRAFT

proposed annexation, relevant sections of this Ordinance, and its relationship to the Comprehensive Plan.

2. ***Planning Commission Public Hearing and Recommendation –*** The Planning Commission shall conduct a public hearing. At the close of the public hearing, the Planning Commission shall consider the following and make a recommendation to the City Council:
   a. Consistency with the Comprehensive Plan,
   b. Suitability of the property for proposed and permitted uses,
   c. Availability of sanitary sewer, water, stormwater and transportation facilities.
   d. Compatibility with the zoning and conforming uses of nearby properties.

The Planning Commission shall establish a recommendation by majority vote and submit this recommendation to the city council to be considered at the next regularly scheduled city council meeting. All discussion and voting shall be done publicly.

3. ***City Council Decision.*** The City Council shall not consider any matter that has been considered by the Planning Commission unless and until at least the seventh day after the Planning Commission's having taken final action on the matter being presented to the City Council. Approval of any rezoning requires two affirmative readings of an Ordinance.

D. **Amendment of the Official Zoning Map.** The Planning Department shall amend the Official Zoning Map of the City of Fountain Inn within 60 days of City Council approval.

E. **Appeals.** Any party aggrieved by City Council's decision may appeal to the Court of Common Pleas within 30 days of the date of City Council approval of the Ordinance.

3.2.18 SIGN PERMIT

A. **Applicability**. This Section shall apply to any sign located within the Fountain Inn corporate limits, unless otherwise exempted by this Ordinance. Sign permits are subject to approval by the Planning Director or his designee.

B. **Application Requirements.** The following shall be submitted with any sign permit application:
   1. Scaled plan and drawings showing the front and sign elevations of the proposed sign,
   2. For freestanding signs, a scaled site plan depicting the sign location and its relationship to property lines, structures, and landscaping,
   3. For wall signs, a scaled drawing showing the entire facade or tenant space facade on which the proposed sign will be located,
   4. Lighting plan for the proposed sign or a statement that the proposed sign will not be illuminated,
   5. Any other information required by the Planning Director to verify compliance with this Ordinance.

C. **Approval Process.** The Planning Director or his designee shall approve of any sign permit that complies with the requirements of this Ordinance. If a proposed sign does not satisfy the requirements of this Ordinance the Planning Director shall notify the applicant of the deficiencies pursuant to this Ordinance.

D. **Appeal.** An appeal of the Planning Director's decision shall be made to the Board of Zoning Appeals within 30 days from the date the applicant receives the determination in writing.

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3.2.19 Site and Landscape Plan

A. **Applicability**. All proposed development shall be subject to site plan review by the Planning Director unless expressly exempted in section B below.

B. **Development Exempt from Approval.**
   1. Public Projects. The construction of any public street or utility service line, whether publicly or privately owned; such public project plans shall be submitted and reviewed by the Planning Director under a separate administrative procedure consistent with State law and described in the Public Project Review section of this Ordinance.
   2. Maintenance. Maintenance of any structure required to keep the structure in standard condition.

3. Agriculture. Use or intended use of land for the purpose of agriculture, raising of animals, crops, forestry or similar uses.
4. Single-family Residences. A detached single family dwelling on a single lot and residential subdivisions of three lots or less. This includes manufactured homes where permitted.
5. Renovation or Improvement of Existing Development – Any renovation or improvement that does not involve a change or increase in impervious surface.

C. **Application Requirements.** Two reproducible copies of the site plan meeting the requirements of this section must be submitted to the planning commission office. No building permit shall be issued until site plans have been reviewed and approved by the planning commission following the process outlined in this section.

The site plan must include the following information:

1. The site plan must be drawn to a scale of not less than 100 feet to 1 inch by a registered engineer/surveyor of the state of South Carolina;
2. A vicinity map, title block, scale, north arrow, site size, and property line survey;
3. The location of any utility easements;
4. The land use for every part of the site and the number of acres devoted to each use;
5. Delineation of phases if the site is to be developed in multiple phases;
6. The site's traffic circulation plan, including the location of curb cuts and points of ingress/egress, and also including the location and width of all streets, drives, medians, service areas, dumpster pads, entrances to parking areas, etc.;
7. The site's parking plan, including all off-street parking, loading/unloading areas, and structures, and also including all parking spaces and their dimensions;
8. Storm water management and sedimentation and erosion control plans, which must be submitted to the county soil and water conservation district;
9. The site's sign plan, which includes all exterior signage of the development;
10. The site's lighting plan, including the location, height, and type of all exterior light fixtures;

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11. If applicable, the location of all proposed nonresidential buildings or structures, their general exterior dimensions, and gross square footage;
12. If applicable, the location of all proposed residential structures, their general exterior dimensions, the number of residential dwelling units by type, and the number of the bedrooms in each unit;
13. If applicable, the site's pedestrian circulation plan, including the location of all sidewalks, paths, trails, etc., and the dimensions thereof;
14. The screening and landscape plan for the site; including the following information:
    a. The location, botanical name and common name, size in diameter one-half foot above grade, and height of new trees to be planted, which must comply with this code,
    b. The location, botanical name and common name, size in diameter 4½ feet above grade, and estimated height of existing trees, which are to be maintained or preserved for credit as per the requirements of this code,
    c. The location and dimensions of parking lot buffer areas and other planting areas,
    d. The size, botanical name and common name and spacing of plant materials,
    e. The location and design of any fence, wall, or earthen berm indicating size, dimensions and materials,
    f. The location and description of any barriers required to be erected to protect any existing vegetation from damage,
    g. Provisions for watering and other long-term maintenance to assure serviceability, soil stabilization, and plant protection.
15. Specifications indicating the proposed treatment or improvements to all open space areas and the delineation of those areas proposed for specific types of developed recreational activities;
16. Elevations of proposed development; and
17. Perspective sketch indicating colors and materials of all structures and screening. Approval Process

D. **Written Narrative.** The site plan shall be accompanied by a written narrative describing the nature and details of the proposed development, proposed form of ownership (fee simple, horizontal property regime, property owner association, etc.), an itemization of any improvements to be dedicated to any public agency upon improvement, and any other

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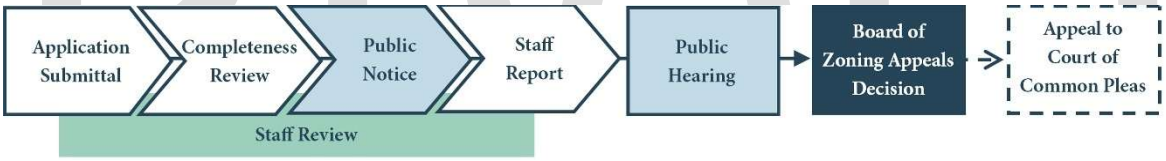
information necessary to provide clarity regarding the proposed development.

E. **Legal Documents.** Applicant shall submit draft easements, covenants, conditions and restrictions, and other legal documents pertaining to the operation and management of the proposed development if required by any other provisions of this Ordinance.

F. **Approval.** If the Planning Director shall review the submitted site plan to determine compliance with all provisions of this Ordinance and any other conditions or requirements associated with any other development approvals for the subject property. Within 30 days of submittal, the Director shall notify the applicant in writing regarding the determination:
   1. Approval;
   2. Approval with Conditions;
   3. Notification of incomplete application;
   4. Disapproval with reasons for decision and the option for resubmittal as a new application at the discretion of the Planning Director.

G. **Appeal**. An appeal of the Planning Director's decision shall be made to the Board of Zoning Appeals within 30 days from the date the applicant receives the determination in writing subject to the Administrative Appeals process described in this Chapter.

3.2.20 SPECIAL EXCEPTION



A. **Authority.** The Board of Zoning Appeals may consider Special Exceptions for uses as described in this Ordinance.

B. **Approval Process.**
   1. ***Staff Review and Report –*** The Planning Director shall prepare a staff report for the Board of Zoning Appeals describing the context of the proposed special exception, relevant sections of this Ordinance, and its relationship to the Comprehensive Plan.
   2. ***Board of Zoning Appeals Decision.*** The Board of Zoning Appeals at its next available regular meeting shall conduct a public hearing and receive applicant testimony. After closing the public hearing, the Board of Zoning Appeals shall consider and make findings based on each of the following criteria:

a. The application is consistent with the Comprehensive Plan, and
b. The proposed use and associated development is consistent with the character and purpose of the applicable district, and
c. The proposed use and associated development is of a size, shape and character suitable to the subject property, and
d. The proposed use and associated development is compatible with existing uses adjacent to and near the property and will not otherwise adversely affect the development of the general neighborhood or district in which the use is proposed, and
e. The proposed use and associated development does not generate vehicular traffic or parking demands that present an adverse impact to nearby properties when compared to other uses permitted by right in the same district, and
f. The proposed use will not be hazardous, detrimental or disturbing to surrounding land uses due to noise, glare, smoke, dust, odor, fumes, water pollution or general nuisance, and
g. The proposed use and associated development consistent with existing and planned pedestrian and vehicular circulation adjacent to and near the subject property, and
h. The subject property will be adequately served by public services for the proposed use, and
i. The proposed use and associated development will not adversely impact any natural feature or site of historical, cultural, natural or scenic significance, and
j. The proposed use and associated development will comply with any specific conditions associated with the use as required by this Ordinance, and
k. The proposed use and associated development will not be contrary to the public health, safety, and welfare.

If the Board of Zoning Appeals finds in the affirmative of all the above-listed criteria, then it may approve the special exception, or approve the special exceptions with conditions. If the Board of Zoning Appeals does not affirm all the above-referenced criteria, then the special exception shall be denied.

C. **Findings to be Documented in Writing.** The findings to the criteria established in this Section and the final decision of the Board of Zoning Appeals shall be expressed in writing.

D. **Limitations.** The Board of Zoning Appeals may not grant a variance to permit a use of land or structure that is not otherwise allowed in the

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applicable district as established in this Ordinance, allow an increase in intensity or physical extension to a non-conforming use, or increase density to a use not permitted by the applicable district.

E. **Profitability Not to Be Considered.** The extent to which profitability is impacted by the granting of a variance shall not be considered as a criteria for granting a variance.

F. **Hardship due to Eminent Domain.** When a variance is requested due to a hardship resulting from a partial taking of property by eminent domain, which reduces the land area available for parking, buffers, or other purposes, the applicant must demonstrate the following:

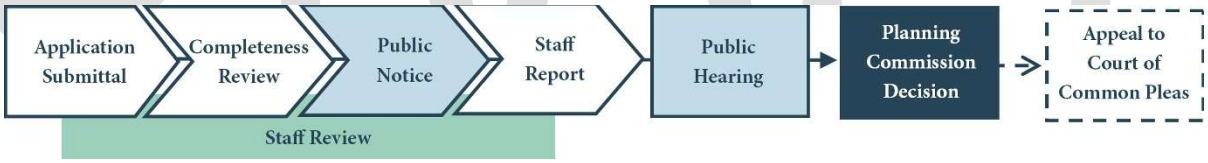
G. That the applicant or a previous owner made a good-faith effort to obtain adequate compensation from the condemning authority for both the value of the land taken and the economic impact on the remaining property, and

H. That the condemning authority failed or refused to provide such compensation.

Only if the applicant provides sufficient evidence to meet this burden of proof will the claimed hardship be deemed sufficient to justify the granting of a variance under these circumstances.

I. **Appeal.** An appeal of the Board of Zoning Appeals decision may be made to the Court of Common Pleas within 30 days from the date the applicant receives the determination in writing.

3.2.21 Street Name Change



A. **Applicability.** The Planning Commission shall have the authority to approve or deny street name changes.

B. **Application.** Any person or elected or appointed official proposing to change the name of a street shall submit the request in writing to the Planning Department along with a list of at least three proposed names in priority order, along with the reasons the street name change is proposed.

C. **Criteria for Street Name Changes**

1. Street name changes shall be in accordance SC Statute 6-29-1200 and Section 7.6.17 of Article 7 of this ordinance.

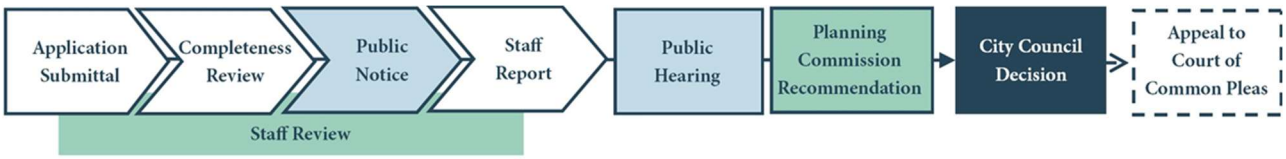
2. The name shall not duplicate or be phonetically similar to an existing street name and shall follow established standards for the use of prefixes or suffixes.
3. Names must be simple, logical and easy to read and pronounce and shall not include unconventional spellings,
4. Names shall not be reasonably perceived as offensive,
5. Names shall not conflict with established naming nomenclature (example: sequential names such as A Street, B Street, C Street, etc.),
6. Intersecting streets shall not have the same or similar name,
7. A street that continues through an intersection shall generally bear the same name.

D. **Approval Process.**

1. ***Staff Review and Report –*** The Planning Director shall prepare a staff report for the Planning Commission describing the context of the proposed street name change.
2. ***Public Notice –*** Public notice shall be mailed to all owners of property whose address would be affected by the proposed street name change at least 15 days prior to the public hearing.
3. ***Planning Commission Public Hearing and Decision –*** The Planning Commission shall conduct a public hearing. At the close of the public hearing, the Planning Commission shall consider the street name change based on the established criteria and its impact to property owners whose address would be changed. The Planning Commission may recommend approval, denial, or modification of the proposed street name change.

E. **Appeal.** Any individual aggrieved by Planning Commission's decision may appeal to the Court of Common Pleas within 30 days of the date of Planning Commission approval of the Street Name Change.

3.2.22 TEXT AMENDMENT



A. **Applicability.** This section shall apply to any portion of this Ordinance proposed to be changed. Text Amendments to this Ordinance shall be subject to City Council approval.

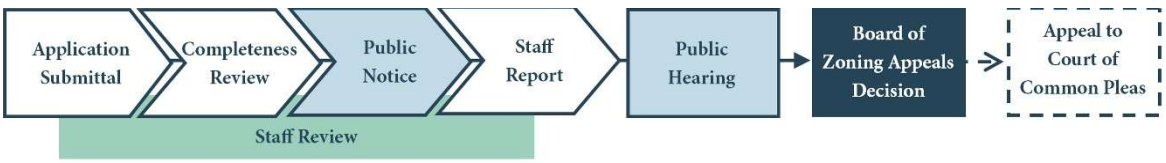
B. **Applicant.** Planning Director, Planning Commission, or City Council may propose a text amendment to this ordinance. A text amendment proposed by an individual must be submitted to the Planning Department on a form approved by the Planning Director, and must include specific reference to the language proposed to be changed. If a text amendment is initiated by City Council, first reading may be given prior to the public hearing and consideration by the Planning Commission.

C. **Approval Process.**

1. ***Staff Review and Report –*** The Planning Director shall prepare a staff report for the Planning Commission describing the context of the proposed amendment, relevant sections of this Ordinance, and its relationship to the Comprehensive Plan.
2. ***Planning Commission Public Hearing and Recommendation –*** The Planning Commission shall conduct a public hearing. At the close of the public hearing, the Planning Commission shall consider any factor the body deems relevant to rendering a decision, including but not limited to the impacts of the proposed amendment, the amendment's context in this Ordinance and consistency with the Comprehensive Plan. The Planning Commission shall establish a recommendation by majority vote and submit this recommendation to the city council to be considered at the next regularly scheduled city council meeting. All discussion and voting shall be done publicly. The Planning Commission may recommend approval, denial, or modification of the proposed text amendment.
3. ***City Council Decision.*** The City Council shall consider the Planning Commission's recommendation at its next scheduled meeting. The text amendment must be approved by two affirmative readings of an Ordinance. City Council may approve, approve with modifications, or deny the proposed text amendment.

D. **Appeal.** Any individual aggrieved by City Council's decision may appeal to the Court of Common Pleas within 30 days of the date of City Council approval of the Ordinance.

3.2.23 VARIANCE



A. **Authority.** The Board of Zoning Appeals may consider variances to design criteria established in this Ordinance.

B. **Approval Process.**

1. ***Staff Review and Report –*** The Planning Director shall prepare a staff report for the Board of Zoning Appeals describing the context of the proposed variance, relevant sections of this Ordinance, and its relationship to the Comprehensive Plan.
2. ***Board of Zoning Appeals Decision.*** The Board of Zoning Appeals at its next available regular meeting shall conduct a public hearing and receive applicant testimony. After closing the public hearing, the Board of Zoning Appeals shall consider and make findings based on each of the following criteria:
   a. There are extraordinary and exceptional conditions pertaining to the subject property, and
   b. These conditions do not generally apply to other properties in the vicinity, and
   c. Due to these conditions, the strict application of this Ordinance would effectively prohibit or unreasonably restrict the utilization of the subject property, and
   d. The conditions are not the result of the applicant's own actions, and
   e. Granting of the variance would not substantially conflict with the Comprehensive Plan and the purposes of this Ordinance, and
   f. The authorization of the variance will not be of substantial detriment to adjacent property, the public good, or the character of the district.

If the Board of Zoning Appeals finds in the affirmative of all the above-listed criteria, then it may approve of the variance, or approve the variance with conditions. If the Board of Zoning Appeals does not affirm all the above-referenced criteria, then the variance shall be denied.

C. **Findings to be Documented in Writing.** The findings to the criteria established in this Section and the final decision of the Board of Zoning Appeals shall be expressed in writing.

D. **Limitations.** The Board of Zoning Appeals may not grant a variance to permit a use of land or structure that is not otherwise allowed in the applicable district as established in this Ordinance, allow an increase in intensity or physical extension to a non-conforming use, or increase density to a use not permitted by the applicable district.

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E. **Profitability Not to Be Considered.** The extent to which profitability is impacted by the granting of a variance shall not be considered as a criteria for granting a variance.

F. **Hardship due to Eminent Domain.** When a variance is requested due to a hardship resulting from a partial taking of property by eminent domain, which reduces the land area available for parking, buffers, or other purposes, the applicant must demonstrate the following:

1. That the applicant or a previous owner made a good-faith effort to obtain adequate compensation from the condemning authority for both the value of the land taken and the economic impact on the remaining property, and
2. That the condemning authority failed or refused to provide such compensation.

Only if the applicant provides sufficient evidence to meet this burden of proof will the claimed hardship be deemed sufficient to justify the granting of a variance under these circumstances.

G. **Appeal.** An appeal of the Board of Zoning Appeals decision may be made to the Court of Common Pleas within 30 days from the date the applicant receives the determination in writing.

3.2.24 WRITTEN INTERPRETATION

A. **Authority.** The Planning Director shall have authority to make written interpretations of this Ordinance.

B. **Request for Interpretation.** Any request for an interpretation of this Ordinance shall be submitted in writing to the Planning Director.

C. **Interpretation.** The Planning Director shall review the request in the context of this Ordinance. In making an interpretation, the Planning Director may consult with other staff. The written interpretation shall be provided to the applicant within 15 days of the request.

D. **Official Record.** The Planning Director shall maintain an official record of interpretations which shall be available to the public during normal business hours.

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E. **Appeal.** An appeal of the Planning Director's decision shall be made to the Board of Zoning Appeals within 30 days from the date the applicant receives the determination in writing pursuant to the Administrative Appeals process described in this Chapter.

3.3 FINANCIAL SECURITY REQUIREMENTS

3.3.1 FINANCIAL SECURITY

The City of Fountain Inn shall have no obligation to allow developers to provide financial security instruments instead of completed infrastructure improvements; however, it may permit developers to provide such financial security if it so desires. When financial security is permitted, the developer through his/her engineer of record shall submit to Greenville County and the Planning Director actual cost estimates prepared by the developer's contractors or subcontractors, which shall be verified by the Planning Director or duly authorized staff. These estimates shall cover the full cost of all infrastructure improvements. The financial security amount shall be based on 125 percent of the cost estimates as determined by the City at the time financial security is accepted.

For purposes of these Regulations, and this Article "Financial Security" shall refer to a City approved instrument and arrangement undertaken by and at the expense of the developer, established to provide a financial guarantee in favor of the City. In the event of default or failure by the developer, the Financial Security shall be applied so as to provide funds for the completion of all required infrastructure improvements.

A developer may choose either of the following two methods as outlined in Subsections A and B below to execute said Financial Security:

A. A developer submitting a subdivision plat for final approval (whether an individual, partnership, or corporation) may execute his own Financial Security if it is accompanied by an irrevocable letter of credit from an FDIC accredited bank or institution, cash, or a certified check deposited in a City escrow account properly securing the amount of the Financial Security.
B. All subdivisions will be developed in accordance with the rules and regulations enacted by the Fountain Inn City Council. In order to proceed with the development and to assure that minimum City specifications will be met, a developer may request the Planning Commission staff to accept an Assignment to Secure Completion of Infrastructure Improvements. This assignment shall be certified by the lending institution and states that said developer has secured a development loan, from a lending institution, and

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that a specified amount of this loan, as verified by actual cost estimates submitted by contractors, will be held by the issuing institution until all improvements required by the City of Fountain Inn Land Development Regulations are complete and accepted by the appropriate agencies.

All initial financial security requests set forth in subsection A and B above shall be accompanied by a fee as specified in the City's fee schedule.

For the purpose of this subsection, appropriate lending instruments shall be limited to a FDIC accredited bank or institution. Letters of Credit must be issued by a Financial Institution with a full service branch located within the State of South Carolina, at which the Letter of Credit may be presented for payment. The Letters themselves may be processed from the bank's main office located in another city or state. All instruments and agreements used under this Article are subject to the approval by the Planning Commission staff. Fountain Inn Planning Commission and City Public Works Department staff may reserve the right to require developers to execute such agreement and instruments in furtherance of this Article as are approved as to form by the Planning Commission.

3.3.2 Financial Security Period.

All Financial Security instruments shall be posted with the Planning Commission with the consent of the Planning Director or duly authorized staff for and on behalf of the City of Fountain Inn. The initial Financial Security will be in effect for one year, subject to conditions as specified by the City through its Planning Commission and/or City staff.

3.3.3 Financial Security Reductions and Credit for Completed Work.

Developers may apply for reduction in the amount of the Financial Security posted pursuant to Section 3.3.1 based on completed infrastructure improvements. In order to qualify for Credit for Completed Work, a signification portion of any one of the following items must be installed in accordance with the approved plans: storm drainage; base; asphalt; curb and gutter; or sidewalk.

The City of Fountain Inn permits only one site-visit by City staff for the purpose of Financial Security estimate recalculation. The purpose of the site-visit is to verify completed work certified by the developer or the developer's engineer of record. Developers should be advised that they must ensure relevant work is complete and in accordance with the approved construction plans prior to making the recalculation request.

In no case may the result of reduction recalculations allow the total Financial Security to go below $20,000.00.

3.3.4 CONSTRUCTING REQUIRED IMPROVEMENTS UNDER FINANCIAL SECURITY

After the Greenville County and the Planning Director or duly authorized staff have approved a Final Plat and accepted financial security to ensure completion of required improvements, the developer shall complete such improvements. When constructing the required improvements for the subdivision, the following procedures shall apply:

A. Prior to construction, a set of plans will be submitted for review to the Greenville County Subdivision Administration with the consent of the Zoning Administrator or his/her authorized representative bearing a certificate by a registered engineer that the plans comply with the City's Unified Development Ordinance.
B. During construction, inspections will be conducted in accordance with Article 7.
C. After completing each phase of road and drainage improvements, the developer shall notify Greenville County and the Planning Director or duly authorized staff or his/her authorized representative that the improvements are ready for inspection. Upon such notification, the Engineer or his/her authorized representative shall perform inspections of all required improvements. Upon completion of the improvements, "Record Drawings" shall be submitted with certification that the subdivision's design and construction are in compliance with the City's Unified Development Ordinance. Certifications are to be made by a registered professional engineer licensed in South Carolina.
D. After completing all public water improvements, the developer shall notify the appropriate utilities where applicable, the Environmental Quality Control Office of the South Carolina Department of Environmental Services ("SCDES") and other appropriate district authorities, that the improvements are ready for final inspection.
E. After completing all sewer improvements, the developer's engineer shall certify to the Environmental Quality Control Office of SCDES and the appropriate provider where applicable, that the improvements are ready for inspection. The Environmental Quality Control officers of SCDES shall issue a permit to operate for water and sewer before systems are placed into service.
F. In addition to the technical inspections by the appropriate agencies, the City of Fountain Inn Public Works Department shall make such inspections as necessary to ensure compliance with the Land Development Regulations and the preliminary plat as submitted.

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3.3.5 Notification to the City

When the required improvements have been installed and accepted by the proper authority, that agency shall notify the Planning Director or duly authorized staff by letter. At any time prior to the anticipated completion date, if the improvements are not completed or progressing in accordance with City requirements, the proper authority shall notify the Planning Director or duly authorized staff and recommend that the developer be notified to complete the required work within a specified period of time.

3.3.6 City Action

Following proper notification to the City pursuant to Section 3.3.5, the Planning Director or duly authorized staff shall then either release the Financial Security instrument, or in the event that the Financial Security instrument is not released - proceed to enforce collection on the Financial Security instrument and call for completion of the required improvements within a specified period of time, or if requested by the developer, the City Administrator may, in its sole discretion, extend the Financial Security for a maximum of one year. Prior to granting an extension, the City Administrator, with the recommendation of the Planning Director, shall review actual cost estimates and work to be completed to ensure that the extended security is adequate to cover the remaining work. All financial security extension requests shall be accompanied by a fee as specified in the most recently adopted fee schedule.

3.3.7 Financial Security Administration

The developer is responsible for maintaining adequate financial securities. The Planning Director or duly authorized staff shall enforce this responsibility through the administration and management of the following tasks:

A. Financial Security Renewal Notices:
   1. To be mailed three months prior to security term expiration;
   2. Indicate the due date (45 days prior to Security Term Expiration);
   3. Set forth requirements for security release/return; and
   4. Obtaining and maintaining contact information for City staff overseeing the work being financially secured.

B. Financial Security Renewal Warnings:
   1. To be mailed 30 days prior to Security Term Expiration;
   2. Mailed certified under the signature of the Planning Commission;
   3. Reference date of original renewal notice and missed deadline for providing the renewal;

4. Alert Developer/Builder that the City of Fountain Inn will initiate the process of collecting the Financial Security if a renewal is not received by certain date.

C. **Financial Security Release/Return**. Financial Securities must be kept current and in effect until such time a final inspection is performed, outstanding items are addressed, and the Planning Director or duly authorized staff have made final acceptance of the project.

3.3.8 DEDICATIONS

The City or other public authority shall not accept, lay out, open, improve, grade, pave, or light any street; or authorize the laying of water mains, sewers, connections, or other facilities or utilities in any street within the unincorporated area of the City of Fountain Inn unless such street has been accepted, opened, or shall have otherwise received the legal status of a public street prior to the attachment of the City of Fountain Inn's subdivision jurisdiction, or unless such street corresponds in its location and lines with a street shown on a subdivision plat approved by the City. City Council may locate and construct or may accept any other street pursuant to City Ordinances and policies.

No subdivision shall be granted final (record) approval until the Planning Director or duly authorized staff has received a statement duly acknowledged before some officer authorized to take acknowledgment of deeds and signed by each owner of the property to the effect that:

A. The subdivision plan shown on the preliminary plan or a reasonable revision thereof is made with his or their free consent and in accordance with their desires;
B. The dedication of streets or roads shown on the plat and the road dedication form is freely offered;
C. The property shown on the plat is not encumbered by a recorded deed of trust or mortgage or by a judgment rendered by any court.

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ARTICLE 4. ZONING DISTRICTS AND REGULATIONS

4

4.1 Official Zoning Map

The boundaries of each zoning district are shown on a map entitled "Official Zoning Map, Fountain Inn, South Carolina," which is hereby adopted and declared to be a part of this Ordinance. The Official Zoning Map shall be identified by the seal of the City. An adoption date shall also be provided.

4.1.1 Amendments

Amendments to the Official Zoning Map shall be made as necessary so that the map at all times portrays the current status of the zoning districts or zoning district boundaries.

4.1.2 Custodian of Map

The Official Zoning Map will be housed at City Hall. A reproducible copy of the Official Zoning Map shall be kept on file and copies shall be available at all times for inspection by the public at the Planning and Development office.

The Official Zoning Map will also be available on the City website.

4.2 Interpretation of District Boundaries

The Planning Director shall be responsible for determination of boundaries on the Official Zoning Map. When uncertainty exists with respect to the boundaries of districts as shown on the Official Zoning Map, the following rules shall apply:

4.2.1 Delineation

District boundary lines are intended to follow the center lines of streets, highways, alleys, easements, and other rights-of-way; the center line of streams, or other water channels; and follow platted lot or other property lines. In the absence of visual district boundaries or specific distances on the Official Zoning Map,

CONTENTS

Article 4. Zoning Districts and Regulations....1
4.1 Official Zoning Map....1
4.2 Interpretation of District Boundaries....1
4.3 Establishment of Zoning Districts....2
4.4 Additional Requirements....22
4.5 Permitted Uses....24

dimensions or distances shall be determined by scaling the distance on the Official Zoning Map from other key features.

4.2.2 INTERPRETATION

When the physical or cultural features existing on the ground are at variance with those shown on the Official Zoning Map, the Planning Director shall interpret the district boundaries. Appeals shall be made to the Board of Zoning Appeals.

4.3 ESTABLISHMENT OF ZONING DISTRICTS

For the purpose of implementing the standards of this UDO, portions of the City of Fountain Inn as specified on the City's Official Zoning Map are hereby divided into the districts specified in this section.

Table 4.3 Zoning Districts

	CATEGORY	ZONING DISTRICT
BASE DISTRICT	Residential	Residential Conservation (R-C)
		General Residential 1 (GR-1)
		General Residential 2 (GR-2)
		Transitional Residential (R-TR)
		Residential Multi-Family (R-M)
		Residential Mobile Home Park (R-MHP)
	Non-Residential And Mixed Use	Open Space (O-S)
		Neighborhood Commercial (N-C)
		Downtown Mixed Use (D-MU)
		Central Business (C-1)
		Commercial (C-2)
		Services (S-1)
		Industrial (I-1)
OTHER	Special Purpose	Flexible Review (FRD)
	Overlay	Gateway Corridor Overlay Woodside Cotton Mill Village Overlay

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4.3.2 Residential Districts

These residential districts are established as areas in which the principal use of land is for residential dwellings and for related recreational, religious, and educational facilities normally required to serve an attractive residential area. The regulations for these districts are intended to discourage any use which, because of its characteristics, would interfere with the development of or be detrimental to the residential nature of the area included in the districts.

All residential districts allow conventional development that meets dimensional requirements as specified below and Open Space Residential Subdivisions that meet requirements specified in Article 5.

The tables below indicate dimensional requirements for residential zoning districts where these uses are permitted. See Section 4.5 for the Table of Permitted Uses.

Abbreviations used in the table refer to housing type and design of driveways and garages. Abbreviations are listed below:

- FL – Front Loaded: Home with driveway terminating at the front façade of the structure, typically with a front facing garage.
- SL – Side Loaded: Home with a driveway that extends beyond the front façade of the structure to serve a recessed garage or parking area.
- AL – Alley Loaded: Home with a driveway and/or garage that is accessed via an alley behind the structure.
- TH – Townhome: See definition in Article 10.
- MF – Multi-family Structure: See definition in Article 10.

For additional standards related to attached residential, townhome and multi-family developments see Article 5 and 6.

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RESIDENTIAL CONSERVATION (R-C)

The Residential Conservation District includes agriculture and other rural uses as well as low-density residential development in established residential areas and areas that are rural in character. Development should be integrated into the natural landscape, respectful of adjacent agricultural uses, and intentionally designed to preserve trees and protect natural resources. Residential development includes homes on large lots or Open Space Residential Development with low overall density.

Example Imagery

Use Standards

Allowable uses are specified in the Table of Permitted Uses. Use-specific regulations are included in Article 6.

Dimensional Standards[1]

Standard	Single Family Detached	Attached and Multi Family	Nonresidential
Minimum Lot Area (sqft)	18,000	-	30,000
Minimum Lot Width (ft)	80	-	100
Front Yard Setback, min (ft)	30 Residential / Local or Collector 50 Arterial	-	30 Residential / Local or Collector 50 Arterial
Side Yard Setback, min. (ft)	15	-	25
Rear Yard Setback, min. (ft)	20	-	20
Building Height, max. (ft)[2]	45	-	45

[1] *Dimensional standards are for single family dwellings in Conventional Subdivisions. For dimensional standards for Open Space Residential developments see Article 5.*

[2] *Height maximum does not apply to silos, barns, windmills, or other similar structures used for agricultural purposes.*

GENERAL RESIDENTIAL 1 (GR-1)

The General Residential 1 District is intended primarily for low-density single-family residential homes and neighborhoods. This district is comprised of older and newer subdivisions with curvilinear interconnected streets, open space and amenities.

Example Imagery

Use Standards

Allowable uses are specified in Section 4.7. Use-specific regulations are included in Article 6.

Dimensional Standards[1]

Standard	Single Family Detached	Attached and Multi Family	Nonresidential
Minimum Lot Area (sqft)	12,000	-	30,000
Minimum Lot Width (ft)	70	-	100
Front Yard Setback, min (ft)	25 Residential / Local 30 Collector 50 Arterial	-	25 Residential 30 Collector 50 Arterial
Side Yard Setback, min. (ft)	10	-	25
Rear Yard Setback, min. (ft)	15	-	15
Building Height, max. (ft)[2]	35	-	35

[1] *Dimensional standards are for single family dwellings in Conventional Subdivisions. For dimensional standards for Open Space Residential developments see Article 5.*

[2] *Height maximum does not apply to silos, barns, windmills, or other similar structures used for agricultural purposes.*

GENERAL RESIDENTIAL 2 (GR-2)

The General Residential 2 District is a medium-density residential area that includes primarily detached single family homes. Additional housing types including duplexes and townhomes are permitted via a special exception or as a percentage of new dwelling units in a planned Open Space Residential Development.

Example Imagery

Use Standards

Allowable uses are specified in Section 4.7. Use-specific regulations are included in Article 6.

Dimensional Standards[1]

Standard	Single Family Detached	Attached and Multi Family	Nonresidential
Minimum Lot Area (sqft)	7,500	6,250 – Attached 3,000 - Townhome	30,000
Minimum Lot Width (ft)	60 (FL) 50 (SL/AL)	- 60 (FL) 50 (SL/AL) 25 (TH)	100
Front Yard Setback, min (ft)	25 Residential / Local (FL) 15 Residential / Local (SL/AL) 30 Collector 50 Arterial	25 Residential / Local (FL) 15 Residential / Local (SL/AL) 30 Collector 50 Arterial	25 Residential 30 Collector 50 Arterial
Side Yard Setback, min. (ft)	7	7	25
Rear Yard Setback, min. (ft)	10 (FL) 5 (SL/AL)	10 (FL) 5 (SL/AL)	5
Building Height, max. (ft)[2]	35	35	35

[1] *Dimensional standards are for single family dwellings in Conventional Subdivisions. For dimensional standards for Open Space Residential developments see Article 5.*

[2] *Height maximum does not apply to silos, barns, windmills, or other similar structures used for agricultural purposes.*

TRANSITIONAL RESIDENTIAL 2 (R-TR)

The Transitional Residential District is a residential area that is meant to provide a transition between commercial or higher density residential uses and lower density single family areas. These residential areas should be located within walkable, well-connected parts of the City. This district allows for single-family detached homes as well as other house-scale building types that meet defined design criteria.

Example Imagery

Use Standards

Allowable uses are specified in Section 4.7. Use-specific regulations are included in Article 6.

Dimensional Standards[1]

Standard	Single Family Detached	Attached and Multi Family	Nonresidential and Mixed-use
Minimum Lot Area (sq.ft)	6,000	6,250 – Attached 3,000 - Townhome -	30,000
Minimum Lot Width (ft)	60 (FL) 45 (SL/AL)	60 (FL) 45 (SL/AL) 25 (TH)	70
Front Yard Setback, min (ft)	20 Residential / Local (FL) 10 Residential / Local (SL/AL) 20 Collector or Arterial (SL/AL)	20 Residential / Local (FL) 10 Residential / Local (SL/AL) 20 Collector or Arterial (SL/AL)	20 Residential 30 Collector 50 Arterial
Side Yard Setback, min. (ft)	5	5	25
Rear Yard Setback, min. (ft)	10 (FL) 5 (SL/AL)	10 (FL) 5 (SL/AL)	5
Building Height, max. (ft)[2]	35	35	35

[1] *Dimensional standards are for single family dwellings in Conventional Subdivisions. For dimensional standards for Open Space Residential developments see Article 5.*

[2] *Height maximum does not apply to silos, barns, windmills, or other similar structures used for agricultural purposes.*

RESIDENTIAL MULTIFAMILY (R-M)

The Residential-Multi-Family is established to provide for medium-high density residential areas. The principal use of land is for detached and attached multi-family residential. Additional uses include professional offices and live-work units.

Example Imagery

Use Standards

Allowable uses are specified in Section 4.7. Use-specific regulations are included in Article 6.

Dimensional Standards[1]

Standard	Single Family Detached	Attached and Multi Family	Nonresidential and Mixed-use
Minimum Lot Area (sq.ft)	5,000	6,250 – Attached 3,000 - Townhome 12,000 - MF	30,000
Minimum Lot Width (ft)	50 (FL) 45 (SL) 40 (AL)	60 (FL) 45 (SL/AL) 25 (TH)	60
Front Yard Setback, min (ft)	20 Residential / Local (FL) 15 Residential / Local (SL/AL) 30 Collector 50 Arterial	20 Residential / Local (FL) 15 Residential / Local (SL/AL) 30 Collector 50 Arterial	20 Residential 30 Collector 50 Arterial
Side Yard Setback, min. (ft)	5	25 (MF) 5 Other Types	15
Rear Yard Setback, min. (ft)	10 (FL) 5 (SL/AL)	25 (MF) Other Types: 10 (FL) 5 (SL/AL)	25
Building Height, max. (ft)[2]	45	45	45

[1] *Dimensional standards are for single family dwellings in Conventional Subdivisions. For dimensional standards for Open Space Residential developments see Article 5.*

[2] *Height maximum does not apply to silos, barns, windmills, or other similar structures used for agricultural purposes.*

RESIDENTIAL MANUFACTURED HOME PARK (R-MHP)

The manufactured home park district is established to allow mobile home parks provided certain locational criteria are met.

Example Imagery

Use Standards

Allowable uses are specified in Section 4.7. Use-specific regulations are included in Article 6.

Dimensional Standards[1]

Standard	Single Family Detached	Attached and Multi Family	Nonresidential
Minimum Lot Area (sq.ft)	5,000	See Article 6	-
Minimum Lot Width (ft)	60 (FL) 45 (SL/AL)	35	-
Front Yard Setback, min (ft)	20 Residential/Local 30 Collector 50 Arterial	20 Residential / Local 30 Collector 50 Arterial	-
Side Yard Setback, min. (ft)	15	15	-
Rear Yard Setback, min. (ft)	15	15	-
Building Height, max. (ft)[2]	35	35	-

[1] *Dimensional standards are for single family dwellings in Conventional Subdivisions. For dimensional standards for Open Space Residential developments see Article 5.*

[2] *Height maximum does not apply to silos, barns, windmills, or other similar structures used for agricultural purposes.*

4.3.3 NONRESIDENTIAL AND MIXED-USE DISTRICTS

OPEN SPACE (O-S)

This district includes parks, open space and public and private recreational areas. Uses include active and passive recreation facilities, golf courses, preserved lands, gardens, agriculture and cemeteries. Structures may include those supporting recreation, outdoor amphitheaters or museums.

Example Imagery

Use Standards

Allowable uses are specified in Section 4.7. Use-specific regulations are included in Article 6.

Dimensional Standards[1]

Standard	Single Family Detached	Attached and Multi Family	Nonresidential
Minimum Lot Area (sq.ft)	-	–	None
Minimum Lot Width (ft)	-	-	None
Front Yard Setback, min (ft)	-	-	50
Side Yard Setback, min. (ft)	-	-	25
Rear Yard Setback, min. (ft)	-	-	25
Building Height, max. (ft)[2]	-	-	50

[1] *Dimensional standards are for single family dwellings in Conventional Subdivisions. For dimensional standards for Open Space Residential developments see Article 5.*

[2] *Height maximum does not apply to silos, barns, windmills, or other similar structures used for agricultural purposes.*

NEIGHBORHOOD COMMERCIAL (N-C)

The intent of the NC district is to provide areas that accommodate moderate-density, walkable, neighborhood-scale development with a mix of residential and commercial uses. This district is meant to be applied to portions of a city block or near a key intersection to provide for convenient shopping areas and professional offices that meet the daily needs of the surrounding neighborhood. A variety of well-designed residential uses are also encouraged. Uses should be accessible by pedestrian facilities; site, building, parking, and lighting design should be considered to establish a pedestrian-friendly environment with minimum impacts on existing development. The requirements of this district are designed to ensure that the NC commercial development is aesthetically compatible with neighboring residential properties, and will not create a nuisance due to noise, traffic generation, lighting, or appearance.

Example Imagery

Use Standards

Allowable uses are specified in Section 4.7. Use-specific regulations are included in Article 6.

Dimensional Standards[1]

Standard	Single Family Detached	Attached and Multi Family	Nonresidential and Mixed-use
Minimum Lot Area (sq.ft)	5,000	6,250-Attached 3,000-Townhome 12,000-MF	None
Minimum Lot Width (ft)	60 (FL) 45 (SL/AL)	50 (FL) 45 (SL/AL) 25 (TH) 60 (MF)	None
Front Yard Setback, min (ft)	20 Residential/Local (FL) 10 Residential/Local (SL/AL) 30 Collector 50 Arterial	20 Residential / Local (FL) 10 Residential / Local (SL/AL) 30 Collector 50 Arterial	20
Side Yard Setback, min. (ft)	25 (exterior)/5 (interior)	25 (exterior) / 5 (interior)	0 abutting commercial or industrial district 20 abutting residential district
Rear Yard Setback, min. (ft)	20 (exterior)/5 (interior)	20 (exterior) / 5 (interior)	20 abutting commercial or industrial district 30 abutting residential district

Building Height, max. (ft)[2]	45	45	45

[1] *Dimensional standards are for single family dwellings in Conventional Subdivisions. For dimensional standards for Open Space Residential developments see Article 5.*
[2] *Height maximum does not apply to silos, barns, windmills, or other similar structures used for agricultural purposes.*

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DOWNTOWN MIXED-USE (D-MU)

The Downtown Mixed-Use District promotes a context-appropriate transition between the Central Business District and adjacent or adjoining areas, allowing for a mix of residential and commercial uses. The district promotes infill development, adaptive reuse of existing industrial structures, and pedestrian-oriented design, promoting a walkable environment while extending the character of the Central Business District through compatible architectural and design standards.

Example Imagery

Use Standards

Allowable uses are specified in Section 4.7. Use-specific regulations are included in Article 6.

Dimensional Standards

Standard	Single Family Detached	Attached and Multi Family	Nonresidential and Mixed-use
Minimum Lot Area (sq.ft)	5,000	6,250-Attached 3,000-Townhome 12,000-MF	None
Minimum Lot Width (ft)	50 (FL) 45 (SL) 40 (AL)	50 (FL) 45 (SL/AL) 25 (TH) 60 (MF)	None
Front Yard Setback, min (ft)	Minimum and maximum specified in Article 5	See Article 5	See Design Standards in Article 5
Side Yard Setback, min. (ft)	5	5	None
Rear Yard Setback, min. (ft)	10	10	None
Building Height, max. (ft)		See Article 5	

CENTRAL BUSINESS DISTRICT (C-1)

The Central Business District promotes a vibrant, walkable, and pedestrian-friendly environment that serves as the commercial, civic, and cultural heart of Fountain Inn. The area supports a mixture of uses, prioritizing retail on the ground floor with upper-story office and residential; and development reflects traditional design, preserving unique architectural features, scale, building design and character.

Example Imagery

Use Standards

Allowable uses are specified in Section 4.7. Use-specific regulations are included in Article 6.

Dimensional Standards

Standard	Single Family Detached	Attached and Multi Family	Nonresidential and Mixed-use
Minimum Lot Area (sq.ft)	5,000	-	None
Minimum Lot Width (ft)	50 (FL) 45 (SL) 40 (AL)	-	None
Front Yard Setback, min (ft)	See Article 5		
Side Yard Setback, min. (ft)			
Rear Yard Setback, min. (ft)			
Building Height, max. (ft)	See Article 5		

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COMMERCIAL (C-2)

This district is established to provide goods and services for the convenience of local residents and visitors. Permitted uses in the C-2 district include medium to large scale retail, restaurants, offices, services, recreation/entertainment, institutional as well as lodging and some residential types. These areas are typically served by major roadways.

Example Imagery

Use Standards

Allowable uses are specified in Section 4.7. Use-specific regulations are included in Article 6.

Dimensional Standards[1]

Standard	Single Family Detached	Attached and Multi Family	Nonresidential and Mixed-use
Minimum Lot Area (sq.ft)	5,000	6,250 – Attached 3,000 – Townhome 12,000 - MF	None
Minimum Lot Width (ft)	50 (FL) 45 (SL) 40 (AL)	50 (FL) 45 (SL/AL) 25 (TH) 60 (MF)	None
Front Yard Setback, min (ft)	25	25	25
Side Yard Setback, min. (ft)	5	5	None
Rear Yard Setback, min. (ft)	20	20	20
Building Height, max. (ft)[2]	45	45	45

[1] *Dimensional standards are for single family dwellings in Conventional Subdivisions. For dimensional standards for Open Space Residential developments see Article 5.*

[2] *Height maximum does not apply to silos, barns, windmills, or other similar structures used for agricultural purposes.*

SERVICES (S-1)

This district is established to provide a transition between commercial and industrial districts by allowing: (1) commercial uses which are service-related; (2) service-related commercial uses which sell merchandise related directly to the service performed; (3) commercial uses which sell merchandise which requires storage in warehouses or outdoor areas; and (4) light industries which in their normal operations would have a minimal effect on adjoining properties.

Example Imagery

Use Standards

Allowable uses are specified in Section 4.7. Use-specific regulations are included in Article 6.

Dimensional Standards

Standard	Single Family Detached	Attached and Multi Family	Nonresidential
Minimum Lot Area (sq.ft)	-	-	None
Minimum Lot Width (ft)	-	-	None
Front Yard Setback, min (ft)	-	-	40
Side Yard Setback, min. (ft)	-	-	25
Rear Yard Setback, min. (ft)	-	-	25
Building Height, max. (ft)	-	-	45

INDUSTRIAL (I-1)

The Industrial District is established as a district for manufacturing plants, assembly plants, and warehouses.

Example Imagery

Use Standards

Allowable uses are specified in Section 4.7. Use-specific regulations are included in Article 6.

Dimensional Standards

Standard	Single Family Detached	Attached and Multi Family	Nonresidential
Minimum Lot Area (sq.ft)	-	-	None
Minimum Lot Width (ft)	-	-	None
Front Yard Setback, min (ft)	-	-	50
Side Yard Setback, min. (ft)	-	-	25
Rear Yard Setback, min. (ft)	-	-	25
Building Height, max. (ft)	-	-	90

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4.3.4 Special Purpose Districts

A. Flexible Review District

The intent of the FRD district is to provide an option for innovative design and to permit development that cannot be achieved through conventional zoning districts. It is recognized that some concepts will be more appropriate than others and the approval of an application in one location does not necessarily indicate the development will be applicable in other locations.

B. Flexible Review District (FRD) Dimensional Requirements

1. Minimum Site Size

There is no minimum site size for the FRD District.

2. General Requirements

The provisions of the zoning ordinance regulating minimum lot area, parking, landscaping, and lighting shall serve as a general guide. However, variations to these standards included in the approved Statement of Intent or Final Development Plan shall supersede the other provisions of this article.

3. Minimum Lot Width, Minimum Yard Requirements, Maximum Lot Coverage, Maximum Height of Structures

No structure shall be erected within 25 feet from any external lot line of any FRD District with the following exceptions:

a. Where the property to be rezoned FRD is between 2 and 5 acres, no structure shall be erected within 12.5 feet from any external lot line.
b. Where the property is less than 2 acres, no structure shall be erected within 5 feet from any external lot line.
c. Where land uses within the FRD District are the same as uses permitted in the adjoining properties outside the FRD District, a lesser setback that is consistent with the uses or zoning on the adjoining properties may be permitted.

Minimum lot width, minimum yard sizes, maximum lot coverage, and maximum height are not otherwise regulated within the FRD District provided, however, that the Planning Commission and City Council shall ascertain that the characters of building location shall be appropriate as related to structures within the District and otherwise fulfill the intent of this article.

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4. Façade mounted signs shall not exceed 10% of the area of the façade upon which they are placed, with the maximum size of any 1 sign limited to 150 square feet.
5. Screening and buffering requirements.
   a. 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.
   b. 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 a ratio of 3:1.
   c. Additionally, where any non-residential use is adjacent to a residential district, a 25-foot buffer shall be required. Screening requirements as set forth in this section can be provided within the buffer and shall be the only permitted activity within the buffer area established by this section.
   d. This requirement shall not apply to any property 2 acres or less in size. For any property more than 2 acres in size but less than 5 acres in size, a 5-foot buffer shall be required. For any property 5 acres or more in size but less than 10 acres in size, a 12.5-foot buffer shall be required.
   e. This buffer requirement shall not apply to any property in a Neighborhood Commercial District.
   f. Utilities are allowed in the buffer.
6. Pedestrian flows.

   Intent: Pedestrian accessibility opens auto-oriented developments to the neighborhood, thereby reducing traffic impacts and enabling the development to project a friendlier, more inviting image. This section sets forth standards for public sidewalks and internal pedestrian circulation systems that can provide user-friendly pedestrian access as well as pedestrian safety, shelter, and convenience within the site.

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Standards: Sidewalks at least five feet in width shall be provided along all sides of the lot that abut a public or private right-of-way. The Fountain Inn Planning Commission may waive this requirement as part of the development plan if it finds that the sidewalks will likely not be used (subject to the provisions in Article 7.

Customer entrances to all buildings shall be easily and safely accessible to pedestrians from the public sidewalk through internal sidewalks, pedestrian walkways, or painted crosswalks, no less than five feet in width. At a minimum, walkways shall connect focal points of pedestrian activity such as, but not limited to, transit stops, street crossings, building and store entry points, and shall feature adjoining landscaped areas that include trees, shrubs, benches, flower beds, ground covers, or other such as arcades or entryways are part of the exterior wall.

Pedestrian walkways or sidewalks, no less than five feet in width, shall be provided along the full length of the building along any exterior wall featuring a customer entrance, and along any exterior wall abutting public parking areas. Such pedestrian walkways or sidewalks shall be located at least five feet from the exterior wall of the building to provide planting beds for foundation landscaping except where features, such as arcades or entryways, are part of the exterior wall.

Pedestrian walkways shall be distinguished from driving surfaces through the use of durable, low maintenance surface materials, such as pavers, bricks, or scored concrete, to enhance pedestrian safety and comfort as well as the attractiveness of the walkways.

4.3.5 Overlay Districts

A. The Gateway Corridor Overlay District

The Gateway Corridor Overlay District has been created to encourage well-planned, attractive development along Fountain Inn's Highway 418 and Main Street's gateway corridor that promotes safety for all modes of transportation, enhances the character of the community, strengthens and stabilizes property values, creates a distinctive gateway, and accommodates future growth in a way that is consistent with the SC 418 Corridor Plan and the City's comprehensive plan.

The Gateway Corridor Overlay District is a special public interest district encompassing a particular geographic area that does not coincide with the boundaries of its underlying zoning districts and is identified on Fountain

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Inn's Official Zoning Map. It includes all properties contiguous to SC Highway 418 lying between the intersection of Fairview Street Extension and Highway 418 and continuing to Ariel Court. In addition, the overlay district includes all properties contiguous to Main Street east of Highway 418 outside of the C-1 and DMU zoning districts between Downtown and I-385Co. The boundaries of the overlay district shall be measured from the edge of the right-of-way to a depth of three hundred (300) linear feet. Unless otherwise noted, the requirements of the Gateway Corridor Overlay District apply to all commercial, service, office, multi-family, and mixed-use development and are in addition to the requirements of the underlying zoning district. Where the requirements of the underlying zoning district and the overlay district are in conflict, the more restrictive requirements will apply.

Special requirements for the Gateway Corridor Overlay District are included in Article 5.

B. Woodside Cotton Mill Village Overlay District

The Woodside Cotton Mill Village Overlay District is created to protect the historic character of the residential houses in this neighborhood. This Overlay District is bordered by Woodside Avenue to the east, 1st Street to the north, Diamondtip Boulevard to the west and properties on the south side of Shaw Street to the south.

Because the existing structures and lots may not conform with the requirements of the properties' zoning district, this overlay will ensure that any new development maintains the same design and dimensions as exists currently within this district.

1. Dimensional and Design Requirements.

When reviewing applications for building permits and land subdivision, the City shall first determine the average lot size, lot width, setbacks, and building height on existing developed residential parcels adjacent to the subject property. This average shall be the standard applied and enforced as part of the approval process for building permits and land subdivision.

Additionally, the Woodside Cotton Mill Design Guidelines shall be applied to all property or building improvements, subject to the discretion of the Planning Director.

2. Uses

All uses of the underlying zoning district shall apply.

4.4 Additional Requirements

4.4.1 General Measurement Calculation

Setbacks are measured from the foundation wall. Overhangs, architectural embellishments, etc. may encroach the setback a maximum of two feet. Cantilevers consisting of roofed over space may not encroach the setback line. Setback is not measured from stoops, porches, and landings provided they do not occupy more than 20 percent of any exterior wall.

4.4.2 Calculating Minimum Front Setback

When a right-of-way has not been established or is not known, the setback shall be measured from the edge of the pavement or back of the curb, if present, and each required setback shall be increased by a minimum of ten feet.

A. Setback averaging.
   1. If the primary structure on adjacent properties are built closer than the required setback of the property to be developed, then the proposed structure may have a front setback that is equal to the average of the distance of the adjacent structures from the right-of-way.

4.4.3 Setback Encroachments

A. Porches, decks, patios, terraces, and stoops greater than 1 foot in height may extend 5 feet into the required front yard setback.
B. Handicap ramps may project into setbacks to the extent necessary to perform their proper function.

4.4.4 Corner Lots

For residences, accessory buildings, and nonresidential uses located on corner lots, the minimum side yard width measured from the street right-of-way line shall be 20 feet on a residential service street, 30 feet on a collector street, and 40 feet on an arterial street.

4.4.5 Accessory Buildings

A. Accessory buildings may be located in the side or rear yard, provided that they are set back not less than four feet from any lot line and occupy not more than 20 percent of the rear yard.

1. Accessory buildings on corner lots shall have a side setback along the right-of-way of one-half the front setback of the primary structure.

B. For residential districts, the height of accessory buildings, including carports, shall be no higher than the height of the principal building.

C. For mixed use, commercial and industrial districts, accessory buildings shall observe the height limits for the district within which they are located.

D. No mobile home, standard design manufactured home, shipping container, or similar structure as determined by Planning Director, shall be used as an accessory building.

4.4.6 Reduction of Rear Setback

The rear setback may be reduced to zero for the express purpose of locating a boathouse along the shore of a lake or navigable body of water

4.4.7 Additional Setback in Commercial Districts

On corner lots and lots adjacent to any residential district all commercial buildings and structures shall be set back not less than 15 feet from front property lines. When a side yard is provided it shall be not less than five feet in width.

Commercial gasoline islands and canopies shall be set back from all street right-of-way lines not less than 15 feet.

4.4.8 Height

All buildings may exceed the height limitations of the district by up to 20ft or 25% of the maximum height of the district if the minimum depth of rear yards and the minimum width of side yards required in the district regulations are increased one-foot for each three feet by which the height of such building exceeds the prescribed height limit.

Chimneys, elevators, poles, spires, tanks, towers, and other projections not used for human occupancy may exceed the district height limit. In addition, rooftop patios, outdoor seating areas, and associated railings, lighting, etc. do not count toward building height.

4.4.9 Setbacks for I-1 and S-1 Adjacent to Railroad Right-of-Way

Side and rear setbacks may be reduced below 25 feet if the property is adjacent to a railroad right-of-way and written approval from the railroad authorities has been obtained to utilize the railroad spur for loading and unloading.

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4.4.10 Fences and Walls

A. May be located in all required yards and along any property line; provided fences and walls to be located in the required front yard or in front of the principal use shall not exceed four feet in height and fences and walls located elsewhere on the property shall not exceed eight feet in height unless approved for a variance by the Board of Zoning Appeals. Fences in the front yard shall be ornamental in design and less than 50% opaque, as determined by the Planning Director or duly authorized staff.

B. Corner lots

1. Shall have a side setback along the right-of-way of one-half the front setback of the primary structure.
2. Shall not prevent drivers at the intersection from seeing oncoming vehicles or pedestrians.

4.5 Permitted Uses

4.5.1 Use Table

This Article describes the uses permitted in zoning districts. Use categories in the table are defined and described in Article 10.

4.5.2 Types of Uses

A. Permitted Uses

A "P" indicates that a use is allowed by right in the respective district. Additional standards may apply from elsewhere in the ordinance.

B. Conditional Use

A "C" indicates a conditionally allowed use that is subject to additional standards in Article 6.

C. Special Exception

A "S" indicates that a use is permitted only when a Special Exception Permit has been approved.

4.5.3 Uses Not Allowed

A blank cell in the use table indicates that a use or use category is not allowed in the respective district.

4.5.4 Uses Not Listed and Interpretation

The Planning Director shall determine whether or not an unlisted use is part of an existing use category defined in or is substantially similar to a defined use.

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Table 4.5 Table of Permitted Uses

P= Permitted; S= Special Exception; C= Conditional Use; <blank cell> = Prohibited

District Description	Open Space	Residential Conservation	General Residential 1	General Residential 2	Transitional Residential	Residential Multi-Family	Residential Manufactured Home Park	Neighborhood Commercial	Downtown Mixed Use	Central Business	Commercial	Services	Industrial	USE CONDITION (Section)
SPECIFIC USES	**O-S**	**R-C**	**GR-1**	**GR-2**	**R-TR**	**R-M**	**R-MHP**	**N-C**	**D-MU**	**C-1**	**C-2**	**S-1**	**I-1**	
RESIDENTIAL AND ACCOMMODATIONS														
Bed & Breakfast, Home Stay			S		C	C		C	C	C	C			6.2.1
Bed and Breakfast Inn					C	C		C	C					6.2.2
Continuing Care Community					S	S		C			C			6.2.3
Dwelling, Cottage Court					C	C	C	C			S			6.2.4
Dwelling, Live work					C	C		C	C	C	C			6.2.5
Dwelling, Multifamily						C		C	S		S			6.2.6
Dwelling, Single-family detached		P	P	P	P	P	P	P	P	P	S			
Dwelling, Two-family				S	C	C		S			S			6.2.7
Dwelling, Three and Four-family					C	C		S			S			6.2.8
Dwelling, Townhouse				S	C	C		C	S		S			6.2.9
Dwelling, Upper Story						P		C	C	P	P			6.2.10
Group home		S	S	S	S	S								6.2.11
Hotel or Motel									S	P	P	P		
Manufactured Home							C							6.2.12
Manufactured Home Park							S							6.2.13
Short-term Rental		C	C	C	C	C		P	P	P	P			6.2.14

District Description	Open Space	Residential Conservation	General Residential 1	General Residential 2	Transitional Residential	Residential Multi-Family	Residential Manufactured Home Park	Neighborhood Commercial	Downtown Mixed Use	Central Business	Commercial	Services	Industrial	USE CONDITION (Section)
SPECIFIC USES	**O-S**	**R-C**	**GR-1**	**GR-2**	**R-TR**	**R-M**	**R-MHP**	**N-C**	**D-MU**	**C-1**	**C-2**	**S-1**	**I-1**	
Tiny Home Village					S	S	C							6.2.15
INSTITUTIONAL AND SOCIAL														
Animal Shelter											P	P	P	
Cemetery	S	S	S	S		S	S	S		S	S	S	S	6.3.1
College Or University									S	S	S	S		
Community Food Services		C	C	C		C	C	C		P	P	P	P	6.3.2
Community Recreation Center	P	P	P	P	P	P	P	P		P	P			
Correctional Facility													P	
Day Care Facility (Adult And Child)						C		C			C	C	S	6.3.3
Family Child Care Home		C	C	C		C								6.3.4
Elementary, Middle Or High School		S	S	S	S	S	P	P		P	P	P		6.3.5
Government Office		S	S	S	S	S		S	C	C	C	C	C	6.3.6
Hospital								P		P	P			
Library		P	P	P		P		P		P	P			
Nursing Care Facility						C		C		C	C	C		6.3.7
Place Of Worship		S	S	S		S	S	S		S	S	S	S	6.3.8
Public Safety Facility		P	P	P		P	P	P		P	P	P	P	
School, business or trade								C	C	C	C	P	C	6.3.9
Museum	P									P	P	P		
Park or greenway	P	P	P	P	P	P	P	P	P	P	P	P	P	

District Description	Open Space	Residential Conservation	General Residential 1	General Residential 2	Transitional Residential	Residential Multi-Family	Residential Manufactured Home Park	Neighborhood Commercial	Downtown Mixed Use	Central Business	Commercial	Services	Industrial	USE CONDITION (Section)
SPECIFIC USES	**O-S**	**R-C**	**GR-1**	**GR-2**	**R-TR**	**R-M**	**R-MHP**	**N-C**	**D-MU**	**C-1**	**C-2**	**S-1**	**I-1**	
OFFICE AND BUSINESS SERVICES														
Bank								P	C	P	P	P		6.4.1
Communication and Information								P	P	P	P	P		
Contractor's Office											P	P	P	
Funeral Home								P		P	P	P		
Personal Services								P	P	P	P	P		
Professional Offices						P		P	P	P	P	P		
Medical, Dental and Health Practitioner								P	P	P	P	P		
Tattoo Parlor												S		6.4.2
ARTS, ENTERTAINMENT, & RECREATIONAL														
Arena, Stadium or Outdoor Theater	S	S									S	S	S	6.5.1
Campground		C												6.5.2
Commercial Recreation, Indoor										P	P	P		
Commercial Recreation, Outdoor	P										C	C		6.5.3
Event Venue		C						C	C		C	C		6.5.4
Fitness or Training Center/Studi								P		P	P	P		
Golf Course	C	C	C	C				C			C	C		6.5.5
Performing Arts Center									P	P	P	P		

District Description	Open Space	Residential Conservation	General Residential 1	General Residential 2	Transitional Residential	Residential Multi-Family	Residential Manufactured Home Park	Neighborhood Commercial	Downtown Mixed Use	Central Business	Commercial	Services	Industrial	USE CONDITION (Section)
SPECIFIC USES	O-S	R-C	GR-1	GR-2	R-TR	R-M	R-MHP	N-C	D-MU	C-1	C-2	S-1	I-1	
Sexually Oriented Business													S	6.5.6
Shooting Range, Indoor											C	C		6.5.7
COMMERCIAL SALES AND SERVICES														
Bar									P	P	C	C		6.6.1
Bakery								P	P	P	P	P		
Brewpub								C	P	P	C	C		6.6.2
Building Supply Sales											C	P	P	6.6.3
Catering								P	P		P	P		
Consumer Goods Repair								C		C	C	C		6.6.4
Kennel												C		6.6.5
Lawn, Tree, or Pest Control Services								S			P	P		6.6.6
Linen or Uniform Supply											P	P		
Liquor Sales											C	C	C	6.6.7
Manufactured Home Sales											P	P		
Microbrewery, Small Winery or Microdistillery									C	C	C	C	C	6.6.8
Outdoor Power Equipment Store											C	P	P	6.6.9
Pawnshop											P	P		
Pet Grooming								P	P		P	P		
Veterinary Hospital or Clinic								P			P	P		
Restaurant								P	P	P	P	P		

District Description	Open Space	Residential Conservation	General Residential 1	General Residential 2	Transitional Residential	Residential Multi-Family	Residential Manufactured Home Park	Neighborhood Commercial	Downtown Mixed Use	Central Business	Commercial	Services	Industrial	USE CONDITION (Section)
SPECIFIC USES	**O-S**	**R-C**	**GR-1**	**GR-2**	**R-TR**	**R-M**	**R-MHP**	**N-C**	**D-MU**	**C-1**	**C-2**	**S-1**	**I-1**	
Restaurant, Drive-Through								S	S		P	P		6.6.10
Retail, Under 25,000 square feet								C	P	P	P	P		6.6.11
Retail, Over 25,000 Square Feet									C	C	P	P		6.6.12
Self-service Storage Facility												P		
Vape Shop											S	S		6.6.13
VEHICULAR														
Car Wash											C	P		6.7.1
Heavy Vehicle Wash												P	P	
Parking, Commercial									S	S	P	P	P	6.7.2
Vehicle Fueling Station											P	P	P	
Vehicle Repair, Major											C	P	P	6.7.3
Vehicle Repair, Minor								C	C		C	P	P	6.7.4
Vehicle Sales and Rental									C		P	P		6.7.5
Vehicle Towing												P	P	
Transit Stop	C				C	C		C	C	C	P	P	P	6.7.6
Truck or Freight Terminal											C	C	P	6.7.7
INDUSTRY, WHOLESALE, & STORAGE														
Artisan Goods Production		C							C	C	C	P	P	6.8.1
Borrow Pit													S	6.8.2

District Description	Open Space	Residential Conservation	General Residential 1	General Residential 2	Transitional Residential	Residential Multi-Family	Residential Manufactured Home Park	Neighborhood Commercial	Downtown Mixed Use	Central Business	Commercial	Services	Industrial	USE CONDITION (Section)
SPECIFIC USES	O-S	R-C	GR-1	GR-2	R-TR	R-M	R-MHP	N-C	D-MU	C-1	C-2	S-1	I-1	
Construction and Inert Debris Landfill													S	6.8.3
Contractor's Yard												C	P	6.8.4
Fuel Sales (Non-vehicular)													S	6.8.5
Hazardous Waste Collection, Storage and Disposal													S	6.8.6
Junkyard													S	6.8.7
Large Vehicle and Commercial and Industrial Equipment Repair													S	
Manufacturing Assembly, and Fabrication, Light												P	P	
Manufacturing, Assembly, and Fabrication, Intensive													C	6.8.8
Non-hazardous Waste Collection, Storage and Disposal													C	6.8.9
Warehouse/Distribution Facility												P	P	
Rail Transportation Facility													P	
Remediation Services													P	

District Description	Open Space	Residential Conservation	General Residential 1	General Residential 2	Transitional Residential	Residential Multi-Family	Residential Manufactured Home Park	Neighborhood Commercial	Downtown Mixed Use	Central Business	Commercial	Services	Industrial	USE CONDITION (Section)
SPECIFIC USES	**O-S**	**R-C**	**GR-1**	**GR-2**	**R-TR**	**R-M**	**R-MHP**	**N-C**	**D-MU**	**C-1**	**C-2**	**S-1**	**I-1**	
UTILITIES, INFRASTRUCTURE, & COMMUNICATIONS														
Broadcasting Studio											P	P	P	
Communication Tower	S	S	S	S	S	S	S	S		S	S	S	S	6.9.1
Power Generation Facility												S	S	
Utility, Major		S										S	S	6.9.2
Utility, Minor	C	C	C	C	C	C	C	C	C	C	C	C	C	6.9.3
Solar Energy Conversion, Small Scale	C	C										C	C	6.9.4
Solar Energy Conversion, Large Scale		C										C	C	6.9.5
Wind Energy Conversion		C										C	C	6.9.6
AGRICULTURE														
Agriculture	P	P												
Backyard Pens/Coops/Beehives	P	C	C										P	6.10.1
Community Garden	P	P	P	P	P	P	P	P	P	P	P			
Farmer's Market	P	P							P	P	P			
Garden Center or Retail Nursery								P	P	P	P			
Livestock	P	C	C											6.10.2
Riding Stables	C	C	C											6.10.3
ACCESSORY USES														
Accessory Dwelling Unit		C	C	C	C	C		C	C	C	C			6.11.1
Agritourism	P	P	P											

District Description	Open Space	Residential Conservation	General Residential 1	General Residential 2	Transitional Residential	Residential Multi-Family	Residential Manufactured Home Park	Neighborhood Commercial	Downtown Mixed Use	Central Business	Commercial	Services	Industrial	USE CONDITION (Section)
SPECIFIC USES	**O-S**	**R-C**	**GR-1**	**GR-2**	**R-TR**	**R-M**	**R-MHP**	**N-C**	**D-MU**	**C-1**	**C-2**	**S-1**	**I-1**	
Antenna		C	C	C	C	C	C	C	C	C	C	C	C	6.11.2
Automated Teller Machine (ATM)								C		C	C	C		6.11.3
Drive-thru Facility									S	S	P			6.11.4
Electric Vehicle Charging	C	C	C	C	C	C	C	P	P	P	P	P	P	6.11.5
Game Courts and Swimming Pools	P	P	C	C	C	C	C	C	C	C	C			6.11.6
Home-based Business		C	C	C	C	C			C					6.11.7
Home-based Day Care		C	C	C										6.11.8
Horticultural Products	C	C	C	C										6.11.9
Outdoor Seating								C	C	C	C	C	C	6.11.10
Outdoor Storage and Retail Display											C	C	P	6.11.11
Retail Sales (as Accessory to an Industrial Use)												C	C	6.11.12
Solar Energy Conversion System		C	C	C	C		C	C	C	C	C	C	C	6.11.13
Wind Energy Conversion System		C	C	C	C	C	C	C	C	C	C	C	C	6.11.14
TEMPORARY USES														
Construction Site Office and Storage		C	C	C		C		C		C	C	C	C	6.12.1
Farmers Market, Temp	C					C		C	C	C	C	C		6.12.2
Fireworks Stand											C	C	C	6.12.3
Food Truck	C					C		C		C	C	C	C	6.12.4
Garage/Yard Sale		C	C	C	C	C	C							6.12.5

District Description	Open Space	Residential Conservation	General Residential 1	General Residential 2	Transitional Residential	Residential Multi-Family	Residential Manufactured Home Park	Neighborhood Commercial	Downtown Mixed Use	Central Business	Commercial	Services	Industrial	USE CONDITION (Section)
SPECIFIC USES	**O-S**	**R-C**	**GR-1**	**GR-2**	**R-TR**	**R-M**	**R-MHP**	**N-C**	**D-MU**	**C-1**	**C-2**	**S-1**	**I-1**	
Landscape Maintenance	C	C	C	C	C	C	C	C	C	C	C	C	C	6.12.6
Portable Storage Container		C	C	C	C	C	C							6.12.7
Real Estate Office (Model Home)		C	C	C		C		C						6.12.8
Real Estate Office (Trailer or Modular Unit)		C	C	C		C		C						6.12.9
Temporary Event	C	C	C	C	C	C	C	C	C	C	C	C	C	6.12.10
Temporary Sale		C	C	C	C	C	C	C	C	C	C	C	C	
Temporary Use of Accessory Structure as Principal Dwelling		C	C	C	C	C	C	C		C	C	C	C	6.12.11

ARTICLE 5. GENERAL DEVELOPMENT STANDARDS

5

5.1 Principal Structures

5.1.1 Relationship of Buildings To Lots

There shall be not more than one principal building and its accessory buildings on one lot, except as allowed in:

A. Campgrounds
B. Dwelling, Two-family (Duplex)
C. Manufactured Home Parks
D. Group Developments

5.2 Residential Development Options and Standards

5.2.1 Conventional Residential Development

A conventional residential development is one in which all land area within the development is devoted to building lots that comply with the minimum lot size limits of the residential zoning district. Unless otherwise expressly declared and approved at the time of preliminary plat approval, all residential subdivisions shall be considered conventional developments.

5.2.2 Open Space Residential Option

An open space residential development is a residential subdivision in which dwellings are situated on the most developable portion of the site in exchange for the preservation of substantial amounts of open space for recreational, environmental, and ecological reasons. See Section 5.4 for requirements for Open Space Residential subdivisions.

5.2.3 Permitted Uses

Permitted uses are defined as those uses permitted outright, with conditions or by special exception in Article 4.

CONTENTS

Article 5. General Development Standards 1
5.1 Principal Structures 1
5.2 Residential Development Options and Standards 1
5.3 Open Space and Common Areas 2
5.4 Open Space Residential Option 6
5.5 Landscaping and Buffers 12
5.6 Tree Protection 26
5.7 Commercial and Mixed Use and Multifamily Design Standards . 34

5.2.4 Minimum Lot Area

The minimum lot areas per dwelling unit for each zoning district are listed in Article 4 unless otherwise required by the South Carolina Department of Environmental Services (DES).

5.2.5 Setback/Yard Requirements

Setbacks from existing roads will be consistent with the requirements outlines in the appropriate zoning district and listed in Article 4, except the following:

A. For residential and neighborhood commercial zoning districts, a dwelling constructed adjacent to existing dwellings with front setbacks less than the required minimum shall be permitted to have a reduced front setback that is the average of the existing setback on either side of the proposed dwelling.

5.2.6 Riparian Buffers

Riparian buffers shall be provided along all classes of streams in accordance with the Greenville County Stormwater Management Design Manual.

5.3 Open Space and Common Areas

5.3.1 Minimum Open Space Requirements

A. All subdivision developments with over 10 lots and an overall density of greater than 1 dwelling unit per acre shall provide 15% of the total acreage to be developed set aside as permanent open space. The required open space may include both developable and undevelopable land, as defined in Article 10.

B. **Active Recreation Requirements.**

1. Developments of 10-50 lots.
   a. For all residential subdivisions between 10 and 50 lots, required open space shall include at least one (1) active recreation feature.
2. Development of 50+ lots.
   a. For all residential subdivisions with over 50 lots, required open space shall include at least two (2) active recreation features.
3. Qualifying active recreation features include:
   i) Neighborhood Park
   ii) Playground
   iii) Community Pool or Amenity Center

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iv) Greenway or trail (Minimum length of ¼ mile per 50 lots or part thereof)
v) Recreation Fields or Courts

5.3.2 Open Space Features

Required common open space shall be comprised of the following features:

**Additional qualifying features may be approved by the Planning Director*

5.3.3 Open Space Design Standards

A. Where possible, a portion of the required open space should be located and designed to provide focal points for the development through prominent placement or visual accessibility from streets.

B. Not more than 50 percent of the required common open space may be used for active recreation, including uses such as playgrounds, golf courses, multi-use ball fields, pickleball courts, community swimming pools, clubhouses and similar uses.

C. Recreation areas (passive or active) used to meet the common open space requirements may not contain more than 5% impervious surfaces (e.g. paved walking paths, decks and recreational structures including shelters, concrete pads, etc.).

D. Land dedicated as open space shall be of meaningful proportions and dimensions to be consistent with the purpose and intent of this section. The following requirements apply:

1. The open space shall be contiguous to the extent practicable.
2. At least 50% of the required common open space shall be accessible and have at least 50 feet of frontage on at least one public street within the development. Secondary access points shall not be less than six feet in width.
3. The primary and any secondary access points to the open space shall be shown as part of the open space and shall not be part of an individual lot nor shall it be an easement.
4. The open space must be at least 15 feet in width and 2,000 square feet in area to count toward open space requirements.
5. Recreational lakes or ponds used for stormwater management may be included in the land designated as open space. Fenced detention or retention areas used for stormwater management shall not be included in the calculation for required open space.

E. Not more than 50 percent of the required open space may be composed of undevelopable lands.

E. **Greenways and Trails**.

1. Connections to the Swamp Rabbit Trail shall be built in accordance with latest version of the Swamp Rabbit Trail Extension Master Plan. Connections to other trail systems shall be built in accordance with City standards, if applicable.

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2. Paved greenways must be a minimum of ten (10) feet wide, have a paved (asphalt, concrete, porous concrete) surface or a compacted, durable material (like gravel or rubber) surface, and be built to City standards.
3. Nature trails must be a minimum of six (6) feet wide and have a surface that is fixed in place, installed in a manner that prevents washout. Compressed mulch, woodchips or gravel surface (improved, exposed earth will not be allowed) are acceptable. Trails shall be maintained in accordance with these conditions in perpetuity and in accordance with Section 5.3.4F.

F. **Overhead Utility Easements**. Land that lies within an easement for an overhead utility shall not be included in the calculation for the open space that is required to meet open space regulations.

5.3.4 Open Space Ownership, Dedication and Management

A. The owner and developer, or subdivider, shall select land dedicated for open space purposes and type of ownership. Type of ownership may include, but is not necessarily limited to, the following:
B. Other public jurisdictions or agencies, subject to their acceptance;
C. Non-profit or quasi-public organizations committed to the protection and conservation of open space, subject to their acceptance;
D. Homeowner or cooperative associations or organizations; or
E. Shared, undivided interest by all property owners within the subdivision.
F. **Maintenance of Open Space**. The person(s) or entity identified above, as having the right to ownership or control over open space, shall be responsible for its continuing upkeep and proper maintenance.

5.3.5 Cluster Mailboxes

A. Where required per the United States Postal Service (USPS) cluster mailboxes shall be co-located with Open Space Features specified in Section 5.3.2.
B. Cluster mailbox units shall be configured in accordance with all applicable USPS standards.
C. Cluster mailboxes must be located on a lot or area dedicated for open space or on a public access easement obtained by the developer to be maintained by the Homeowners Association or managing entity.
D. **Shelter.** Cluster mailboxes shall be covered to protect pedestrians from inclement weather while accessing their individual mailbox.
E. **Lighting.** Cluster mailboxes shall be served by exterior illumination to ensure safety during night time hours.

F. **Parking.** In addition to any requirements for parking specified in Article 7 or any accessible parking space requirements the following requirements must be met:
   1. 1-25 units: 1 parking space
   2. 30-50 units: 2 parking spaces
   3. 51-75 units: 3 parking spaces
   4. 76-100 units: 4 parking spaces
   5. > 100 units: 4 plus 1 per each additional 50 mailboxes

G. Cluster mailboxes shall be served by a sidewalk connected to the larger pedestrian network in the development or shall provide an additional parking space.

5.4 Open Space Residential Option

5.4.1 Intent

An open space residential development is a residential subdivision in which dwellings are situated on the most developable portion of the site in exchange for the preservation of substantial amounts of open space for recreational, environmental, and ecological reasons. The purpose of open space development is to provide a method of land development that permits variation in lot sizes without an increase in the overall density of population or development. This allows the subdivision of land into lots of varying sizes which will provide home buyers a choice of lot sizes according to their needs, while at the same time, preserving open space, tree cover, scenic vistas, natural drainage ways, and outstanding natural topography. Such measures prevent soil erosion and flooding by allowing development to occur according to the nature of the terrain; provide larger open areas with greater utility for rest and recreation; and encourage the development of more attractive and economical site design.

The developer is able to provide a more economical product to the consumer by reducing the overall cost of required sewer, roads, and other infrastructure. Open space development facilitates the economical and efficient provision of public services as well. The resultant subdivision benefits from the open, recreational space and by the placement of houses in a manner more conducive to social interaction among neighbors.

5.4.2 Open Space Residential Development General Provisions

A. ***Minimum Lot Area***. There is no required minimum lot area per dwelling unit unless otherwise required by DES.

B. ***Yard Requirements***. There is no minimum lot width, except as required by DES and/or International Building Code.

In order to use the open space residential development option, developers must declare their intent to use the open space development provisions at the time that the preliminary plat for the subdivision is submitted.

Any subdivision under consideration for approval after the effective date of the ordinance from which this section is derived is eligible to be considered for open space development, based on the requirements herein. Any subdivision approved prior to the effective date of the ordinance from which this section is derived is required to be reconsidered by the city planning commission in accordance with the city land development regulations.

5.4.3 Open Space Residential Development Requirements

A. **Minimum areas**. The minimum tract area for an open space residential development shall be five acres. The minimum area shall consist of contiguous parcels, not divided by an existing public or private road or a recreational or navigable body of water.

B. **Setbacks**. No structure shall be erected within 25 feet from any external lot line of any open space residential development. Front setbacks will be consistent with the requirements outlined in the appropriate zoning district and listed in Article 4.

C. **Permitted Uses**

1. Single-family Detached Dwellings
2. Single-family Attached Dwellings, except in R-C and GR-1 Residential Zoning Districts.
3. Single-family attached dwellings are permitted, as specified above, subject to the following requirements:
   a. A maximum of 20 percent of the total number of dwelling units may be single-family attached (duplex, triplex, quadraplex or townhomes) and shall not exceed more than four attached units per structure.
   b. Attached units must be contained within the subdivision and not part of any exterior lot except in those areas where exterior lots are adjacent to land zoned for commercial, office or multifamily development.
   c. Attached units shall not be located on preexisting platted lots within a subdivision.

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D. **Permitted Density**. The minimum lot area for conventional zoning and densities (units/acre) provided for in each open space development option may be found in the following table. All densities are based on the total number of dwelling units divided by the total number of acres (both developed land and undeveloped land).

E. **Density Bonus**. Open Space Residential Development that meets any three of the following five criteria shall be eligible for a density bonus as specified in Table 5.1:

1. Open space requirements are exceeded by 5%
2. Riparian buffers of at least 150ft in width are preserved for all perennial streams.
3. All uplands within 100ft of floodplains are preserved as open space.
4. At least 75% of all trees greater than 10" in diameter at breast height are preserved within 50ft of the exterior property lines.
5. Not more than 25% of the preserved open space is composed of undevelopable lands.

Table 5.1 Minimum Lot Area and Permitted Density for Single Family Residential Districts

DISTRICT	CONVENTIONAL DEVELOPMENT	OPEN SPACE DEVELOPMENT OPTION	OPEN SPACE DEVELOPMENT WITH DENSITY BONUS
	MINIMUM LOT SIZE	GROSS DENSITY MAXIMUM	GROSS DENSITY MAXIMUM
R-C	18,000	2 units per acre	2.4 units per acre
GR-1	12,000	2.5 units per acre	3.6 units per acre
GR-2	7,500	3 units per acre	5.8 units per acre
R-TR	6,000	4 units per acre	7.3 units per acre
R-M	5,000	N/A	N/A
R-MHP	5,000	N/A	N/A

E. **Required Common Open Space**

In an open space development, a minimum percentage of the total acreage must be designated as open space as specified in Table 5.2. The required open space may include both developable and undevelopable land, as defined in Article 10, Definitions. Of that land dedicated for open space in the R-C, GR-1, GR-2, and R-TR districts, a minimum of 50 percent of the total open space must be considered developable land. Open space must also meet design requirements as specified in Section 5.3.3.

Table 5.2 Open Space Requirements for Open Space Residential Developments

ZONING DISTRICTS	UNIT TYPES PERMITTED

	R-C	GR-1	GR-2	R-TR	R-M & R-MHP	Min. Tract Area	Min. Lot Area	Unit Types Permitted
Required Common Open Space	40%	40%	40%	40%	N/A	5 acres	N/A	S-FD and S-FA 20% of total units except in R-C and GR-1

Single-Family Detached = S-FD
Single-Family Attached = S-FA

A. **Priority Open Space Types**

Within Open Space Developments required open space shall be comprised of one or more of three types of land: Primary Conservation Areas (PCA), Secondary Conservation Areas (SCA), or General Open Space (GOS).

Within Open Space Developments at least 50% of the required open space must be included in Primary or Secondary Conservation Areas, if present. The applicant may choose which types of features and the total area of each to be counted toward meeting this requirement.

In delineating the required open space, the applicant shall first delineate lands that are one or more of the PCA or SCA types. If all such PCA or SCA lands do not constitute the required percentage of the project site, lands that consist of one or more of the GOS types shall be delineated.

1. ***Primary Conservation Areas*.** Primary conservation areas shall be comprised of one or more of the following:
   a. Land within riparian areas, wetland buffers and floodplains
      i) Riparian areas within 150ft of perennial streams (USGS blue-line streams).
      ii) Riparian areas within 50ft of intermittent streams and drainage-ways that drain more than 10 acres.
      iii) Wetlands and wetland buffers of up to 100ft of wetlands.
      iv) Floodplain area (within the 100-year or 500-year floodplain).
      v) Note: A maximum of 50% of the required open space shall be in the floodplain.
   b. Historical sites or structures.
   c. Areas within planned greenway corridors.
   d. Stands of mature trees located in riparian areas, on steep slopes or adjacent to existing, lower density development offsite.
2. ***Secondary Conservation Areas***

a. Stands of mature trees or successional habitat adjacent to existing public roadways.
b. Frontage meadows or agricultural fields.
c. Steep slopes (>8%).
d. Uplands within 100ft of floodplains.
e. Depressions that accommodate ephemeral pools.
f. Rock outcrops or other unique natural features.

3. ***General Open Space***
   a. All features listed in Section 5.3.2 which are not listed above.

5.4.4 Open Space Residential Development Site Plan Review Guidelines

A. **Intent**

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This section is intended to serve as guidelines for the planning staff in their review of subdivisions requesting to be considered under the cluster development regulations. The planning director shall determine if the preliminary plat(s) is consistent with the purpose and intent of the cluster development and open space ordinance and these guidelines:

1. Home sites are clustered to preserve open space for recreational, environmental, or ecological reasons;
2. The development preserves open space, tree cover, scenic vistas, natural drainageways, and outstanding natural topography, and other Primary and Secondary Conservation Areas whenever possible; and
3. Within an existing subdivision, the proposed clustered lots should have the least impact on other properties within the same subdivision.

B. **OSRO Preliminary Plats**.

In addition to the requirements for a Conventional Residential Subdivision, the following information must be provided at the time of submittal for preliminary approval:

1. ***Site Analysis Map***. Each applicant shall submit a Site Analysis Map that identifies the existing natural and historical resources on site and all potential open space areas.
2. ***Open Space Delineation***. All property designated for open space shall be delineated on the preliminary plat. A breakdown of open space in flood plain, steep slopes, areas of standing timber, and other Primary and

Secondary Conservation Areas should be shown on the preliminary plat in total acres and percentages of gross acres or open space acres.

3. ***Density Table***. A density table located on the preliminary plat, should include the number of gross acres, permitted density per acre, required open space (total and breakdown by type), and total number of dwelling units.

Table 5.3 Density Table Example

SITE DETAILS	VALUE
Gross acres	50 acres
Permitted density	2 units/acre
Total units	100 units (50 x 2.0 units/acre)
Required open space	20 acres (40%)
Total Primary Conservation Areas (PCA) on site	10 acres
Total Secondary Conservation Areas (SCA) on site	4 acres
Total Floodplain on site	2 acres
Buildable acres	48 acres
OPEN SPACE DETAILS	**VALUE**
PCA Preserved	8 acres
SCA Preserved	4 acres
General Open Space	10 acres
Total Open Space Proposed	20 acres

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A. **OSRO Final Plats.**

In addition to the requirements in Article 2 of the City of Fountain Inn Unified Development Ordinance, the following information must be provided with and noted on the final plat at the time of submittal:

1. Density table, located on the final plat, using the same format as on the preliminary plat;
2. Notations indicating the delineated open space;
3. Conservation easements or deed restriction. Upon the recording of a subdivision, a conservation easement or deed restriction shall be placed on all lands and private waters used to satisfy the open space requirements of an Open Space Residential Development.. The conservation easement or deed restriction shall run with the land, provide for protection in perpetuity, and be granted to the city, a city-approved non-profit land trust, the home owners association or other

qualified organization approved by the city. The conservation easement or deed restriction shall be solely for the purpose of ensuring the land remains undeveloped and shall not, in any way, imply the right of public access or any other right or duty not expressly set forth by the terms of the easement. Conservation easements should include a complete metes and bounds of the property being designated as open space;

4. Buffer yard easements. If the required buffer yard(s) are not used in the calculation of required open space, appropriate easements shall be shown on the final plat. Buffer yard easements also shall be included within the subdivision covenants; and
5. Subdivision covenants. The covenants for the subdivision shall include provisions for the protection of trees and other natural amenities within the property designated for open space. The removal of trees and natural vegetation is permitted in the development phases for the purpose of utility easements, passive recreational uses and drainageways with the proper notations on the final plat. Neither the developer, property owners, or other subsequent contractors or builders shall be granted permission to remove or destroy any trees or natural vegetation from the open space area for passive recreational or any other purposes without the express written permission of the community board, or homeowners' association, or property owners, or trustees having jurisdiction over the implementation and enforcement of the subdivision covenants. Normal maintenance and the removal of dead or fallen trees are permitted and recommended.
6. Access to open space shall be shown on the final plat in conjunction with the requirements of Article 2 of the City of Fountain Inn Unified Development Ordinance.

5.5 Landscaping and Buffers

5.5.1 Intent and Submittal Requirements

A. **Intent**

This section is established to reduce the adverse visual, environmental, and aesthetic effects of new development.

Landscaping will enhance the appearance of the development, provide shade to reduce heat and glare from paved surfaces, reduce storm water runoff, filter

pollutants and reduce the formation of ozone and evaporation of nitrous oxides into the air, and reduce the glare of headlights and noise on surrounding properties.

Regulations herein reduce impacts of parking lots, drives, and loading areas by the use of trees, other plant materials, and additional screening methods. Required buffer transition yards are also intended to provide separation and screening between properties and land uses of different impacts.

B. **Plan Submittal Requirements**

Unless exempt, a landscape plan shall be submitted in accordance with Article 3 Applications and Procedures. The landscape plan shall contain existing and proposed landscaping, including: Roadside Buffers, Parking Lot Plantings, Buffer Transition Yards and Detention and Retention Area Buffers.

5.5.2 Exemptions

Exemptions include:

A. Infill on existing lots and residential subdivisions of 3 lots or less are not subject to buffer requirements.
B. Development in Downtown (C-1) and Downtown Mixed-use (DMU) zoning districts except where specified in Section 5.7.
C. Commercial uses with less than 10 new required parking spaces
D. Single-family and two-family dwellings and manufactured homes on individual lots that are not part of a major land development or major subdivision approved after August 1, 2025.
E. Public and private utilities, including, but not limited to, storm drainage installation, road construction, water and sewer construction, and installation of electric, gas, communications, and similar services.

5.5.3 Roadside Buffer

A. All new development located adjacent to existing public right(s)-of-way shall establish roadside buffers. Roadside buffers shall be located outside of the rights-of-way of existing roads and shall be located outside the future rights-of-way of all roads in the GPATS Long Range Plan and City transportation plans.
B. **Nonresidential and Mixed-use Roadside Buffer**. The minimum roadside buffer width shall have an average planting width of eight feet, with the

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minimum width for any buffer yard being (5) feet. Buffers shall contain the following plant materials:

1. An average of one medium tree every 30 feet or one large shade tree for every 50 feet of linear road frontage. Trees shall be spaced so that there is a minimum of one medium or large shade tree for every 200 linear feet of road frontage.
2. Shrubs spaced to provide a continuous evergreen screen of parking areas within three years of installation. Alternatively the Planning Director may approve an aesthetic buffer with clustered plantings. These will be required to contain 25 shrubs or large perennial grasses per 100ft of frontage.
3. Where existing overhead power utility lines preclude sufficient space for a large or medium shade tree to grow, then two small trees shall be substituted for each required large / medium shade tree.
4. C-1 and DMU Zoning districts are exempt from this buffer requirement. See Section 5.7 for frontage requirements.

C. **Residential Subdivision Roadside Buffer**

1. To maintain the quiet nature of residential areas a natural or planted bufferyard is required along the property line fronting existing public streets in new residential subdivisions with greater than 10 lots and an average lot size under 20,000 square feet.
2. Residential Roadside Buffers must meet or exceed requirements for a Type B Buffer Transition Yard.
3. Within the buffer yard, fences, masonry walls, earthen berms, or any combination thereof may be used to meet the requirements of this section, so long as they are a minimum of 30 inches in height, provide a continuous opaque visual screen, and do not obstruct visibility at intersections, in accordance with 5.5.13Berms shall have a side slope no greater than 2:1.
4. Residential lots fronting existing or extended streets that act as a continuation of an existing development pattern are exempt from the roadside buffer requirement.

5.5.4 Parking Lot Plantings

A. In addition to all other landscaping requirements, all new off-street parking lots with 15 or more spaces shall provide and maintain landscaped planting areas within the interior of, and adjacent to, the parking lot:

B. Interior planting islands for medium or large shade trees shall have a minimum planting area of eight (8) feet wide by eighteen (18) feet long.
C. In addition to the required trees and shrubs interior-planting areas shall be grassed or covered with mulch.
D. All planting areas shall be protected from vehicular intrusion by the installation of curbing, and/or wheel stops.
E. Interior plantings must be planted with one of the following options:
    1. One large shade tree and two shrubs or large perennial grasses
    2. One medium shade tree and four shrubs or large perennial grasses
    3. Where existing overhead power utility lines preclude sufficient space for a large or medium shade tree to grow, then two small trees shall be substituted for each required shade tree.
F. One planting installation is required for every 4,000 square feet of vehicular use area, which includes parking spaces, aisles, driveways, and loading areas.
G. Trees and shrubs must be planted within 25 feet of the vehicular use area to satisfy the interior planting requirements. Trees within the Roadside Buffer may be counted toward parking lot planting requirements if they meet the aforementioned criteria.
H. Interior planting areas shall be designed within or adjacent to the parking area(s) as:
    1. Islands, located at the end of parking bays;
    2. Islands, located between parallel rows of cars;
    3. Driveway medians a minimum of eight feet in width;
    4. Intermediate islands;
    5. Planting strips between parking bays and internal drives;
    6. Planting strips between parking bays and buildings;
    7. Tree grates or planters in sidewalks or plaza areas; or
    8. A combination of the above
I. The design size and shape of the interior planting areas shall be at the discretion of the owner; however, no parking space shall be:
    1. Located farther than 75 feet from the trunk of a shade tree;
    2. Separated from a shade tree by a building or other structure.
J. Parking structures are excluded from interior landscape areas.

5.5.5 Buffer Transition Yards

A. Buffer transition yards are landscaped areas designed to provide separation and screening between land uses of different impacts.

B. To determine the buffer transition yard required between two adjacent land uses; the following procedure shall be followed:
C. Identify the proposed new or expanding land use and each existing adjacent land use. Identify the land use impact of each of these identified uses as set forth in Table 5.4 below. A proposed land use is considered existing on an adjacent property when a building permit is issued for the use. If adjacent property is vacant, and no building permit has been issued for its use, its use shall be determined by assigning it the highest level of impact in its zoning classification.
D. Determine the type of buffer transition yard required on each boundary (or segment thereof) of the subject parcel by referring to Table 5.5 below. The letter designations in the table refer to the type of buffer yard required.
E. Identify the buffer transition yard width and planting requirements for the required yard type as set forth in Table 5.6 below.
F. Location
    1. Buffer transition yards shall be located on the property of the proposed or changing land use that is to be screened. Such transition yards shall be located between the property line and any vehicle use areas, buildings, storage, service areas, or other areas of an activity on the property to be screened and shall extend along the entire property line abutting the less intensive land use. Roadside Buffers are subject to the requirements set forth in Section 5.5.2.
G. Other Features and Visibility

Ornamental entry columns and gates, flagpoles, lamp or address posts, mailboxes, approved driveway openings, public utility wires and poles, fences, retaining walls, or similar structures are permitted in required buffer transition yards, provided that the general separation of land uses is achieved and that the total number of required plantings is still met. Plantings shall not obstruct the view of motorists using any road, driveway, or parking aisle.

H. Planting/screening In Easements

No vegetative screening or fencing that is required by this section shall be planted inside utility and/or drainage easements, excluding overhead easements, without the consent of the easement holder. If plantings or fences inside utility and/or drainage easement areas are allowed, these plantings and fences shall be maintained in accordance with the terms of consent and any applicable

maintenance provisions. Any tree planted within the right-of-way of overhead utility lines shall be a small-maturing tree. Required buffers including plant material that contain a utility easement must be reviewed and approved by the Planning Director or duly authorized representative.

I. Buffer Transition Yards and Required Yards (Setbacks)

Where front, side, or rear yards (setbacks) are required by this chapter, buffer transition yards may be established with such setbacks. If the setback requirement is less than the buffer transition yard requirement, the buffer transition yard width requirement shall prevail.

J. Buffer requirements and options are shown below. The requirements are provided per 100-foot units as measured along the property line.
K. The Planning Director may approve alternative buffer designs that vary from the requirements below where the design will achieve similar results. Alternative design may be necessary where adverse physiographic conditions, extreme topographical differences, or overhead or underground utilities exist.
L. See Article 6 for additional buffer requirements for specific uses.

5.5.6 Required Buffer Transition Yards

A. See the table below for required buffer transition yard requirements. See Article 6 for conditional use buffer requirements. In the event of a conflict in requirements the Planning Director shall make a determination of which standard is most appropriate.

Table 5.4 Required Buffer Transition Yards

REQUIRED BUFFER TRANSITION YARDS					
PROPOSED USE	**EXISTING ADJACENT LAND USE**				
	Low Impact Use	Medium Impact Residential	Medium Impact Nonresidential	High Impact Residential	High Impact Nonresidential
Low Impact Use	None	None	A	B	C
Medium Impact Residential	C	B	A	A	C
Medium Impact Nonresidential	C	B	None	A	A
High Impact Residential	C	B	B	A	C
High Impact Nonresidential	D	D	B	C	None

Table 5.5 Land Use Impact Table Residential Uses

LAND USE IMPACT TABLE		
RESIDENTIAL USES		
a.	Single-family low-density (less than 2 dwelling units per acre (DUA))[1]	Low Impact Use
	Single-family medium-density and attached residential (>2 and <5 DUA)	Medium Impact Use
	Single-family high-density and attached residential (>5 DUA)	Medium Impact Use
	Manufactured home parks	Medium Impact Use
	Multifamily, less than ten (10) units	Medium Impact Use
	Multifamily, more than ten (10) units	High Impact Use
NONRESIDENTIAL USES		
b.	*Institutional Uses (Public/semi-Public)*	
	25,000 square feet or less	Medium Impact Use
	Over 25,000 square feet	High Impact Use
c.	*Office/Commercial Uses.*	
	25,000 square feet or less	Medium Impact Use
	Over 25,000 square feet	High Impact Use
d.	*Industrial Uses.*	
	All industrial Uses	High Impact Use
e.	*Recreational Uses.*	
	Passive recreational uses	Low Impact Use
	Active recreational uses	High Impact Use
f.	*Other Uses.*	
	For land uses not listed, the Planning Director or duly authorized staff shall determine the land use impact based on the classification of similar uses.	

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5.5.7 Buffer Transition Yard Types

A. **Buffer Descriptions**

1. ***Buffer Type A***: This buffer type is a perimeter buffer that provides a visual break between land ownership, usage or zoning districts. It is not intended to provide a complete visual buffer.
2. ***Buffer Type B***: This buffer type is a perimeter buffer that provides a partial visual screen between adjacent properties. It is meant to partially block visibility.
3. ***Buffer Type C***: This buffer type is a perimeter buffer that provides a semi-opaque screen between adjacent properties. It is meant to provide a visual separation and dampen acoustics.

[1] Dwelling Units Per Acre (Gross density)

4. ***Buffer Type D***: This buffer type is a perimeter buffer that provides an opaque screen between adjacent properties. It is meant to provide a visual separation and noise attenuation.

B. **Perimeter Buffer Plantings by Type**

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Table 5.6 Buffer Type A Options

BUFFER TYPE A OPTIONS					
Options	Minimum Average Width	Large Tree	Small / Medium Tree	Shrubs / Native Grasses	Evergreen Requirement
Plantings Only	10′	2	2	10	30%
Fence and Plantings	6′	-	-	15	N/A

Figure 5-1: Buffer Type A Diagram

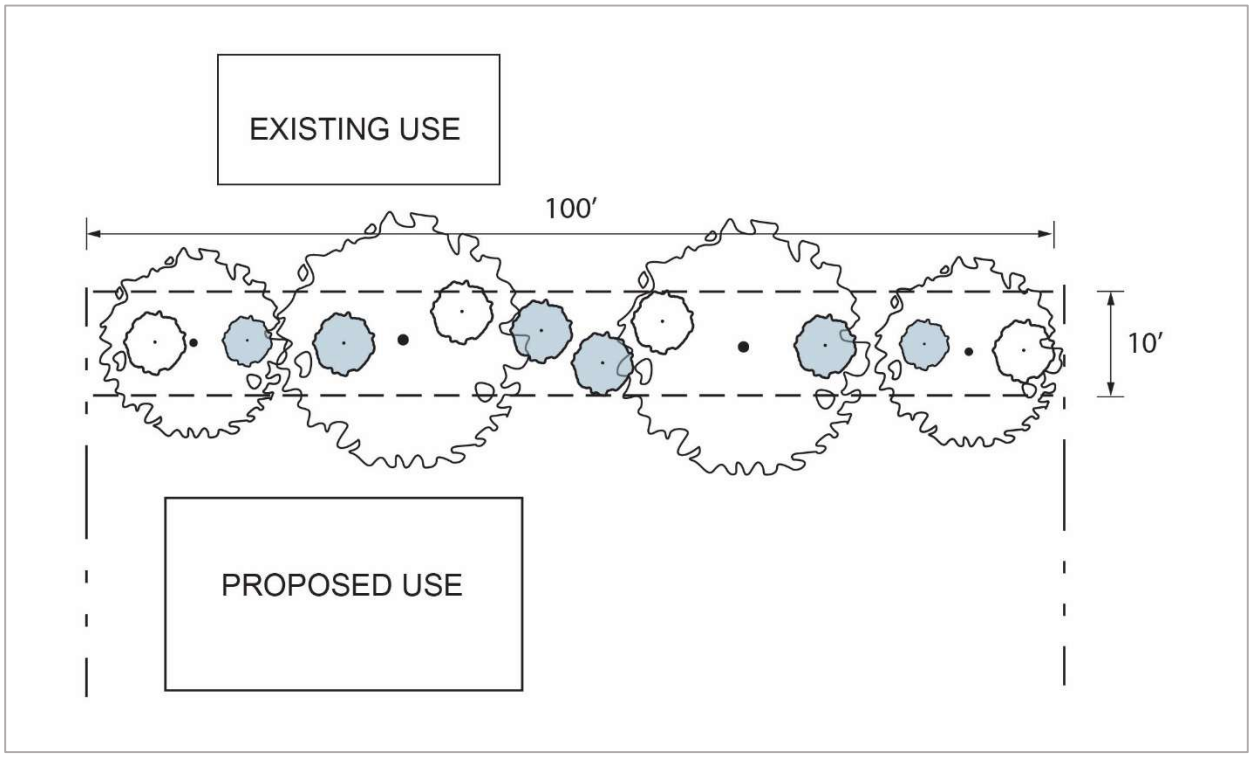


Table 5.7 Buffer Type B Options

BUFFER TYPE B OPTIONS					
OPTIONS	Average Width	Large Tree	Small / Medium Tree	Shrubs / Native Grasses	Evergreen Requirement
Plantings Only	15′	2	4	18	50%
Berm and Plantings	14′	1	4	15	50%
Fence and Plantings	10′	-	4	18	N/A

Figure 5-2: Buffer Type B Diagram

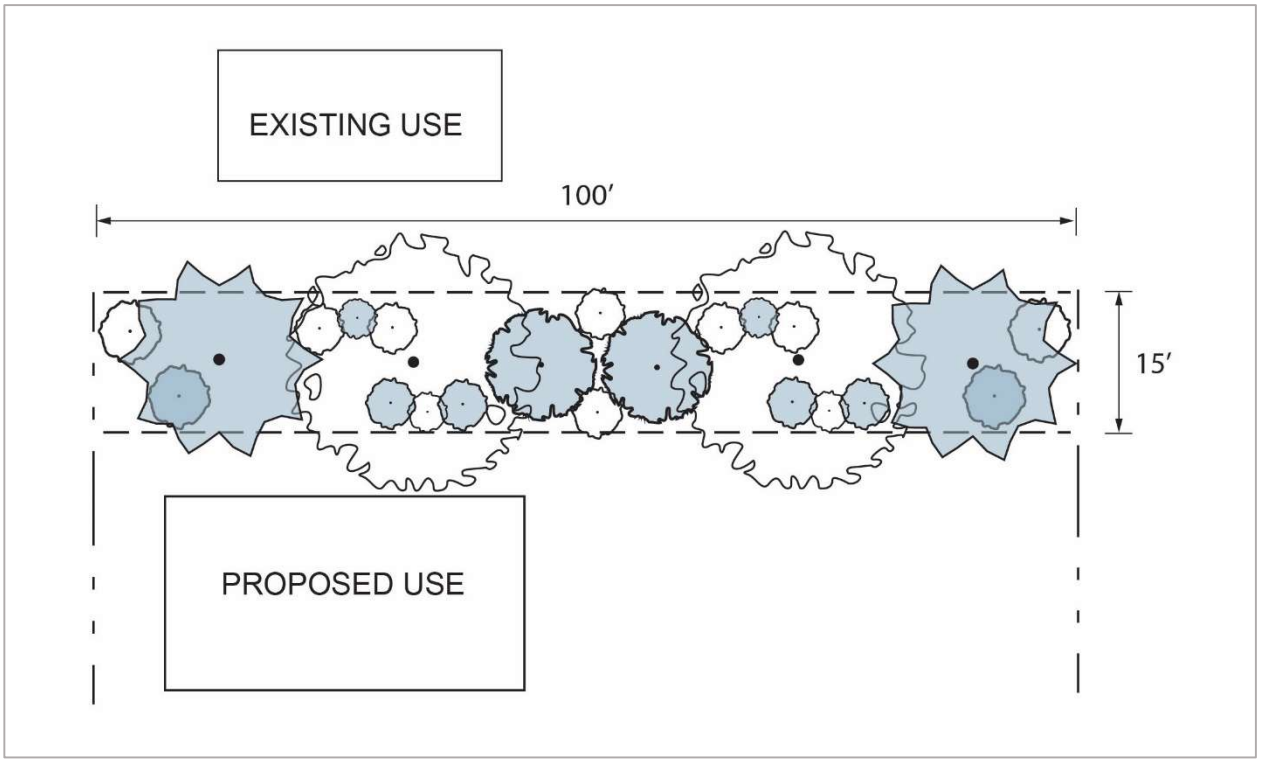


Table 5.8 Buffer Type C Options

Buffer Type C Options					
OPTIONS	Average Width	Large Tree	Small / Medium Tree	Shrubs	Evergreen Requirement
Plantings Only	20′	3	4	24	60%
Berm and Plantings	15′	2	6	20	60%
Fence and Plantings	15′	2	6	30	N/A

Figure 5-3: Buffer Type C Diagram

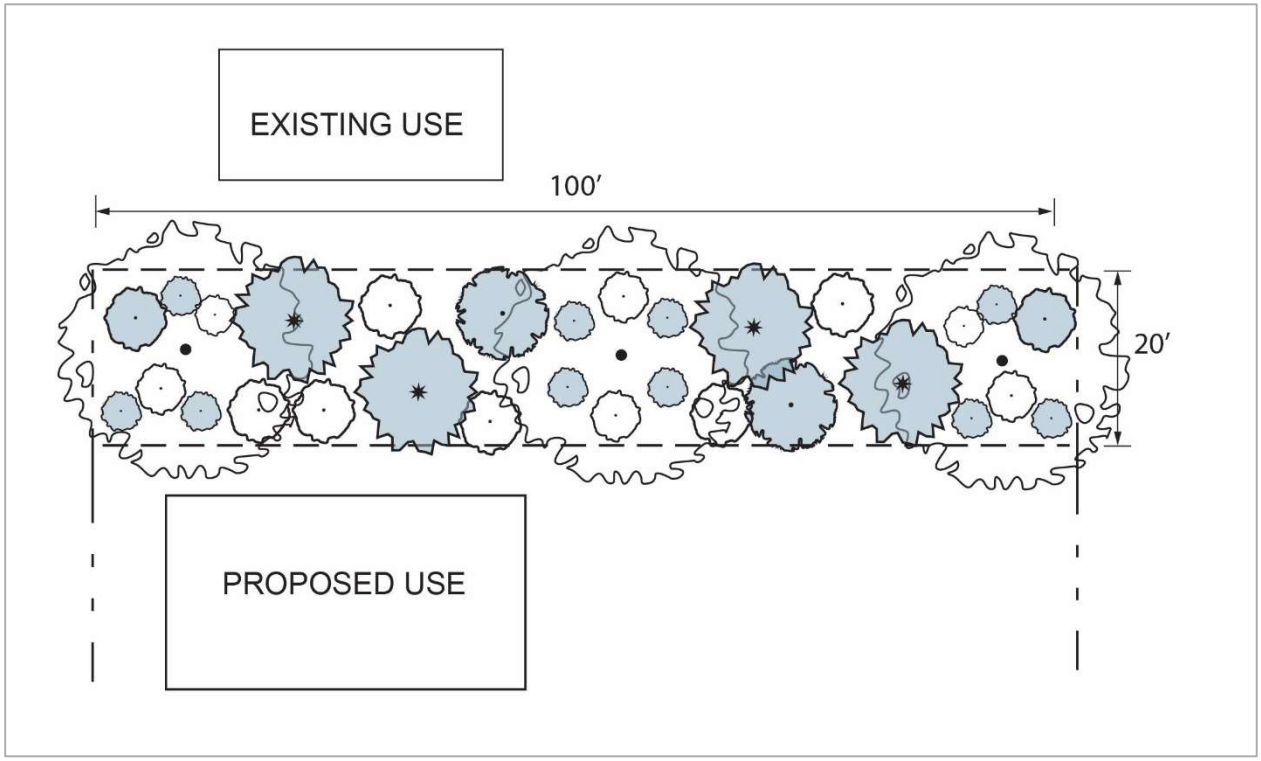
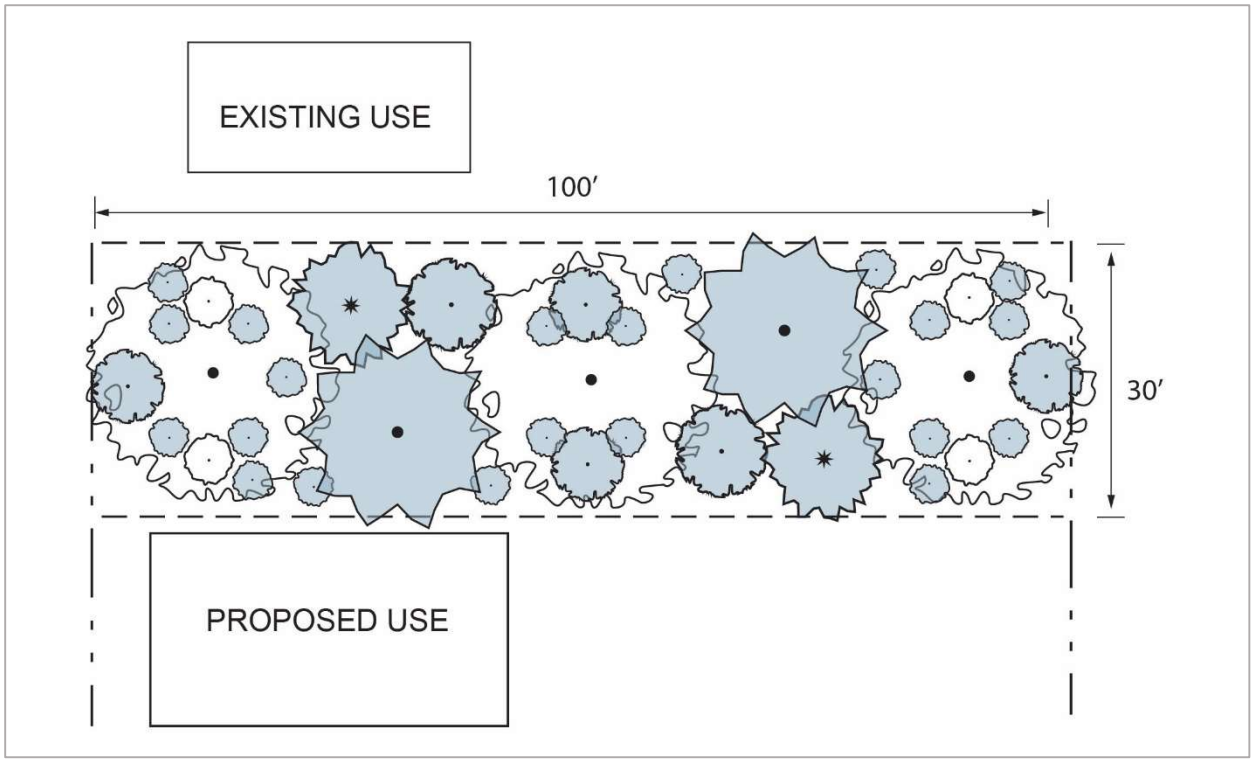


Table 5.9 Buffer D Options

BUFFER D OPTIONS					
OPTIONS	Average Width	Large Tree	Small / Medium Tree	Shrubs	Evergreen Requirement
Plantings Only	30′	3	6	30	75%
Berm and Plantings	20′	2	6	24	75%
Fence and Plantings	20′	1	4	36	N/A

Figure 5-4: Buffer Type D Diagram



5.5.8 Incentives for Tree Preservation

The Planning Director can allow for preserved trees and vegetation to count towards required buffers. Any trees preserved on a development tract to receive credit shall meet the following protection standards. A root protection zone shall be established around all trees to be preserved. The root protection zone shall be clearly shown on all grading and site plans and any breach of the root protection zone may result in loss of credits.

Augmentation of plantings may be required at the Planning Director's discretion.

5.5.9 Evergreen Requirement

Where specified, evergreen requirement refers to percentage of trees and shrubs that must be evergreen.

5.5.10 Irrigation Requirement

A. ***Applicability***. The following requirements are applicable in roadside bufferyard areas for commercial uses and in roadside bufferyard areas and parking lot plantings required in the Gateway Corridor Overlay District.

1. Mechanical irrigation shall be used in all required planting areas, except stormwater management areas and areas within developments containing fewer than ten parking spaces.
   Irrigation systems shall meet the following requirements:
2. Bubbler or drip irrigation systems shall be used to reduce water consumption and overspray onto pedestrian and vehicle-use areas;
3. An irrigation plan must be provided for all project areas required to be irrigated, or the following statement provided on the site and landscaping plans: "All planting areas shall be mechanically irrigated."

5.5.11 Prohibited Plant Material

A. Bradford pears, *Pryrus calleryana,* are prohibited as a plant medium for landscaping as it applies to this Ordinance. These trees have limbs that are easily damaged in the presence of high winds, heavy rains, and/or snowstorms. For this reason Bradford Pear trees are subject to premature replacement, and they are not a suitable tree for long term landscaping or buffering.

B. No tree or shrub listed on the South Carolina Exotic Pest Plant Council Terrestrial Exotic Invasive Species List shall be planted to meet any requirements of this ordinance.

5.5.12 Fence and Wall Standards

A. If a fence or wall is utilized to fulfill buffer requirements the following standards must be met:

1. The location of the structure must be on the interior of the required plantings.
2. Fence shall be opaque with a minimum height of six (6) feet in height and employ durable materials resistant to rot and decay.
3. No wall shall be constructed with plain-faced or cast-in-place concrete.

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4. Fence must be consistent in appearance, continuous, permanent, and maintained in good condition.

5.5.13 Berm Standards

A. If a berm is utilized to fulfill buffer requirements the following standards must be met:
   1. Berms shall have a maximum of 2:1 slope and a minimum crown width of two (2) feet.
   2. Unless specified elsewhere, berms shall have an average height of three (3) feet.
   3. Berms shall have a maximum height of eight feet above the toe of the berm.

5.5.14 Detention and Retention Area Buffer Requirements

A. Detention and retention areas shall be screened to make them aesthetically attractive. When fencing is required by DES, fencing shall be black where visible from any public or private right-of-way or a residence. Alternative fencing may be approved by the Fountain Inn Planning Director or duly authorized representative as long as it meets the intent and spirit of the Ordinance. Detention and retention areas shall be screened by an evergreen vegetative hedge capable of forming a continuous opaque screen, with individual plantings spaced not more than five feet apart. This screening is to be maintained by the owner of record. In all cases, screening must not restrict access for maintenance and emergency vehicle purposes. Wet ponds with a gradual adjacent slope are exempt from vegetative hedge requirements but must follow applicable laws and building codes related to fencing.
B. Ponds built as amenity with no required stormwater function may not be required to meet these fencing requirements.

5.5.15 Pruning and Maintenance

A. In order for any buffers or screening, to include berms, to fulfill the purpose for which it was established it must be properly maintained. The owner of the property where buffers or screening is required will be responsible for the maintenance of all buffers and screening materials. Any required plant materials such as shrubs and trees which may die must be replaced in compliance with the minimum standards of this section and fences or walls should be repaired. The Planning Director or duly authorized staff may

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reduce or waive the requirement that plant materials be replaced if the buffer or screening which remains effectively buffers or screens the site. All buffers, screening and landscaping areas must be protected from damage by motor vehicles or pedestrians which could reduce the effectiveness of the screening.

B. Landowners are required to keep all sidewalks clear of landscaping planted on private property.
C. All pruning and maintenance shall follow ANSI A300 Tree Care Standards, including the pruning of crape myrtles.
D. Trees that are aggressively or improperly pruned will be a violation of this ordinance and the property will be considered nonconforming. Improperly pruned trees will be required to be replaced to meeting the minimum planting standards as specified in this ordinance.

5.6 TREE PROTECTION

5.6.1 APPLICABILITY

A. The provisions of this article apply to all new development that causes land disturbing activities for which a grading permit is required.
B. **Exemptions**
   1. Land disturbing activities that only require a Simplified Storm Water Management and Sediment Control Plan; and
   2. The land disturbing activities that are exempt under the Greenville County Stormwater Management Ordinance, including individual single-family residences, agriculture, forestry, and certain mining activities.
C. **Limitations**

   Clearing trees through development activity that uses timber harvesting as a means to prepare a site for non-exempt development to circumvent the requirements of this Article is prohibited. The City shall defer any application:
   1. For one year after the completion of a timber harvest if:
      a. The harvest results in the removal of all or substantially all of the trees from the specific area included in a building permit, site disturbance permit, or subdivision plan; and
      b. The removal qualified for an exemption contained in S.C. Code Ann. § 48-23- 205(B);

      or
   2. For five years after the completion of a timber harvest if:

a. The harvest results in the removal of all or substantially all of the trees from the specific area included in a building permit, site disturbance permit, or subdivision plan;
b. The removal qualified for an exemption contained in in S.C. Code Ann. § 48-23- 205(B); and

3. The harvest was a willful violation of City regulations.

5.6.2 Satisfaction of other Tree-Related Requirements

A. The requirements of this Article to preserve or plant trees may also be used to satisfy other requirements for the provision of trees in this UDO, provided that the trees are preserved in accordance with Section 5.6.5 Tree Protection During Construction.

5.6.3 Tree Conservation and Plantings In All New Developments

A. All new developments to which this Article applies must meet the minimum tree density unit requirements in Table 4.1 by the preservation of existing trees or the planting of new trees as specified in this Section.

Table 5.10 Required Tree Density Units for Developments

REQUIRED TREE DENSITY UNITS FOR DEVELOPMENTS	
Use of Development	**Tree Density Units (Minimum)**
Detached House Dwellings	10 tree density units per disturbed acre
Duplex Dwellings Group Living Multiplex Dwellings Quadplex Dwellings Townhouse Dwellings Triplex Dwellings	10 tree density units per disturbed acre
Mixed-Use Development	10 tree density units per disturbed acre
All Other Uses (For Example, Public Recreation, Industrial, Commercial, Retail, and Institutional Projects	15 tree density units per disturbed acre

B. **Existing Trees**. Existing trees in ungraded areas, excluding stream buffers, shall count in all project types toward the tree density unit requirements, provided that the trees are preserved in accordance with Section 5.6.5, Tree Protection during Construction.

C. **Required Preservation of Existing Trees**. At least 10% of required tree density units for new developments shall be satisfied with existing trees except in cases where existing trees are not available on the development site.

D. *Tree Density Unit Credits for Preserved Trees*. Preservation of existing trees in a root protection zone qualifies for the tree density unit credits provided in Table 5.11.

Table 5.11 Tree Density Units for Preserved Trees

DBH	TREE DENSITY UNITS
1 - 2"	1.0
3 - 4"	1.4
5 - 7"	1.8
8 - 9"	2.0
10-15"	3.0
16-20"	3.5
21-25"	7.0
26-36"	20.0
>36"	50.0

A. **Condition of Trees.** All trees to receive credit must be healthy and in good condition and are subject to review by the City.

B. **Design to Consider Existing Trees.** The design of any land development project or subdivision shall take into consideration the location of all trees over 24" and stands of trees. The City, at the request of the developer or landowner, may evaluate the site and consult on opportunities and incentives to save trees.

C. **Tree Density Units for Planted Trees.**

1. ***Generally.*** Any development that does not fully satisfy the tree density requirement using existing trees must plant trees on the site to meet the tree density requirement. Planting of new or replacement trees meets the tree density unit requirements as provided in Table 5.12.

Table 5.12 Tree Density Units for Replacement and Planted Trees

CALIPER	TREE DENSITY UNITS
1.5"	0.5
2"	1.0

3"	1.2
4"+	1.4

2. ***Pine and Understory Trees*.** Planted pine and understory trees are only entitled to 50% of the tree density units stated in Table 5.12.
3. ***Maximum Number of Pine Trees.*** The number of pine trees cannot exceed a maximum of 25% of the total number of required trees to satisfy the tree density unit requirement.

D. **Tree Selection.**

1. ***Selection Requirements.*** Lot trees planted to satisfy the requirements of this Section must be listed on the City's Tree List or the South Carolina Urban Tree Species Guide. No tree or shrub listed on the South Carolina Exotic Pest Plant Council Terrestrial Exotic Invasive Species List shall be planted to meet any requirements of this ordinance.
2. The Planning Director has the authority to approve plant material that is not on the SC Urban Tree Species Guide if there is a species not on the list that is recognized to be an established landscape tree for this area.
3. **Ratio of Shade Trees to Small Trees.** At least 50% of the trees provided on each lot must be shade trees identified in the City's Tree List.
4. **Existing Trees.** Existing trees preserved on an individual lot may satisfy the requirement for lot trees if the trees are preserved in accordance with Section 5.6.5 Tree Protection During Construction and are a species included on the City's Tree List.

E. **Location Requirements.** For residential subdivisions, the location priority for trees planted to meet the tree density unit requirement is within the street right-of-way. If this option is not feasible, then the trees shall be planted on the property being developed. If street trees are not provided at least one tree shall be planted between the front façade of the dwelling and the right-of-way.

5.6.4 Application Requirements

A. **Applications that Trigger Review.** The information required by this Subsection must be submitted with applications for all residential subdivision and commercial and industrial land development.

B. **Tree Protection Plan**

1. **Generally**

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a. A Tree Protection Plan (TPP) is a plan of the same scale as, and superimposed on, a development site plan or Preliminary Plat that indicates the root protection zone of all trees to be protected or preserved on a development site, where no parking or material storage are permitted. The plan is intended to identify by species and size those trees that are to be protected during land disturbance (development) activities for the purpose of using the protected trees to comply with required tree density units.
b. All trees to be preserved to comply with the required tree density unit standards must be flagged and labeled with a numbered tag in order to be located in the field.

2. **Standards**
   a. The TPP must delineate a root protection zone protecting all trees to be used to comply with the requirements of this Section. The root protection zone must measure the greater of
   b. A one-foot radius from the trunk of the tree per each inch of diameter at breast height, or
   c. A six-foot radius around the tree.
3. **Review by the City.**
   a. The City of Fountain Inn reviews the plan for compliance with the requirements of this Article as a part of the development review process.

DRAFT

5.6.5 Tree Protection During Construction

A. **Development Activity within Root Protection Zones.**
   1. Development Activity within Root Protection Zones is prohibited.
   2. No Construction, grading, parking, equipment, material storage, or any other land disturbing activity is allowed within the Root Protection Zones delineated on the Tree Protection Plan at any time during the project unless approved by the City.

B. **Protective Fencing Required**.
   1. ***Generally***. Protective fencing is required for all root protection zones and is to be maintained during construction. Protective fencing shall:
      a. Be at least 4 feet in height;
      b. Completely encircle the root protection zones as provided on the TPP; and

c. Be in place prior to any land disturbing activity begins and remain in place for the duration of the project.

2. ***Protection for Contiguous Groups of Trees.*** Groups of trees may be protected by one perimeter fence meeting the specifications outlined in this Section.
3. ***Signs Required.*** Signs must be installed on the protective fence visible on all sides of the fenced-in area (minimum one on each side or every 300 linear feet). The sign must contain the following or similar text in both English and Spanish: "TREE PROTECTION ZONE: KEEP OUT."
4. ***Trenching and Boring.***
   a. Trenching is not allowed without the Planning Director's approval and requires a showing that boring is not a viable alternative construction method.
   b. Boring is allowed to install site access to utilities, but corridors for the boring must be identified on the tree protection plan.

5.6.6 Tree and Shrub Installation

A. **Tree Variety**. All required trees shall be of the type and species appropriate for the climate of Fountain Inn and location being planted. In order to reduce the threat and impact of disease, multiple species shall be utilized on each site.

B. **Minimum Sizes for Trees**. All required trees must meet these size requirements:

Table 5.12 Minimum Tree and Shrub Sizes and Heights

MINIMUM TREE SIZES AND HEIGHTS		
Plant Type	Minimum Size at Planting	Minimum Height at Planting
Shade Tree	2-inch Caliper	10 feet
Small or Multi-stem Tree	1.5-inch Caliper	6 feet
Shrub	18-24"	Minimum Height at Planting

A. **Selection of Trees**.

1. ***Biodiversity***.
   a. Biodiversity of the genus and species of trees is required to prevent monocultures, which could result in large-scale losses in the event of disease or blight.
   b. A minimum of six species of trees are required for installations calling for greater than 20 trees. However, the biodiversity requirement does not apply to

i) Development sites of one acre or less; or
ii) Plantings in riparian buffers.

B. **Plant Material**. Trees planted pursuant to this Section shall be good, healthy nursery stock. The form, size, quality and proportions of proposed trees must meet the guidelines outlined in the ANSI Z60.1 American Standard for Nursery Stock.

C. **Preferred Trees.** Trees listed in the South Carolina Urban Tree Species Guide shall be utilized to fulfill the requirements of this Article. Trees that are not listed in this Guide are allowed and comply with this Section if the Planning Director determines that the tree is not a prohibited species and is either native to the region or not invasive.

D. **Material installation**. All plant material installation must conform to the minimum standards of the American National Standards Institute (ANSI) A300 Standards for Tree Care Operations.

E. **Time for Planting.**

1. ***Generally.***
   New plant material should generally be installed after construction of the project or phase has been completed.
2. ***Delayed planting.***
   The Planning Director may approve a delay of the required tree planting until the appropriate planting season, generally from October through March.
3. ***Security Required.***
   In the event of delayed planting, the applicant must provide a performance bond or other adequate security as provided in Article 3 in an amount sufficient to ensure completion of the plant material installation.
4. **Tree Warranty.**
   The contractor installing trees to meet the requirements of this article must provide a one-year warranty on plant material to the owner, and this warranty must be noted in the planting notes included with the plans.

F. **Professional Expertise.**
The applicant should seek professional expertise to determine the appropriate plant materials for any particular site, when considering individual site, soil, moisture, and microclimate conditions.

G. **Tree Fund for Alternative Compliance.**

DRAFT

1. Where unusual site conditions, such as may be caused by streams, natural rock formations, topography, lot configuration, or utility easements, make it impossible for proposed development to comply with the landscape requirements in this section, the proposed development may be approved only if it complies with the requirements of this section to the extent practicable and all unmet requirements are compensated for through payment to the Fountain Inn Tree Fund of 125 percent of the estimated cost of plant materials and installation. Estimates used to calculate the cost of plant materials and installation must be made not more than 90 days prior to the submission of the alternative landscape plan. Two estimates provided with letterhead will be submitted for review and approval. The payment shall be based on the average of the two estimates multiplied by 125 percent. The payment shall be capped at $25,000 per disturbed acre during development, to be adjusted upward or downward on a pro rata basis based upon the amount of acres disturbed.
2. Expenditures from this fund shall be dedicated to the planting, maintenance, and replacement of trees by the City on public rights-of-way and public property within City limits, and to related professional services such as planning, landscape design, forestry, or arboriculture.

5.6.7 INSPECTIONS AND ENFORCEMENT

A. **Inspections.** All inspections shall verify the location and number of trees required to comply with this Article and shall ensure that the trees identified for preservation to comply with the requirements are healthy.

B. **Subdivision and Development.**
   1. Conformity with the Tree Protection Plan shall be inspected by City staff as part of development inspections.
   2. The inspections shall be conducted before and after the grading phase and at the end of the project before a final plat is approved.
   3. Any damage noted must be treated in accordance with the recommendations of City staff before a final plat is approved.
   4. Installation may be delayed until the appropriate season pursuant to 5.6.6(G): *Time for Planting*.

C. **Commercial Lots.**

1. Conformity with the Tree Protection Plan shall be inspected by City staff before and after the grading phase and at the end of the project before a certificate of occupancy is issued for commercial developments.
2. Any damage noted must be treated in accordance with the recommendation of City staff prior to the issuance of a certificate of occupancy.
3. Installation may be delayed until the appropriate season pursuant to 5.6.6(G): *Time for Planting*. If the applicant provides acceptable security pursuant to 5.6.6(G): *Time for Planting*, the applicant is entitled to zoning approval.

D. **Residential Lots.**
1. Lot trees must be inspected by City staff prior to the issuance of a certificate of occupancy.
2. Installation may be delayed until the appropriate season pursuant to 5.6.6(G): *Time for Planting*. If the applicant provides acceptable security pursuant to 5.6.6(G): *Time for Planting*, the applicant is entitled to zoning approval.

E. **Enforcement.**
1. ***Generally.***
Violations of this Article shall be processed, enforced, and penalized as provided in Section 2.5.
2. ***Mitigation.***
In addition to the enforcement and penalties required in Section 2.5, a property owner may be required to replant shade and understory trees at a rate not to exceed one inch DBH of trees for each one inch DBH of shade trees that are removed or compromised in violation of this Article. The Planning Director shall make a determination of the size of trees removed based on available information, like the diameter of remaining stumps or available images of the property prior to tree removal.

5.7 Commercial and Mixed Use and Multifamily Design Standards

5.7.1 General Standards

A. In addition to Article 4 and Article 6 requirements for Commercial and Mixed Use and Multifamily Zoning Districts, the standards in this section apply to all Commercial, Mixed Use, and Multifamily Uses.

B. **Building Design Standards.**

1. ***Exterior***
   a. Walls over 100 feet in length visible from the right-of-way shall incorporate three different patterned changes at an interval of no more than 30 feet, either horizontally or vertically. Each pattern change must be at least one foot wide. Patterned changes may include the following: color change, texture change, material change, and wall projections or recesses, at least two feet in depth. At least one of the changes must occur horizontally.
   b. Each building on a site shall have clearly defined, highly visible customer entryways featuring no less than three of the following:
      i) canopies or porticos,
      ii) overhangs,
      iii) recesses/projections,
      iv) arcades,
      v) raised corniced parapets over the door,
      vi) peaked roof forms,
      vii) arches,
      viii) outdoor patios,
      ix) display windows,
      x) planters,
      xi) wing walls; and
      xii) any other architectural detail or feature that accentuates the entryways for the public.

C. **Building materials.**
   1. Exterior finish materials shall be limited to brick, wood, sandstone, other native stone and tinted, textured, or split-faced masonry units.
   2. High quality architectural metal (up to 50% of exterior)

D. **Roofs.**
   1. Rooflines shall be varied with a change in height every 100 linear feet in the building length.
   2. Parapets, mansard roofs, gable roofs, hip roofs, or dormers shall be used to conceal flat roofs and roof top equipment from public view.
   3. Alternating lengths and designs may be acceptable and can be addressed in the Site Plan review process (see Article 3).

E. **Windows.**
   1. Each commercial structure not exceeding 25,000 square feet shall incorporate windows into their design. Each exterior wall with a customer

DRAFT

entrance or facing the public right-of-way shall have transparent windows or glass doors between the height of three feet and eight feet above the walkway grade for no less than 40 percent of the horizontal length of the exterior wall.

F. **Outdoor Storage and Screening.**

1. Where an outdoor storage area stores goods intended for sale or resale, such goods shall be limited to those sold on the premise in conjunction with the principal use of the lot.
2. Areas for outdoor storage not intended for sale or resale, truck parking, trash collection and compaction, loading, utility facilities or any other similar activities shall:
   a. Not be visible from any public or private right-of-way;
   b. Not be located within 20 feet of any public street, sidewalk, or primary internal pedestrian way; and
   c. Be enclosed with a wall made of masonry material consistent with that of the primary building(s) on the lot, a fence made of wood or vinyl, dense landscaping that provides an opaque screen at planting, or a combination of such a wall, fence, and landscaping. The height of the enclosure shall be sufficient to screen stored materials from view from public street rights-of-way, private streets, public sidewalks, and any adjoining residential development.

G. **Pedestrian flows.**

1. Sidewalks at least six feet in width shall be provided along all sides of the lot that abut a public or private right-of-way.
2. Sidewalks shall be provided to connect existing right-of-way to customer entrances, with crosswalks across parking lots and ADA ramps.
3. Sidewalks at least five feet in width shall be provided along the full length of the building along any exterior wall featuring a customer entrance, and along any exterior wall abutting public parking areas. Such pedestrian walkways or sidewalks shall be located adjacent to the building façade or at least six feet from the exterior wall of the building to provide planting beds for foundation landscaping except where features, such as arcades or entryways, are part of the exterior wall.
4. Customer entrances to all buildings shall be easily and safely accessible to pedestrians from the public sidewalk through internal sidewalks, pedestrian walkways, or painted crosswalks, no less than five feet in width. At a minimum, walkways shall connect focal points of pedestrian

DRAFT

activity such as, but not limited to, transit stops, street crossings, building and store entry points, and shall feature adjoining landscaped areas that include trees, shrubs, benches, and flower beds where possible.

H. **Curb cuts.**

1. Street, driveway, or other access separation along state and federal highways shall be in accordance with the latest version of SCDOT Access and Roadside Management Standards (ARMS) manual.
2. When applicable, shared driveways shall be used to access rights-of-way.
3. Driveways shall provide connection between adjacent commercial lots to reduce traffic on right-of-way for short distances.
4. All driveway standards shall adhere to the SCDOT ARMS manual along all road rights-of-way.

I. **Lighting.**

1. ***Intent.*** To increase aesthetic values and safety for the development and application of effective, energy efficient lighting practices that minimize night sky glow, glare, and light pollution.
2. ***Standards for Outdoor Lighting***. The maximum light level permissible at a residential property line shall not exceed 0.5 foot-candles where non-residential uses abut residential uses, and shall not exceed two foot-candles at the road right-of-way or at a non-residential property line.
3. ***Flood Lighting***. All flood lights shall be installed with the fixture aimed downward at least 45 degrees below horizontal. Flood lights shall be orientated or shielded so that the source of the light is not visible from the road right-of-way or from any residential use.
4. ***Wall Packs, Ground Mounted Lighting, and Sign Lighting***. All wall packs shall be cutoff type fixtures. All external lighting fixtures on a sign or ground mounted luminaries lighting building facades, steeples, trees, billboards, monument signs, flags, and other like items shall not exceed 175 watts. Such lighting fixtures shall be oriented or shielded so that the source of the light is not visible from the road right-of-way or from any residential use. The light output from an internally illuminated sign shall not exceed the limits of Section 5.12.1(I)(2) herein.
5. ***Parking Lots and Outdoor Merchandise Display Areas.*** All parking lot and merchandise display area lighting fixtures, other than floodlights permitted herein, shall be cutoff fixtures and shall be mounted at a height not greater than 32 feet above finished grade. Lighting levels in a

DRAFT

parking lot shall not exceed 20 foot-candles, and merchandise display area lighting shall not exceed 30 foot-candles, initial level.

6. ***Vehicular Canopy Lighting***. Lighting fixtures under a vehicular canopy shall be cutoff fixtures or fixtures fully recessed into the canopy. Lighting levels under the canopy shall not exceed 30 foot-candles, and the source of the light shall not be visible from the road right-of-way or from any residential property.
7. ***Outdoor Playing Field or Performance Area Lighting.*** All outdoor playing field or performance area lighting fixtures shall be equipped with louvers, shields, or other devices to control glare and to direct lighting at the playing field or performance area. Lighting fixtures shall be mounted at a height not greater than 80 feet above the playing field or performance area. Lighting of the playing field or performance area shall be extinguished no later than one hour after the event.
8. ***Permits.*** A Lighting Plan shall be included with all building permit and site plan applications for new construction. Such plan shall include specifications of the lighting fixtures to be used, a detailed Site Plan which shows the location of all existing and proposed improvements, the location of the lighting fixtures, and a point-by-point foot-candle array. The Planning Director or duly authorized staff may waive any or all of the above permit requirements, and accept a certification by a qualified design professional that the Lighting Plan complies with all of the requirements contained herein. These same plan requirements shall apply when new lighting fixtures are being erected on an existing developed property.

5.7.2 LARGE STRUCTURES

A. Each commercial structure exceeding 25,000 square feet of space must meet the design criteria specified in Section 5.7.1 and the requirements below.
B. Structures shall have at least two entrances. The two entrances must be located on two different exterior walls that would be most appropriate for access from adjacent parking areas.
C. Each structure with greater than 25,000 square feet of commercial space shall contribute to the establishment of enhancement of community and public spaces by providing one amenity per 25,000 square feet of space (up to a maximum of two amenities) from the following list:

DRAFT

1. patio/seating area,
2. pedestrian plaza with benches,
3. transportation center,
4. window shopping walkways,
5. outdoor play area,
6. kiosk area,
7. water feature,
8. clock tower,
9. steeple, or
10. other deliberately shaped area, focal feature, public art or amenity that, in the judgment of the Fountain Inn Planning Director adequately enhances such community and public spaces.

D. Each amenity shall have direct access to the public sidewalk network and such features shall not be constructed of materials that are inferior to the materials of the building and landscaping.

E. Although the City of Fountain Inn does not currently maintain a public bus system, all sites with more than 50,000 square feet of commercial space shall provide or be designed to accommodate possible (future) bus service and the growing number of private bus services (i.e., nursing home/assisted living, etc.).

5.7.3 Gateway Corridor Overlay (GCO) Standards

A. Location and applicability specified in Article 4.

B. **Permitted Uses**

The overlay district provisions apply to any underlying zoning district (but not including single-family residential) set forth in this Ordinance that exists within the overlay district. All uses permitted by right in the underlying zoning district shall be permitted by right in the Overlay District, subject to the requirements listed below.

The following land uses shall not be located within 2,000 linear feet of any existing land use of the same designation, including those existing uses located outside of the GCO boundaries:

1. Automobile service/gas station.
2. Billiard hall.
3. Car wash.
4. Discount store.
5. Liquor store.

DRAFT

6. Mini warehouses/self storage facilities.
7. Nightclub.
8. Pawn shop.
9. Truck terminals, freight terminals, passenger terminals.
10. Used car lot.

The required separation distance shall be measured in a straight line from the nearest point on the lot line of the property occupied by an existing use to the nearest point on the lot line of the subject property.

C. **Uses Permitted by Special Exception.** The overlay district provisions apply to any underlying zoning district (but not including single-family residential and industrial districts). Uses permitted by special exception in the underlying zoning district shall be permitted by special exception in the Overlay District.

D. **Nonconforming Uses of Land and Structures.** Land uses or structures located in the Gateway Corridor Overlay District that were legally in existence prior to the adoption of this ordinance may be maintained unchanged but are deemed to be nonconforming. Legal nonconforming uses shall conform to Article 1 of this Ordinance.

E. **Dimensional Requirements.** Dimensions of lots and placement of buildings should promote visual continuity, encourage pedestrian activity and provide safe access. Buildings should face the street and be arranged so that they create and maintain a consistent uniform streetscape. Step-backs shall be used to permit sunlight and air access to lower-level buildings.

F. **Front Setback.** Front setbacks shall be a minimum of 10 feet and shall not exceed 50 feet

G. **Side Setback.** Side setbacks shall match the side setback requirement of the underlying zoning district.

H. **Rear Setback.** Rear setbacks shall not be required except where property abuts a residential use or zoning district. Then rear setback shall be a minimum of 10 feet and shall be increased by 1 foot per 3 feet of building height above 12 feet.

I. **Lot Width.** Lot width shall be 50 feet at a minimum.

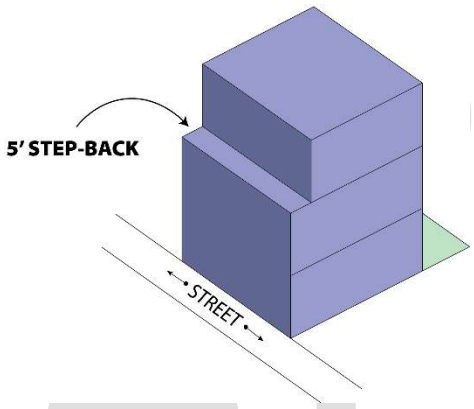
J. **Height Limitation.** Building heights shall not exceed 4 stories or 45 feet except as provided in Article 7, Section 7.

1. Additional height exception. Hotels and motels may be erected to a height exceeding 45 feet, provided that the use is permitted in the

underlying district and the required side and rear yards are increased by at least one foot for each one foot of additional building height above 45 feet. This regulation supersedes the regulation governing the number of stories in the particular underlying zoning district regulations.

2. Step-backs. Floors above the second floor shall be stepped back a minimum of 5 feet for the third floor (see Figure 5-5 below), and an additional 5 feet for floors above the third. The maximum step-back under this method shall not exceed 10 feet.

Figure 5-5: Step-back Diagram



K. **Building Exterior.**

1. No street-level building wall shall be blank; building facades facing public streets shall include a minimum 40% embellishment of interest-creating features such as doors, display windows, murals, etc.
2. At least one patterned change is required for buildings less than 100 feet in linear length: color change, texture change, material change, and wall projections or recesses, at least two feet in depth. At least one of the changes must occur horizontally. Each pattern change must be at least one foot wide.
3. Each commercial structure not exceeding 25,000 square feet shall incorporate windows into their design. Each exterior wall with a customer entrance or facing a public right-of-way shall have transparent windows or glass doors between the height of three feet and eight feet above the walkway grade for no less than 50 percent of the horizontal length of the exterior wall

L. **Building materials.**

1. Shall follow C-2 Commercial District requirements, with maximum 30% high quality architectural metal.

DRAFT

M. **Pedestrian flow.**
   1. Sidewalk requirements in Section 5.7.1 apply, in addition to the requirements below.
   2. A 6-foot sidewalk shall be provided along both sides of internal public roads and private drives.
   3. A 5-foot sidewalk shall be provided to connect existing public roads and private drives to customer entrances. Crosswalks and ADA ramps for safe movement across parking lots and curb cuts are required.

N. **Parking.**
   1. To the extent possible the majority of parking for new uses should be located to the side or rear of the building.

O. **Drive-through Windows.**
   1. Drive-through windows shall be located on the rear or side of the structure .
   2. Drive-through windows and aisles shall not impede the circulation within internal accessways or external ingress points.
   3. Drive-through aisles shall exit onto accessways within the development or onto non-major roadways, as practicable.

P. **Landscaping.**
   1. Roadside buffers must meet requirements in Section 5.5.2.
   2. The street buffer shall be fully vegetated and include a large-maturing tree planted every 40 feet, unless, if underneath power lines, a small-maturing tree shall be planted every 30 feet.

Q. **Signs.**
   1. Monument signs shall not exceed 12 feet in height, measured from the elevation of the right-of-way, be made of brick, stone, or composite material and must include lighting and landscaping in accordance with Article 9.
   2. One wall sign is permitted per façade.
   3. Temporary signs shall be restricted to A-Frame signs that are removed from the exterior of the property before close of business each day.

R. **Lighting.**
   1. ***Height for Parking Areas.*** Parking areas shall be lit to provide safety for the patrons utilizing the lot. Lighting shall be no greater than 20 feet in height and shall be directed to ensure no spillover lighting occurs on adjacent properties or public rights-of-way.

DRAFT

2. ***Type.*** Each outdoor luminaire shall be a recessed or a full cutoff fixture
3. ***Canopy Lighting.*** Canopy lighting shall be recessed within the structure allowing the canopy edge to protrude below the surface area. Outdoor lighting installed on canopies or drive-thru facilities are permitted an average foot candle reading of 20 foot candles under any area that is illuminated.
4. ***Prohibited Lighting.*** The following lighting fixtures are prohibited: neon lighting, searchlights, laser source lights, flood lights, wall packs, or any similar high-intensity light, except in emergencies by police and fire personnel.

5.7.4 Neighborhood Commercial (NC) and Flexible Review District (FRD) Standards

A. **Applicability.** These are based standards that may be modified as part of the rezoning through the Flexible Review District process.

B. **Multi-family Development**
   1. Must meet standards in Article 6.
   2. Within the Neighborhood Commercial (NC) Zoning District multifamily building footprints are limited to 6,000 square feet in size.

C. **Building Location, Orientation and Scale**
   1. Buildings shall be oriented toward a public right of way, common green or greenway easement.
   2. For nonresidential and mixed-use buildings the primary building entry or primary internal drive shall be no more than five feet below or above the grade of the adjacent public right-of-way.
   3. The front elevations facing the street, and the overall massing shall communicate emphasis on the human scale and the pedestrian environment.
   4. Buildings larger than the predominant size in the vicinity shall employ techniques to reduce visual impacts along the facade including the preservation of existing trees, addition of landscaping above requirements, architectural features, additional setbacks or stepbacks of upper stories.
   5. For a multi-building development that includes varying use and/or development intensities in different buildings, the development shall locate buildings with the least intense use and/or development nearest to adjacent single-family residential lots.

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6. Outparcel buildings should be placed, to the maximum extent possible, in a clustered fashion along the street to define street edges, entry points and promote pedestrian activity.

D. **Architectural Requirements.**

1. Additional architectural requirements for nonresidential and mixed-use developments:
   a. Upper and lower floors shall be distinguished through a change in material and/or color or the addition of balconies, bays, awnings, or other accent features.
   b. Special attention shall be given to entrances; they may be set back from the primary façade as long as they are clearly visible from the street. Building entrances and exits shall be well lit to provide visibility and promote safety.
   c. To limit box-like building forms, roofs shall include differing planes, pitches, forms, heights or materials that are distinct from one another.
   d. All roof and wall-mounted mechanical, electrical, communications, and service equipment, including satellite dishes and vent pipes, shall be screened from public view by parapets, walls, fences, dense evergreen foliage, or by other suitable means.
   e. Building facades shall limit blank wall areas to a maximum of one-hundred (100) square feet without a break by windows, doors, architectural features greater than one (1) foot in depth, or a substantial materials change unless stated elsewhere in the UDO or necessary to meet Fire Code requirements.
   f. Except as otherwise regulated, the maximum permitted blank wall length for rear of buildings shall be one-hundred (100) feet, or twenty-five (25%) of the building length, whichever is less. Building facades facing an earthen berm installed as part of bufferyard requirements shall be exempt from this requirement.
   g. Bright, neon colors shall be prohibited.
   h. If a project contains several buildings or if a building contains several storefronts, each building or individual storefront shall be unified in design elements, including materials, colors, window and door placement, and signage.

E. **Signage.**

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1. In addition to the provisions set forth in Article 9, freestanding signs for single tenant commercial, office and residential uses shall meet the following requirements:
   a. Sign shall not exceed 8 feet in height as measured above grade.
   b. Maximum sign face dimension shall be 80 square feet.
   c. Maximum height for a group sign is 16 feet.
   d. Facade mounted signs shall not exceed 10% of the area of the facade upon which they are placed, with the maximum size of any 1 sign limited to 40 square feet.
   e. No signs shall have flashing lights or movable display parts.

F. **Buffers and Screening.**
1. Outdoor storage, refuse containers, dumpsters, loading docks, mechanical equipment and delivery service areas shall be located to the side or rear of structures and shall be screened from view from any primary street by fencing or landscaping. Metal or chain link fence shall be prohibited.
2. Buffer transition yards must meet or exceed requirements specified in Section 5.5 based on proposed land uses and adjacent land uses.
3. Additionally for proposed developments greater than 5 acres in size and adjacent to existing residential development an evergreen plant material used 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 within 3 years, with individual plantings spaced not more than 5 feet apart.

G. **Noise.**
1. Reserved.

H. **Open Space / Civic Space Requirements.**
1. Spaces between buildings on outparcels or pad sites shall include enhanced pedestrian features or amenities such as plazas, paver walkways, common greens, and outdoor seating areas in addition to required off-street parking spaces.

I. **Parking.**
1. Location of parking areas shall be configured to limit parking in the front between buildings and the street.
2. Section 7.2.5 provides incentives to adjust minimum parking requirements

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5.7.5 Downtown Mixed-use (DMU) Standards

The Downtown Mixed-Use District (DMU) promotes a context-appropriate transition between the Central Business District and adjacent or adjoining areas, allowing for a mix of residential and commercial uses. The district promotes infill development, adaptive reuse of existing industrial structures, and pedestrian-oriented design, promoting a walkable environment while extending the character of the Central Business District through compatible architectural and design standards.

If any standards in this section are in contradiction with City-wide general standards, the DMU general standards shall prevail.

A. **Sidewalks and Pedestrian Facilities.**

The following sidewalk and pedestrian improvements shall be required for any new construction on property zoned Downtown Mixed-Use and located in the area generally bounded by Wall Street, Bates Street, Woodside Avenue, and Fairview Street.

1. Sidewalks shall be six feet in width, separated from the curb by a minimum of four-foot landscape buffer. Sidewalks should be concrete in general; however, brick pavers may be accepted.
2. A minimum of four-foot landscape buffer shall be installed between the back of curb and the front edge of the sidewalk and shall be planted with native vegetation from the approved planting list maintained by the City of Fountain Inn. At least one street tree shall be planted within this buffer every forty (40) feet on center. Alternatively, an eight-foot sidewalk with tree grates is acceptable.
3. Street lighting and freestanding fixtures shall be affixed to a decorative pole made of fiberglass, metal, or concrete, and consistent with the street lighting approved by the City of Fountain Inn and subject to approval by the Planning Director. Lighting shall be positioned within the landscape buffer between the curb and sidewalk. Street lights should be no greater than eighty (80) feet on center and should be centered between street trees unless deemed infeasible by the Planning Director. The maximum height of decorative or period street lighting should be no greater than 16 feet in height.
4. A pedestrian and/or landscape buffer of up to 20 feet shall be constructed between the back of sidewalk and the front facade if building

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setback exceeds 5 feet. This buffer shall include a combination of the following:

a. Landscape buffer against buildings and utilizing a dense planting to include elements such as seasonal flowers, small shrubs and small trees from the approved planting list maintained by the City of Fountain Inn. Landscape buffer maintenance is the responsibility of the adjacent property owner and should be well maintained and manicured.
b. A pedestrian transition, including street amenities such as outdoor seating, sidewalk café furniture, bicycle parking facilities, benches, refuse containers and similar features. Newspaper boxes, "containers" and other materials for sale or which offer items for sale are not allowed within the landscape buffer.

B. **Building Placement.**
1. Except for single-family residences, facades for primary structures shall be placed within five (5) feet of the back of sidewalk, or in absence of a sidewalk a property line along a street frontage, and no greater than 20 feet from back of curb unless utilizing a landscape buffer or providing a pedestrian-oriented amenity as described in the “Sidewalks and Pedestrian Realm” section of this chapter and described below.
2. Buildings may be set back up to 30 feet from back of curb provided that a landscape building yard or outdoor pedestrian amenity is maintained as a transition between the sidewalk and building facade.
3. Single-family Detached residences shall have a minimum 10-foot front yard setback.

C. **Dimensional Standards.**
1. ***Setbacks***
   a. Residential
      i) Side- 5 ft
      ii) Rear- 10 ft front-loaded, 5 ft- side or alley loaded
   b. Nonresidential
      i) Side- 0 ft
      ii) Rear- 0 ft
2. ***Minimum Lot Size***
   a. Single Family Detached- 5,000 sq ft

b. Single family attached and Multi-Family- Varies by housing type. See Article 4.

c. Nonresidential and Mixed Use- None

3. Lot Width
   a. See Article 4

D. **Parking and Driveways.**

1. Off street parking is not required for nonresidential development within the Downtown Mixed-use District.
2. Driveways and curb cuts shall maintain a minimum 50 feet of separation and shall be no closer than 60 feet to a street intersection.
3. For any property not developed with a single-family residence, off street parking must be located on the side or rear of the primary structure and designated on the site plan. Any parking lot adjacent to a street right-of-way shall have 1) a buffer at least four feet in width and planted with a low shrub or 2) a solid-brick masonry wall.
4. Adjacent parking lots shall be interconnected unless deemed infeasible by the Planning Director.

E. **Screening of Elements.**

Outdoor storage, refuse containers, dumpsters, loading docks, mechanical equipment and delivery service areas shall be located to the side or rear of structures and shall be screened from view from any primary street in accordance with 5.7.1(F). Metal or chain link fence shall be prohibited.

F. **Height.**

Building height shall not exceed 45 feet with the exception of structures adjacent to South Main Street and Wall Street, where structures shall not exceed 65 feet.

Rooftop elements like bars, covered patios, and other decorative features are permitted, but shall not exceed 12 feet above the maximum permitted height.

G. **Building Orientation.**

Entrances to primary structures shall be oriented toward a street sidewalk unless such access is not feasible as determined by the Planning Director.

H. **Building Design Features.**

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1. ***Primary Materials.***
   a. Building facades visible from a public right-of-way must be constructed with brick, stone, wood or a composite material closely resembling brick, stone, or wood.
   b. A minimum of 30-percent of any street-facing facade shall be composed of brick. Architectural metal up to 25-percent of the façade visible from the street is permitted.
   c. Stucco or synthetic stucco surfaces including EIFS, smooth-faced concrete block, tilt-up concrete panels, prefabricated steel panels and metal siding are prohibited on new construction.
2. ***Windows and Orientation.***
   a. At least 60-percent of the street-facing ground floor facade must consist of windows or glass. The Planning Director may grant a reduction to 40-percent to accommodate unique circumstances including but not limited to:
      i) Architectural or structural constraints,
      ii) Irregular topography,
      iii) Noise sensitive uses which cannot otherwise be accommodated by an alternative building design,
      iv) Critical security or operational constraints related to the use of the building which cannot otherwise be accommodated by an alternative building design.

      Any reduction in street-facing windows shall utilize reliefs of brick or stone to maintain the rhythm of ground floor windows consistent with the character of the District.

   b. Upper stories shall include windows on street-facing facades. Upper story windows shall be vertically proportioned and aligned.
3. ***Horizontal Articulation***. Any building greater than one story in height shall include horizontal design features to articulate the ground floor from upper stories, including but not limited to:
   a. Defining a base, middle, and top though material changes, cornices or banding
   b. Definition of roofline though the use of elements such as parapets, dormers, or pitched roof sections to define and add visual interest to the top of the building.

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4. ***Vertical Articulation***. Any building more than 50 feet in width along a street frontage shall be divided into increments of no more than 30 feet through a combination of techniques, including but not limited to:
   a. Divisions or breaks in materials, textures or colors
   b. Vertical elements
   c. Window bays
   d. Separate entrances and entry treatments
   e. Variation in roofline
   f. Wall projections or recesses at least two feet in depth

I. **Outdoor Lighting.**

1. **Wall-mounted Lighting.**

All wall-mounted outdoor lighting shall be located, screened or shielded to reduce glare for motor vehicles traveling on a public right-of-way. Light fixtures attached to structures shall be integrated to the building architecture and shall utilize a cut-off fixture.

2. **Free-standing Lighting.**

Any freestanding fixtures shall be affixed to a decorative pole made of fiberglass, metal, or concrete, and the light source shall not exceed twenty (20) feet in height.

J. **Adaptive Reuse of Existing Non-Conforming Structures.**

Existing non-conforming structures may be adaptively reused or renovated. Additions to existing non-conforming structures constructed prior to (DATE) are subject to the following:

K. **Building Placement.**

1. Front Addition. Any addition to an existing building within the front yard that exceeds 50-percent of the footprint of the existing structure must comply with the provisions of this Section regarding Building Placement. A front addition that does not exceed 50-percent of the footprint of the existing building structure shall not increase the degree of nonconformity of the existing structure.
2. Rear Addition. Rear additions shall not increase the degree of nonconformity of the existing structure.
3. Side Addition. Side additional shall not increase the degree of nonconformity of the existing structure.

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5.7.6 C-1 / Downtown Standards

The Central Business District promotes a vibrant, walkable, and pedestrian-friendly environment that serves as the commercial, civic, and cultural heart of Fountain Inn. The area supports a mixture of uses, prioritizing retail on the ground floor with upper-story office and residential; and development reflects traditional design, preserving unique architectural features, scale, and building design and character.

A. **Sidewalks and Public Realm**.

The public realm in the Central Business District fosters a vibrant, pedestrian-friendly environment through wide sidewalks, resilient tree canopies, and cohesive streetscape design, enhancing accessibility, sustainability, and community character.

The following public realm improvements are required in the Central Business District:

1. Sidewalks shall be a minimum of six (6) feet wide, and shall be concrete or brick pavers, except for areas along Main Street and Fairview Street as described below.
2. For areas along Main Street and Fairview Street:
   a. Sidewalks shall be ten feet wide with periodic plantings (including bulb-outs, streets side landscape buffer or tree grates) the sidewalk shall be separated from the curb by
      i) a minimum of four-foot landscape buffer;
      ii) eight-foot landscape buffer or bulb out for street trees; or
      iii) street tree with tree grates.
   b. Sidewalks shall be concrete or brick pavers and should emulate nearby conditions and materials to the extent practical.
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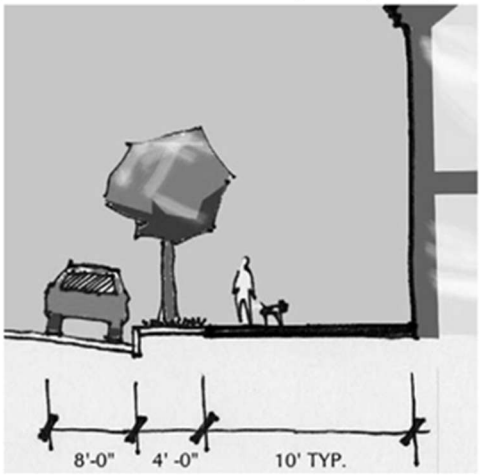
Figure 5-6: Sidewalk Right-of-way Cross Section



a. In areas where on-street parallel parking is present, brick pavers may be utilized in lieu of a landscape strip. The landscape strip shall measure four feet in width and no less than eight feet in length except for areas accommodating large tree as required by this section in which case the landscape strip must be eight (8) feet. Tree and lighting requirements and spacing as detailed in this article shall remain in effect if brick pavers are used in lieu of a landscape strip.
b. Street lighting and freestanding fixtures shall be affixed to a decorative pole made of fiberglass, metal, or concrete, and consistent with street lighting fixtures approved by the City of Fountain Inn and subject to approval by the Planning Director. Lighting shall be positioned within the landscape buffer between the curb and sidewalk. Street lights shall be no greater than 80 feet on center and should be centered between street trees unless deemed infeasible by the Planning Director. The maximum height of decorative or period street lighting shall not exceed 16 feet in height.

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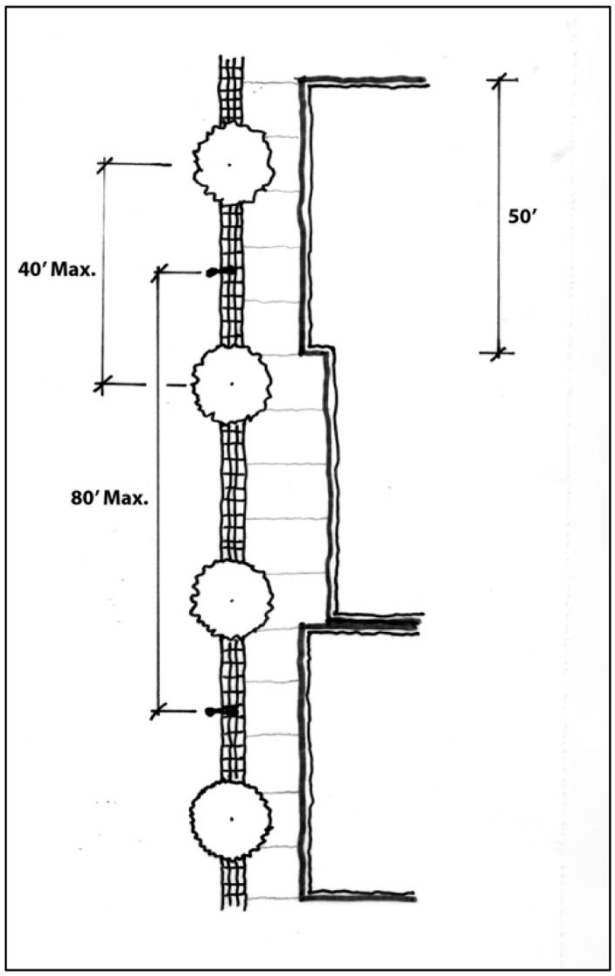
Figure 5-7:



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B. **Private Pedestrian Transition.**

Pedestrian-oriented improvements on private property in Downtown Fountain Inn enhance the public realm by promoting walkability, supporting a vibrant streetscape, and incorporating resilient features such as landscaping and shade. These requirements ensure cohesive design, encourage active pedestrian engagement, and contribute to the district's environmental sustainability and unique character.

1. Where the building facade is set back more than three (3) feet from the back of the sidewalk, the following improvements shall be required:
   a. A landscape strip of three (3) to six (6) feet in width, including a variety of dense plantings such as seasonal shrubs and flowers.

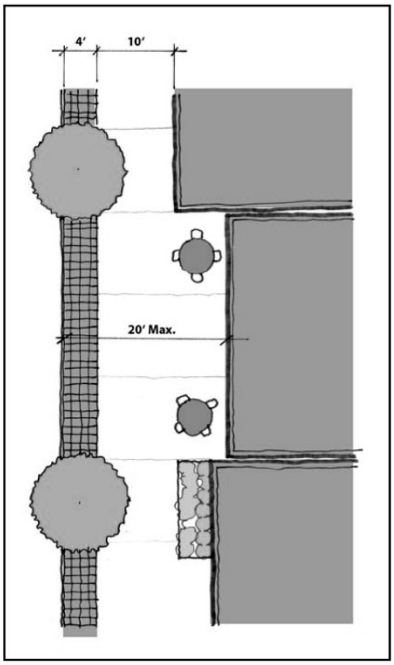
b. Any area with a dimension of eight (8) feet by eight (8) feet or greater shall include a small tree from the City of Fountain Inn's approved panting list. The property owner(s) is(are) responsible for maintaining landscaped buffers in a neat and manicured condition.
c. Permanent pedestrian-oriented amenities such as bicycle racks, benches, tables and chairs, and trash receptacles are permitted in the sidewalk zone. Vending machines and similar fixtures, including newspaper boxes and other vending containers, are prohibited.

2. The property owner(s) is(are) responsible for maintaining landscaped buffers in a neat and manicured condition

C. **Building Placement.**

1. For new construction, building facades shall be placed at the back of sidewalk unless otherwise unless otherwise developed with pedestrian-oriented improvements on private property described herein, in which case the building facade shall be a maximum of 10 feet from the back of sidewalk.
2. For an addition or alteration to an existing non-conforming building, building improvements shall not be permitted which increase the degree of nonconformity as described above.

Figure 5-8: Building Façade Placement



D. **Parking.**

1. Off-street parking is not required within the Central Business District.
2. Any parking lot adjacent to a street right-of-way shall be a minimum of four feet in width and planted with a low shrub.
3. Off-street parking must be located on the side or rear of the primary structure no closer to the street than adjacent building facades and shown on the site plan. Any parking lot adjacent to a street right-of-way shall have a planted hedgerow that is a minimum of four feet in width and planted with low shrubs. A masonry knee wall not exceeding 36" may be substituted for the hedgerow.
4. On-street parallel parking shall be required unless deemed infeasible by the Planning Director. On street parking adjacent to the subject property may be credited toward the parking requirement for uses on-site.
5. Adjacent parking lots shall be interconnected unless deemed infeasible by the Planning Director. Where parking is interconnected the parking requirement for the interconnected lots may be reduced by ten (10) percent.

E. **Screening of Elements.**

Outdoor storage, refuse containers, dumpsters, loading docks, mechanical equipment and delivery service areas shall be located to the side or rear of structures and shall be screened from view from any primary street in accordance with Section 5.7.1(F). Metal or chain link fence shall be prohibited.

F. **Minimum Lot Size and Width**

1. **See Article 4**

G. **Building Height.**

Any new building shall be two or three stories in height. The front façade shall be a minimum of 20 feet in height and may not exceed 50 feet in height.

H. **Building Design Features**

1. ***Primary Materials.*** Building facades visible from a public right-of-way must be constructed with brick, stone, wood or a composite material closely resembling brick, stone, or wood. Stucco or synthetic stucco surfaces including EIFS, smooth-faced concrete block, tilt-up concrete panels, prefabricated steel panels and metal siding are prohibited on new construction.

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2. ***Windows and Orientation.***
   a. At least 60-percent of the street-facing ground floor facade must consist of windows or glass, measured as the total window or door glazing divided by the total facade area between two and 10 feet above the adjacent sidewalk grade. The Planning Director may grant a reduction to 40-percent to accommodate unique circumstances including but not limited to:
      i) Architectural or structural constraints,
      ii) Irregular topography,
      iii) Noise sensitive uses which cannot otherwise be accommodated by an alternative building design,
      iv) Critical security or operational constraints related to the use of the building which cannot otherwise be accommodated by an alternative building design.

      Any reduction in street-facing windows shall utilize reliefs of brick or stone to maintain the rhythm of ground floor windows consistent with the character of the Central Business District.

   b. Each street-facing ground floor window or door shall maintain a minimum of 75-percent transparency, allowing views from the street to the interior of the building. Up to 25-percent of the window may include frosting, advertising, or signage. The Planning Director may approve an alternative to this requirement for permitted uses which require increased privacy, subject to the following:
      i) The alternative treatment does not increase signage or advertising to a portion greater than 25-percent of the window,
      ii) The applicant demonstrates that the alternative treatment is necessary to protect privacy, security, or other function needs specific to the permitted use of the building,
      iii) The alternative treatment maintains visual interest at the pedestrian realm and does not negatively affect architectural details, features, or displays.
3. ***Facade Orientation.*** Primary building facades shall address primary streets with highly visible entrances oriented toward the street and pedestrian realm and providing direct access from a public sidewalk into the ground floor.

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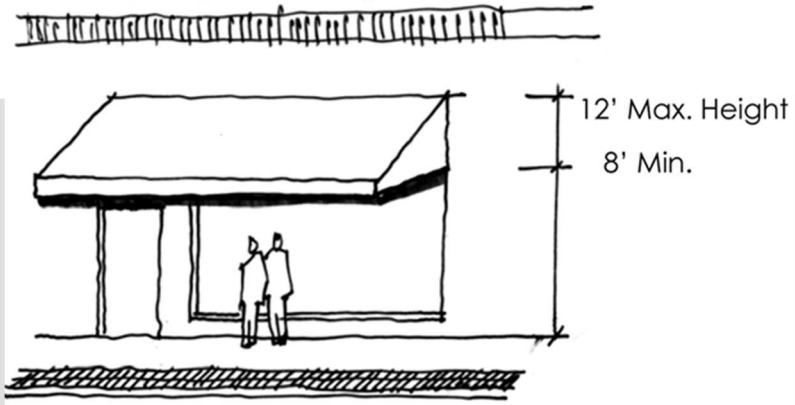
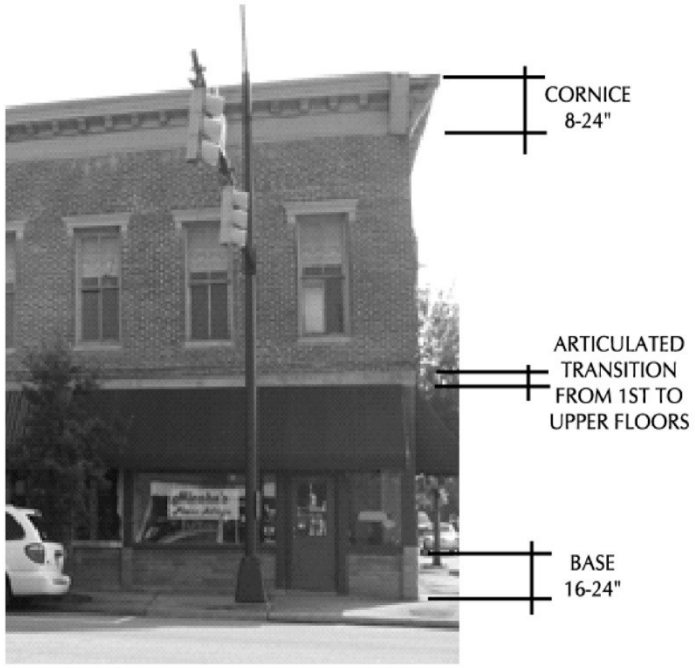
4. ***Awnings.*** Building awnings shall be proportioned to cover windows or doors and must project a minimum of 30 inches from the building, not more than six (6) feet from the building facade. Awnings must maintain eight (8) feet of clearance. Awnings may not extend across multiple storefronts or buildings. Awnings must be constructed of durable, protective, and water repellant material; however, plastic, fiberglass, or similar materials are not permitted. Awnings shall not have backlighting or internal illumination.

Figure 5-9: Awning Proportion Diagram



5. ***Horizontal Articulation.*** Buildings shall include horizontal design features to define the ground floor from upper stories. These features may include but are not limited to:
   a. Defining a base, middle, and top though material changes, cornices or banding,
   b. Variation in roofline though the use of elements such as parapets, dormers, or pitched roof sections to define and add visual interest to the top of the building.
6. ***Vertical Articulation.*** Any building more than 50 feet in width along a street frontage shall be divided into increments of no more than 30 feet through a combination of techniques, including but not limited to:
   a. Divisions or breaks in materials, textures or colors,
   b. Vertical elements,
   c. Window bays,
   d. Separate entrances and entry treatments,
   e. Variation in roofline,
   f. Wall projections or recesses at least two feet in depth.

Figure 5-10: Example of Horizontal Façade Articulation



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I. **Maintenance of Facades, Windows, and Awnings**

1. All ground floor windows and doors must remain free of dirt, grime, graffiti, bird droppings, and any visible trash or storage materials.
2. Storefront windows in vacant buildings must be covered with a neutral-colored material approved by the Planning Director to obscure the interior, or alternatively, decorative art may be used. All coverings must be in good repair.
3. Awnings must be kept in clean and good condition, free from defects, fading or damage.
4. The exterior of all buildings must be maintained in accordance with the International Property Maintenance Code.

J. **Wall-Mounted Outdoor Lighting**

All wall-mounted outdoor lighting shall be located, screened or shielded to reduce glare for motor vehicles traveling on a public right-of-way. Light fixtures attached to structures shall be integrated to the building architecture and shall utilize a cut-off fixture.

K. **Reserved.**

1. ***Reserved.***

5.7.7 Industrial Standards

A. Parking landscape requirements apply.
B. Streetscape buffer is required
C. Laydown yards shall be buffered from residential and right-of-way.
D. Section 5.7.1(F) Outdoor Storage standards shall apply.
E. All noises, odors, vibrations, and emissions of smoke, dust, or gases shall be controlled so as not to be detrimental or cause a nuisance to nearby properties.

5.7.8 Group Developments

Due to the unique design, features and ownership structure of "Group Developments," the following design requirements may be utilized for all such projects:

A. A "Group Development" shall be defined as a single building or multiple buildings housing multiple uses that share a common parking area.
B. For the purposes of site plan approval, including stormwater, parking, landscaping and common area/open space requirements, all associated properties will be treated as a single development.
C. When a Group Development is subdivided into multiple parcels, the following documents, in detail satisfactory to the Planning Director or duly authorized staff, shall be required:
    1. A plan or agreement detailing how the shared parking will be maintained and preserved.
    2. A plan or agreement detailing how the landscaping for the development will be maintained.
    3. A common signage plan detailing the allotted signage for each individual use (existing and future) and a plan or agreement detailing how common signage at entrances will be addressed.
    4. A plan or agreement detailing how the stormwater system will be maintained and preserved.
    5. A plan or agreement detailing how any common area/open space will be maintained and preserved.
    6. The Planning Director or duly authorized staff may approve a reduction to the setback and bufferyard requirements to zero (0) feet and eliminate landscaping requirements on all internal property lines in the development.

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ARTICLE 6. CONDITIONAL USE AND SPECIAL EXCEPTION USE STANDARDS

6

There are specific uses which, by their nature, that may have the potential to create adverse effects on nearby properties. The intent of this chapter is to mitigate potential impacts by allowing such uses to be constructed, continued, and/or expanded using the standards therein. The provisions in this chapter apply to conditional or special exception uses as set forth in the Table of Permitted Uses in Article 4.

6.1 General Provisions

A. The provisions of this Chapter shall apply to all new buildings and expansions in accordance with the following:
   1. ***New Buildings.*** All standards apply.
   2. ***Expansions 50% greater in Floor area.*** All standards apply to façades visible from the public right-of-way and the area being expanded.
   3. ***Expansions less than 50% of Floor Area.*** Standards will apply to the expansion area only and areas necessary to tie the new to the old.
   4. ***Change of Use.*** If the use of a legally established, nonconforming building changes to another use category per the Table of Permitted Uses, the building shall be brought into compliance.

B. **Conflict**. If there is a conflict with the standards set forth in this chapter and any other requirements, the most restrictive standard shall control.

CONTENTS

Article 6. Conditional Use and Special Exception Use Standards 1

6.1 General Provisions 1

6.2 Residential and Accommodations Uses 2

6.3 Institutional and Social 20

6.4 Office and Business Services 2122

6.5 Arts, Entertainment, and Recreational 2223

6.6 Commercial Sales and Services 25

6.7 Vehicular 28

6.8 Industry, Wholesale, and Storage 30

6.9 Utilities, Infrastructure, and Communications 34

6.10 Agriculture 42

6.11 Accessory Uses 43

6.12 Temporary Uses 5152

6.2 Residential and Accommodations Uses

6.2.1 Bed and Breakfast, Home Stay

A. **Owner-Occupancy Required**. The owner or operator of the bed and breakfast establishment must reside within the same structure as the bed and breakfast establishment.

B. **Maximum Number of Guest Rooms.** The maximum number of guest rooms is 3.

C. **Records Required.** Bed and breakfast operators must maintain a guest register containing the following information:

1. Names
2. Vehicle license plate number
3. Home addresses
4. Work and home telephone numbers

D. **Appearance.** The appearance of the bed and breakfast establishment shall remain as a residence, not a commercial lodging establishment.

1. One non-illuminated sign shall be permitted provided that the sign copy area of such signs does not exceed (2) square feet in area and that such sign is mounted flat against the wall of the establishment in which such the Bed and Breakfast is conducted.

E. Off-street Parking. All parking for bed and breakfast establishments must be located in the rear or side of the primary building on a lot. One off-street parking place shall be provided for each guest room.

F. Screening. Screening shall be provided between adjacent residences and parking areas.

G. Compliance with State Law. Such a facility must comply with all applicable State laws, including S.C. Title 45, Chapter 4 Bed and Breakfast Act.

6.2.2 Bed and Breakfast Inn

A. **Owner-Occupancy Required.** The owner or operator of the bed and breakfast establishment must reside within the same structure as the bed and breakfast establishment.

B. **Maximum Number of Guest Rooms.** The maximum number of guest rooms is 10.

C. **Records Required**. Bed and breakfast operators must maintain a guest register containing the following information:

2. Names
3. Vehicle license plate number
4. Home addresses

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5. Work and home telephone numbers

D. **Appearance.**, The appearance of the bed and breakfast establishment shall remain as a residence, not a commercial lodging establishment.
   1. One non-illuminated sign shall be permitted provided that the sign copy area of such signs does not exceed (2) square feet in area and that such sign is mounted flat against the wall of the establishment in which such the Bed and Breakfast is conducted.

E. Off-street Parking. All parking for bed and breakfast establishments must be located in the rear or side of the primary building on a lot. One off-street parking place shall be provided for each guest room.

F. Screening. Screening shall be provided between adjacent residences and parking areas.

G. Compliance with State Law. Such a facility must comply with all applicable State laws, including S.C. Title 45, Chapter 4 Bed and Breakfast Act.

6.2.3 Continuing Care Community

A. The minimum area of a continuing care community shall be one acre.
B. All parking spaces and driveways shall be located a minimum of 20 feet from residential structures located outside of the continuing care community.
C. The front yard setback shall be the same as permitted in the respective district, but shall not be less than the setback of any existing homes on adjacent lots.
D. Side and rear yard setbacks shall be 25 feet.
E. All facilities within the continuing care community shall be solely for the use of the residents and their guests.

6.2.4 Dwelling, Cottage Court

A. **Procedure for review.** Cottage court shall be reviewed in accordance with the standards and requirements for a major subdivision in Article 3.
   1. ***Exception:*** Cottage courts may have proposed lots front on a common open space.

B. **Site configuration.**
   1. ***Development size.*** Cottage courts shall be located on a site of at least 16,000 square feet in size.
   2. ***Allowable uses.*** Allowable uses shall be limited to single-family detached dwellings and commonly associated accessory uses. Accessory uses may include common open space, a common building for the purposes of storage or recreation for residents of the cottage court, and outdoor recreational features.

3. ***Number of dwellings.*** A cottage court shall include at least four dwellings. Maximum density is sixteen (16) units per acre. The minimum number of units for this development type is three (3) units. The maximum number of units for this development type is sixteen (16) units.
4. ***Common open space.***
   a. The cottage court shall include common open space that comprises at least 30 percent of the total site. The common open space shall include a central green, lawn, garden or forested area fronting some or all of the dwellings, one or more shared surface off-street parking area(s) located away from the dwellings and common area, and a perimeter buffer area that incorporates landscaping materials, existing vegetation, or other features to buffer the subdivision from adjacent development.
   b. A common building located within the common open space area may be included as an accessory use, but in no instance shall the common building be larger than 1,500 square feet or serve as a permanent dwelling unit.
   c. Open space areas shall include improved pedestrian walkways that provide pedestrian access to each dwelling, shared parking areas, any common buildings, and the public sidewalk network.
   d. Ownership of the open space shall remain either with the developer or be conveyed to a homeowners' association or comparable legal entity under the laws of South Carolina.
   e. Maintenance of the land as permanent open space shall be ensured via the recordation of covenants or similar documents with the county registrar of deeds and noted (or referenced) on the site plan or final plat. This documentation shall also prescribe the nature and extent of continuing maintenance to the open space designed to preclude the creation of any nuisances.
5. ***Dwellings fronting open space.*** At least 50 percent of the dwellings in a cottage court shall front common open space.
6. ***Dwellings fronting internal streets and permanent, unpaved access easement***. Dwellings in a cottage court that front an internal street or unpaved access easement shall:
   a. Be oriented so that the front door of the dwelling faces the internal street or access easement;
   b. Include a front porch of at least ten feet in width and six feet in depth between the front facade of the dwelling and the street or access easement;

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c. Ensure that a street facing garage, if provided, is located at least 10 feet behind the front facade plane of the dwelling, including porches.

7. ***Dwellings fronting perimeter streets***. Dwellings in a cottage court that front a public street outside the development shall comply with the following standards:
   a. Lots shall maintain a minimum area of at least 75 percent of the minimum lot area for the underlying zoning district;
   b. Dwellings shall be oriented so that the front door of the dwelling faces the public street; and
   c. A street facing garage, if provided, shall be located at least ten feet behind the front facade plane of the dwelling, including porches.

C. Surface parking.

1. Each cottage court shall incorporate at least one shared surface parking area that accommodates resident or guest parking. Surface parking areas shall include a total of at least one parking space for each dwelling unit plus one designated guest parking space for every four dwelling units. Provision of resident parking spaces within a shared surface parking area is not required in cases where resident parking is provided via individual driveways, garages, or by parking spaces along internal streets.
2. In no instance shall a surface parking area be more than 300 linear feet from the dwelling it serves.

D. **Detached common garages**. Detached garages serving more than one dwelling shall not exceed five car bays.

E. **Perimeter buffer.** A cottage court may be required to incorporate a perimeter buffer along all lot lines shared with existing single-family detached dwellings, as determined by the administrator.

F. **Internal streets.** Vehicular entryways into cottage courts and internal streets serving the development shall be configured as private drives with a minimum pavement width of 20 feet. Drives shall be located within a 26ft wide access easement.

G. Individual lot configuration.

1. ***Dimensional requirements***. The following table sets out the dimensional requirements for individual lots.

Table 6.2 Cottage Court Dimensional Standards

COTTAGE COURT DIMENSIONAL STANDARDS	
Feature	**Requirement**
Minimum lot size (sq ft)	None
Maximum lot coverage (%)	100[1]

Minimum lot width (ft)	20
Minimum front setback (ft)	10 from open space; zoning district requirement from street[2]
Minimum side setback (ft)	0 one side; 15 other side[2]
Minimum rear setback (ft)	None[3]
NOTES: [1] Total impervious coverage for the entire subdivision shall not exceed 60 percent. [2] Porch steps, ramps, fences, and walkways may encroach into the front setback in accordance with Article 4, but no other structures shall be permitted to encroach into a required setback. [3] When an individual lot includes a driveway, the minimum rear setback shall be 20 feet.	

2. No-build easement. Any lot abutting another lot used for residential purposes in a cottage court shall include a no-build easement on one side that extends from the lot line to the exterior wall of the dwelling. The purpose for the use easement is to ensure that the adjoining property owner can use the entire side yard as private outdoor space.

B. Dwelling unit configuration.

1. ***Maximum height.*** A dwelling unit shall not exceed two stories, or 30 feet.
2. ***Dwelling size.*** A dwelling unit shall be at least 600 gross square feet in size, but not more than 2,400 gross square feet in size, excluding garages.
3. ***Front porch.*** A dwelling unit shall incorporate a covered front porch of at least ten feet in width and six feet in depth.

C. **Homeowner's association.** Each cottage court should include a homeowner's or property owner's association, or comparable legal entity under the laws of South Carolina, that maintains control of common areas and takes responsibility for maintenance of common features in the neighborhood, in the event the developer has transferred ownership of the common areas. Homeowner's association documents shall be submitted to and reviewed by the city prior to approval of the subdivision.

D. **Trash Collection.** Trash collection facilities shall:

a. Not be visible from any public right-of-way;
b. Be screened from public rights-of-way by an enclosed with a wall made of masonry material consistent with that of the primary building(s) on the lot, a fence made of wood or vinyl, dense landscaping that provides an opaque screen at planting, or a combination of such a wall, fence, and landscaping. The height of the enclosure shall be sufficient to screen

stored materials from view from public street rights-of-way, public sidewalks, and any adjoining residential development.

E. **Fire Access.** Fire apparatus must be able to locate within 150 feet of all sides of structures.

6.2.5 Dwelling, Live-Work

A. No business storage or warehousing of material, supplies or equipment is permitted outdoors. Storage is permitted in the live-work unit or a fully enclosed accessory structure only.

B. Signage is limited to 1 one (1) unlit wall or projecting sign Building Sign as listed in Sec. 7.3.2. for each building façade of the structure containing the live-work use that faces a public street. Each sign permitted by this item shall be no larger than 3 six (6) square feet in area, and attached to the structure housing the live-work unit.

C. Allowed uses shall be limited to the following:
   1. Office
   2. Dance, martial arts, music studio or classroom
   3. Sports academy
   4. Personal Service (with the exception of Animal Care (outdoor); Dry-cleaning; Funeral home, funeral parlor, mortuary, undertaking establishment, crematorium, pet crematorium; and Wedding chapel)
   5. Clothing, textile, and apparel manufacturing and sales
   6. Production of artwork and toys
   7. Graphic design
   8. Assembly, design, repair or testing of clocks, computers, jewelry, musical instruments, and photographic or optical instruments.
   9. Sale of items such as, but not limited to, antiques, jewelry and clothing.

D. The live-work shall be located in fully-enclosed, conditioned space that is affixed to a permanent foundation. Exterior facades of an attached live-work shall be compatible with the principal building in terms of texture, quality, material and color

E. No more than one live-work shall be established on a lot. A live-work shall not be permitted on a lot where a Home Occupation is permitted.

F. When a live-work use is located within a Detached, or Attached, or Apartment principal structure with a residential principal use or an Accessory Dwelling Unit associated with a residential principal use, the following provisions shall apply:
   1. The non-residential floor area is limited to the first floor and may occupy no more than 50% of the structure; and

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2. The entire structure may be no larger than 3,000 sf (both residential and nonresidential).

G. When a live-work is located in an Apartment principal structure, the floor area of the live-work shall not exceed 1,000 square feet or 40% of the gross floor area of the associated dwelling unit, whichever is smaller.
H. Hours of operation shall be limited to 7 AM to 9 PM.
I. Drive-throughs are prohibited
J. Outdoor seating associated with a live-work is prohibited
K. Outdoor display areas shall be prohibited.
L. Lighting associated with live-work shall be full cutoff.

6.2.6 Dwelling, Multi-Family

A. Multi-family uses shall adhere to Section 5.7: Commercial and Multi-Family Design Standards.
B. **Design of Entryways.** All building entryways shall be oriented towards a public street right-of-way. Building entryways shall be designed for the pedestrian and shall include an awning, canopy, or portico at a minimum, as well as those listed in Section 5.7
C. Building Façade Design and Articulation. On each front or street side yard facing building façades of a Multifamily Dwelling shall be designed with consistent architectural styles, details, and trim features. Each street facing façade shall provide the following elements:
    1. A change in plane, such as recesses and/or projections (at least two feet deep);
    2. Complementary change in color;
    3. Complementary change in material/texture;
    4. Pedestrian building pass-throughs;
    5. When buildings are greater than 2 floors and adjacent to single-family homes, an eight-foot minimum step back of the entire façade; and
    6. Covered porches, terraces, lanais, or balconies intended for private use by residents;
D. Pedestrian Access. All upper-story pedestrian accessways serving two or more units shall include fully enclosed stairwells on the front building façade. On side or rear facing façades open stairwells are allowed.
E. Exterior Cladding Materials. Exterior cladding materials shall include at a minimum 50% brick, stacked stone, stone, or architectural concrete masonry units (CMU) and a maximum 50% cementitious fiber board, non-corrugated architectural metal siding, or wood (above first floor only).

DRAFT

F. Exterior Cladding Material Colors. Exterior cladding material colors shall be low reflectance, earth tone, or neutral colors.

G. Prohibited Exterior Materials and Colors. The following exterior cladding materials and colors are prohibited:

1. Vinyl siding, excluding windows;
2. Unfinished concrete;
3. Exterior Insulation Finishing Systems (EIFS), excluding cornices.
4. Neon, day glow, fluorescent, metallic, or any high-intensity colors, except when included in an approved mural or other form or public art.

H. Transparency. Building façades shall be designed to have a minimum level of transparency, through the form of glazing (windows, doors, etc.). The following requirements shall be met for Multi-Family Dwellings:

1. On the front façade of the ground floor of the building there shall be a minimum of 30% glazing materials. If the building faces two streets, all street facing facades must meet this requirement.
2. On side façades of the building (not facing a street), there shall be a minimum of 15% glazing materials.
3. On rear ground floor façades there are no glazing materials required. All upper story façades must have a minimum of 15% glazing materials.

6.2.7 Dwelling, Two Family

A. Design of Entryway. Two Family Dwellings or Duplexes shall have at least one primary entrance oriented toward the public right-of-way. In GR-2, duplexes may only have one primary entrance on the front of the building. The additional entrance shall be located on the side or rear wall.

B. Finished Floor Elevation. The finished floor elevation at the front façade shall be at a minimum 18 inches above grade unless designed to be compliant with Americans with Disabilities Act (ADA) or Universal Design regulations and standards.

C. Maximum Building Width. The maximum building width shall not exceed fifty-five (55) feet.

D. Usable porches and stoops should be used as a primary architectural element of the building design and be located on the front and/or side of the home. Front porches shall be at least eight feet deep and extend more than 40 percent of the facade.

E. The width of an attached garage shall not exceed 40 percent of the width of the building façade.

6.2.8 Dwelling, Three and Four Family

A. **Design of Entryway.** Three and Four Family Dwellings or Triplexes, and Quadplexes shall have only one primary entrance oriented toward the public right-of-way and shall be visibly emphasized, architecturally embellished and accessible from a street or sidewalk.. Primary entrances for other units shall be located on a side or rear wall to minimize visibility, unless part of a shared entry.

B. **Finished Floor Elevation.** The finished floor elevation at the front façade shall be at a minimum 18 inches above grade..

C. Maximum Building Footprint. The maximum building footprint of the primary structure shall not exceed one thousand five hundred (1,500) square feet.

D. **Maximum Building Width**. The maximum building width shall not exceed fifty-five (55) feet.

E. Usable porches and stoops should be used as a primary architectural element of the building design and be located on the front and/or side of the home. Front porches shall be at least eight feet deep and extend more than 40 percent of the facade.

F. The width of an attached garage shall not exceed 40 percent of the width of the building façade.

G. The architectural features (including colors, materials, embellishments, landscaping) shall be similar or complimentary to that of surrounding buildings and landscape to achieve unity of design and to not detract from buildings in the vicinity, especially if they are designated as architecturally or historically significant. Bay windows, cornices, and other architectural elements are encouraged, particularly when similar to surrounding buildings.

H. Roofs shall be complementary in appearance to the roofs of the adjacent structures.

6.2.9 Dwelling, Townhouse

A. Generally

1. Minimum project acreage: 0.5 acres
2. Not more than six (6) nor fewer than three (3) townhouses may be joined together, with approximately the same (but staggered) front line
3. Sideyard setbacks at the end of each unit shall be 10 (10) feet.
4. Minimum lot width shall be 16 feet.
5. Sidewalks not less than (5) feet in width shall be provided along the front property line of each project and along internal streets,

DRAFT

6. Maximum height of principal buildings shall not exceed 35 feet unless permitted via Special Exception. Accessory structures shall not exceed 25 feet.
7. Rear yards may include one accessory building no greater than 900 square feet in GFA.
8. A Bufferyard Type B is required to screen rear yards when located adjacent to and within 30 feet of a road right-of-way or residential property.

B. Driveways and Setbacks

1. Minimum front yard setbacks for front loaded units shall be 20 feet from the front property line or edge of sidewalk whichever is closer. Minimum front yard setbacks for alley-loaded units shall be 10 feet from the front property line or edge of sidewalk whichever is closer.
2. Rear yard setbacks shall be 15 feet for front loaded structures and 5 feet for alley loaded structures.
3. Driveways shall adhere to the following standards:
   a. Front-loaded. Driveways shall be a minimum length of 20 feet from the edge of sidewalk, edge of pavement or back of curb, whichever is closer to the building,
   b. Rear / Alley-loaded. Driveways shall be a minimum length of 20 feet from the edge of sidewalk, edge of pavement or back of curb, whichever is closer to the building, except if a garage is provided the following standards apply: Garage shall be placed entirely to the rear of the townhouse and is rear accessed. Garage can be attached or detached. The garage must either be located 5 feet from the alley right-of-way or easement or rear access drive or be a minimum of 20 feet from the alley right-of-way or easement or rear access drive. Where parking spaces are located between the garage and the alley or rear access drive, the garage must be located at least 20 feet from the alley or rear access drive.

C. Roof

1. In residential districts roofs must be sloped with a pitch that is no flatter than six (6) units of vertical rise to twelve (12) units of horizontal run or as appropriate to the architectural style of the structure and approved by the Planning Director.

D. **Architectural features**. At least one (1) of the following architectural features is required on each unit:

DRAFT

1. At least one (1) dormer facing the street. If only one (1) dormer is included, it shall be located in the center third (horizontally) of the front elevation. If more than one (1) dormer is provided, at least two (2) dormers not less than four (4) feet wide must be provided on the front elevation
2. A gable end, or gabled end of a roof projection, facing the street
3. A shed dormer facing the street.
4. Eaves: Must project from the building wall at least twelve (12) inches, measured horizontally, on the front and side elevations.

E. Foundation and Entry

1. For buildings within 18 feet of a sidewalk, the ground level of the front façade shall be elevated not less than 18 inches above the grade of the finished lot measured at the front lot line or adjacent sidewalk grade.

F. Exterior Finish

1. Modular masonry unit material (brick, architectural block, fiber cement board) are preferred. Vinyl siding, plain smooth concrete block, plain smooth concrete, corrugated metal, plywood, and sheet pressboard are prohibited.

G. Access and Front Porch Required

1. All units must have access on the front façade to the street.
2. The majority of units in a building should have front porches. A covered stoop is required for units without a front porch.
3. Front porches and stoops shall be covered by a solid roof. The roof shall not be located more than twelve (12) feet above the floor of the porch or stoop.
4. The covered area provided by a porch must be at least forty-eight (48) square feet in area and a minimum of eight (8) feet wide and six (6) feet deep.

H. Garages

1. ***Generally***
   a. Garages shall either be set back from the face of the building, detached or facing the side or rear lot line (side or rear loading garage), consistent with the standards established below. A wall of a detached or side or rear loading garage may not be closer to the front (street) lot line than the front of the porch.
2. Detached garages are permitted as an accessory structure.
3. Street-facing garage walls

DRAFT

a. The length of that portion of a garage wall facing the street shall not exceed twenty percent (20%) of the length of the building façade that faces the street.
b. On corner lots, only one (1) street-facing garage wall must meet this standard.

4. Street lot line setbacks
   a. A garage wall that faces a street shall be located at least five (5) feet behind the plane of the front façade.
   b. A street -facing garage wall may be closer to or even with the front façade, where:
      i) The length of the street-facing garage wall is less than twenty percent (20%) of the length of the building façade.

I. Driveways

1. Driveways may comprise no more than 60% of the front yards of townhouse units.

J. Visitor Parking

1. One (1) visitor parking space required per 5 units. Marked on-street parking or designated visitor parking areas can be utilized to fulfill this requirement.

K. Open Space

1. No less than 20 percent of the project site shall be diverted to open space, as defined in Article 5.

6.2.10 Dwelling, Upper Story

A. **Balconies.** All upper story units facing the street must include a balcony. This standard applies to new buildings only and does not apply to properties listed on the National Register of Historic Places.
B. **Pedestrian Access.** All upper-story pedestrian accessways must be enclosed.

6.2.11 Group Homes

A. Approval of the location of a family group home is subject to Section 6-29-770 of the South Carolina Code of Laws, as amended.
B. Setbacks. Group homes must comply with the zoning district setback requirements for detached house dwellings.
C. A group home shall be similar in exterior appearance to a detached house dwelling.

6.2.12 Manufactured Homes

This section applies to all single-section and multi-section manufactured homes in Fountain Inn on a single-lot, in a subdivision, and in a manufactured home park.

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A. Certification Required

1. All manufactured homes must bear a label certifying or documents certifying that it is constructed in compliance with the National Manufactured Housing Construction and Safety Standards Act.
2. All site-built components not addressed in this Section are required to meet the most recent edition of the adopted residential building code and applicable appendices adopted by Fountain Inn.
3. All electrical systems and plumbing systems not installed at the factory must meet the requirements of the Building Code.

B. Design Standards

1. ***Dimensions***
   a. A length not to exceed four times its width, measured at the narrowest point, excluding alcove; and
   b. A minimum floor area of 900 square feet.
2. ***Orientation***
   a. All manufactured homes shall be located so that the main entry door faces the street on which the manufactured home is located.
   b. A manufactured home shall be oriented on the lot so that its long axis is parallel with the street. However, a perpendicular or diagonal placement is allowed if at least one of the following conditions is met: The manufactured home is being installed in a new or existing subdivision where other manufactured homes with a perpendicular or diagonal placement are or will be located;
   c. The narrow dimension of the manufactured home is at least 50% of the home's long dimension; or
   d. The manufactured home has been specifically designed and built by the manufacturer with the door on the narrow end.
3. **Driveway.** An all-weather surface driveway from the adjacent public road, or, if the manufactured home is located in a manufactured home park, from the adjacent interor street to the manufactured home is required.
4. **Walkway.** An all-weather walkway shall be installed from the street, driveway or sidewalk to the front porch or front door.
5. **Patio or Deck Required.**
   a. Each manufactured home site shall include a permanent concrete or masonry patio or treated wood deck located adjacent to or attached to the manufactured home pad.
   b. The patio or deck shall be at least: 16 square feet in area; and

DRAFT

c. Located at least 5 feet from the manufactured home site boundary.
d. Each patio or deck shall have sufficient gradient to direct drainage away from the manufactured home pad.

6. **Roofing.**
   a. Single-Section Manufactured Homes. The roof must be shingle.
   b. Multi-Section Manufactured Homes.
   c. Single-Section Manufactured Homes. The roof must be shingle.
   d. Multi-Section Manufactured Homes.
      i) The pitch of the roof must have a minimum vertical rise of 2.5 feet for every 12 feet of horizontal run; and
      ii) The roof must be finished with a type of shingle that is commonly used in conventional residential site-built dwellings.

7. **Siding**

The exterior siding shall consist of wood, hardboard, stucco, vinyl, aluminum lap siding, or metal. Manufactured homes located within a subdivision shall have exterior siding comparable in composition, appearance and durability to the exterior siding commonly used in conventional residential site-built construction.

C. Installation

1. ***Generally.*** All manufactured homes shall be installed in accordance with the South Carolina Code of State Regulations Chapter 79, § 79-42: Manufactured Home Installation Requirements.
2. ***Skirting***
   a. Skirting Required. Skirting or a curtain wall, unpierced except for required ventilation and access door, must be installed and maintained so that it encloses the area under all manufactured homes and any additions, to ground level.
   b. Materials
      i) The foundation skirting or curtain wall may be of brick, masonry, or vinyl or similar materials designed and manufactured for permanent outdoor installation.
      ii) Porches and decks may be enclosed with wood lattice or similar materials.
      iii) Material used for skirting should be erected so as not to create a fire hazard and maintained in a good state of repair.
3. ***Other Installation Requirements.*** Skirting must meet the standards specified in the South Carolina Code of State Regulations Chapter 79, § 79-42: Manufactured Home Installation Requirements.

DRAFT

D. **Steps/Landings.** Permanent landing and steps with handrails are required to each outside doorway in accordance with the Building Code. The structure must include steps that lead to the ground level.

E. Inspections

1. Each manufactured home approved for placement on a parcel shall be subject to the following inspections prior to occupancy:
   a. A site inspection prior to the manufactured home being moved to the site to ensure all applicable UDO requirements are met;
   a. A final inspection prior to occupancy of the manufactured home to ensure: All requirements within this section and other applicable UDO sections are met;
   b. The foundation is installed in compliance with the manufacturer's instructions or with the State Code (S.C. Code § 40-29-350 and S.C. Reg. 79-42) if the manufacturer's instructions are not available; and
   c. Grass and erosion control measures are installed on each lot.
2. Manufactured homes shall not be occupied until a Certificate of Final Inspection has been issued.
3. The City may allow occupancy and grant a 30-day extension to complete the foundation curtain wall if it is masonry.

F. Real Property

1. When the owner of a manufactured home is also the named owner of the real property upon which the home is situated, the homeowner may register the home on the tax rolls as part of the real property. For homes meeting this requirement, a unified, single tax bill for home and land must be generated, and the home shall be taxed accordingly.

6.2.13 Manufactured Home Parks

A. **Purpose**

The manufactured home park site development standards are established to encourage high quality manufactured home parks within Fountain Inn.

Applicability

1. This Section applies to all new manufactured home parks.
2. For adjacent lots owned by the same person, expansion of manufactured homes beyond 2 on each lot and 6 total between the lots may require review as a manufactured home park in accordance with this Section.

B. Site Plan Approval Required

1. Prior to construction of a new manufactured home park or enlargement of an existing manufactured home park, a development site plan must be submitted and approved by the City.

2. Any manufactured home, service building, or recreation area located in any manufactured home park shall be placed in accordance with an approved development site plan.

C. Site Plan Requirements

1. A manufactured home park site plan shall be drawn by an engineer or surveyor licensed in the state of South Carolina.
2. The site plan shall be drawn to a scale of not less than 100 feet to 1 inch and shall contain the following information.
3. The location of the proposed manufactured home park and the type of surrounding land uses;
4. The location and dimensions of interior streets, rights-of-way, driveways, and parking spaces;
5. The location and size of manufactured home sites;
6. The location and size of service buildings and recreation areas;
7. The location and type of screening, fences, or hedges;
8. The location of all stormwater management facilities;
9. The name and address of the developer(s);
10. Existing and finished contours at intervals not more than 2 feet;
11. The location of fire hydrants, if applicable;
12. Storage areas;
13. Dumpster locations, if applicable; and
14. Delineation of 1% area of Special Flood Hazard.

D. Access

1. ***Access to Manufactured Home Sites.***
   a. A manufactured home shall not have direct access to a public street or highway.
2. All manufactured home sites shall have access to an interior street.

E. **Interior Streets.** All interior streets shall have a paved travel surface and paved or unpaved shoulders that meet the minimum dimensions specified in Table 6.2 Interior Street Standards.

Table 6.2 Interior Steet Standards

TYPE OF INTERIOR STREET	TOTAL WIDTH (MIN)	PAVEMENT WIDTH (MIN)	SHOULDER WIDTH (MIN, EACH SIDE)
Without Parallel Parking	30 ft	22 ft	5 ft

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With Parallel Parking on One Side	38 ft	30 ft	5 ft
Key: min = minimum required | ft = feet			

F. **Dead-End Interior Streets**. Closed ends of dead-end interior streets shall be provided with a paved cul-de-sac paved that has a minimum radius of 35 feet.

G. **Interior Street Lighting**

1. All interior streets within a manufactured home park shall be lighted at night.
2. Lighting plan must be provided and comply with City streetlighting standards.

H. **Interior Street Names.** Permanent street names approved by the Greenville County or Laurens County Office of E911 shall be assigned to each interior street within the manufactured home park.

I. Density

1. No greater than 5 homes per gross acre.

J. Development Standards

1. ***Applicability.*** The standards in this Subsection apply to the manufactured home park and individual units within the park. Except for items specifically addressed in this Subsection, each manufactured home must also meet the requirements for Manufactured Homes.
2. The minimum lot size for the entire park shall be 2 acres.
3. ***Off-Street Parking.***
   a. Manufactured homes are subject to the applicable off-street parking requirements in Article_7.
   b. In addition, each service building or recreation area shall have at least one off-street vehicle parking space per park site employee.
4. ***Interior and Roadside Buffers.*** Manufactured home parks are subject to the buffers in accordance with Section 5.5
5. ***Recreation Areas.***
   a. The manufactured home park shall provide at least 200 square feet of usable recreation area per manufactured home site.
   b. For purposes of this Section, "usable recreation area" means parks, open space, and recreation amenities such as a clubhouse, swimming pool, or similar improvement.
   c. Unless the manufactured home park covenants or other legal restrictions limit park residents to adults only, the usable recreation

DRAFT

area shall include a children's play area that is at least 400 square feet in area.

K. Storage Areas

1. A space for a storage building may be designated on each manufactured home site.
2. Storage buildings are only allowed in locations designated on the approved manufactured home park site plan.

L. Garbage Disposal

1. Garbage containers with tight fitting covers are required for each manufactured home site to permit the disposal of all garbage and rubbish. Collection shall occur on a regular basis to ensure the containers do not overflow.
2. In lieu of individual containers, one 20 cubic yard dumpster may be provided for every 20 manufactured homes if each dumpster is screened and located at least 25 feet from any residential use and/or residentially zoned property.
3. Refuse shall not be disposed of within the park.

M. **Operating Requirements**. The operator of each manufactured home park shall comply with all SCDES rules and regulations governing the sanitation and operation of manufactured home parks.

N. **Initial Occupancy Requirements**. At least 10 manufactured home sites shall be available at initial occupancy.

6.2.14 Short Term Rentals

A. Overnight occupancy shall not exceed two (2) persons per bedroom plus two (2) additional persons.

B. A short-term rental shall not be used for special events or gatherings in excess of the overnight occupancy limit.

C. Occupants or guests of short-term rentals who park vehicles on the property shall do so within parking areas designated for parking. Vehicles parked in the public right-of-way shall comply with street or parking regulations and failure to do so shall subject the vehicle to towing at the vehicle owner's expense.

D. Household trash shall be bagged and disposed of in the trash receptacles provided by the owner. No trash shall be left outside of the trash receptacles.

E. The owner or responsible local representative offering the short-term rental shall obtain a Fountain Inn business license annually.

DRAFT

F. In no instance shall multiple rooms in a structure be available for separate bookings. Whole home rentals and single room rentals are allowed, however multiple single room rentals in one structure are not.

6.2.15 Tiny Home Village

G. **Minimum Property Size.** Minimum property size shall be two acres.

H. **Density.** No more than six (6) dwelling units per acre.

I. **Open and Recreational Requirements.** Not less than 30 percent of the site shall be set aside and developed for common open space, natural area and recreation usage, in accord with Article 5.

J. **Location of Common Area.** A centralized common area shall be provided and include public space such as lawn, gardens, patios, or plazas.

K. **Minimum Common Area Size.** At least 500 square feet of common open space is required per unit.

L. **Design.**

1. Fifty percent of units must have their main entry facing the common open space.

M. **Connectivity Requirements.** Sidewalk, trails and pathways shall connect all units to the common open space.

N. **Open Space Allowances.** Community buildings or clubhouses can be counted towards the common open space requirements.

O. **Open Space Exclusions.** Stormwater/detention ponds, wetlands, lakes, stream buffers and slopes greater than ten percent cannot be counted towards common open space requirements.

P. **Buffering Requirements.** Bufferyard C is required adjacent to the street and all other existing residential uses.

6.3 Institutional and Social

6.3.1 Cemetery

A. **Compliance with State Law.** All cemeteries shall meet the requirements set forth in South Carolina Code of Laws Title 27, Chapter 43.

B. **Minimum Lot Size.** The minimum lot size for cemeteries is 0.5 acres.

6.3.2 Community Food Services

A. Must be located within an existing place of worship or school as an accessory use.

6.3.3 Day Care Facility(Adult and Child)

A. Compliance with State Law. All day care facilities (adult and child) shall meet the applicable requirements set forth in South Carolina Code of Laws Title 63

Chapter 13 and are require licensing through the South Carolina State Department of Public Welfare.

B. Lot Area. The minimum lot area for a day care facility shall be 20,000 square feet. At least 75 square feet of outdoor play area shall be available for each child or attendee, based on the maximum enrollment.

C. **Indoor Area.** The building shall contain a minimum of 35 square feet of floor area for each child or attendee, based on the maximum enrollment.

D. **Fencing.** Play areas shall be enclosed by a fence having a minimum height of six feet constructed to provide maximum safety to the children.

E. **Loading and Unloading Zones**. Dedicated drop and pick up areas must be included on the site plan.

6.3.4 Family Child Care Home

A. See Section 6.11.8.

6.3.5 School, Elementary, middle or high school

A. A Bufferyard Type C is required adjacent to residential uses.

6.3.6 Government Office

A. Based on the impact of the government office, the Planning Director may require a Type C Bufferyard adjacent to the surrounding properties.

6.3.7 Nursing Care Facility

A. **Lot Area.** The minimum lot area shall be one acre.

B. The front yard setback shall be the same as permitted in the applicable zoning district. Side and rear yard setbacks shall be 25 feet.

6.3.8 Place of Worship

A. **Lot Area.** The minimum lot area for stand-alone places of worship shall be 40,000 square feet. Places of worship located within existing commercial developments are exempt from this requirement.

6.3.9 School, Business or Trade

A. A Bufferyard Type C is required adjacent to residential areas, office, and business services.

6.4 Office and Business Services

6.4.1 Bank

A. Drive-throughs must be oriented to the side or rear of building in the D-MU district.

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6.4.2 Tattoo Parlor

A. **Pursuant to S.C. Code, Title 44 Health, Chapter 34 Tattooing**. The provisions for location are described in S.C. Code § 44-34-110. The proposed site must not be granted if it is to be within 1,000 feet of a church, school, or playground. This distance must be computed by following the shortest route of ordinary pedestrian or vehicular travel along the public thoroughfare from the nearest point of the grounds in use as part of the church, school, or playground.

B. As used in this subsection:

1. Church means an establishment, other than a private dwelling, where religious services are usually conducted.
2. School means an establishment, other than a private dwelling where the usual processes of education are usually conducted.
3. Playground means a place, other than grounds at a private dwelling that is provided by the public or members of a community for recreation.

C. Other Requirements.

1. The tattoo artist must allow and cooperate with on-site inspections as considered necessary by the City and must address by corrective action the noncompliance items as identified by the City.
2. The City may revoke, suspend, or refuse to issue or renew a license pursuant to this chapter and invoke a monetary penalty upon evidence as determined by the city that the licensee of the facility under this chapter has:
   a. Obtained a tattoo facility license through fraud or deceit; or
   b. Has violated any applicable law or regulation.

6.5 Arts, Entertainment, and Recreational

6.5.1 Arena, stadium or outdoor theater

A. An arena, stadium, or outdoor theater shall be located a minimum of 100 feet from any lot containing a Residential use or land in a Residential zoning district.

B. Access shall be provided from a arterial or collector road.

6.5.2 Campground

A. The minimum lot size for a campground is five acres.

B. A campground may include recreational vehicle sites, camp sites, recreation facilities, common buildings and facilities (laundry, dining, etc.), and management offices, which may include living quarters for the operator or manager of the campground.

DRAFT

C. Adequate off-street parking and maneuvering space shall be provided on site. The use of any public road, sidewalk, or right-of-way for the purpose of parking or maneuvering vehicles is prohibited.
D. A campground providing recreational vehicle (RV) sites shall comply with the following standards, in addition to the standards in subsections (a) through (c) above:
    1. Each space for parking an RV shall have a minimum area of 690 square feet. Each RV shall be parked a minimum of ten feet from all other RVs and structures.
    2. Accessory structures shall comply with all applicable building code requirements.
    3. Each RV site shall be connected to an approved water supply system that provides an accessible, adequate, safe, and potable supply of water.
    4. Each RV site shall have access to an adequate and safe sewer system, approved by DES.
    5. No person or RV shall occupy an RV site for more than 30 consecutive days. A registry of all occupants, the RV site occupied, the time of arrival, and time of departure shall be maintained by the owner or operator of the campground.

6.5.3 Commercial Recreation, Outdoor

A. No equipment, machinery, or mechanical device of any kind may be operated within 200 feet of land in a Residential zoning district.
B. A minimum six-foot-high security fence shall be provided along the entire boundary of the recreation activities.
C. Batting cages, golf driving ranges, airsoft, paintball and similar facilities shall include fencing, netting, or other control measures around their perimeter to prevent objects from leaving the designated area.
D. Golf driving ranges must use elevated tee boxes with lighting below.
E. Except for amusement parks, waterparks, and fairgrounds, hours of operation shall be limited to 9:00 a.m. to 10:00 p.m. The use of loudspeaker systems shall be prohibited outside the hours of operation.
F. Amusement parks, waterparks, and fairgrounds shall have a minimum lot size of five acres and shall set back all principal buildings and structures a minimum of 50 feet from all property lines.

6.5.4 Event Venue

A. Outdoor activity areas shall be set back from lot lines shared with a residential use by an amount at least twice the minimum rear setback for the district where the use is located.

DRAFT

B. The maximum number of guests shall be in accordance with the maximum occupancy of the principal structure as determined by the Fire Chief.
C. Outdoor activities shall not take place between the hours of 10:00 PM and 7:00 AM on Sundays through Thursdays, and 11:00 PM and 7:00 AM on Fridays and Saturdays.
D. Exterior lighting shall not project onto adjoining residential lots. Use of stadium-style or other pole-mounted lighting is prohibited.
E. Lighting of accessible paths may be provided, if necessary.
F. The event venue shall provide sufficient on-site trash receptacles and shall ensure that windblown trash or other debris does not accumulate anywhere on the site.
G. Event venues shall demarcate the boundaries of the event venue site for guests and shall include fences, walls, or other techniques such as landscaping to ensure guests do not inadvertently trespass on adjacent lots.
H. Event venues shall ensure adequate ingress and egress from all buildings and structures to accommodate emergencies.
I. A Type D Landscape Buffer as defined in Section 5.5.7 shall be installed along all lot lines abutting a residential district.

6.5.5 Golf Course

A. **Minimum Lot Size.** A Golf Course shall be located on a property with a minimum lot size of two acres.

6.5.6 Sexually Oriented Business

A. Proximity to Other Uses. No Sexually Oriented Business shall be within 1,000 feet of any religious institutions, libraries, schools, residentially zoned or used properties, public parks, day care facilities, or another Sexually Oriented Business. This measurement shall be in a straight line from the nearest portion of the building used as part of the premises where a Sexually Oriented Business is located, to the affected lot or structure.
B. Interior Views. No portion of the interior premises may be visible from outside of the premises.
C. Noise. The building shall provide sound absorbing insulation sufficient enough so any noise generated from the interior is not heard from the public right-of-way or at any adjacent property.
D. **Compliance with State Law and Local Code of Ordinances.** Any such facility shall comply with all applicable State and local laws, including Fountain Inn Code of Ordinances, Chapter 11 Article IV.

DRAFT

6.5.7 Shooting Range, Indoor

A. **Noise, Ventilation, and Impenetrable Surfaces.** An Indoor Shooting Range shall be designed as a controlled shooting environment that includes impenetrable walls, floor, and ceiling, adequate ventilation, lighting systems, and acoustical treatment for sound attenuation suitable for the range's purpose.

6.6 Commercial Sales and Services

6.6.1 Bar

A. A minimum six-foot-high opaque fence or wall shall be erected along any property line abutting a Residential use or land in a Residential zoning district.
B. Parking areas related to the bar or other drinking place shall be located a minimum of 30 feet from any property line abutting a Residential use or land in a Residential zoning district unless located in the Central Business District. For bars or other drinking places in the D-MU zoning district, parking areas must be located a minimum of 30 feet from any land with a residential zoning district. Public parking, which may be located near a bar or other drinking place, may be used by customers of the bar or other drinking place without violating this provision.
C. Shall be located a minimum of 600 feet from all places of worship and elementary, middle, or high schools.
    1. If the place of worship is located in a mixed-use shopping center, a mall, or an industrial park, the spacing requirement does not apply.
D. The minimum distance shall be measured from the nearest entrance of the bar or other drinking place along the shortest route of ordinary pedestrian or vehicular travel to the nearest entrance to the grounds of the place of worship or school, or any building in which religious services or school classes are held, whichever is closer. For purposes of this measurement, any entrance to such grounds that does not perform a primary function of providing access to such a building shall not be considered (e.g., entrances primarily providing access to cemeteries).Any such facility shall comply with all applicable State laws, including Chapter 7 of the S.C. Code of Regulations.

6.6.2 Brewpub

A. A minimum six-foot-high opaque fence or wall shall be erected along any property line abutting a Residential use or land in a Residential zoning district.
B. A brewpub shall be located at least 300 feet from any religious institution, child day care, school, or playground.

DRAFT

C. If the place of worship is located in a mixed-use shopping center, a mall, or an industrial park, the spacing requirement does not apply.
D. The minimum distance shall be measured from the nearest entrance of the brewpub or other drinking place along the shortest route of ordinary pedestrian or vehicular travel to the nearest entrance to the grounds of the place of worship or school, or any building in which religious services or school classes are held, whichever is closer. For purposes of this measurement, any entrance to such grounds that does not perform a primary function of providing access to such a building shall not be considered (e.g., entrances primarily providing access to cemeteries).
E. Any such facility shall comply with all applicable State laws, including Title 61 of the S.C. Code of Laws and Chapter 7 of the S.C. Code of Regulations.

6.6.3 Building Supply Sales

A. Outdoor storage shall be located to the side or rear of the building and be screened from all adjacent residential properties located to the side or rear of the use.
B. Site Plan Review required. Outdoor retail display areas shall be designated on the site plan. No outdoor retail display areas are allowed in other locations.
C. Outdoor retail display areas shall be located outside of ADA accessible routes, landscaped areas, rights-of-way, and required parking areas.
D. Outdoor retail display areas shall be located to the side or rear of the principal building. Outdoor retail display areas are also permissible between the building façade and road right-of-way with a maximum width of 50 feet.

6.6.4 Consumer Goods Repair

A. Outside storage of appliances, equipment and parts is prohibited.

6.6.5 Kennel

A. The establishment shall provide sufficient means so that no unreasonable noise or odor shall be detected off-premises.

6.6.6 Lawn, Tree, or Pest Control Services

A. Outside storage of equipment and materials is prohibited.

6.6.7 Liquor Sales

A. The use must comply with the location and other standards established by the State for such use.

6.6.8 Microbrewery, Small Winery or Microdistillery

A. Inclusion of Accessory or Other Principal Use. A Microbrewery, Small Winery, or Microdistillery shall include one or more accessory or principal uses such as a

tasting room, tap room, restaurant, retail, demonstration area, education and training facility or other uses incidental to the Microbrewery, Small Winery, or Microdistillery and open and accessible to the public.

B. Storage. Storage of materials used in the manufacturing, processing, and for distribution shall be located entirely within an enclosed building.

6.6.9 Outdoor Power Equipment Store

A. Outdoor storage areas shall be screened from adjacent residential properties located to the side or rear of the use.
B. Site Plan Review required. Outdoor retail display areas shall be designated on the site plan. No outdoor retail display areas are allowed in other locations.
C. Outdoor retail display areas shall be located outside of ADA accessible routes, landscaped areas, rights-of-way, and required parking areas.
D. Outdoor retail display areas shall be located to the side or rear of the principal building. Outdoor retail display areas are also permissible between the building façade and road right-of-way with a maximum width of 50 feet.

6.6.10 Restaurant, Drive-Through

A. Drive-thru windows shall be located on the rear or side of the structure .
B. Drive-thru windows and aisles shall not impede the circulation within internal accessways or external ingress points.
C. Drive-thru aisles shall exit onto accessways within the development or onto non-major roadways, as practicable.

6.6.11 Retail, Under 25,000 Square Feet

A. Site and building design must meet standards in Article 5.

6.6.12 Retail, Over 25,000 Square Feet

A. Site and building design must meet standards in Article 5.

6.6.13 Vape Shop

A. Minimum separation between uses. A new vape shop or tobacco shop must be located at least 1,320 feet from the following uses:
    1. An existing vape shop or tobacco shop;
    2. Any residential structure;
    3. Any day care center, preschool or school;
    4. Any park or playground;
    5. Any hospital or nursing care facility.

DRAFT

6.7 VEHICULAR

6.7.1 CAR WASH

A. Vehicle entrance into car wash area shall either 1) not face the primary right-of-way adjacent to the property or 2) be screened from the primary right-of-way with landscape plantings or buildings.
B. All structures and equipment shall be located no closer than 50 feet from the nearest property line of any residential property.
C. Noise generated by car wash operations shall comply with the City's noise ordinance.

6.7.2 PARKING, COMMERCIAL

A. All lighting shall be designed to meet the following requirements:
    1. Limit spillover of light to adjacent residential properties and protect against glare onto the public rights-of-way by placement, fixture design and/or the use of vegetated buffers, walls or fences.

6.7.3 VEHICLE REPAIR, MAJOR

A. Bay doors shall either 1) not face the primary right-of-way adjacent to the property or 2) be screened from the primary right-of-way with landscape plantings or buildings.

6.7.4 VEHICLE REPAIR, MINOR

A. Bay doors shall either 1) not face the primary right-of-way adjacent to the property or 2) be screened from the primary right-of-way with landscape plantings or buildings.

6.7.5 VEHICLE SALES AND RENTAL

A. Vehicle storage areas must be setback 15 feet from any road right-of-way and 25 feet from a property line abutting a residential use or district.

6.7.6 TRANSIT STOP

A. Shelters and benches shall be located only at designated transit stops that are presently being served by or are planned to be served by a public transit authority, in accordance with the following requirements:
    1. A building permit is required for each shelter installed. The shelter shall be built in accordance with the building code, except that plumbing and mechanical elements are not required, and the shelter must be able to withstand sustained three-second wind gusts of up to 95 miles per hour. The shelter shall be subject to all applicable building permit fee and inspection requirements.

DRAFT

2. The shelter shall be designed so that it will present an attractive appearance and not detract from the adjacent surroundings. It shall be illuminated from dusk to dawn and be designed to provide protection from weather elements. The shelter design shall comply with the following requirements:
   a. Each shelter shall be installed on and attached to a concrete foundation and shall include an aluminum or steel framework suitable for supporting required wall sections, side panels, and roof panels. The shelter shall have a transparent rear wall section made of tempered glass, two side panels, and an opaque roof.
   b. At a minimum, each shelter shall include a bench that is six feet long, transit route information, and a trash receptacle.
   c. Each shelter shall comply with Federal Americans with Disabilities Act (ADA) specifications and requirements. The permittee is responsible for such compliance, and any failure to comply with the ADA standards shall be rectified by permittee at the permittee's expense within 30 days of notification of the failure to comply Under this subsection, ADA compliance includes, but is not limited to, sidewalk on ramps, tactile warnings, and signage or directional arrows indicating handicap accessibility.
   d. Advertising on the shelter shall be limited to the outward side of the side wall panels. Such advertising may include a lighting source contained within the panel cabinet. A maximum of two advertisements are permitted per shelter. Each advertisement shall not exceed four feet in width or six feet in height.
   e. The general dimensions of a typical shelter will be at a minimum 9 feet long by 6 feet wide by 8 feet high.

B. Shelters shall be maintained in good repair. The person to whom the permit is issued shall be responsible for cleaning the shelter, trash collection, and repairing or replacing any part that is not in good repair, including advertising materials, sidewalks, walkways, curbs, or foundations encompassed by the bus shelter. The maintenance of the shelter and any alteration or relocation of the shelter shall not in any way interfere with or endanger the safety of the general public in its use of adjoining roads.

C. Benches shall comply with the following requirements:
   1. The bench shall be designed so that it will present an attractive appearance and not detract from the adjacent surroundings.
   2. Benches shall be constructed of durable material and shall be securely fastened to the ground.

DRAFT

6.7.7 Truck or Freight Terminal

A. All structures and parking shall be setback at least one hundred (100) feet from any existing residential properties. This can be reduced to fifty (50) feet if a mature tree buffer is retained, a landscaped Bufferyard Type D is installed.
B. Lighting and glare must be deflected, shaded, and focused away from any adjoining properties.
C. This use shall not include overnight stays or accommodations.

6.8 Industry, Wholesale, and Storage

6.8.1 Artisan Goods Production

A. In the D-MU, C1 and C-2 districts, the maximum gross floor area shall be 6,000 square feet.
B. In the RC and S-1 districts, the maximum gross floor area shall be 10,000 square feet.
C. The establishment must include accessory retail sales, instruction, or another accessory component that provides direct interaction with the public.
D. Outdoor storage must be screened from public roads by a building, fence or landscaping.

6.8.2 Borrow Pit

A. Documentation must be provided to prove that there are overriding environmental or other planning benefits compared to obtaining materials from alternative sources;
B. Alternative materials of the required specification are unavailable in sufficient quantities;
C. The proposed borrow pit is contiguous with or close to the project(s) it is intended to serve;
D. The proposed borrow pit is time-limited to the life of the project and material is to be used only for the specified project;
E. Appropriate reclamation measures are proposed to make full use of surplus spoil from the project;
F. The site can be restored to its original levels or an alternative acceptable landform utilizing only materials from the construction project;
G. Any impacts on the environment or local communities can be controlled to acceptable levels; and
H. The project area is less than ten acres.
I. Setbacks, Slope, Maximum Depth
    1. The top of the cut bank of the borrow pit shall, at no time, be closer than ten feet from the property boundary of any abutting landowner.

DRAFT

2. No excavation shall occur within 200 feet of wetlands or surface water.
3. The average slope of any cut bank measured from a point located ten feet from the boundary of any abutting property to the bottom of the cut bank in the pit shall not at any time exceed a horizontal to vertical ratio of 2:1.
4. The depth of the borrow pit is limited to a maximum of twelve feet below the average seasonal high water table or three feet above a confining or semi-confining unit, whichever is shallower.

J. Operational Requirements

1. Best management practices shall be used to control erosion and sediment transport during and after the excavation activities.
2. No on-site grading or sorting of materials shall occur.
3. The active excavation, processing, and transportation of fill material shall only occur between 8:00 a.m. and 8:00 p.m.

K. Completion of Excavation

1. Upon completion of the excavation area, side slopes shall be no steeper than 4 (horizontal):1 (vertical) out to a depth of two feet below the average water elevation.
2. The borrow pit slopes shall be stabilized with native vegetation within six months following completion of the excavation.

6.8.3 Construction and Inert Debris Landfill

A. All required local, state, and federal permits must be obtained.
B. Ingress and egress to the site shall be from a thoroughfare or collector road.
C. Areas of operations and storage must be setback from all residential properties or properties zoned residential at least 100 feet and completely screened from view.

6.8.4 Contractor's Yard

A. All outdoor storage of equipment must be setback from the right-of-way 50 feet and completely screened from view.
B. All outdoor storage of equipment must be setback from all residential properties or properties zoned residential at least 50 feet and completely screened from view.

6.8.5 Fuel Sales (Non-Vehicular)

A. Gravel or paved roadways shall be provided to all storage tanks.
B. Security fencing, a minimum of six feet in height, shall be provided along the entire boundary of the facility.
C. Storage tanks protected by either an attached extinguishing system approved by the fire marshal, or an approved floating roof, shall not be located closer to an

exterior property line than a distance of either the diameter or the height of the tank, whichever is greater. However, regardless of the diameter or height of the tank, in no event shall the required distance be greater than 120 feet. Storage tanks not equipped as indicated above shall not be located closer to an exterior property line than a distance equal to 1.5 times of either the diameter or the height of the tank, whichever is greater. However, regardless of the diameter or height of the tank, in no event shall the required distance be greater than 175 feet. Storage tanks and loading facilities shall be located a minimum of 500 feet from any existing dwelling or Residential zoning district.

D. All storage facilities shall comply with the latest regulations of the National Fire Protection Association.
E. The facility shall comply with all applicable federal, state, and local laws.

6.8.6 Hazardous Waste Collection, Storage and Disposal

A. The use shall comply with all applicable state and federal regulations.
B. Access shall be provided only onto thoroughfare and collector roads.
C. Operations shall be located a minimum of 100 feet from all adjacent property lines and completely screened from view.

6.8.7 Junkyard

A. Auto wrecking facilities, junkyards, recycling collection and processing centers, salvage yards and scrap processors may be permitted in the I-1, Industrial district subject to the requirements of the district, the Fountain Inn Junkyard Ordinance and the following requirements:
    1. Auto wrecking facilities, junkyards, recycling collection and processing center, salvage yards and scrap processors shall be located on a site of not less than two acres.
    2. No auto wrecking facility, junkyard, recycling collection and processing center, salvage yard or scrap processor shall be located within a radius of 1,000 feet as measured from the approximate center of the parcel on which the facility is located to the nearest boundary of any residential district existing at the time the application for a use permitted by special exception is filed.
    3. A continuous visual screen shall be provided and maintained along the property line and shall enclose all open storage areas. The screen shall be an eight-foot wall, fence, or evergreen plant material, or a combination of wall, fence and evergreen plant material. If evergreen plant material is used, it must be at least four feet in height at the time of planting and capable of forming a continuous screen of at least eight feet in height, with individual

plantings spaced not more than five feet apart. Materials stored in the open shall not be stacked higher than the required visual screen.

4. The facility may not be operated or allowed or caused to be operated in such a manner as to create any sound or noise as measured on the "A" weighted scale and on the slow meter response on a sound level meter of standard design and quality having characteristics established by the American National Standards Institute (ANSI) that exceeds the limits as set forth below:
   a. Monday through Friday 7:00 a.m. to 7:00 p.m. 70 Db(A)
   b. Monday through Thursday 7:00 p.m. to 7:00 a.m.,
   c. Friday from 7:00 p.m. until Monday at 7:00 a.m. 55 Db(A)
5. Sound level readings shall be measured at the boundary of the affected property. Precise positioning of the sound reading meter for the purposes of this section is not required.

B. Storage in front yard setbacks is prohibited.
C. The junkyard shall be conducted in such a manner as to prevent tracking and spillage of debris onto adjacent properties or roads.

6.8.8 Manufacturing, Assembly, and Fabrication, Intensive

A. Storage of manufactured petroleum and coal products shall comply with the following standards:
   1. Gravel or paved roadways shall be provided to all storage tanks.
   2. Security fencing, a minimum of six feet in height, shall be provided along the entire boundary of the facility.
   3. Storage tanks protected by either an attached extinguishing system approved by the fire marshal, or an approved floating roof, shall not be located closer to an exterior property line than a distance of either the diameter or the height of the tank, whichever is greater. However, regardless of the diameter or height of the tank, in no event shall the required distance be greater than 120 feet. Storage tanks not equipped as indicated above shall not be located closer to an exterior property line than a distance equal to 1.5 times of either the diameter or the height of the tank, whichever is greater. However, regardless of the diameter or height of the tank, in no event shall the required distance be greater than 175 feet. Storage tanks and loading facilities shall be located a minimum of 500 feet from any existing dwelling or Residential zoning district.
   4. All storage facilities shall comply with the latest regulations of the National Fire Protection Association.
   5. The facility shall comply with all applicable federal, state, and local laws.

DRAFT

6.8.9 NON-HAZARDOUS WASTE COLLECTION, STORAGE AND DISPOSAL

A. The use shall comply with all applicable federal and state regulations. A permit for the proposed use from DES is required.
B. Operations shall be located a minimum of 100 feet from all adjacent residential property lines and completely screened from view.

6.9 UTILITIES, INFRASTRUCTURE, AND COMMUNICATIONS

6.9.1 COMMUNICATION TOWER

A. **Fee**. A fee shall be paid to the City Clerk prior to the construction of each new communications tower. If a new antenna is to be constructed, and is to be located upon a pre-existing tower (communications or other), the fee will be waived.
B. Communication Towers may be approved as a special exception in all zoning districts, subject to the requirements in this section:
    1. **R-C, GR-1, GR-2, R-TR, R-M, and R-MHP Zoning Districts**. Communication towers are permitted as a use permitted by special exception by the Board of Zoning Appeals as an ancillary or secondary use on residentially zoned sites where another use (other than single-family or duplex use) is already established as the principal use of the property, such as a school, church, multifamily residential complex, public utility site, or other similar use; provided the principal use of the property complies with applicable zoning and subdivision regulations. On such residentially zoned sites, the minimum setback of the zoning district in which it is located shall be increased by one foot for each one foot of tower height in excess of 40 feet. The maximum required separation shall be 200 feet.
    2. **O-S, N-C, D-MU, C-1, C-2, S-1 and I-1 Zoning Districts**. Communication towers are permitted as a use permitted by special exception by the Board of Zoning Appeals. On sites adjacent to a residential district, the minimum setback of the zoning district in which it is located is increased by one foot for each one foot of tower height in excess of 40 feet. The maximum required setback is 200 feet.
C. **Application**. Each application for a use permitted by special exception for a communication tower shall include the following information in addition to the general information required by this Ordinance.
    1. ***Site Plan***, which shall include the following information:
        a. the location of tower(s), guy anchors (if any);
        b. transmission building and other accessory uses;
        c. parking;
        d. access;

DRAFT

e. landscaped areas;
f. fences;
g. adjacent land uses; and
h. photos of site and immediate area.

2. Prior to approving a Site Plan, the Board of Zoning Appeals must make the following findings:
   a. the proposed structure will not endanger the health and safety of residents, employees, or travelers, including, but not limited to, the likelihood of the failure of such structure;
   b. the proposed structure will not impair the use of or prove detrimental to neighboring properties;
   c. the proposed structure is necessary to provide a service that is beneficial to the surrounding community;
   d. the permitted use meets the setback requirements of the underlying zoning district in which it is located;
   e. the proposed tower is located in an area where it does not substantially detract from aesthetics and neighborhood character;
   f. the proposed use is consistent with potential land uses recommended in the General Development Plan and Comprehensive Plan for Fountain Inn; and
   g. within residentially zoned areas, communication towers shall not be located within 1,000 feet of another communication tower unless such towers are located on the same property.

D. **Height**. Freestanding communication towers shall have a maximum height of 199 feet. For communication towers on buildings, the maximum height shall be 20 feet above the roofline of buildings 50 feet or less in height, and 40 feet above the roofline of buildings 50 feet in height or greater.

E. **Landscaping.** Landscaping shall be required as follows:
   1. Around the base of the communication tower, outside of the security fence, at least one row of evergreen shrubs capable of forming a continuous hedge at least five feet in height shall be provided, with individual plantings spaced not more than five feet apart. An irrigation plan for the plantings shall be provided.
   2. The landscaping requirements may be waived in whole or in part by the Planning Director or duly authorized staff if it is determined that existing natural vegetation provides adequate screening or if the Planning Director or duly authorized staff determines that the landscaping requirements are not

DRAFT

feasible due to physical constraints or characteristics of the site on which the communication tower is to be located.

3. All required landscaping shall be installed according to established planting procedures using good quality plant materials.
4. 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 Director or duly authorized staff, unless such landscaping has been waived in accordance with (B), 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 Director or duly authorized staff and the owner or developer.
5. 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 Fountain Inn.
6. 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 year or by the next planting season, whichever first occurs. Replacement materials shall conform to the original intent of the Landscape Plan.
7. Eight-foot-high fencing shall be provided and well-maintained around the communication tower and any associated building.

F. **Illumination**. Communication towers shall only be illuminated as required by the Federal Communications Commission and/or Federal Aviation Administration.

G. **Signage.** A single sign for the purposes of emergency identification shall be permitted. The permitted sign shall not exceed two square feet in area and shall be attached to the fence surrounding the tower.

1. Under no circumstances shall any signs for purposes of commercial advertisement be permitted.

H. **Access to Site.** Each parcel on which a communication tower is located must have access to a public road 20 feet in width.

I. **General Requirements.** Communication towers, in addition to the requirements set forth above, must also comply with the following requirements:

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1. A statement shall be submitted from a registered engineer that the NIER (Non-ionizing Electromagnetic Radiation) emitted therefrom does not result in a ground level exposure at any point outside such facility which exceeds the lowest applicable exposure standards by any 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.
2. Communication towers and their foundations shall meet the requirements of the Standard Building Code for wind and seismic loads. The requirements for new towers include those for loads which would enable the collocation of two additional antennas. Drawings and calculations shall be prepared and sealed by a South Carolina Registered Professional Engineer and shall be submitted with the building permit application.
3. All communications towers and supporting facilities shall be subject to periodic reinspection(s) by the 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 Planning Director or duly authorized staff. 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.
4. Unless otherwise required by the F.C.C. or the F.A.A., communication towers shall be light grey in color.
5. Towers shall be constructed with three times the capacity of intended use in order that secondary users could lease the balance of the tower capacity at a reasonable rate.
6. A communication tower must be removed within 120 days of the date such tower ceases to be used for communication purposes.
7. Communication towers shall not be located within the viewshed of any point within a scenic corridor, a historic preservation district, or from any site on the National Historic Register. For the purposes of this Ordinance, the viewshed sight distance is one mile from the outermost boundary of the corridor or historic property.

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6.9.2 Utility, Major

A. All structures and parking shall be setback at least one hundred (100) feet from any existing residential properties. This can be reduced to fifty (50) feet if a mature tree buffer is retained or a Bufferyard Type D is planted.

6.9.3 Utility, Minor

A. All buildings shall comply with setbacks that apply to accessory buildings in the zoning district in which they are located, except transformer stations shall comply with set setbacks that apply to principal buildings in the zoning district in which they are located.
B. Equipment that produces noise or sound in excess of 70 decibels shall be located no closer than 100 feet to the nearest dwelling.
C. Transformer stations shall be completely screened from adjacent properties and from roads

6.9.4 Solar Energy Conversion, Small Scale

A. **Location requirements**:
   1. Improved areas shall not be located in a federally designated Special Flood Hazard Area.
   2. All Improved Areas shall be at least 100 feet from a public road and 25 feet from the fence line.
   3. Improved Areas shall be at least 100 feet from any contiguous property line not associated with a Solar Energy Facility.
   4. All access roads and storage areas shall be established on a 30-foot minimum easement to a public right-of-way.
   5. All improved areas must conform to the minimum zoning setbacks for the zoning district in which it is located.

6.9.5 Solar Energy Conversion, Large Scale

A. **Location requirements**. Improved areas must adhere to 6.9.4.
B. **Landscape and buffering.** All Large Scale Solar Energy Facilities shall have, at minimum, a continuous landscaped Bufferyard Type D containing evergreen vegetation screening where existing buffers do not obscure solar energy system perimeters from dwelling units on adjacent parcels. All vegetative screening planted within the buffer should be planted at least ten (10) feet on center and shall consist of plants that will be at least fifteen (15) feet in height at maturity.
C. **Berms.** An optional earthen berm may be used in conjunction with planted vegetation provided all of the following are met:
   1. The combined height of the berm and planted vegetation shall be at least 15 feet and provide approximately 75% opacity within one year of planting.

DRAFT

2. The slope of the berm shall be stabilized with vegetation and no steeper than 2:1.
3. The height of the berm shall be a minimum of 6 feet, with a level or rounded area on top of the berm.
4. The berm shall be constructed of compacted earth.
5. When berms are planned to be installed within required buffers, storm drainage plans submitted with an application shall be designed to anticipate a 100-year storm event.
6. When visible from an adjoining residential use (including across a street) the berm shall be composed of view-obscuring vegetation in combination with a berm designed to obscure views to a height of 15 feet from the ground, except for mechanical equipment which shall be screened to the height of the equipment plus six inches.
7. Prior to issuance of the first certificate of compliance, berms shall be planted to ensure coverage by live plant material within 3 to 5 years.

D. The manufacturers or installer's identification and appropriate warning sign shall be posted on or near the panels in a clearly visible manner.
E. **Power lines.** On site power lines between solar panels and inverters shall be placed underground.
F. The design of Solar Energy Facilities buffers shall use materials, colors, textures, screening and landscaping, that will blend the facility into the natural setting and existing environment.
G. If the Solar Energy Facility consists of batteries or storage of batteries, adequate design must be provided to ensure all local, state and federal requirements regulating outdoor battery storage have been met.
H. **Lot coverage.** Maximum lot coverage shall not exceed 65 percent.
I. **Height**. Maximum height shall not exceed 25 ft.
J. **Documentation.** The following documents shall be provided to Fountain Inn:
   1. A copy of the application to the utility company that will be purchasing electricity from the proposed site shall be provided to the City.
   2. An affidavit or evidence of an agreement between the lot owner and the facility's owner or operator confirming the owner or operator has permission of the property owner to apply for the necessary permits for construction and operation of the Solar Energy Facility.
   3. Any other relevant studies, reports, certificates and approval as may be reasonably required by the City.

DRAFT

4. A description of the proposed technology to include type of solar panel and system, fixed mounted verses solar tracking, number of panels, and angles of orientation.
5. A copy of all permits and/or approvals issued by the Public Service Commission of South Carolina.
6. An information sign shall be posted and maintained at the entrance(s) which lists the name and phone number of the operator.
7. The application must include a decommissioning plan that describes the timeline and manner in which the system will be decommissioned and the site restored to a condition similar to prior to the establishment of the facility.
8. The decommissioning plan must include designation of party responsible for removing all obsolete or unused systems within 12 months of cessation of operations. Reusable components are to be recycled whenever possible.
9. Each owner, operator or maintainer of a Solar Energy Facility to which this Ordinance applies shall utilize good husbandry techniques with respect to said vegetation, including but not limited to, proper pruning, proper fertilizer, and proper mulching, so that the vegetation will reach maturity as soon as practical and will have maximum density in foliage. Dead or diseased vegetation shall be removed and must be replanted at the next appropriate planting time. Plants or grasses not part of landscaping shall be maintained by the facility operator not to exceed 12 inches in height.

6.9.6 Wind Energy Conversion

A. **Setbacks.** Wind energy facility structures shall be setback from all property lines and public right(s)-of-way a distance equal to one (1) linear foot for every foot of height of the highest structure that is part of the facility or the minimum setback for the zoning district in which it is located, whichever is greater.
B. **Max Height.** The maximum height of wind turbines is for a Small Facility is 120 feet and 600 feet for a Large Facility.
C. **Minimum Lot Size.** Minimum lot size for a Small Scale facility is 2 acres and a Large Scale facility is 20 acres.
D. Visual Appearance
1. Must be a non-obtrusive color such as white, off-white, or gray;
2. May not be artificially lighted, except to the extent required by the FAA; and
3. May not display advertising (including flags, streamers, or decorative items), except for identification of the turbine manufacturer, facility owner(s), and operator.

DRAFT

4. Installation and design of a wind energy facility shall conform to the applicable industry standards, including those of the American National Standards Institute.

E. Decommissioning.

1. The wind energy facility owner shall have twelve (12) months to complete decommissioning of the wind energy facility if no electricity is generated for a continuous period of twelve (12) months. This period may be extended by the Fountain Inn City Council, if evidence is provided that the delay is due to circumstances beyond the facility owner/operator's reasonable control.
2. Decommissioning shall include removal of wind turbines, buildings, cabling, electrical components, roads, and any other associated facilities down to thirty-six (36) inches below grade.
3. Disturbed earth shall be graded and re-seeded, unless the landowner requests in writing that the access roads or other land surface areas are not to be restored.
4. Prior to the issuance of a building permit, the owner of a Large Wind Energy Facility shall provide a bond or irrevocable letter of credit in favor of the City in an amount equal to the estimated removal cost of the Wind Energy Farm, less the salvage value of the equipment prior to construction. If the Wind Farm Owner elects to use a letter of credit, it shall be issued by a federally chartered bank with a branch office in South Carolina. The bond or letter of credit shall remain in full force and effect until any necessary site restoration is completed to restore the site to a condition comparable to that which existed prior to the issuance of the Use Permit.

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6.10 AGRICULTURE

6.10.1 BACKYARD PENS OR COOPS AND BEEHIVES

A. These uses shall not be a nuisance to any other property or person.

B. **Small animal husbandry permitted**. The non-commercial keeping of small animals such as poultry, rabbits, and other similar small creatures is permitted with conditions. The keeping of roosters, goats, sheep, or other similar large animals is prohibited, unless permitted by Section 6.10.2 Livestock.

C. **Poultry.**

1. Residential lots less than 30,000 square feet
   a. The keeping of domestic chickens (excluding roosters) is permitted only for a single family detached house in a residential zoning district. No roosters (mature male domestic chickens) are permitted.
   b. No more than a total of four (4) domestic chickens may be kept or maintained on a single premises.
   c. No person shall allow any chickens to roam off the property;
   d. A coop will be considered as an accessory structure. Coops must be located in the rear yard and at least twenty-five (25) feet from all property lines. A coop must be screened from side or rear lot lines with shrubbery or a privacy fence if any portion of the coop or run is located within thirty (30) feet of a structure or pool on an adjacent property. A coop must be screened from public rights-of-way. No coop or run may be located within five (5) feet of a residential structure on the same lot;
   e. The run must be well drained so there is no accumulation of chicken excrement and shall be cleaned regularly with all droppings and excretions disposed of in a manner so as not to cause an odor or attract flies, unless otherwise disposed of in accordance with any Federal, state, and local health regulations;
   f. Food must be stored in a sealed container;
   g. No sick, diseased, or injured birds may be kept on any property within the city unless under documented veterinary care;
   h. Slaughter is prohibited within public view, within view of private property, or within view of public rights-of-way. Slaughter is permitted only for personal consumption by persons at the property on which the coop and run are located;
2. Lots greater than 30,000 square feet
   a. All conditions in C.1. apply, except for the following:
      i) 1 rooster is permitted per acre
      ii) 7 hens are permitted per 12,000 square feet of fenced in area.

DRAFT

D. **Location and Fencing**. All animals shall be kept in the rear yard in a fenced area or other enclosure sufficient to prevent encroachment on neighboring properties.
E. **Beehives**. One of the following requirements must be met if a colony is location within twenty-five feet of an adjacent property:
    1. Measured from the nearest point on the hive to the property line, a six-foot barrier such as a solid wall, fence, dense vegetation or combination thereof. The barrier should be parallel to the property line and extend ten feet in each direction so that bees are forced to fly at least six feet above the ground level over the property lines in the vicinity of the apiary; or
    2. Locate the hive at least eight feet above the ground level at the property line.

6.10.2 Livestock

Ponies, horses, goats, and cows may be kept in the R-C and GR-1 Districts, subject to the district regulations and the following conditions:

A. **Site.** The minimum lot area upon which livestock may be kept is two acres. Not more than one head of livestock shall be permitted for two acres of lot area.
B. **Setback.** No barn or other structure where livestock is kept or fed and no grazing or pasturing shall be permitted within 50 feet of any property line, except where such property line abuts a street or railroad right-of-way, or watercourse at least 50 feet in width.

6.10.3 Riding Stables

A. **Minimum Lot Size.** Riding stables shall be located on a lot with a minimum size of one acre.

6.11 Accessory Uses

6.11.1 Accessory Dwelling Unit

A. Accessory residential dwelling units must be clearly incidental and subordinate to the permitted principal use.
B. Accessory residential dwelling units shall not interfere with operation of the permitted principal use, and adjacent permitted uses, nor shall the operation of the permitted principal use create conditions which are adverse or hazardous to the persons occupying the accessory dwelling unit.
C. Designated parking with an improved surface must be provided on the property.
D. The design of the accessory dwelling units shall be compatible with the design of the primary structure and surrounding neighborhood in building material, roof pitch, and color.

DRAFT

6.11.2 Antenna

A. In Residential districts, antennas shall comply with the following standards, subject to subsections c and d below:
   1. Antennas are prohibited between the front of a principal structure and any adjacent public road. In the case of corner lots, antennas are prohibited between the side of a principal structure and the road.
   2. Dish type antennas more than 18 inches in diameter shall not be placed on the roof or other portion of a building so as to be visible from any adjacent property.

B. In districts other than Residential districts, antennas shall comply with the following standards, subject to subsections c and d below:
   1. Antennas may be placed at any location that is not visible from adjacent public roads.
   2. Antennas erected on the roof of a principal structure shall be screened with materials that are compatible with the principal structure and have a minimum height equal to the height of the antenna if:
      a. The principal structure is less than 30 feet in height; or
      b. The principal structure has a pitched roof, regardless of the height of the structure.
   3. Dish type antennas less than three feet in diameter may be placed at any location on a principal structure except the front façade or another façade that is adjacent to and faces a street.

C. Satellite dish antennas are subject to the standards in this section to the maximum extent feasible, but only where there is no impairment of acceptable signal quality. The standards in this section are not intended to impose unreasonable delays or costs on the installation, maintenance, or use of satellite dish antennas, and shall not be interpreted or enforced in any manner contrary to federal or State law.

D. Amateur ham radio antennas shall comply with the following standards in lieu of the standards in subsections a and b above, unless the ham radio operator demonstrates that a deviation from the standards is necessary to accommodate the operator's amateur communications needs:
   1. The antenna shall not exceed a height of 90 feet above grade;
   2. An antenna attached to a principal structure on the lot shall be located on a side or rear elevation of the structure; and
   3. A freestanding antenna shall be located to the rear of the principal structure on the lot, but not within 10 feet of any lot line.

DRAFT

6.11.3 Automated Teller Machine (ATM)

A. ATMs shall not be located along the primary building façade except in buildings with a recessed entry.
B. Stand alone ATMs must provide a minimum of 2 parking spaces or 4 vehicle queuing spaces.

6.11.4 Drive-Through facility

A. Drive-thru windows shall be located on the rear of the structure to the extent practicable and shall not be located on the front of the structure.
B. Drive-thru windows and aisles shall not impede the circulation within internal accessways or external ingress points.
C. Drive-thru aisles shall exit onto accessways within the development or onto non-major roadways, as practicable.

6.11.5 Electric Vehicle Charging

A. An electric vehicle charging space shall be located so as not to interfere with vehicle, bicycle, or pedestrian access and circulation, or with required landscaping.
B. When accessory to any residential development:
   1. Electric vehicle charging is allowed only for the residents and their guests; and
   2. Unless located in a parking structure, chargers are limited to Level 1 or Level 2 facilities as defined by the U.S. Department of Energy.
C. When accessory to any nonresidential development:
   1. Three electric vehicle charging spaces may be counted towards the minimum required number of parking spaces. Additional electric vehicle charging spaces may be counted towards the minimum required number of parking spaces if the space is not reserved exclusively for vehicle charging. Spaces in excess of the minimum required parking may be reserved for electric vehicle charging.
D. When located in a surface parking lot and not mounted on the exterior of the principal structure:
   1. The maximum height of the dispenser and any other associated structure is eight and one-half feet; and
   2. A canopy is not permitted in association with the electric vehicle charging space.
E. Electronic display screens shall not exceed a maximum total area of one square foot per dispenser.

DRAFT

6.11.6 Game Courts, Swimming Pools, and Satellite Dish Antennas

A. Game courts, swimming pools, and satellite dish antennas are allowed as accessory uses in residential districts in conjunction with one family, one family mobile home and two-family dwellings, subject to the following provisions:
   1. Game courts, swimming pools, and satellite dish antennas shall be located in the rear yard.
   2. Game courts, swimming pools, and satellite dish antennas shall be set back not less than five feet from any lot line.
   3. Setback requirements for game courts, swimming pools, and satellite dish antennas on corner lots shall be the same as those for accessory buildings.
   4. Game courts shall not occupy more than 65 percent of the rear yard, and swimming pools and satellite dish antennas shall not occupy more than 50 percent of the rear yard.
   5. Lighting for game courts and swimming pools shall have proper shielding from glare.
   6. All satellite dish antennas shall employ (to the extent possible) materials and colors that blend with the surroundings.

B. Game Courts and Swimming Pools are permitted as an accessory to multi-family units in any district.

6.11.7 Home Based Business

A. **Home Occupation**. A home occupation, permitted in any Residential District, shall be in conformance with the following requirements:
   1. Only one person other than those residing in the house shall be engaged in the occupation.
   2. No display of merchandise shall be visible from the street. There shall be no outside storage of equipment, multiple vehicles, or supplies associated with the home occupation. For the purposes of this Section 6.1.1(A)(2), products grown naturally including, but not limited to, vegetation, and/or animal products shall not be considered “supplies.”
   3. The occupation shall not be a nuisance or cause any undue disturbance in the neighborhood.
   4. One non-illuminated sign shall be permitted provided that the sign copy area of such signs does not exceed (2) square feet in area and that such sign is mounted flat against the wall of the building in which such home occupation is conducted or flat against the wall of a principal structure.

DRAFT

5. Sufficient off-street parking shall be provided on the premises to accommodate all parking demand generated by the home-based business. Such off-street parking shall not be located in the front yard.
6. The home-based business shall not generate traffic in greater volumes than would normally be expected in a residential neighborhood.
7. A maximum of four customers or clients of the home-based business may visit the premises at any one time.
8. The use of any mechanical, chemical, or electrical device which would pose a potential hazard to the residential setting, and which may be considered to be an unusual piece of equipment in the residential environment shall be prohibited.
9. The following home occupations shall not be permitted.
    a. Automotive repair
    b. Nail salons
    c. Public or private clubs
    d. Repair and maintenance of equipment, such as home appliances and small engines
    e. Restaurants or commercial food preparation, except home-based food production operations
    f. Tattoo and body piercing establishments
    g. Woodworking, unless wholly confined to an enclosed room or enclosed accessory building
    h. Sexually oriented businesses
    i.
10. The home-based business shall be conducted entirely within the principal dwelling or an accessory structure. The home-based business shall be clearly incidental and secondary to the use of the dwelling unit for residential purposes, and shall not change the outward appearance of the structure.

6.11.8 Home-Based Day Care

A. A home-based day care shall be operated only in an occupied residence.
B. A home-based day care shall provide daycare services to a maximum of six individuals.
C. Client pick-up and drop-off shall not obstruct traffic flow on adjacent public roads.

DRAFT

D. Any outdoor children's play area shall be fenced or otherwise enclosed on all sides and shall not include driveways, parking areas, or land otherwise unsuited for children's play space.
E. A daycare facility shall comply with all applicable state and federal regulations.

6.11.9 Horticulture

A. Sales of plant material grown on the property must meet home-based business conditions.

6.11.10 Outdoor Seating

A. Hours of operation of the outdoor seating area shall be the same as those for the eating or drinking establishment.
B. Food preparation shall occur only within the enclosed principal building containing the eating or drinking establishment.
C. The outdoor seating area shall not obstruct the movement of pedestrians along sidewalks or through areas intended for public use.
D. No tables, chairs, umbrellas, or other furnishings or equipment associated with the outdoor seating area shall be attached, chained, or otherwise affixed to any curb, sidewalk, tree, post, sign, or other fixture within the outdoor seating area.
E. The outdoor seating area may be permitted on a public sidewalk abutting or adjacent to the front of the property containing the eating or drinking establishment, subject to the following requirements:
    1. The outdoor seating area shall be limited to that part of the sidewalk directly in front of the property containing the eating or drinking establishment unless the owner of adjoining property agrees in writing to an extension of the outdoor seating area to that part of the sidewalk in front of the adjoining property.
    2. The operator of the eating or drinking establishment shall enter into a revocable license agreement with the City that has been approved as to form by the City Attorney that:
        a. Ensures the operator is adequately insured against and indemnifies and holds the City harmless for any claims for damages or injury arising from sidewalk dining operations, and will maintain the sidewalk seating area and facilities in good repair and in a neat and clean condition;
        b. Authorizes the City to suspend authorization of the outdoor seating use, and to remove or relocate or order the removal or relocation of any sidewalk seating facilities, at the owner's expense, as necessary to accommodate repair work being done to the sidewalk or other areas within the right-of-way containing or near the outdoor seating area; and

DRAFT

c. Authorizes the City to remove or relocate or order the removal or relocation of any sidewalk seating facilities, at the operator's expense, if the operator fails to comply with a City order to do so within a reasonable time period.

3. A clear pathway at least five feet wide shall be maintained to allow through public pedestrian traffic along the sidewalk and from the sidewalk into the entrance to the eating or drinking establishment. A greater width may be required where necessary to ensure the safe and convenient flow of pedestrian traffic.
4. A clear separation of at least five feet shall be maintained from any alley, crosswalk, fire hydrant, or similar public or emergency access feature in or near the sidewalk. A greater clear distance may be required where necessary to ensure use of the public or emergency access feature.
5. No objects shall be placed along the perimeter of the outdoor sidewalk seating area that would have the effect of forming a physical or visual barrier discouraging the use of the sidewalk by the general public.
6. Tables, chairs, umbrellas, and other furnishings associated with the outdoor seating area shall be of sufficient quality design, materials, and workmanship to ensure the safety and convenience of area occupants and compatibility with adjacent uses.

6.11.11 Outdoor Storage and Retail Display

A. Where an outdoor storage area stores goods intended for sale or resale, such goods shall be limited to those sold on the premise in conjunction with the principal use of the lot.
B. Flammable liquids or gases in excess of 1,000 gallons shall be stored underground.
C. No materials shall be stored in areas intended for parking or for vehicular or pedestrian circulation.
D. Outdoor storage areas shall be screened from adjacent residential properties located to the side or rear of the use.
E. Outdoor retail display areas require Site Plan Review. Outdoor retail display areas shall be designated on the site plan. No outdoor retail display areas are allowed in other locations.
F. Outdoor retail display areas shall be located outside of ADA accessible routes, landscaped areas, rights-of-way, and required parking areas.
G. Outdoor retail display areas shall be located to the side or rear of the principal building. Outdoor retail display areas are also permissible between the building façade and road right-of-way with a maximum width of 50 feet.

6.11.12 Retail Sales (as Accessory to an Industrial Use)

A. In buildings with single occupancy, a maximum of 20 percent of the floor area of the building shall be available for a retail showroom or sales space;
B. In buildings with multiple occupancy, no tenant or licensee shall have a customer showroom greater than 33 percent of the floor area occupied by the business;
C. Additional off-street parking shall be provided for the retail customer showroom in accordance with Article 7;
D. With the exception of building materials, all goods shall be stored indoors or in rear yards which comply with the screening requirements for such use;
E. No merchandise shall be displayed behind windows facing a public right-of-way in a manner which allows the displays to be visible from the right-of-way;
F. No entrance shall be permitted directly from the street to the accessory use; and
G. Retail customers shall not have access to other storage areas, and retail displays shall not be placed in other storage areas.

6.11.13 Solar Energy Conversion System

A. A solar energy conversion system shall comply with the maximum building height standards for the zoning district in which it is located, except a roof-mounted system may extend a maximum of three feet above the roofline of the building on which it is mounted, regardless of building's height.
B. Solar energy equipment shall not produce unreasonable glare on neighboring properties.

6.11.14 Wind Energy Conversion System

A. Owner-mounted wind energy systems shall not be located within a front yard.
B. The system shall be set back from all property lines and overhead utility lines a distance equal to its total extended height (e.g., if on a roof, roof height plus the height of any tower extending from the roof) plus 15 feet. Guy wires and other support devices shall be set back at least five feet from all property lines.
C. The maximum height of the system (including any tower and extended blades) shall be the maximum height allowed in the zoning district plus 60 feet.
D. Sound produced by the system under normal operating conditions, as measured at the property line, shall not exceed 55 dBA at any time, except, 55 dBA sound level may be exceeded during short-term events that occur beyond the property owner's control, such as during severe wind storms.
E. Wind turbines and towers shall be painted or finished in the color originally applied by the manufacturer, or a matte neutral color (e.g., gray, white) that blends into a range of sky colors, or a color consistent with that of the buildings on the site. Bright or luminescent colors are prohibited.

DRAFT

F. Wind turbine blade tips and vanes shall have a minimum ground clearance of 15 feet, as measured at the lowest point of the arc of the blades. No blades may extend over parking areas, public right of ways, driveways, or sidewalks.
G. Illumination of turbines and towers is prohibited unless required by the FAA.
H. On a freestanding tower, any climbing foot pegs or rungs below 12 feet shall be removed to prevent unauthorized climbing. For lattice or guyed towers, sheets of metal or wood or similar barriers shall be fastened to the bottom tower section such that it cannot readily be climbed.
I. The system shall not include signs visible from any public street other than identification of the owner, manufacturer, and installer, and required warning signs
J. If use of the system is discontinued for a continuous period of six months, the City shall deem it abandoned and provide the owner a written notice of abandonment. Within 90 days after written notice of abandonment is provided, the owner shall either remove the system, including all towers, turbines, and above-ground structures and equipment, or resume regular operation of the system.

6.12 Temporary Uses

6.12.1 Construction Site Office and Storage

A. A contractor's office and one or more equipment storage sheds may be placed temporarily on the site of construction of a development for which a land development permit or preliminary subdivision plat approval has been issued.
B. A temporary use permit issued for construction site office and storage shall be valid for a period of time determined by the estimated project completion date at the time the temporary use permit is issued. The Planning Director or duly authorized staff may approve an extension of this period of up to one year upon a written request by the applicant submitted at last 20 days prior to the termination of the initial period of validity.
C. All temporary construction buildings and trailers shall be completely removed from the site within 30 days after the issuance of a certificate of zoning compliance or the completion of the project, whichever happens first.

6.12.2 Farmer's Market, Temporary

A. The farmers' market shall operate only with written permission from the owner of the property on which it is located.
B. The farmers' market shall operate for no more than 50 days in any 12 month period.
C. The farmers' market shall be open only during daylight hours.

D. The farmers' market may operate inside a building only during the months of December through March for a period not to exceed a total of 30 days; otherwise, the farmers' market shall operate in an open area or parking lot.
E. The farmers' market shall provide adequate ingress, egress, and off-street parking areas.
F. Sales shall be limited to the retail sale of agriculture, aquaculture, and horticulture products produced by the vendor, including the sale of products made by the vendor from such products (e.g., baked goods, jams and jellies, juices, cheeses) and incidental sales of crafts or similar home-made products made by the vendor.
G. The market shall have an established set of operating rules addressing the governance structure of the market, hours of operation, and maintenance and security requirements and responsibilities.
H. The market shall have a manager authorized to direct the operations of all participating vendors during all hours of operation.

6.12.3 Fireworks Stands

A. **Pursuant to S.C. Code.** The proposed site must not be granted if it is to be within (1) mile of the Central Business District. This distance must be computed by following the shortest route of ordinary pedestrian or vehicular travel along the public thoroughfare from the nearest point of the Central Business District.
B. Other Requirements.
1. The Fireworks Stand Operator must allow and cooperate with on-site inspections as considered necessary by the City and must address by corrective action the noncompliance items as identified by the City. Firework Sales are permitted December 18 until midnight January 1 and from June 27 through midnight July 4. However, portable stands may be erected six business days prior to the start of the designated periods but must be removed within six business days after the last day of the designated periods.
2. The City may revoke, suspend, or refuse to issue or renew a license pursuant to this chapter and invoke a monetary penalty upon evidence as determined by the city that the licensee of the facility under this chapter has:
   a. Obtained a Firework Stand license through fraud or deceit; or
   b. Has violated any applicable law or regulation.

6.12.4 Food Truck

A. The Food Truck must be appropriately permitted by the South Carolina Department of Environmental Services ("SCDES").
B. The Food Truck vendor shall prominently display SCDES letter grade;

C. The Food Truck vendor shall maintain within the Food Truck proof of written permission from the private property owner or authorized lease holder of the private property of each vending location.
D. The Food Truck vendor shall maintain a current Fountain Inn business license,
E. When not in operation, the Food Truck must be removed from the property and the vendor must remove from the property all materials associated with the Food Truck operation.
F. No Food Truck shall operate between the hours of 10 p.m. and 6:00 a.m. if the property upon which the Food Truck is located is within 400 feet of residential property.
G. The use of any sound amplification is prohibited regardless of the intended purpose.
H. The sale or service of alcoholic beverages is prohibited.
I. Signs affixed to the Food Truck advertising the name of the truck and a menu of items sold are permitted. One (1) A-Frame style sign may be placed within 25 feet of the food truck, with permission of the property owner, during the time when active food service is conducted. All other signs, balloons, banners, streamers, or other similar items to attract customers are prohibited.
J. The Food Truck vendor shall not operate the Food Truck as a drive-in window.
K. The noise level from the Food Truck motor and generator must comply with the City's Noise Ordinance.
L. A garbage receptacle shall be provided for customers in a convenient location that does not impede pedestrian or vehicular traffic. All litter or debris generated within a minimum of a 25-foot radius of the Food Truck shall be collected and removed by the vendor.
M. Any service items, tables, etc. that a Food Truck operator may place outside of the vehicle shall not extend further than a 15-foot radius of the Food Truck.
N. No temporary lighting shall be provided on site where the Food Truck is operating, except that localized lighting may be used on or in the Food Truck for the purpose of inside food preparation and menu illumination.
O. Food trucks operating as part of an event approved by the City are not subject to these conditions.
P. A maximum of three food trucks are permitted at any one location at the same time.
Q. The parking of food trucks in fire lanes, travel lanes, or vehicular surface area aisles is prohibited.
R. The operation of food trucks in Residential districts shall be limited to lots containing Public, Civic, Community Pools and and Institutional uses.

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6.12.5 Garage/Yard Sale

A. Each occurrence of a garage/yard sale shall be not exceed two days and shall be limited to the daylight hours.

6.12.6 Landscape Maintenance

A. In addition to standard landscape equipment, goats shall be permitted as a method to maintain vegetation.

6.12.7 Parking Lot Sales

A. Permission to operate in a parking lot shall be granted by the Planning Director no more than twice within one year, provided that said use will not create traffic congestion or constitute a nuisance to surrounding uses. Any operation that is determined to be creating a nuisance or disruption may have its permission revoked by the Planning Director.
B. The vendor shall maintain proof of written permission from the private property owner or authorized lease holder of the private property of each vending location.
C. No structure shall be located in a fire lane, travel lane, or vehicular surface aisle.
D. One A-Frame sign is permitted, to be removed when the business is not operating.
E. Hours of operation shall be between 9:00 a.m. and the half-hour before sunset.

6.12.8 Portable Storage Container

A. Storage containers shall not exceed 160 square feet in floor area or be taller than eight feet.
B. Containers shall be located within a driveway, parking, or loading area. In cases where the driveway, parking, or loading area extends behind the front façade of a building, the container shall be placed behind the front façade to the extent practicable.
C. In cases where improved driveways, parking, or loading areas are not present, containers shall be located so as to minimize their visibility from streets or adjacent residential areas, to the extent practicable.
D. Nothing in these standards shall limit the placement of more than one container on a lot or site, provided compliance with all other applicable standards is maintained.
E. Except for storage containers located on construction sites, storage containers shall not be located on an individual parcel or site for more than 30 consecutive days per site per occurrence. The Planning Director or duly authorized staff may approve an extension of that period for an additional period of up to 30 days

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after receiving a written request from the applicant prior to the expiration of the initial 30 days.

F. Storage containers may be placed on a residential site a maximum of two occurrences within any six-month period.

G. A minimum period of six months is required between the removal of a storage container from a nonresidential site and the subsequent placement of a storage container on the site.

6.12.9 Real Estate Office (Model Home Unit)

A. A model home/unit may be used as a real estate sales or leasing office in a new residential development.

B. Temporary real estate offices in model homes/units cease operation when 90 percent of the homes in the development have been sold.

C. The maximum number of employees utilizing the office at any one time shall be four.

6.12.10 Real Estate Office (Trailer or Modular Unit)

A. One temporary structure, such as a construction trailer or temporary modular unit, may be used as a real estate sales or leasing office in any new construction project.

B. Temporary real estate offices in construction trailers or temporary modular units may remain on the site for a maximum of 12 months, until a model unit is built, or until one-half of the units for the project are completed, whichever occurs first.

6.12.11 Temporary Event

A. All additional permits and inspections required by the building code or fire officials must be received.

B. In approving a temporary use permit for the temporary event, the Planning Director or duly authorized staff is authorized to impose such conditions upon the premises benefited by the permit as may be necessary to reduce or minimize any potential adverse impacts upon other property in the area, as long as the condition relates to a situation created or potentially created by the proposed temporary event. The Planning Director or duly authorized staff is authorized, where appropriate, to require:

1. Provision of temporary parking facilities, including vehicular access and egress.
2. Control of nuisance factors, such as but not limited to, the prevention of glare or direct illumination of adjacent properties, noise, vibrations, smoke, dust, dirt, odors, gases, and heat.

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3. Regulation of temporary buildings, structures and facilities, including placement, height and size, location of equipment and open spaces, including buffer areas and other yards.
4. Provision of sanitary and medical facilities.
5. Provision of solid waste collection and disposal.
6. Provision of security and safety measures.
7. Use of an alternative location or date for the proposed special event.
8. Modification or elimination of certain proposed activities.
9. Regulation of operating hours and days, including limitation of the duration of the special event to a shorter time period than that requested or specified in this subsection.
10. Submission of a performance guarantee to ensure that any temporary facilities or structures used for such proposed temporary event will be removed from the site within a reasonable time following the event and that the property will be restored to its former condition.

6.12.12 Temporary Use of Accessory Structure as Principal Dwelling

An existing structure that is accessory to an existing principal dwelling that has been damaged or destroyed by a fire, hurricane, or other physical catastrophe may be temporarily used as the principal dwelling on the lot while the damaged or destroyed principal dwelling is being repaired or reconstructed, provided it complies with the following standards:

A. The building or inhabited part shall meet all applicable building, health, and other regulations for a habitable dwelling.
B. The building shall comply with any additional standards set forth in a Declaration of Emergency issued by authorized officials in response to the catastrophe.
C. The building shall be removed or converted to an authorized accessory use within 30 days after issuance of the certificate of zoning compliance for the permanent principal dwelling. In no case shall the building be used as the principal dwelling for more than four years unless authorized by a longer time period set forth in a Declaration of Emergency issued by authorized officials in response to the catastrophe.

DRAFT

ARTICLE 7. PARKING, ACCESS AND STREETS

7

CONTENTS

Article 7. Parking, Access and Streets 7-1
7.1 General Provisions 7-1
7.2 Parking Requirements.....7-1
7.3 Driveways and Access 7-14
7.4 Streets and Subdivision Design 7-15
7.5 Traffic Impact Analysis 7-46
7.6 Construction Standards ...7-51
7.7 Testing and Inspections ...7-65

7.1 General Provisions

There shall be provided at the time of the erection of any building, or at the time any principal building is enlarged or increased in capacity by adding dwelling units, guest rooms, seats, or floor area; or before conversion from one type of use of occupancy to another, permanent off-street parking space in the amount specified by this section. Such parking space may be provided in a parking garage or properly graded and improved spaces. All portions of the required spaces which are paved shall be marked in accordance with the standards contained herein. Lines shall be marked with an approved paint.

7.1.1 Certification of Minimum Parking Requirements

Each application for a Building Permit or Certificate of Occupancy submitted to the Planning Director, as provided for in Article 2, shall include a plan showing the required space reserved for off-street parking and loading space and the means of ingress and egress to such space. This information shall be the responsibility of the owner/developer and shall be sufficient to enable the Planning Director to determine whether or not the requirements of this section are met.

7.1.2 Combination of Required Parking Space

The required parking space for any number of separate uses may be combined in one lot, but the required space assigned to one use may not be assigned to another use, except as permitted in 7.2.5.

7.2 Parking Requirements

7.2.1 Applicability

A. Permanent off-street parking space in the amount specified by this Article shall be provided:

1. At the time of erection of any building;

2. At the time any principal building is enlarged or increased in capacity by adding dwelling units, guest rooms, seats, or floor area; and
3. Before conversion from one type of use occupancy to another.

B. **Nonconforming Parking and Loading.** When existing parking or loading facilities on a site are nonconforming, they must be brought into compliance when a proposed development meets the threshold in Section 1.9.3 Alteration of Nonconforming Site Improvements

C. **Exemptions.** Some uses are exempt from sections of this ordinance pertaining to minimum parking, but when parking is provided, it must meet the parking design requirements, in addition to other requirements as directed by the Planning Director. The following uses are exempt:
1. C-1 Central Business District, but parking standards addressed in this section and Section 5.7.8 C-1/Downtown Standards apply.
2. DMU Downtown Mixed-use District, but parking standards addressed in this section and Section 5.7.7 Downtown Mixed-use Standards apply.

7.2.2 Location

A. **Generally.** Required parking spaces shall be located on the same lot on which the principal use is located, except as otherwise provided in this ordinance.
1. No parking is permitted in the right-of-way unless in designated on-street parking spaces.
2. **Parking Area to the Rear or Side of Buildings.**
   a. If specified in Article 5 General Development Standards, required parking shall be located to the rear or side of the building.
3. **Remote Parking Spaces.**
   a. If the off-street parking spaces required by this Article cannot be reasonably provided on the same lot on which the principal use is located, such space may be provided on any land within 400 feet of the principal use.
   b. Such space shall be deemed required space associated with the permitted use and shall not hereafter be reduced or encroached upon in any manner. It is further provided that the Planning Director may require a plat, deed, or other documentation necessary to show that remote parking space is controlled by and available to the applicant prior to the granting of a Certificate of Occupancy.

7.2.3 Rounding

A. Whenever the number of parking spaces required by Section 7.2.4 results in a requirement of a fractional space, any fraction of one-half or less may be

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disregarded while a fraction in excess of one-half shall be counted as one parking space.

7.2.4 Required Off-Street Parking

A. **Parking Ratios.**

1. Purpose: The purpose of this subsection is to provide minimum ratios for on-site parking to accommodate the traffic generated by the site's use(s). Some of the uses listed in the table have maximum parking amounts established to prevent unnecessary impervious surface that increases stormwater runoff. It is the responsibility of the applicant to provide adequate parking for the proposed use.
2. Tiers: Some Use Types have required minimum parking spaces based on their location in the City. These areas are designated as Tiers 1, 2, and 3 and shown on Figure 7.1:_Parking Tier Map.

Table 7-1: Off-Street Parking Ratios by Use

USE TYPE	REQUIRED MINIMUM PARKING SPACES	MAXIMUM PARKING SPACES
Auditorium and Theater	One space for each five spectator seats	N/A
Automatic Teller Machine (freestanding)	Three spaces per teller machine; requirement waived if sited where parking already exists	N/A
Automobile Repair Facility	Two spaces per service bay, not including the service bay itself, plus one space per 500 sf GFA of office space	N/A
Automobile Service Station	Two spaces per service bay, not including the service bay itself, plus one space per 500 sf GFA of office space	N/A
Bus Terminal	One space for each four seats in the waiting room plus one space for each two employees	N/A
Churches and/or Assembly Areas	One space for each five seats in the sanctuary or main assembly area	1 per 2 seats in sanctuary or main assembly area
Dwelling, Accessory	Tier 1 Parking Zone: None Tier 2-3 Parking Zone: 1 space per dwelling unit	N/A
Dwelling, Apartment and multiple-family dwellings (includes Townhouse)	Tier 1 Parking Zone: • 1 space per dwelling unit Tier 2 Parking Zone: • 1.5 spaces per dwelling unit	N/A

USE TYPE	REQUIRED MINIMUM PARKING SPACES	MAXIMUM PARKING SPACES
	• 1 visitor space per 4 units Tier 3 Parking Zone: • 1.5 space per dwelling unit with 1-2 bedrooms • 2 spaces per dwelling unit with 3+ bedrooms • 1 visitor space per 4 units	
Dwelling, Single or Two-Family Dwelling	Tier 1 Parking Zone: • 1 space per dwelling unit Tier 2-3 Parking Zone: • 2 spaces for each dwelling unit unless specified in Article 6	N/A
Fire Station	1 space per 1,000 sf GFA	N/A
Funeral Home	1 space for each 4 seats in the chapel or parlor	N/A
Golf Course	4 spaces for each green, plus requirements for any other associated use	N/A
Home Occupation	1 space in addition to residential requirements.	5 parking spaces utilized by home occupation
Hotel, Motel or Motor Court	1 space for each room to be rented, plus requirements for any other associated use with the establishment	N/A
Manufactured Home Park	2 spaces for each manufactured multi-section home, manufactured single-section home or modular home	N/A
Medical or Dental	2 spaces for each 1,000 square feet of leasable floor area	1 per 300 square feet of floor area
Ministorage	2 spaces for each 1,000 square feet of office area plus adequate space for parking near units for loading and unloading	N/A
Nursing Home	1 space per 1,000 square feet plus a drop off / pick up area	N/A
Restaurant (Sit Down)	1 per 200 sf GFA, including outdoor seating areas (mobile order / curbside pickup spaces do not count towards the minimum number of required spaces)	1 per 100 sf GFA for inside and outside seating areas

USE TYPE	REQUIRED MINIMUM PARKING SPACES	MAXIMUM PARKING SPACES
Restaurant (Drive Thru)	1 per 200 sf of GFA, including outdoor seating areas (mobile order / curbside pickup spaces do not count towards the minimum number of required spaces) and reserve lane capacity equal to 5 spaces per drive-up window	1 per 100 sf GFA for inside and outside seating areas, no maximum for drive-through lanes
Retail, Commercial, and Office	2 spaces for each 1,000 square feet of leasable floor area	3 spaces for each 1,000 square feet of leasable floor area

B. Uses with Unspecified Parking Ratios

1. The following table provides a list of uses that have an unspecified parking ratio. It is the responsibility of the applicant to provide enough parking to accommodate employees and visitors at any given time.

Table 7-2: Land Uses with Unspecified Parking Ratios

LAND USES
Agricultural/Horticultural Production
Agricultural Processing, Storage, and Support Services
Agritourism
Animal Production Facilities
Cemeteries
Equestrian Centers
Equine Stables
Farm Animals, Livestock, Barns, and Stables
Fishing Lakes and Ponds
Forestry and Logging Activities
Industrial Manufacturing, and Wholesale Uses
Landscape Businesses
Nursing Care in Home
Outdoor Storage
Parking Facilities
Quarries
Runways
Schools, Colleges and Universities
Truck Terminals
Utilities, including Communication Towers; Public Utility Stations, Buildings, and Uses; Sewage Pump Stations; Sewage Treatment Facilities; and Small Wireless Facilities
Vehicle Storage Facilities, including Automobile, Boat, Motorcycle, and RV Storage
Waste Management Facilities, including Commercial Incinerators, Composting Facilities, Landfills, Recycling Collection and Processing Centers

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Figure 7-1: Parking Tier Map

7.2.5 Adjustments to Minimum Parking

A. **Purpose.** The minimum off-street parking ratios are intended to encourage development that is economically viable, but are not intended to be so rigid as to require significantly more parking spaces than a particular use demands. Project conditions associated with individual sites may justify the use of alternative parking plans as provided in this section.

B. **Administrative Adjustments.**

1. In the event that the minimum parking requirements cannot be placed on the site in accordance with these regulations without the demolition of an existing structure or damage of significant trees on the site or in the public right-of-way to accommodate a parking area; or if written documentation that demonstrates fewer spaces than required are needed because of the nature of the business, hours of operation, or availability of adjacent parking, the Planning Director may authorize up to a 25% reduction in the total number of parking spaces required on the site.
2. The 25% adjustment allowed by 7.2.4B.1 above may be combined with any one or more of the incentives allowed by 7.2.5: Incentives for Parking Reductions, which has the potential to provide up to a 50% total reduction in the minimum number of required parking spaces.
3. Incentives for Parking Reductions
   a. Alternative Transportation Options
      i. *On Street Parking.* On-street parking spaces within 400 feet of the use may be counted toward parking requirements.
      ii. *Carpool Spaces.* An applicant may reduce the minimum number of required parking spaces by up to 10% if the following criteria are met:
         A) The use is an office or campus use with more than 20 parking spaces onsite;
         B) Carpool spaces are located closest to the building entrance, but not closer than spaces reserved for ADA-accessible spaces; and
         C) Signs are posted indicating spaces are reserved for carpool use during regular working hours.
      iii. *Bicycle Parking.* An applicant may reduce the minimum number of required parking spaces up to 10% is the following criteria are met:
         A) New or existing automobile required parking may be replaced by bicycle parking at a ratio of one automobile parking space for every four bicycle parking spaces provided. One inverted-U rack shall count as two parking spaces.

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iv. *Expanded Bicycle Facilities.* An applicant may reduce the minimum number of required parking spaces by up to 15% if the following criteria are met:
   A) Showers, lockers, and changing facilities are provided in a convenient location and are easily accessible to employees; and
   B) Bicycle racks are provided within a secure area such as a bicycle rack room or locker.

v. *Golf Cart Parking*. An applicant may reduce the minimum number of required parking spaces at a rate of 1 vehicle space for every 2 golf cart parking spaces provided if the location is accessible by golf cart under the City code.

vi. *Proximity to High-Frequency Transit*. An applicant may reduce the minimum number of required spaces
   A) By up to 10% if the property is located within a 1,320-foot walking distance of operating transit stop or station providing both shade and seating and a direct pedestrian pathway is provided from the public sidewalk to the building's main entrance; or
   B) By up to 15% if the development provides a new transit stop; in coordination with Greenlink.

vii. *Proximity to Trails and Greenways*. An applicant may reduce the minimum number of required parking spaces by up to 10% if the following criteria are met:
   A) The property has frontage along an existing or planned trail or greenway; and
   B) A direct pedestrian pathway or entrance is provided from the trail or greenway to the building's main entrance.

viii. *Tree Preservation*. An applicant may reduce its minimum parking requirement by one parking space for each tree 12 inches or greater in diameter that is preserved, up to 5 parking spaces or 10% of the total required, whichever is greater. The tree must be preserved in accordance with tree protection requirements in Article 5.

ix. *Pervious Pavement*. An applicant may reduce its minimum required parking spaces by 10% if at least 25% of the parking area is constructed using a pervious surface approved by the Greenville County Land Development Division to help reduce the amount of impervious surface on the site. A legal instrument like a deed restriction specifying perpetual maintenance of the parking area shall be provided.

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C. **Pervious Pavement Bonus**. If the parking spaces are constructed of a pervious material the Planning Director may authorize an increase up to 125% above the allowable parking space maximum.

D. **Shared Parking.**

1. Shared Use of required non-residential parking spaces may occur where two or more uses on the same or separate sites are able to share the same parking spaces because their parking demands occur at different times.
2. Shared use of required nonresidential parking spaces is allowed if the following documentation is submitted in writing with the building and zoning permit applications and anytime an owner of tenant sharing the parking changes:
   a. The names and addresses of the uses and of the owners or tenants that are sharing the parking;
   b. The location and number of parking spaces that are being shared; and
   c. A legal instrument such as an easement or deed restriction that guarantees access to the parking for all applicable uses.

7.2.6 Parking Area Design

A. **Vehicular Circulation.** All off-street parking areas shall be designed so that all traffic related activities are confined to the site and vehicles can turn around within the area and enter the street, road, or highway in such a manner as to eliminate the necessity of backing into the street, road, or highway.

B. **Stormwater Management.** All parking spaces shall be designed to meet the requirements of the Greenville County Stormwater Management Design Manual.

C. **ADA Accessibility.** When off-street parking is required for any building or use off-street parking spaces that are specifically designated, located and reserved for persons with physical disabilities are required. The minimum required number of accessible parking spaces are the same as required by the current Building Code.

1. For every six or fraction of six accessible parking spaces, at least one shall be a van-accessible parking space.

D. **Parking Space Minimum Dimensions.**

1. All parking space dimensions shall be provided according to Table 7-3: Minimum Parking Space Dimension Requirements and Figure 7-2: Minimum Parking Space Dimensions
2. In addition to the minimum parking space dimension requirements, at least one fire access lane must be provided and approved by the local fire district.

*Table 7-3: Minimum Parking Space Dimension Requirements**

MINIMUM PARKING SPACE DIMENSION REQUIREMENTS*

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ANGLE OF PARKING (DEGREES)	MINIMUM WIDTH OF STALL (FT)[3]	MINIMUM DEPTH OF STALL[1]	MINIMUM DRIVEWAY WIDTH (FT)[2]	MINIMUM CURB LENGTH
0	9′	9′	12′	23′
30	9′	17′4″	11′	18′
45	9′	19′10″	13′	12′9″
60	9′	21′	18′	10′5″
90	9′	18′	24′	9′
Key: ′ = feet; ″ = inches				

**Dimensional requirements are for standard vehicular parking spaces. Dimensional requirements for compact vehicle spaces are specified elsewhere.*

[1]In 90-degree parking stalls, the depth of the stall may be reduced to 18 feet where a grassed or landscaped median, with a minimum 2-foot width per row of parking stalls, has been provided for automobile overhang. Wheel-stops or curbing shall be provided to protect and delineate the median from the parking stalls.

[2]Minimum driveway widths shall be maintained to the point of intersection with the adjoining public or private right-of-way.

[3]Width of parallel parking stalls may be reduced to 7 feet, or as determined by the Planning Director or designee.

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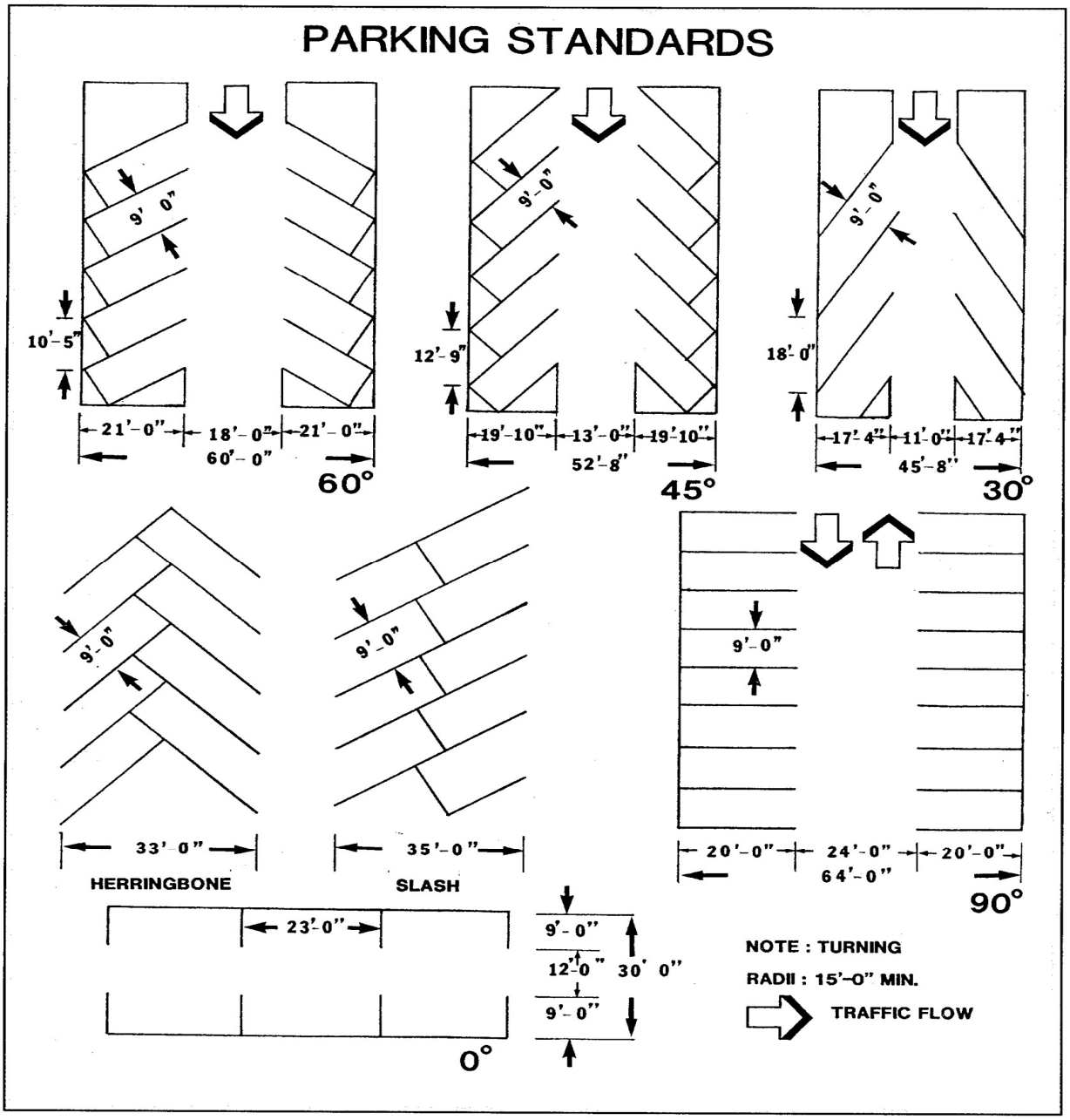
Figure 7-2: Minimum Parking Space Dimensions



E. **Compact Parking Spaces.** Up to 25% of required off-street parking spaces can be compact vehicle parking spaces with a minimum dimension of at least 7 feet, 6 inches in width and at least 14 feet in length, exclusive of access drives, aisles, or columns. Compact spaces must be marked with an appropriate stencil.

F. **Landscaping Requirements.** See roadside buffer and parking lot landscaping requirements in Article 5.

G. **Bicycle Parking Design.** The following standards apply to bicycle parking.

1. Bicycle parking must be located within 100 feet of the building containing the principal use.
2. Racks must support the bicycle frame at two points. Racks that support only the wheel of the bicycle are not permissible.
3. Bicycle parking locations with dimensions shall be shown on the preliminary site plan.
4. Bicycle racks shall be on graded, paved areas with direct paved access to walkways and sidewalks.

H. **Pavement Markings**. Directional arrows shall be provided on one-way drives and aisles. Stop bars, directional arrows, crosswalks, and other regulatory pavement markings are required to adhere to MUTCD standards and be marked with white thermoplastic or other designed approved by the Planning Director or their designee.

I. **Crosswalks.** Crosswalks shall be placed where primary pedestrian routes cross drive aisles or streets.

7.2.7 Vehicle Queuing and Stacking for Drive Through Facilities

A. In addition to off-street parking requirements, drive-through facilities shall comply with the following minimum stacking requirements:
   1. The design and layout of required queuing lanes and stacking spaces must not interfere with circulation and traffic flow on the site and may not interfere with access to parking spaces.
   2. The minimum number of stacking spaces shall be provided in accordance with the table below:

Table 7-4: Stacking Ratios

TYPE OF USE	MINIMUM STACKING SPACES*	MEASURED FROM
Bank (Teller or Drive-through ATM)	4	Teller Window or ATM)
Restaurant with Drive-through	5 plus 4 to pick-up window	Order Box
Car Wash, Automatic	5	Bay Entrance
Car Wash, Self-service or Full Service	3	Bay Entrance
Unlisted	Determined by the Planning Director	

*Planning Director may require study or additional stacking spaces based on anticipated usage.

7.2.8 Off-Street Loading

A. **Requirements for Industrial and Wholesale Buildings**. Every industrial and wholesale building hereafter erected shall provide space as indicated herein for loading and unloading of vehicles. The number of off-street loading berths required by this section shall be considered as the absolute minimum, and the

developer shall evaluate his own needs to determine if they are greater than the minimum specified by this section. For purposes of this section, an off-street loading berth shall have minimum plan dimensions of 12 feet by 60 feet and 14 feet overhead clearance with adequate means for ingress and egress.

Table 7-5: Minimum Number of Berths Per Structure

SQUARE FEET OF GROSS FLOOR AREA IN STRUCTURE	NUMBER OF BERTHS
0—25,000	1
25,000—40,000	2
40,000—100,000	3
100,000—160,000	4
160,000—240,000	5
240,000—320,000	6
320,000—400,000	7
Each 90,000 above 400,000	1

B. **Design of Loading Spaces.** Off-street loading spaces shall be designed so that vehicles can maneuver for loading and unloading entirely within the property lines of the premises.

C. **Requirements for Commercial Uses.** All retail uses and office buildings with a total floor area of 20,000 square feet shall have one off-street loading berth for each 20,000 square feet.

7.2.9 Parking and Storage of Certain Vehicles

A. **Vehicles without Current License Plates and/or Inoperable Motor Vehicles.** Automobiles, trucks, or trailers of any kind or type without current license plates and or inoperable motor vehicles shall not be parked or stored in any residentially zoned areas other than in completely enclosed buildings. No vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth.

B. **Travel or Camping Trailers.** Not more than one travel or camping trailer, per family living on the premises, shall be permitted on a lot in any Residential District. The trailer shall not be occupied temporarily or permanently while it is parked or stored, except in an authorized mobile home or RV park.

C. **Commercial Vehicles.** Not more than one commercial vehicle, which does not exceed 1½ tons rated capacity, per family living on the premises, shall be permitted in a Residential District; no commercial vehicles used for hauling explosives, gasoline, or liquefied petroleum products shall be permitted.

7.3 Driveways and Access

7.3.1 Curb Cuts

A. **Intent.** To have safe and efficient traffic flow accessing roadways. Better access management will help increase sight visibility and reduce traffic accidents.

B. **Standards.** Street, driveway, or other access separation along state and federal highways shall be in accordance with the SCDOT, "Access and Roadside Management Standards."

Table 7-6: Maximum Number of Driveways Per Frontage

LENGTH OF FRONTAGE (FEET)	MAXIMUM NUMBER OF DRIVEWAYS
200 or less	1*
200+ to 600	2
600+ to 1,000	3
1,000+ to 1,500	4
More than 1,500	4 plus 1 per each additional full increment of 500 feet of frontage

**On frontages of 200 feet or less, a pair of one-way driveways may be substituted only if the internal circulation on the site is compatible with the one-way driveways and wrong-way movements on the driveways are rendered impossible or extremely difficult for motorists*

Table 7-6: Recommended Minimum Spacing for Driveways

OPERATING SPEED (MPH)	RECOMMENDED MINIMUM SPACING FROM CENTER TO CENTER (FEET)
30 or less	100
35	150
40	200
45	250
50	300
55 and above	350

7.3.2 Shared Driveways

A. When possible, new development should design vehicular access in a way that encourages the use of shared driveway access to a public roadway. This can be accomplished with double or one-way entrances. Driveways may also provide linkage between lots. Linkage will connect adjoining lots thus providing traffic movement from one development to another.

7.3.3 Driveway Throat Length

A. Driveway throat length shall be designed to prevent vehicles from blocking the flow of traffic on adjacent public streets. Parking spaces, parking aisles, and loading zones may not be located within the first 40 feet of the driveway as measured from the closest edge of the adjacent street.

B. The Planning Director may reduce the minimum throat length required to 20 feet for driveways that access parking areas with fewer than ten parking spaces where the Planning Director determines that the reduction will not compromise the safety of motorists and pedestrians.

7.3.4 Cross Access

A. Development shall be designed to facilitate movement of pedestrians and vehicles between establishments and lots without requiring vehicles to access the public street to travel between adjacent establishments. All development which fronts an arterial or collector street shall provide a cross-access connection to existing and future adjacent nonresidential parking areas.
B. The width of this cross-access connection shall be at least 20 feet.
C. The Applicant shall record an appropriate legal document such as an easement or deed restriction which provides and maintains common access across this connection.
D. Ideally, the location of this cross-access connection across a property line should be mutually determined by affected property owners. However, when coordination becomes overly challenging or difficult, the Planning Director shall determine the location of the cross-access connection.

7.4 Streets and Subdivision Design

7.4.1 Required Designs and Improvements

A. Before construction may begin on any proposed public street, complete plans and specifications for layout, design and construction shall be submitted to the City for approval.
B. Before any Final Plat of a subdivision shall be eligible for final approval, the street improvements shall have been completed and approved in accordance with the design standards as set forth in this section. Such approval shall be set forth in writing by the Planning Director or his/her authorized representative stating that said improvements were completed in accordance with standards and specifications.

7.4.2 Roadway Classification

A. For the purpose of this Ordinance, all streets within the Unified Development Ordinance area shall be classified based upon the projected traffic volume on the street. These classifications and the required design speed for each are listed below:
    1. *Arterial*. Must be built to South Carolina Department of Transportation (SCDOT) standards and meet planned cross-section recommended by City transportation plans. Where conflicts exist the right of way and cross section will be determined by the Planning Director.

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2. *Minor Arterial*. Must be built to SCDOT standards and meet planned cross-section recommended by City transportation plans. Where conflicts exist the right of way and cross section will be determined by the Planning Director.
3. *Major Collector*. Must be built to SCDOT standards and meet planned cross-section recommended by City transportation plans. Where conflicts exist the right of way and cross section will be determined by the Planning Director; greater than 4,000 vehicles per day.
4. Minor Collector. 25 miles per hour (mph) minimum design speed; 1,250—4,000 vehicles per day.
5. *Residential Street*. 20 mph minimum design speed; 1—1,250 vehicles per day.
6. *Rural Headwater Street*. 20 mph minimum design speed; generally less than 250 vehicles per day; overall density under 1 dwelling unit per acre (gross density).
7. *Nonresidential*. 35 mph minimum design speed; a roadway will be in this category if, as determined by the Planning Director, it is wholly or partially within a zoned commercial, services, office, or industrial district or if the character or intent of the property is for commercial, service, office, or industrial use.
8. *Stub-out*. The classification of a stub-out will be determined by the projected volume under future use.
9. *Private*. Private roads shall be limited to residential streets constructed as a cul-de-sac, loop street, or combinations thereof provided that the private road or road network does not allow through access between/among adjoining public roads. All liability, maintenance, and upkeep of the travel surface, and all incidental structures shall be the responsibility of the landowners, developer, or homeowners association. Private roads must be built to a public standard.
10. *Private Alleys*. Alleys may be utilized in the City of Fountain on a case-by-case basis by review of the Engineering Division and final approval from the local fire and emergency officials. All alleys are to be privately maintained with measures to ensure the travel way is not obstructed in any manner, including parking. The purpose of an alley is to provide vehicular access to developments that cannot be adequately served by existing streets or as a means of reducing or eliminating individual driveway accesses. The pavement design shall meet private roadway standards. The geometry of the alley must be adequate to accommodate traffic if the alley will be used for public services (e.g. sanitation). Alley intersections, sharp changes in alignment, and dead-ends shall not be permitted if alleys are to be used by service vehicles. The City shall not be responsible for damage occurring to

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the pavement structure due to use of the alley for access in providing public services. The following standards apply to alleys:

a. Design speed is 15 miles per hour.
b. Right-of-way width shall be 20ft for a one-way alley and 24ft for two-way traffic.
c. Lane widths shall be 12ft inverted crown for one way and 18ft inverted crown for two-way traffic.
d. Garages and fences should be set back from the alley right of way by five feet to provide an adequate turning area for vehicles.
e. Maximum length is 400ft unless approved by Planning Director.
f. Alley intersections sharp changes in alignment, and dead ends shall not be permitted.

7.4.3 Street Design Standards

A. **Design Standards for Public Roads.**

1. All public streets and roads within the Land Development Regulations jurisdiction area shall comply with the following design standards as reviewed and approved by the local Fire District and Emergency Personnel, based on the most recently adopted edition of the International Fire Code by the S. C. Building Codes Council, and those appendices that have been adopted by the City of Fountain Inn City Council. To ascertain standards applying to any specific classification, refer to the Street Design Standards Table. In all instances where reference is made to a section of the South Carolina Department of Transportation (SCDOT) specifications for highway construction (SCDOT specifications), it is the most recent edition.
2. *Right-Of-Way and Cross Section.* A proposed right-of-way shall be of sufficient width to accommodate the required street cross section, but in no case shall the right-of-way be less than that required in this article. In instances where construction or maintenance may necessitate going beyond the normal right-of-way, a temporary right-of-way will be required to be given by easement.
3. *Pavement Width.* Pavement width shall be sufficient to serve the projected traffic on and use of the street, but in no way shall the pavement width be less than that required in the Street Design Standards Table.
4. *Grades.* The minimum vertical tangent grade on any proposed street shall not be less than one percent and the maximum grade shall not exceed those listed in the Street Design Standards Table.

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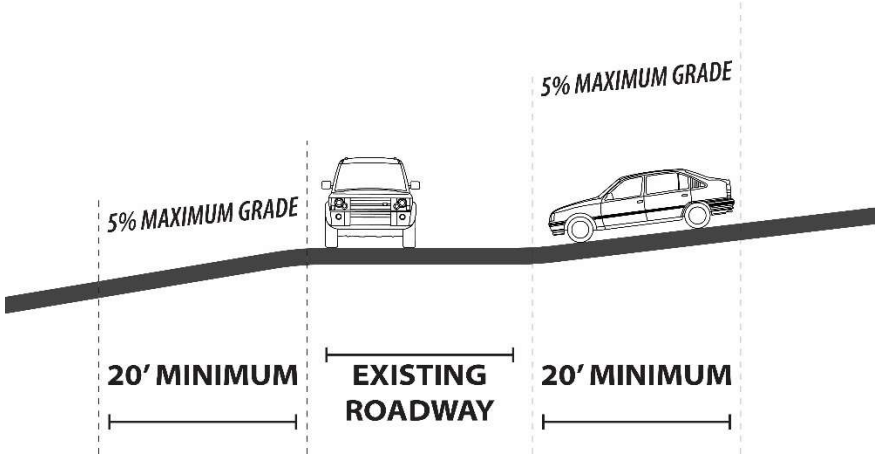
Figure 7-3: Maximum Grade



5. *K Factors/Vertical Curves*. See design chart for acceptable K factors. All signs and speed limit designations shall be approved by the Planning Director or his/her authorized representative.

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Table 7-7: Street Design Standards Table

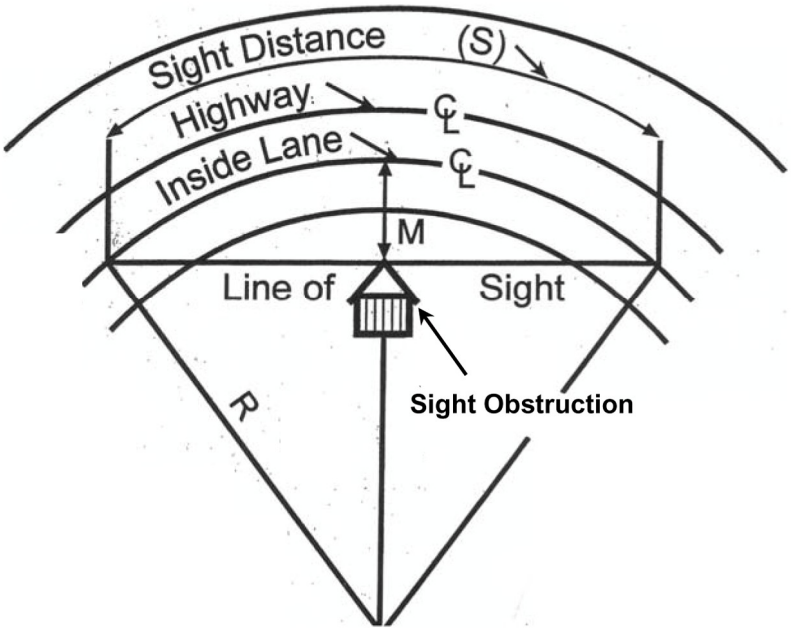
STREET CLASSIFICATION (CORRESPONDING VOLUME)	**MINIMUM RIGHT-OF-WAY** (FEET)	**MINIMUM PAVEMENT WIDTH** (FEET)	**CURB & GUTTER WIDTH** (FEET)	**DESIGN SPEED** (MPH)	**K-FACTOR**		**GRADE* MAXIMUM (%)**	**MINIMUM HORIZONTAL**	**TANGENT BETWEEN REVERSE CURVES**
					Crest	Sag			
Minor Collector (1250—4000 VPD)	64	32 (w/ 5' Bike Lanes) 26 w/o Bike Lanes	2	25	16	26	10	155#	100
Nonresidential	60	29	2.5	35	29	49	8	# or 300**	150
Residential Street	54	24	2	20	7	17	16	100**	50
Residential Street w/ On-Street Parking	60-65	36 (Parking Both Sides) 29 (Parking One Side)	2	20	7	17	16	100**	50
Rural Headwater Street	50	20	N/A	20	7	17	16	100**	50
Alleys—One-Way	20	12	N/A	15	2	15	8	50**	25
Alleys—Two Way	26	20	N/A	15	2	15	8	50**	25

 # Follow guidelines set forth in the AASHTO Green Book for superelevation.

6. *Curb Radii.* Street intersections shall provide appropriate curb radii to allow safe movement of the design vehicles.
    a. Larger than necessary curb radii is discouraged to minimize speeding and longer crosswalk distances at intersections.
    b. When radii exceeds 25 feet, alternative treatments should be considered (mountable curb, truck aprons, pedestrian refuges, channelized turn lanes) to improve pedestrian access and minimize crosswalk distances across the intersection.
    c. All intersections shall accommodate emergency vehicle/fire access.
7. *Horizontal Curves*. Where a deflection angle of more than ten degrees in the alignment of the street occurs, the right-of-way shall be curved. The minimum horizontal radius of curvature at the centerline of proposed street rights-of-way in all areas shall be designed in accordance with the most current AASHTO Green Book.
8. *Sight Triangles and Visibility at Intersections* Sight triangles shall be maintained in accordance with current AASHTO and SCDOT standards when they exceed the following minimum standards.
    a. At a minimum on any corner lot on which a front and side yard are required, nothing shall be erected, placed, planted, or allowed to grow which obstructs sight lines between a height of 2½ feet above the crown of the adjacent roadway and ten feet in height in a triangular area formed by measuring from the point of intersection of the front and exterior side lot lines a distance of 25 feet along the front and side lot lines and connecting the points so established to form a triangle on the area of the lot adjacent to the street intersection.
    b. Sight triangles are limited to one canopy tree within the triangle.
    c. The selective and limited removal of trees or vegetation necessary to obtain clear visibility within sight distance triangles.
    d. The removal of vegetation or other obstructions by public or private agencies within the lines of any right-of-way, easement, or other city-owned lands as may be necessary to ensure public safety.
9. *Clear Sight Distance.* A minimum corner sight distance is required to permit drivers entering the higher-order street to see approaching traffic from a long enough distance to allow the driver to decide when to enter the higher-order street, turn onto the higher-order street, and accelerate in advance of

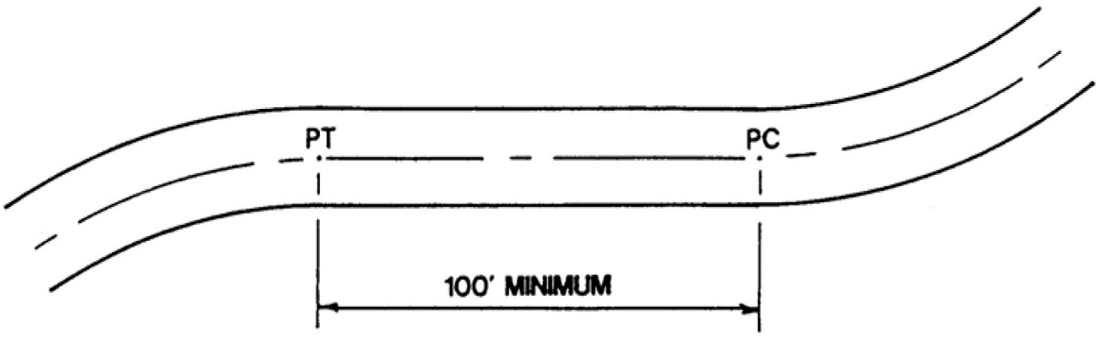
the approaching traffic. The entire area of the clear sight triangle shall be designed to provide the driver of the entering vehicle with an unobstructed view to all points 3.5 feet above the roadway along the centerline from point A to point B. The sight distance in feet is determined the current SCDOT Roadway Design Manual.

Figure 7-5: Sight Distance Diagram



10. *Reverse Curves.* Reverse curves in the street rights-of-way shall be connected by tangents of not less than the following dimensions:
    a. Minor collector, residential: 100 feet.
    b. Nonresidential: 150 feet.

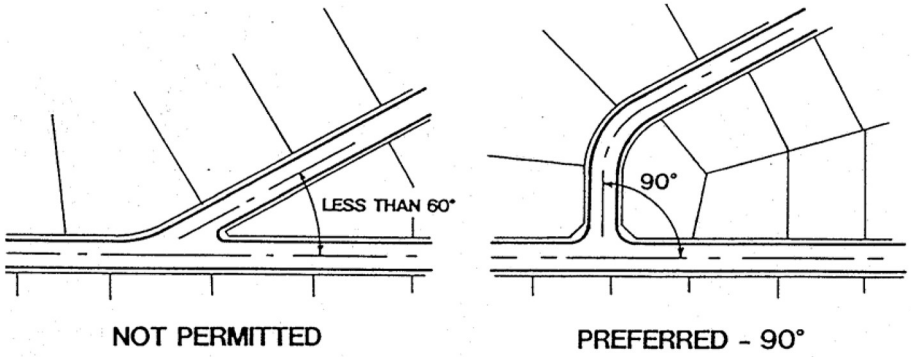
Figure 7--6: Reverse Curves



11. *Intersecting Streets*.

a. Minor Collector, Residential and Nonresidential streets shall be laid out so as to intersect other streets at, preferably, right angles whenever possible. No street shall intersect any other street at an angle less than 60 degrees.

Figure 7--7: Intersecting Streets



b. Intersection alignments permitted shall not be arbitrarily limited. Where more than four streets join, either signalization or roundabouts shall be employed. Where two streets intersect as an "L", the minimum distance to the next intersecting street shall be not less than 175 feet.

12. *Street Offsets*. Where there is an offset in the alignment of a street across an intersection, the minimum offset of the centerline shall be as shown in the following chart:

Table 7-8: Street Offset Requirements

SPEED LIMIT ON MAIN THROUGH STREET	OFFSET IN FEET
25 miles per hour	125 feet
35 miles per hour	150 feet
45 miles per hour	175 feet
55 miles per hour	200 feet

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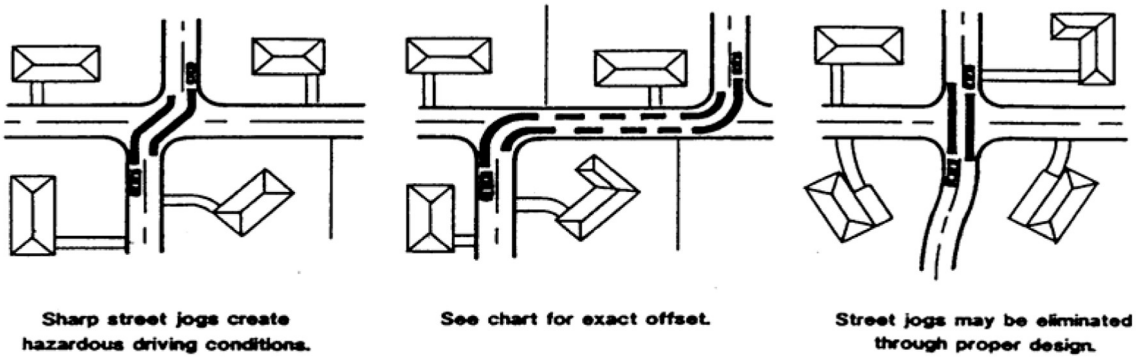
Figure 7--9: Street Offset Illustrations



13. *Cul-de-sac Streets*.
    a. Cul-de-sac streets are defined as those streets designed to be permanently closed. Cul-de-sacs shall have a minimum length of 125 feet and a maximum length of 1,200 feet. A cul-de-sac may be extended beyond the 1,200-foot maximum length, if an interim turn-around is provided.
    b. A cul-de-sac shall be terminated by a circular right-of-way and a circular paved surface for turning. Physical dimensions and options for right-of-way and paved turning surface are shown on the following examples.

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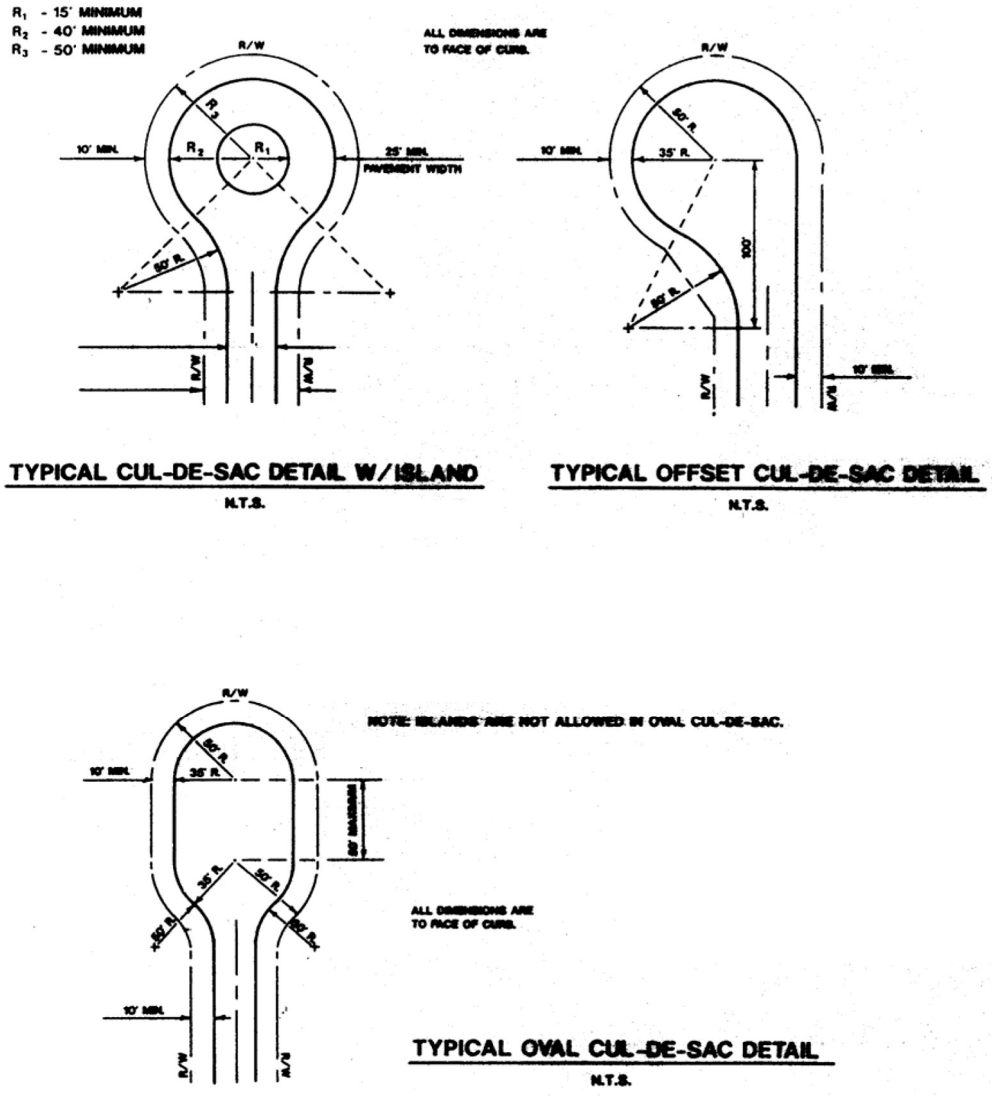
Figure 7-10: Cul-de-sac Examples



14. *Eyebrows*.
    a. Pavement width design shall be in accordance with most current AASHTO Policy on Geometric Design of Highways and Streets standards for WB-40- vehicles. A minimum paved surface width of 25 feet is required.
    b. A minimum ten feet right of way shall be dedicated beyond the outside edge of pavement. Detail dimensions are shown on the following examples.

Figure 7-10: Typical "T" Turnaround

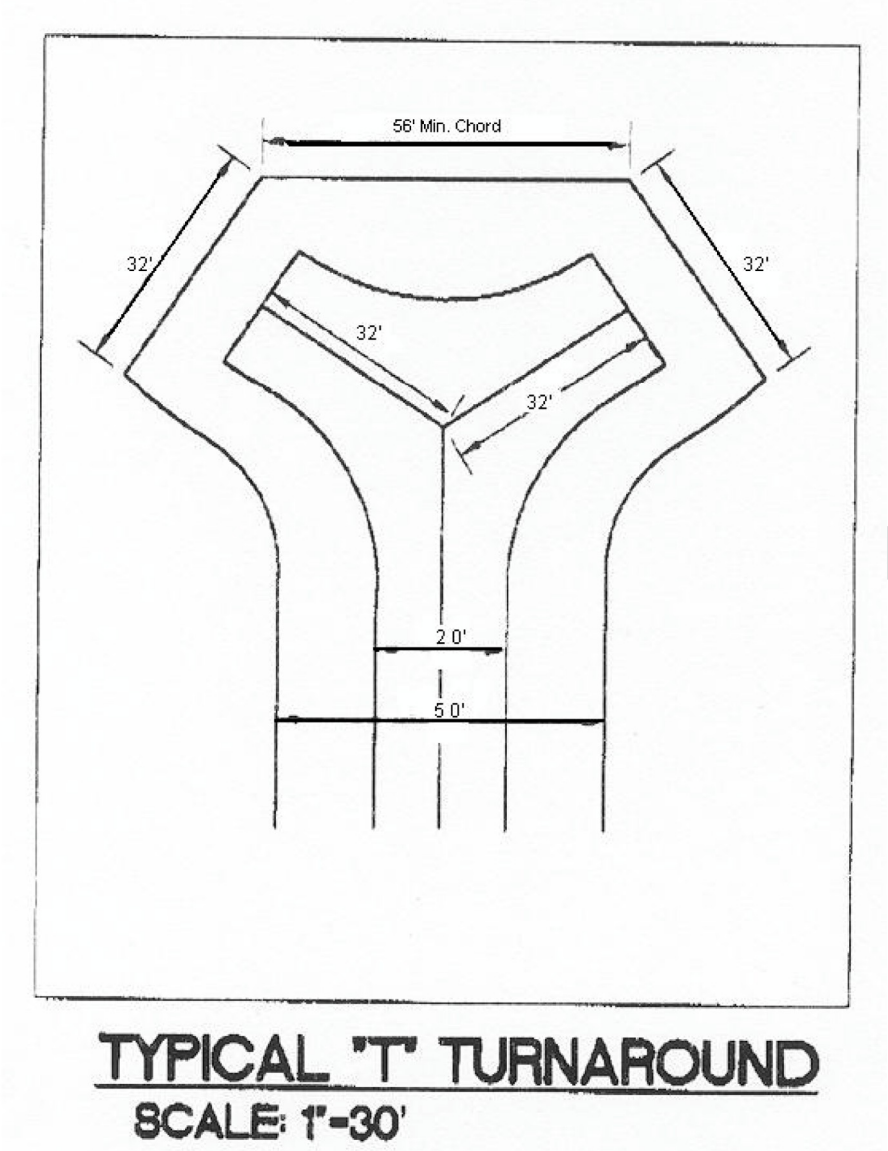
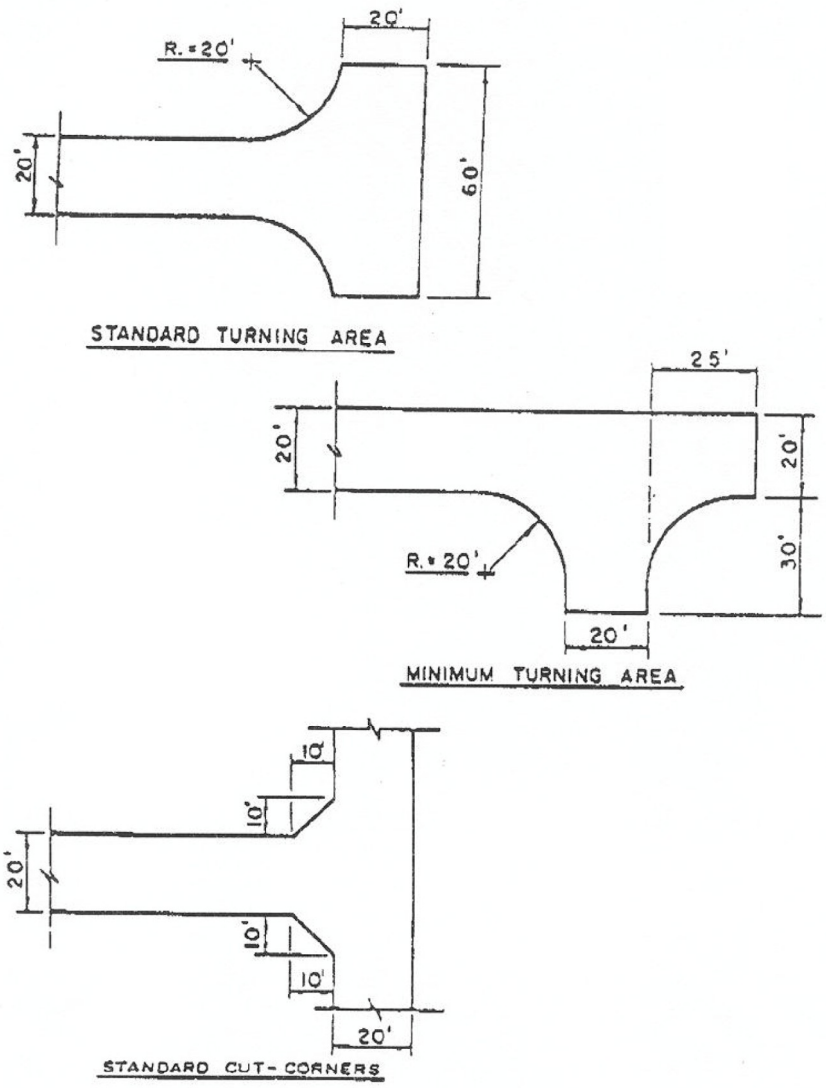


Figure 7-11: Turnarounds



15. *Half Streets*. New half streets shall be prohibited. Whenever an existing half street is adjacent to a tract of land to be subdivided, the other half of the street shall be platted within such tract.
16. *Traffic Calming Requirements*. Every effort shall be made to produce a design which will encourage appropriate residential speeds. On residential collectors on which there is a combination of expected traffic volume, length, straight alignment, and/or a design hardship, traffic calming devices will be required. Acceptable traffic calming devices include but are not limited to raised crosswalks, bulbouts, chicanes, traffic circles, raised intersections, and median islands. All Traffic Calming Measures shall comply with the most recent version of the SCDOT Traffic Calming Guidelines Manual.

7.4.4 Projections into Public Streets and Street Rights-of-Way

A. No commercial signs or other structures shall project beyond any right-of-way line of any street.
B. No shrubbery shall project into any public street right-of-way.

7.4.5 Subdivision Right of Way Dedication

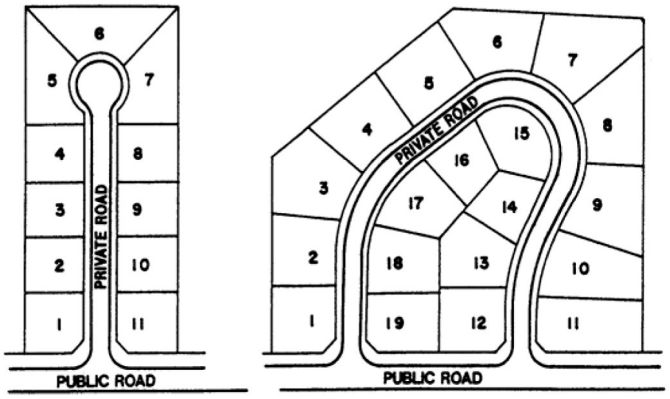
A. **City Roads w/Prescriptive Right-of-Way.** Any subdivision accessing a City or County road and/or having lots adjacent to City or County roads shall accommodate a 25' right-of-way from the centerline of the City or County roadway for future projects, regardless of existing right-of-way.
B. **Conformity to the Major Thoroughfare/Transportation Plans (Including Greenville-Pickens Area Transportation Study (GPATS).** The GPATS Long Range Plan lists roadway projects that are planned for the next 20 years. Subdivisions along these routes shall accommodate the future right-of-way. The developer may reserve the future right-of way or shall reserve the right-of-way as long as the reserved right-of-way is accommodated in the subdivision plan.
C. If Conceptual Design Plans indicating right-of-way for a project have been developed by the City of Fountain Inn, Greenville County or Laurens County, or SCDOT (preliminary plans), then that right-of-way shall be reserved by the developer. If right-of-way plans have not been developed, then the following rights-of-way shall be reserved:
    1. Planned three lanes-30 feet from centerline
    2. Planned four-five lanes-50 feet from centerline
    3. Planned six-seven lanes-70 feet from centerline.
D. Whenever a subdivision is developed in an area through which a proposed major or minor thoroughfare passes, according to the officially adopted Greenville-Pickens Area Transportation Study (GPATS) Long Range Transportation Plan or Fountain Inn Transportation Plan, then the developer shall dedicate to the City or SCDOT a right-of-way as set forth in such plan and shall construct within such right-of-way a street meeting the minimum specifications set forth in this section for a collector street.
E. Whenever a subdivision or new development fronts along an existing major or minor thoroughfare, the development shall dedicate one-half of the right-of-way required for the appropriate street type and build at least one-half of the recommended cross-section as shown in the GPATS Long Range Plan or the Fountain Inn Transportation Plan unless the subdivision or development does not propose street or driveway access to said thoroughfare. When the total peak hour trip generation according to the latest edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual does not exceed a total of 50 trips for a project, the permit issuing authority may require only that a

deceleration lane without curb and gutter construction be installed in lieu of full widening.

7.4.6 PRIVATE ROADS

A. Private roads shall be limited to residential streets constructed as a cul-de-sac, loop street, or combinations thereof provided that the private road or road network does not allow through access between/among adjoining public roads.

Figure 7-12: Private Road Diagram



B. All liability, maintenance, and upkeep of the travel surface, and all incidental structures shall be the responsibility of the landowners, developer or homeowners association. Installation and maintenance of driveway pipe, drainage features, street name signs and traffic control signs shall be the responsibility of the landowners, developer, or homeowners association.

C. **Design standards.** All private roads shall meet the following standards:

1. A minimum appurtenant utility easement of 40 feet.
2. A minimum paved roadway surface width of 20 feet.
3. Must be surfaced with a minimum of four inches of stone base material and two inches of asphaltic surface or two inches of binder with 1½ inches of asphaltic surface.
4. A minimum vertical clearance of 13 feet, 6 inches.
5. Meet the street off-set requirements as set forth in this ordinance.
6. Comply with the drainage design and construction standards outlined in this ordinance.
7. Grade not to exceed 16 percent for a maximum distance of 150 linear feet.
8. Meet property line and intersection requirements as set forth in this ordinance.
9. The Final Plat on which a private road is established must contain the following statement:

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"Each property owner is provided access to a public road by a private road of which each property owner has an undivided interest. The private access road will not be accepted and maintained as a public right-of-way until such time it meets minimum City standards."

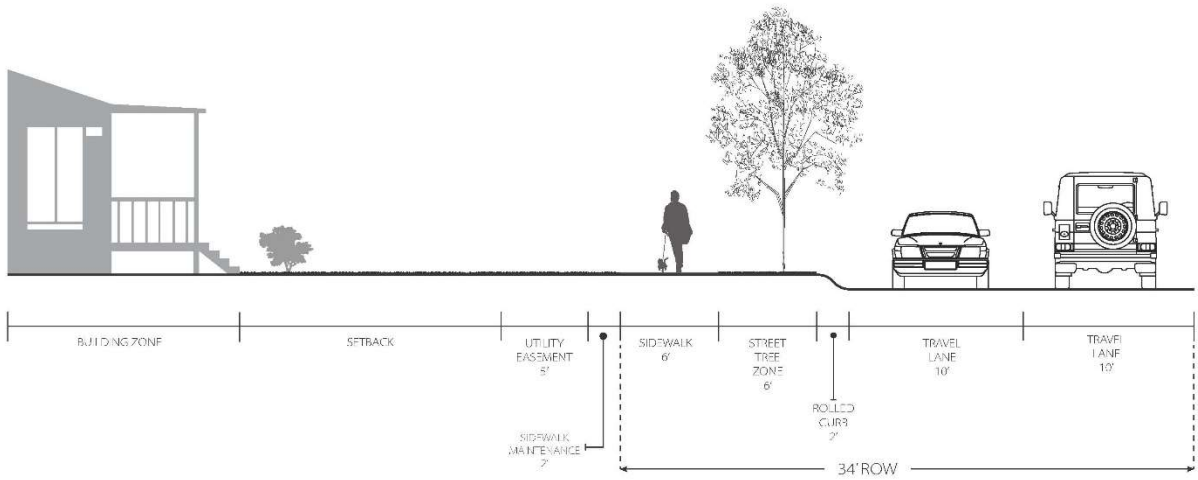
7.4.7 Access Easements

A. A recorded access easement option is available for existing landlocked lots only. Nothing in this section is intended to allow approval of new lots with easement frontage and access only.
B. The minimum acceptable access easement width shall be 20 feet.
C. The access easement shall be paved with, at minimum, gravel six inches in depth and 16 feet in width running down the center of the easement.
D. A full shoulder and ditch section shall be required on the subject property.

7.4.8 Utility and Drainage Easement

A. The width, length, and location of all easements for drainage and utilities shall be established by the appropriate agency involved and shown on the Final Plat.
B. Unless specified by the Planning Director or an appropriate agency a five-foot drainage and utility easement is required on each side of all interior side and rear lot lines. A ten-foot drainage and utility easement is required along all exterior rear lot lines. If an adjoining subdivision has already dedicated a rear five-foot easement; the ten-foot requirement is reduced to five feet.
C. An easement acts as a reciprocal agreement between the subdivision property owners. Each property owner is responsible for maintaining such easement on the property. Drainage and utility easements are intended to be reciprocal easements among the subdivision property owners and not a dedication to the City.

Figure 7-13: Utility Easement Illustration



7.4.9 Curb and Gutter

A. Standard 30" barrier curb and gutter or rolled curb (30") must be used on all public streets within the City.

B. Rolled curb must be transitioned to barrier curb at all storm drainage boxes and street intersections.

C. The Planning Commission may allow non-curb-and-gutter street construction in residential projects developed at rural densities of less than one dwelling unit per acre (gross density) under the following conditions:

1. Residential streets meet the criteria for a Rural Headwater Street;
2. This type of alternative street construction will not create significant storm water drainage impacts to surrounding areas;
3. It may be applied only to local streets or cul-de-sac where the grade does not exceed eight percent;
4. The street or subdivision does not connect areas with greater density than this exception allows.

7.4.10 Sidewalks

A. Sidewalks shall have a minimum width of five feet. Wider sidewalks should be considered for commercial uses and urban conditions.

B. Sidewalks shall be provided for new commercial and mixed-use properties as specified in Section 5.11.

C. Sidewalks shall be provided for all new residential streets as follows:

1. Five-foot wide sidewalks are to be provided on both sides of new residential streets except under the following conditions:
   a. Along Rural Headwater Streets where a sidewalk or multi-use path will be provided on one side of streets.

D. In addition, sidewalks shall be provided along all sides of the land development which abuts a public or private right-of-way, placement and construction shall be in accordance with SCDOT Access and Roadside Management Standards, except as follows:

1. In areas where alternative pedestrian systems are provided. In such cases the elimination of any sidewalk must be approved by the Fountain Inn Planning Commission after receiving a recommendation from the Planning Director.
2. The Planning Director or duly authorized staff may waive this requirement as part of the development plan under the following circumstances:
   a. On local streets in the development of a subdivision in the R-C district;
   b. On local streets in the development of a subdivision in the GR-1 District where the subdivision is not within a one-mile radius of a grade school;

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c. Where the Planning Director determines that a planned public improvement would necessitate the removal of a prospective sidewalk; and

d. Where the Planning Director determines that such factors exist whereby the sidewalk would not provide any realistic benefit for prospective pedestrians. This determination will typically entail a finding by the Planning Director that the sidewalk would have no purposeful destination or use and where there is no realistic expectation that the sidewalk would become part of a larger network or system of sidewalks.

E. Except in unusual circumstances, sidewalks must be located at a minimum of four feet from the back of curb or at the back of the right-of-way when no curb and gutter is required. If existing public street right-of-way is not available, the developer will be required to construct the sidewalk outside of the street right-of-way on a permanent easement. Curb ramps must be compliant to ADA standards.

F. **Crosswalks.** Crosswalks shall be placed where primary pedestrian routes cross drive aisles or streets.

7.4.11 Street Tree Requirements

A. **Purpose.** The City of Fountain Inn requires street trees to provide intermittent visual relief from expanses of pavement and building frontages, increase shade and support walkability, and contribute to the charm and beautification of the community.

B. Street trees are required as part of Roadside Buffers specified in section 5.9.

C. Street trees are also required to be provided within the road right-of-way for new residential subdivisions with City-maintained streets as specified below.

1. Street trees shall be placed in a planting zone between the roadway and sidewalk.
2. The street tree planting zone shall be a minimum of six feet unless otherwise approved by the Planning Director.
3. Street tree species selected shall reach at least 30 feet in height at maturity.
4. One street tree shall be installed at least every 40 feet (on center) or as close to this standard as possible.
   a. Where existing utilities or natural impediments preclude the installation of an overstory tree, the Planning Director may modify the spacing requirements to accommodate the obstructions.
   b. Street tree spacing, can be varied to accommodate major signage (monument or wall signs) and entrances.
5. Streets in residential developments greater than 20 acres must be planted with at least two types of tree species.

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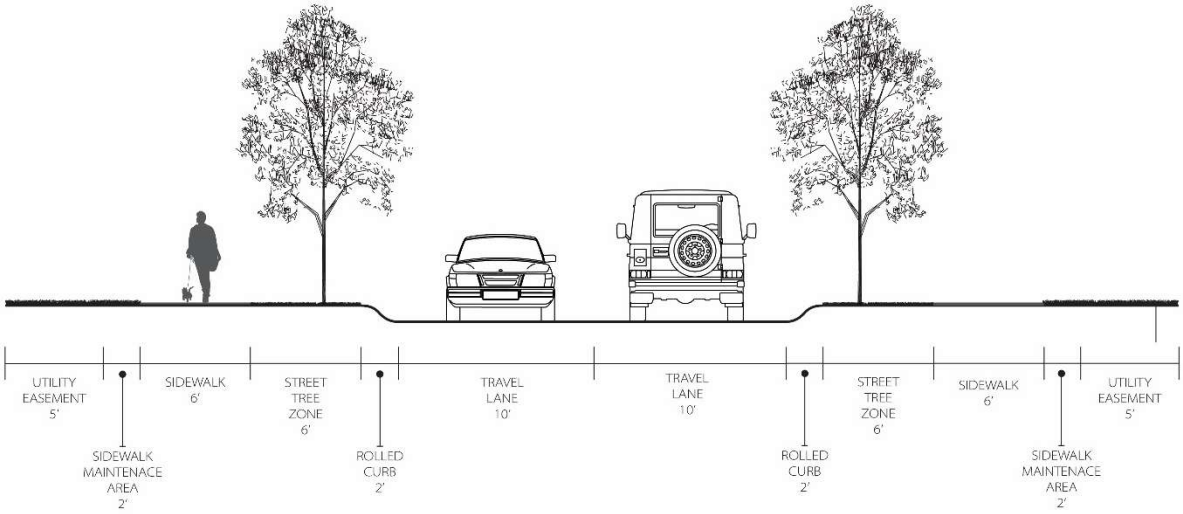
Figure 7-14: Street Tree Zone



7.4.12 On Street Parking

A. On-street parking must be provided for residential lots served by vehicular access located to the rear of the lot.
B. On-street parking spaces shall not be located within the travel lane of the street or alley they serve.
C. On-street parking spaces shall be separated from the sidewalk by a street tree planting zone. Alternatively, if planting zone is eliminated bump-outs for tree plantings must be located periodically and near intersections to narrow pavement width and slow traffic.
D. Streets with less than 26ft of pavement shall be marked with no parking signs.

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Figure 7-15: On-street Parking with Bump-outs (Overhead View)

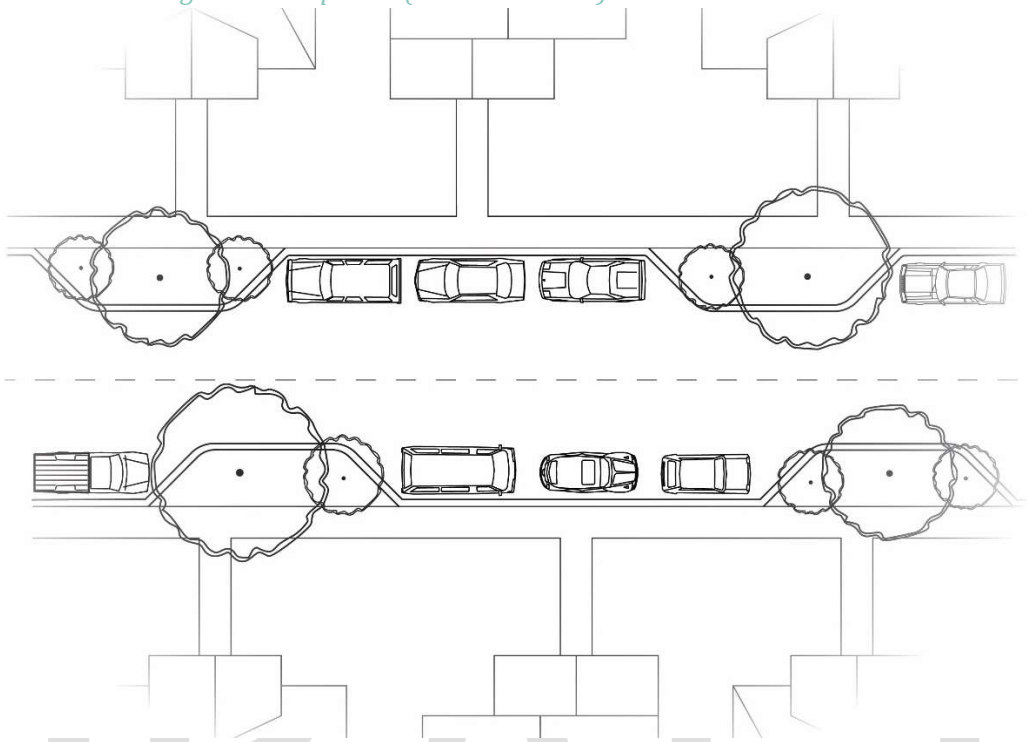
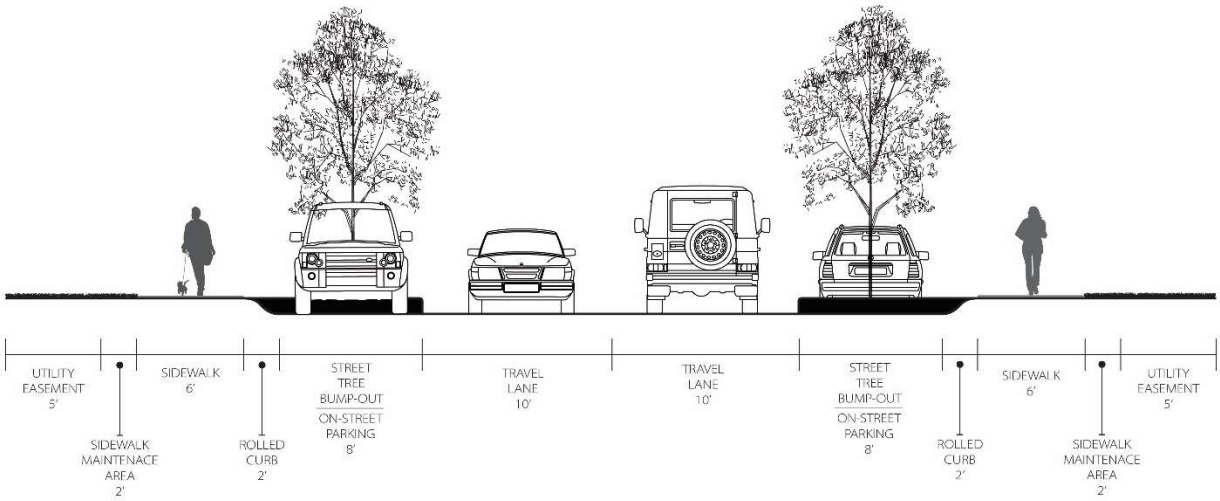


Figure 7-16: On-street Parking with Bump-outs (Section View)



7.4.13 Street Connectivity

A. **Purpose.** Street networks play a very important role in determining the character and form of a community. Street networks can be characterized into two categories based upon their function and size. Larger networks, which

service whole communities, may be designated as Collectors or Arterials; and smaller streets, which service to or within local neighborhoods, may be designated as Residential or Non-Residential (Retail/Commercial/Office). Local street networks are instrumental in shaping the identity of a neighborhood, determining how people are able travel to or within their community and how they relate and feel about their neighborhood. Local network streets, serve to provide citizens with access to both private and commercial property, neighborhood facilities such as parks and schools, and offer ingress/egress for emergency needs. Residential and Non-Residential (Retail/Commercial/Office) streets should form a well-connected and interconnected network of streets which provides for safe and convenient access by automobiles, bicycles, and pedestrians. Well-connected and interconnected street networks provide more travel choices not only for local travel but also provide access safe and efficient travel to and from Collector and Arterial Street networks. In addition, well connected and interconnected street networks help to disperse traffic, encourage pedestrian and bicycle travel, and allow quick and efficient access for emergency vehicles. In contrast, a poorly connected street network creates the need for excessive out-of-direction travel; divides neighborhoods; restricts emergency vehicle access; and limits the accessibility to property and neighborhood facilities.

B. **Connectivity Standards.**

1. New streets should be designed to provide convenient movement of traffic, effective fire protection, reduce emergency response times, and facilitate the efficient provision of utilities and services.
2. Residential Connectivity.
    a. In order to improve Residential Connectivity, it shall be the responsibility of proposed residential subdivision to provide residents with multiple methods of accessibility.
    b. Multiple modes of connectivity shall be required for any proposed residential subdivision equal to or greater than thirty dwelling units. Access into and out of these subdivisions shall not be limited to only one street and sidewalk connection. Such subdivisions shall provide more than one entrance into and out of the subdivision.
        i. Sidewalks or multi-use paths that are used to fulfill connectivity requirements must be located on an easement at least 16 feet in width and have an adequate clear zone on either side of the sidewalk or multi-use path to facilitate emergency vehicle access. Facilities parallel to roadways do not fulfill requirement for additional entry.

c. Multiple modes of connectivity shall be required when a proposed residential subdivision (equal to or greater than thirty dwelling units) is located common (adjoining) to more than one Collector or Arterial Street. Such subdivisions shall provide access and connectivity to more than one of the common (adjoining) Collector or Arterial Streets.
d. In addition to the above requirements, new subdivisions must provide external connections as specified in the table below.

Table 7-9: Minimum Number of Development Entry Points

RESIDENTIAL DEVELOPMENT SIZE	REQUIRED ENTRY POINTS	REQUIRED VEHICULAR ENTRY POINTS
>= 30 units	2	1
30 – 50 units	3	2
50 - 100 units	4	3
> 100 units	4+ As determined by Traffic Impact Analysis	3+ As determined by Traffic Impact Analysis

3. Connectivity to adjacent subdivisions.
   a. In order to improve interconnectivity, it shall be the responsibility of proposed residential subdivision to provide residents with connectivity to and from adjacent subdivisions.
   b. Residential interconnectivity shall be considered for any proposed residential subdivision equal to or greater than thirty dwelling units which is located adjacent to an existing subdivision where allowable access connecting the two subdivisions may be obtained and/or when connecting access mode has been reserved by an adjacent subdivision.
   c. Interconnectivity shall be considered for any proposed residential subdivision equal to or greater than thirty dwelling units which is located adjacent to a vacant residential parcel equal to or greater than five (5) acres. The proposed residential subdivision shall reserve a mode which will be capable of providing future connectivity with such adjacent parcel/s. Connection by a proposed subdivision adjoining to a reserved stub-out or pedestrian connection shall be required when feasible.
   d. Phased developments shall be interconnected according to the standards listed above.
4. Exceptions.
   a. Connection to adjacent subdivisions or properties will not be required if topography, other physical hindrances, or the connection is otherwise impractical in the opinion of the Planning Director. Connection to

adjacent properties will also not be required if the connection provides a direct access from one collector or higher order street to another. (Cut-through traffic is generally considered as the traffic that does not have an origin or destination in either of the adjacent properties.)

5. Design Criteria.
   a. To provide for future Connectivity and/or Interconnectivity, temporary streets and/or temporary turnaround/culs-de-sac may be used. In cases where a dead-end street does not exceed 150 feet in length, a temporary dead-end street (stub-out) may be used. When a temporary street is approved, the street right-of-way shall be extended until it joins with the adjoining subdivision or adjoining property line. Any proposed street which is in excess of 150 feet in length, and is approved for future connectivity shall terminate in a temporary turnaround/cul-de-sac with a configuration approved by the City Public Works/Engineering Division. In cases where a temporary turnaround/cul-de-sac is required, the street right-of-way shall extend beyond the limits of the lot until it joins with the adjoining subdivision or adjoining property line. A notation shall be made on the final subdivision plat to the effect that land outside the street right-of-way shall revert to the abutting property owners.
   b. The reconstruction of the existing temporary streets and/or turnaround/cul-de-sac shall be the responsibility of the attaching developer. Temporary turnarounds/cul-de-sacs shall have a minimum slope of one percent as measured from the center.
   c. The above-mentioned street right-of ways shall be a minimum requirement in width (see street right-of-way width table).
   d. Additionally, the developer of the first subdivision shall erect a sign (constructed in accordance with 7.4.16A Street Names and Street Markers) at the bulb of the turnaround/cul-de-sac that reads as follows: "Temporary Dead-End Street, Street to be extended by the authority of the Fountain Inn Public Works Division."
6. Nonresidential (Retail/Commercial/Office) Connectivity
   a. All nonresidential development shall be designed to allow for access to adjacent properties that front Collectors or Arterial Streets. The developments that are connected by cross access shall be designed so as to provide for mutually coordinated parking, access and circulation systems. Such designation shall be referenced on a plat of the subdivision or the site plan.
   b. The Fountain Inn Planning Director shall be authorized to waive the requirements of this subsection when abutting properties have been

DRAFT

developed in such a manner that it is clearly impractical to create a unified access and circulation system with all or part of the affected areas.

7. Staff Review
    a. To avoid unnecessary delays developers are encouraged to schedule a pre-application meeting with staff before preparing preliminary plats or site plans.

7.4.14 Lots

A. **Access.** All subdivision lots shall have a minimum of 20 feet of access to and frontage on or approved access to a public street or on a private road constructed to City private road standards. Approved access may consist of rights of access to which a lot is entitled as a portion of a Group Development.

B. Newly Created Through Lots, having frontage on newly created subdivision roads as well as having frontage on existing City or state maintained roads, must be provided access from the newly created road(s) only. Through access between newly created roads and existing roads is not permitted across newly created lots.

C. Flag lots created through the subdivision process, on summary, preliminary, and Final Plats, must be determined by the Planning Director not to be contrary to the public's health, safety and welfare.
    1. The access strip or flag pole shall not be used to calculate the minimum lot area. The front lot setback distance shall be measured from the closest property line parallel to the public road excluding the flag pole.
    2. Flag pole lots may not be created deeper than three lots from the existing street without Planning Director approval.
    3. In order to limit the number of encroachments into existing City and SCDOT maintained roads, where multiple flag pole access strips meet the existing roadway, a private access easement must be established for these lots so that only one connection with the existing street is created to serve these lots. The connection with the existing road will meet all applicable City; of Fountain Inn and/or SCDOT Encroachment Permit requirements and the drive shall be constructed to meet Fire Code Access requirements.
    4. Private access easements for flag lots may not serve more than six (6) lots without the authorization of the Planning Commission. The subdivider will be responsible for constructing and installing the driveway.
    5. The owner/s of lots created in this manner shall be responsible for continued maintenance of the drives. Upon written notification by the Fire District or City Fire Chief the person/s or entity responsible for maintenance must

correct any cited deficiencies within 60 days of receipt of notification of the need for maintenance.

D. Area Subject to Flooding. Any plat of a subdivision submitted to the Planning Commission for its approval must comply with the provisions set forth in the City's most currently adopted Flood Plain Management Ordinance.

7.4.15 Island Standards

A preliminary design plan for any proposed roadway islands shall be submitted to the Planning Director with the preliminary plat. A detailed design plan for proposed roadway islands must be shown on the road plan and profile and shall adhere to the following standards:

A. Roadways Surrounding Islands.
   1. Entrance Islands
      a. Minimum pavement width shall be 20 feet in the lane exiting the subdivision and 16 feet in the lane entering the subdivision.
      b. Curb radius at the intersection shall be no less than 35 feet.
      c. Pavement width beyond the end of the island shall be tapered at a rate of 8:1 to the typical pavement width.
      d. No taper shall be allowed across the width of intersecting roadways. Road widths across intersections must be equal.
      e. No driveway curb cuts shall be allowed within five feet of the end (rear) of the entrance island.
      f. There shall be 100 feet of tangent roadway separating the entrance from a curve in the roadway.
      g. The width of the road at SCDOT right-of-way shall be determined by the most recent version of the SCDOT Access and Roadside Management Standards. From that point the street may taper at a minimum of 8:1 to the beginning of the island if island width necessitates. A double yellow centerline shall be provided when the island is more than five feet from the right-of-way.

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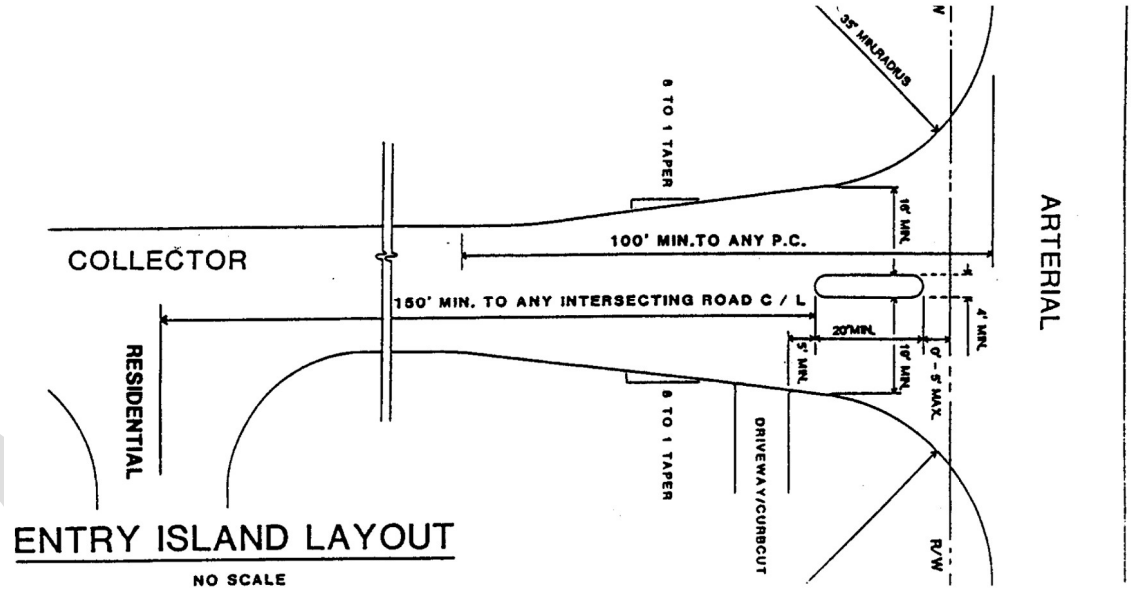
2. Detailed dimensions are shown as follows:

Figure 7-17: Entry Island Layout



3. Cul-de-sac Islands.
   a. Pavement widths shall be in accordance with the most current AASHTO Policy on Geometric Design of Highways and Streets standards for WB-40 vehicles. A minimum width of 25 feet of paved surface shall surround the island.
   b. A minimum ten-foot right-of-way shall be dedicated beyond the outside edge of pavement regardless of the shape or size of the cul-de-sac.
   c. Detail dimensions are shown on the following example:

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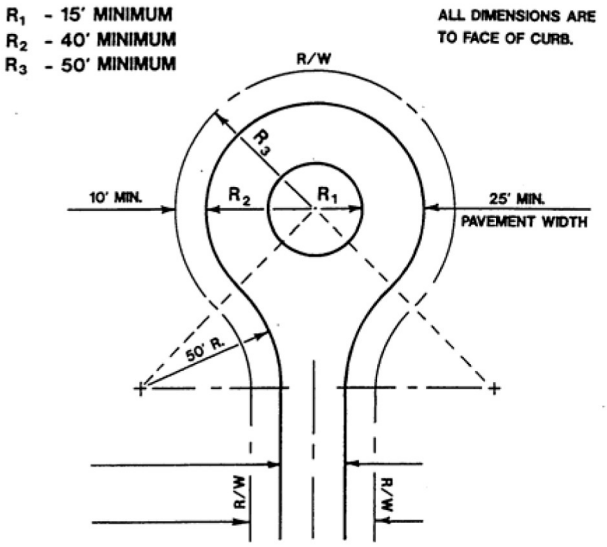
Figure 7-18: Typical Cul-de-sac Detail with Island



B. Island Design Requirements

1. Entrance Islands
   a. The island shall be curbed with the ends rounded.
   b. The island shall be under drained in accordance with Section 7.8 (I) Subsurface Drainage.
   c. The minimum width of islands shall be four feet measured from the outside face of the curb to the direct opposite outside face of the curb.
   d. The minimum length shall be 20 feet measured from the outside face of the curb. The maximum length shall be 50 feet measured from the outside face of the curb.
   e. Detailed dimensions are shown on the following example:

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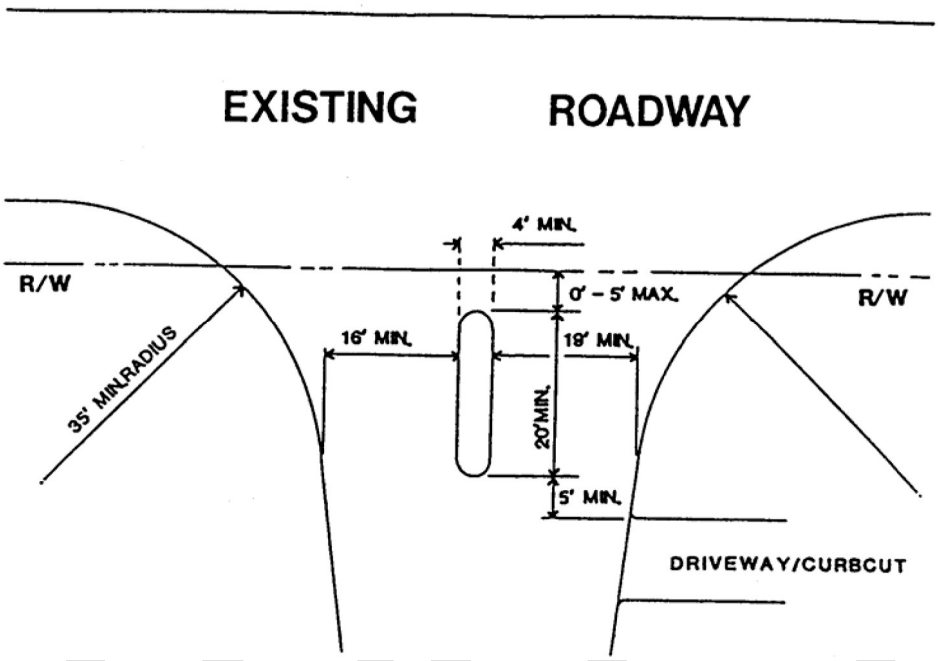
Figure 7-19: Entrance Island



2. Cul-de-sac Islands
   a. Cul-de-sac islands other than those shown in this document must be approved as a variance with approval from the Planning Director.
   b. Except in the case of offset cul-de-sac pavements, all cul-de-sac islands shall be directly centered in the right-of-way and under drained in accordance with Section 7.8(I) Subsurface Drainage, and other applicable City regulations.

C. Plant materials and Structures within Islands in Roadways to be Dedicated for City Maintenance.
   1. A detailed landscape plan for all roadway island(s) shall be submitted to the Planning Director or duly authorized staff for review prior to installation of landscape/plant material. The plan shall adhere to the following standards for public roads:
      a. The plant materials in the entrance island shall be maintained to provide a sight tunnel between the height of 30 inches and 72 inches above the adjacent roadway surface for a minimum distance of 35 feet from the intersecting right-of-way. Taller items may be placed in the entrance island beyond the point of 35 feet.
      b. In cul-de-sac islands, eyebrow islands, and any island except entrance islands, no plant material with a mature height in excess of one foot will be allowed within five feet of the face of curbing.
      c. A sight tunnel between the height of 30 inches and 72 inches above the roadway elevation also shall be required for all plant materials located in

islands within traffic control islands, cul-de-sacs and eyebrows (if allowed by variance).

d. Signs within entrance islands may be allowed upon review by the Planning Director or duly authorized staff. Entrance island signs shall be placed at least three feet from the edge of curbs paralleling the travel lanes (See Diagram). No structures shall be permitted in the last five feet of the entrance island.

e. No structures, such as retaining walls, raised planter beds or water features and/or fountains, are allowed in any island or within right-of-way of a public road. Structures such as lighting and flagpoles may be allowed if placed in accordance with the requirements published above.

f. Trees within islands or the public road right-of-way will be allowed only upon approval of the Planning Director or duly authorized staff.

g. Any nonconforming structure or plant within any island may be removed at the discretion of the Planning Director or duly authorized staff.

D. Plant Materials and Structures within Islands in Private Roadways.

1. A detailed landscape plan for all roadway island(s) shall be submitted to the Planning Director or duly authorized staff for review prior to installation of landscape/plant material. The plan should adhere to the same standards as those for public roads; however, variances for the use of differing plant material and inclusion of non-standard configurations of islands may be granted by the Planning Commission when, in its opinion, no safety hazards will exist. At no time may the plant material or structure(s) restrict the entrance of emergency vehicles into or along the roadway. The maintenance of plant material and structures within islands in private roads is the responsibility of the homeowners' association or covered by the restrictive covenants.

2. If any plant material or structures(s) restricts the passage of emergency vehicles into or along the roadway, it will be removed by the developer or Home Owners' Association within 30 days of receipt of notification from the appropriate fire district.

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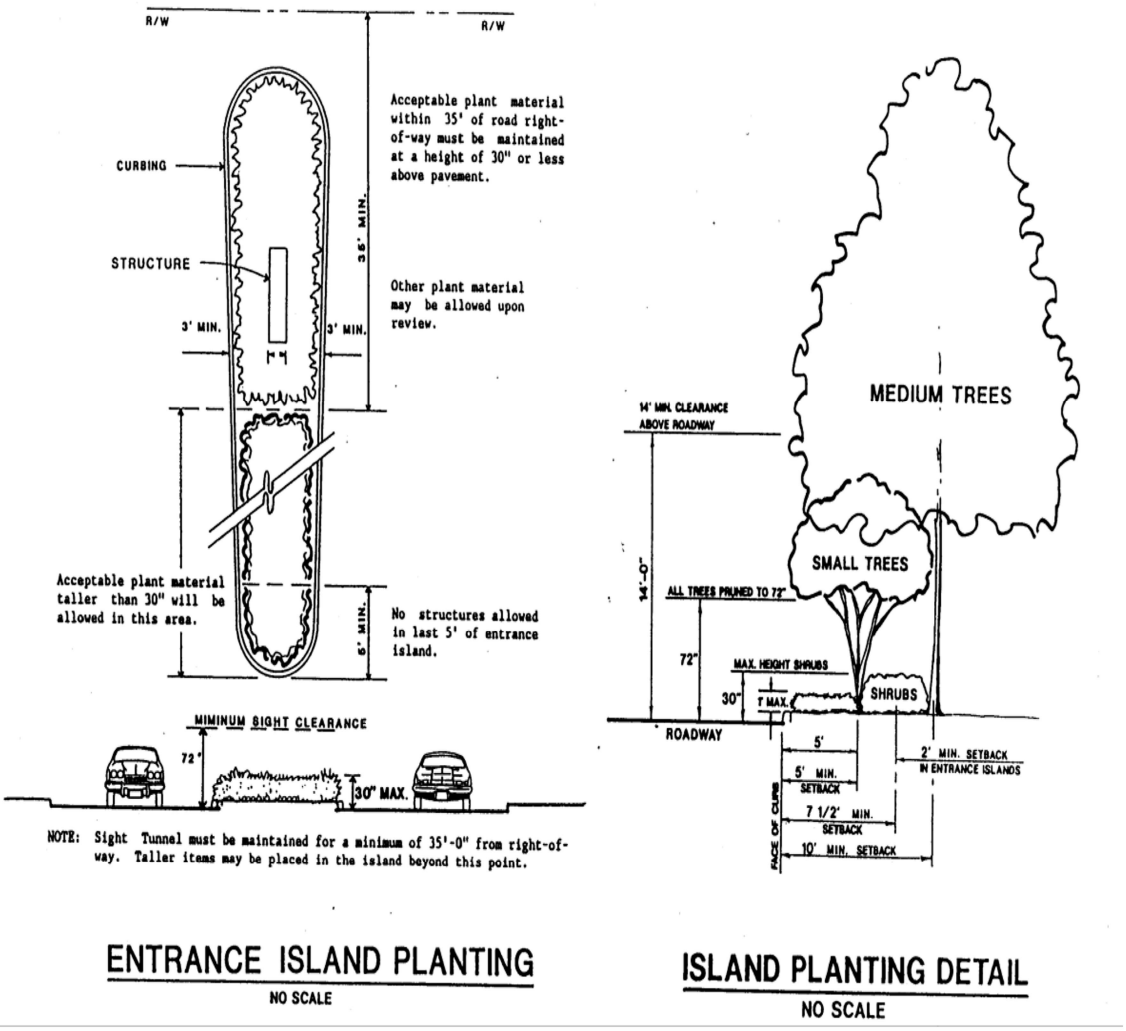
Figure 7-20: Island Planting



E. Island Ownership and Maintenance. Ownership and maintenance of all islands shall remain with the developer until such time as ownership is conveyed to a homeowners' association and/or the responsibility for maintenance is addressed in restrictive covenants. The surveyor or engineer will include a statement on the Final Plat addressing ownership and maintenance of the island(s).

F. Maintenance. Maintenance shall continue as long as the island(s) exist. If the maintenance is not continued, and the plant material or structures such as lighting or flagpoles becomes a hazard to the passage of traffic or roadway maintenance, the City reserves the right to remove any plant material, at the discretion of the Planning Director or duly authorized staff.

G. Exclusion from Dedication. A statement excluding all island(s) from the dedication to the City shall be required prior to approval of the Final Plat. The statement of exclusion also shall be shown on the Final Plat and the road dedication form.
H. Channelization Island. When required, a detailed channelization island plan shall be submitted for review prior to construction. Channelization island design will be reviewed on a case-by-case basis due to differing roadway and traffic characteristics.

7.4.16 Subdivision Entrances

A. The entrance to subdivisions with greater than thirty planned dwelling units created after the effective date of this Ordinance shall have an entrance wall where all new subdivision streets intersect with existing roadways. These walls may be constructed of brick, stone, wood, finished masonry, landscaped earthen berms or a combination of these materials. The entrance wall or berm should be at least three feet in height.

7.4.17 Street Names and Street Markers

Proposed street names shall not duplicate or be phonetically similar to existing street names in the City or County. The owner or developer initially shall install all required signage including but not limited to street identification signs, regulatory and warning signs, i.e., speed limit signs, and stop signs. Size, placement, and reflectability shall conform to requirements of the most recent edition of the Manual on Uniform Traffic Control Devices. For additional comments see Reference Item A, Sign Specifications and Reference Item B, Street Name Guidelines.

A. Non-typical Street Signs. Use of non-typical street identification signs will be allowed in conformance with the following:
    1. Street name lettering must be four inches in height, evenly spaced and centered. Road ID Numbers shall be 1.5 inches in height and shall follow the street name.
    2. Abbreviations of street names are not permissible.
    3. Lettering and background must be contrasting colors and provide reflectability equivalent to engineering grade reflective Scotchlite, Series C as used with traditional greenblade signs. Alternative sign designs must be approved by the Sign Shop Superintendent.
    4. Final Plat must contain a statement designating the parties responsible for maintenance of non-typical street identification signs. Any replacement of street identification signs by the City of Fountain Inn will be with City standard materials.

DRAFT

5. All signage will be inspected by the City Public Works Department. No streets will be given final approval without signage that meets minimum City standards. Traffic control/regulatory and warning signs (stop/speed limit signs) must be standard face and in accordance with MUTCD guidelines for color, shape, size and retroreflectivity.

B. ***Street Name Changes***. All street name changes shall be in accordance with South Carolina Statute 6-29-1200. Additional procedures for street name change can be found in Article 3 of this ordinance.

The Planning Commission may, after reasonable notice through a newspaper having general circulation in the area in which the commission is created and exists, change the name of a street or road within the boundary of its territorial jurisdiction:

1. When there is duplication of names or other conditions which tend to confuse the traveling public or the delivery of mail, orders, or messages;
2. When it is found that a change may simplify marking or giving of directions to persons seeking to locate addresses; or
3. Upon any other good and just reason that may appear to the commission.

On the name being changed, after reasonable opportunity for a public hearing, the Planning Commission shall issue its certificate designating the change, which must be recorded in the office of the Register of Deeds or Clerk of Court, and the name changed and certified is the legal name of the street or road.

7.4.18 Access to Community Facilities

A. Streets shall be designed or pedestrian walkway easements provided to assure convenient access to parks, playgrounds, schools, and other community facilities.
B. Walkway easements shall not be less than 12 feet in width. Easements that fulfill pedestrian connectivity requirements must be 16 feet in width and have an adequate clear zone on either side of the sidewalk or multi-use path to facilitate emergency vehicle access.
C. Walkways or accesses to community facilities shall be shown on the Final Plat of the subdivision; accordingly, such must be delineated both with signage and with on-site physical means such as gravel, asphalt, planted screenings or other appropriate delineators.
D. Drainage should be provided for in accordance with Article 8.

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7.5 Traffic Impact Analysis

7.5.1 Traffic Impact Analysis Overview

A. All developments shall have a Traffic Impact Analysis, based on7.5.2, performed by an on-call consultant hired by the City at the expense of the applicant. This analysis shall be undertaken to ensure that access to all proposed developments and subdivisions is accomplished in a safe manner.

1. The standards in the South Carolina Department of Transportation's Access and Roadside Management Standards (ARMS) Manual shall serve as a guide for this Analysis, which shall include identification of the following:
   a. Access improvements that the applicant must install at his or her expense, such as deceleration lanes.
   b. The location of any curb cuts based on, but not limited to sight distances, existing roadway infrastructure, opposing driveways locations and shared access.
   c. Requirements for adequate driveway design, including but not limited to, turning radius and throat length.
2. The access requirements approved by the Public Works Director or designee shall be incorporated on development or subdivision plans prior to their approval.
3. If an applicant is required to provide site-related transportation improvements, the cost of implementing such improvements shall be borne by the applicant and no such costs shall be eligible for a credit or offset from any transportation impact fees, if applicable.

7.5.2 Traffic Impact Analysis Required

A. **Applicability.** A Traffic Impact Analysis (TIA) shall be required for any residential development that would generate more than 50 trips during the PM peak hour on the adjacent street in accordance with the ITE Trip Generation Manual, latest edition.

1. A second phase, second subdivision, or addition that generates traffic beyond this threshold when taken as a whole shall also require a TIA, even though that development does not qualify on its own.
2. Change of Use: A new TIA will be required if the new use would generate traffic beyond the 50 trips during the PM peak hour threshold.
3. In addition to the above requirements, a TIA can be required at any time as determined by the Public Works Director or designee in his/ her discretion and judgment when there is a belief that the development may have an adverse impact to the surrounding area.

B. Exceptions

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1. Traffic Impact Analysis are not required for development in the C-1 (Downtown), Downtown Mixed-use (DMU), and the Woodside Cotton Mill Village Overlay zoning districts.

C. Thorough and complete TIA's are the responsibility of the applicant. Failure by the applicant to provide a complete TIA may result in review delays for their plat or plan.

D. **Traffic Impact Analysis Plan Preparation.**

1. Prior to beginning the traffic impact analysis plan, the applicant shall supply the City with the following:
   a. A written narrative describing the proposed land use(s), size and projected opening date of the project and all subsequent phases;
   b. A site location map showing surrounding development within a one-half mile of the property under development consideration; and
   c. A proposed site plan or preliminary subdivision plat illustrating access to public or private roads and connectivity to other contiguous developments.
2. The City will rely upon the most current edition ITE trip generation manual or any alternative acceptable to the Public Works Director, and available information on land use, travel patterns and traffic conditions. After consulting with the SCDOT, the Public Works Director or designee will supply in writing to the applicant and/or his engineer the parameters to be followed in the study including the directional split of driveway traffic, trip distribution, background traffic growth rate, previously approved but not completed projects and the intersections to be analyzed along with any associated turning movement counts which are available or discussed and approved by the City.
3. After determination of the TIA's scope of services, the applicant shall provide a cost estimate of such services to the City for review and concurrence, The applicant shall provide an amount equal to the estimate to the Public Works Director or designee, who will deposit the amount in an escrow or special account set up for this purpose before the consultant's services are obtained. Any funds not used shall be returned to the applicant in a timely manner without interest.
4. Additional fees for the TIA may be required if: the applicant substantially amends the application; additional meetings involving the consultant are requested by the applicant; the consultant's appearance is requested at Planning Commission or City Council meetings beyond what was initially anticipated; or the consultant's attendance is required at meetings with regional, state, or federal agencies or boards which were not anticipated in

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the earlier scope of services. The applicant must reimburse the City these costs prior to the development plan or plat approval.

E. **Plan Contents**.

1. All phases of a development are subject to review, and all traffic plans for the entire development shall be integrated with the overall traffic analysis. A traffic impact analysis plan for a specific phase of development shall be applicable to the phase of development under immediate review. However, each phase of development shall expand and provide detailed analysis at the development plan stage beyond the estimates provided for at the concept plan or master plan stage.
2. Efficient traffic operations, safety and pedestrian accessibility are to be considered in the development plan. The adequacy of the roads to which the development takes access shall be assessed in the TIA. Recommendations for improvements shall be made where operational or safety concerns exist and installation of these improvements shall be required as a condition of any approval from the City. The relative share of the capacity improvements needed shall be broken down as follows: development share, other developments share, any existing over capacity, and capacity available for future growth.
3. The following elements shall be included in a traffic impact analysis plan:

    a. Study Area - Description of the study area including surrounding land uses and expected development in the vicinity that would influence future traffic conditions. The study area shall include the intersections immediately adjacent to the development and those identified by the Public Works Director. These intersections may include those not immediately adjacent to the development if significant site traffic could be expected to impact the intersection. If intersections impacted by the development are within a coordinated traffic signal system, then the entire system shall be analyzed. If the signal system is very large, a portion of the system may be analyzed if approved by the Public Works Director and SCDOT. A study area site map showing the site location is required.
    b. Proposed Land Use - Description of the current and proposed land use including characteristics such as the number and type of dwelling units, gross and leasable floor area, number of employees, accompanied with a complete project site plan (with buildings identified as to proposed use).

A schedule for construction of the development and proposed development stages should also be included.

c. Existing Conditions - Description of existing traffic conditions including existing peak¬ hour traffic volumes adjacent to the site and levels of service for intersections in the vicinity, which are expected to be impacted. Existing traffic signal timings should be used. In general, AM and PM peak hour counts should be used, but on occasion other peak periods may need to be counted as determined by the Public Works Director or designee. In some cases, pedestrian counts will be required. Data should be adjusted for daily and seasonal variations. Existing counts may be used if taken within 12 months of the submittal of the TIS. In most cases, counts should be taken when school is in session unless otherwise determined by the Public Works Director or designee. Other information that may be required may include, but not limited to, crash data, stopping sight distances, and 50th and 85th percentile speeds.
d. Future Background Growth - Estimate of future background traffic growth. If the planned completion date for the project or the last phase of the project is beyond 1 year of the study an estimate of background traffic growth for the adjacent street network shall be made and included in the analysis. In general, the growth factor will be determined from local or statewide data. Also included, is the state, local, or private transportation improvement projects in the project study area that will be underway in the build-out year and traffic that is generated by other proposed developments in the study area.
e. Estimate of trip generation - The site forecasted trips should be based on the most recent edition of the ITE Trip Generation Manual. A table should be provided in the report outlining the categories and quantities of land uses, with the corresponding trip generation rates or equations, and the resulting number of trips. The reason for using the rate or equation should be documented. For large developments that will have multiple phases, the table should be divided based on the trip generation for each phase. Any reductions due to internal trip capture and pass-by trips, transit use, and transportation demand management should be justified and documented. All trip generation and trip reduction calculations and supporting documentation shall be included in the report appendix.
f. Trip Distribution and Traffic Assignment - The distribution (inbound versus outbound, left turn versus right turn) of the estimated trip generation to the adjacent street network and nearby intersections shall be included in the report and the basis should be explained. The

DRAFT

distribution percentages with the corresponding volumes should be provided in a graphical format.

g. Analysis and Estimate of Impact - A capacity analysis should be performed at each of the study intersections and access intersection locations (signalized and unsignalized) in the vicinity of the development. Intersection analysis shall include LOS determination for all approaches and movements. The levels of service will be based on the procedures in the latest edition of Transportation Research Board's Highway Capacity Manual. Coordination analysis will be required for the signal systems or portion of the signal systems analyzed.

h. Access Management Standards - The report shall include a map and description of the proposed access including any sight distance limitations, adjacent driveways and intersections, and a demonstration that the number of driveways proposed is the fewest necessary and that they provide safe and efficient traffic operations.

i. Traffic signalization: If a traffic signal is being proposed, a signal warrant analysis shall be included in the study. The approval of a traffic signal on projected volumes may be deferred until volumes meet warrants given in the latest edition of the South Carolina Manual on Uniform Traffic Control Devices, in which the developer shall provide funds for the future signal(s) to the City to deposit in an escrow or special account set up for this purpose. The developer should make any laneage improvements during construction so that if in the horizon year a signal is warranted, one may be installed with little impact to the intersection.

j. Mitigation and alternatives - The traffic impact study should include proposed improvements or access management techniques that will mitigate any significant changes in the levels of service. The City Public Works Director will be responsible for final determination of mitigation improvements required to be constructed by the applicant.

F. **Traffic Impact Analysis Plan Review.** The Public Works Director or designee shall review all traffic impact analysis plans as part of the initial approval for the concept plan or master plan. Final traffic impact analysis plans shall be approved at the development plan phase.

G. **Action on Traffic Impact Analysis Plan.** The Public Works Director or designee must first approve the TIA in regard to completeness and accuracy. Following review of the required impact analysis plan, Public Works Director or designee shall recommend action as follows:

1. Approval of the Traffic Impact Analysis as submitted;

DRAFT

2. Approval of the Traffic Impact Analysis plan with conditions or modifications as part of the development review and approval process. An acceptable traffic impact analysis plan with traffic mitigation measures may include the reduction of the density or intensity of the proposed development; phasing of the proposed development to coincide with state and/or county programmed transportation improvements; applicant provided transportation improvements; fees in lieu of construction, or any other reasonable measures to ensure that the adopted traffic service level goals are met. If mitigation is required, it shall be required as a condition of any approval from the City.

H. **Timing of Implementation** If a traffic mitigation program is part of an approved traffic impact analysis plan, the developer may be required to place a performance bond on all traffic mitigation improvements required as a result of his project. This requirement may arise if the timing of the improvements needs to be synchronized with other scheduled improvements anticipated for the area. The amount of the performance bond shall be equal to 150% of the estimated construction cost for the required traffic mitigation improvements.

I. **Responsibility for Costs of Improvements.** The costs of implementation of an approved mitigation program shall be the responsibility of the applicant. No certificates of zoning compliance or building permits shall be issued unless provisions of the transportation impact analysis are met.

J. **Function and Safety Improvements.** The Public Works Director or designee may require improvements to mitigate and improve the safety and function of multiple transportation modes the site traffic may impact. These improvements may not be identified in the TIA, but improvements to benefit the function and safety of the transportation system of the development site. These improvements may include but are not limited to center medians, sidewalks and/or bicycle accommodations, modifications to ingress and egress points, roadside shoulders, pavement markings, traffic calming and other traffic control devices.

7.6 CONSTRUCTION STANDARDS

In addition to all the design standards previously listed, the following construction standards are required.

A. *Clearing and Grubbing.* All work shall be required to conform to requirements and standards as set forth in the "Clearing and Grubbing" section of the most recent edition of SCDOT Specifications.

B. *Subgrade*. Shall be constructed as specified in the "Subgrade" section, in the SCDOT Specifications, or sound, undisturbed residual soils. In fill areas, all

subgrade soils shall be compacted in accordance with the "Construction Requirements" section of the SCDOT Specifications.

C. *Base Course*.

1. Granular Base Courses. The granular base course shall be one of the following types, compacted and tested in accordance with the "Compaction and Testing Requirements" section of this Ordinance. The minimum compacted thickness requirements are given in the Design Standards Chart in Article 8.
   a. Sand Clay Base Course as specified in SCDOT Specifications.
   b. Soil-Aggregate Base Course as specified in SCDOT Specifications.
   c. Macadam Base Course as specified in SCDOT Specifications.
   d. Stabilized Aggregate Base Course as specified in SCDOT Specifications.
   e. Cement Stabilized Base Course as specified in SCDOT Specifications.
2. *Asphaltic Base Courses.* An asphaltic base may be used in place of or in conjunction with granular bases. The asphalt base is to be one of the following types, constructed in accordance with the requirements set forth in the appropriate sections of the most current edition of the SCDOT Specifications.

DRAFT

3. The minimum compacted thickness requirements are given in the Design Standards Chart below.

Table 7-9: Asphalt Standards Chart

STREET CLASSIFICATION (CORRESPONDING VOLUME)	FULL DEPTH ASPHALT (INCH)		ASPHALT WITH BINDER AND STONE BASE		
	SURFACE	BINDER AND SURFACE(!)	SURFACE	BINDER	STONE
RESIDENTIAL STREETS					
Residential (1-1250 VPD)	1½	2½, 1½	1½	2½	6
Minor Collector (1250—4000 VPD)	1½	2½, 1½	1½	2½	6
Nonresidential	1½	6***	1½	4	8
PRIVATE					
Residential Standard	1½	2	1½		6

a. Hot Laid Sand Asphalt Base Course as specified in SCDOT Specifications.
b. Hot Laid Asphalt Aggregate Base Course as specified in SCDOT Specifications.
c. Hot Laid Asphalt Concrete Binder Course as specified in SCDOT Specifications.

D. *Surface Course.* The surface course is to be one of the following types while adhering to general specifications set forth in the SCDOT Specifications for bituminous pavement and for rigid pavement.
   1. Hot Laid Asphaltic Concrete Surface Course, Type 3 or latest equivalent approved by the SCDOT. Types 1, 2, and 4 or latest equivalent approved by the SCDOT may be used with the prior authorization of the Zoning Administrator or his/her authorized representative. The required compacted thickness requirements are given in the Design Standards Chart.
   2. Portland Cement Concrete. As specified in the SCDOT Specifications, with a minimum thickness of six inches for residential streets and seven inches for commercial/industrial streets. Reinforcing fabric must be used.

E. Site Specific Paving Designs. At the discretion of the design engineer, he or she may provide the City with a pavement design report from a geotechnical engineer recommending the pavement thickness(es) for each road in the subdivision based on appropriate CBR values and anticipated traffic volumes.

This report should include enough samples to provide a true representation of the soil type variations throughout the subdivision, with special attention to the appropriate pavement design in areas of fill.

F. *Restrictions on Asphalt Paving Work.*
   1. No surface asphalt paving shall be installed on a wet surface, when the temperature is below 40 degrees Fahrenheit in the shade, or when the weather conditions are otherwise unfavorable. Temperatures must be 35 degrees Fahrenheit and rising for binder placement.
   2. The asphalt shall be delivered and placed in accordance with the SCDOT Specifications, with the exception that prime must be cured for a minimum of 24 hours if used.
   3. The asphalt shall be delivered to the spreader at a temperature between 250 degrees Fahrenheit and 325 degrees Fahrenheit and, with the exception of sand asphalt mixture for base course construction, within 20 degrees Fahrenheit of the temperature set at the plant.
   4. Where prime coat is used, the prime coat must cure for a minimum of 24 hours prior to paving and shall be applied as specified in the SCDOT Specifications. Prime will be used at the discretion of the Zoning Administrator or his/her authorized representative and not required if stone base is paved within 24 hours of being set up and approved.
   5. Equipment Size requirements:

      Steel Wheel Roller - 5 to 8 ton

      Back Roller - 5 to 8 ton

      Rubber Tire Roller - 9-wheel rubber tire

      Paving Train - self-propelled asphalt paver w/vibratory screed capability and standard 10-foot screed.

G. Roadway Cross Section.
   1. All streets developed within the City of Fountain Inn Subdivision Jurisdiction area shall conform to the typical cross sections referenced in this ordinance or other relevant standards. Super elevation is required for curves in accordance with American Association of State Highway and Transportation Officials (AASHTO) Policy on Geometric Design.

H. Storm Drainage. All lines will be laid in accordance with the "Pipe Culverts" section in the SCDOT specifications or City Standards which ever is more restrictive. Strict compliance to backfilling and compaction restrictions and regulations are required.
   1. Storm Drain Pipe - shall conform to the following standards:

a. Reinforced Concrete Pipe - shall be Class III or better, as specified in the SCDOT Specifications.
b. Corrugated Metal Pipe - shall be aluminized steel, Type II or other approved by the SCDOT. All aluminized steel pipe shall be Type II, with re-rolled ends having not more than two (2) corrugations per end. Connectors for corrugated metal pipe shall be fully corrugated bands with an integral flange or higher quality connector. Band material shall be the same as the pipe provided and shall be of adequate gauge to accommodate the loading and cover requirements. When corrugated metal pipes are used in outfall conditions, a headwall is required.
c. High Density Polyethylene Pipe (HDPE) - Smooth bore HDPE pipe will be evaluated on a case-by-case basis for use outside the public roadway.

General Limitations: Corrugated HDPE pipe, with diameter from 15" to 36", shall be installed in accordance with the City-approved construction plans, the SCDOT Standard Specifications for Highway Construction (latest edition), and this specification. High Density Polyethylene Pipe (HDPE) is allowed for use within the City right-of-way for drainage systems that run parallel to the road. The use of corrugated HDPE pipe is not allowed for use under City roadways. HDPE pipe is allowed for use on roads designed to the urban standards, as outlined in the land development regulations. All outfall pipes will have a headwall installed. The City Zoning Administrator or his/her authorized representative shall meet on-site with the contractor prior to installation. The contractor must demonstrate knowledge of proper installation techniques and materials/equipment required for the job. Inspections by a geo-technical firm during pipe installation may be required. HDPE pipe installations to the road shall require CR14 stone backfill. It will not be allowed for driveway culverts.

i. Materials - HDPE.

General: Corrugated high-density polyethylene pipe (15-inch diameter and greater) shall meet the requirements of AASHTO M 294 (latest edition). This specification covers the requirements and methods of tests for corrugated high-density polyethylene pipe, couplings, and fittings for use in surface and subsurface drainage applications. Type C indicates a corrugated high-density surface both inside and outside. Type S indicates an outer corrugated high-density pipe wall and a smooth inner liner.

Type S shall be the only type allowed for permanent installations on State, County or City roads. Type C shall be allowed for temporary applications only.

Source Approval: Only materials from sources appearing on the SCDOT approved list entitled "Corrugated High Density Polyethylene Pipe Sources" shall be used in the work. A copy of this approval list of sources may be obtained from the SCDOT Research and Materials Engineer. A manufacturer may request to be included on the approval list by furnishing the SCDOT certified test results from an independent laboratory verifying that the proposed pipe design meets or exceeds the requirements of this specification. This must also include a certification of materials. Further, the manufacturer will furnish complete instructions as to installation along with technical data sheets and material safety data sheets. The approval process may require a demonstration of installation procedures and an in-plant inspection of quality control procedures.

ii. Construction Requirements- HDPE.

Trench and Bed for Pipe: The trench and bed for the pipe installation shall be in accordance with the latest SCDOT Standard Specifications for Highway Construction. The City defines "width sufficient to allow for proper jointing of the pipe and allow for proper jointing of the pipe and for thorough compaction of the backfill material under and around the pipe" as at least 12 inches between the pipe and wall of excavation on both sides of the pipe for pipe with dimensions of 15 inches and 18 inches. Eighteen-inch width is necessary between the pipe and wall of excavation on both sides of the pipe with dimensions of 24 inches to 36 inches diameter.

Laying Pipe: The pipe shall be laid in accordance with the latest SCDOT Standard Specifications and the manufacturer's instructions.

Joints: Corrugated high-density polyethylene pipe joints shall be the bell and spigot type that ensures a soil-tight joint. A bell may be manufactured either as part of the pipe on one end or separately from the pipe with materials as specified in AASHTO M 294. The bell, if manufactured separately from the pipe, shall be attached to the pipe when shipped. All joints shall be provided with gaskets. Gaskets shall be preinstalled on the spigot end of the pipe or inside the bell and covered with removable wrap. Gaskets shall be manufactured in accordance with the requirements of ASTM F 477 and shall not have any visible cracking

when tested according to ASTM D1149. Split couplers are not approved for use.

Backfilling: Backfilling shall be in accordance with the latest SCDOT Standard Specifications for Highway Construction. Compaction of backfill for the corrugate high-density polyethylene pipe, used outside the City right-of-way, shall be a maximum of 95 percent of the AASHTOT-99 maximum dry density. In these instances a minimum cover of one foot for pipe 15 inches through 18 inches, and 18 inches for pipe 24 inches to 36 inches in diameter is required. Corrugated high-density polyethylene pipe used within the City's right-of-way, shall be backfilled from a four-inch stone bedding to a 12-inch stone bedding over the pipe with CR14 (crusher run) stone and compaction to 95 percent of standard proctor. Minimum cover shall be 18 inches for pipes 15 inches through 48 inches. The minimum cover is measured from the outside top of the pipe to the final grade. The pipe, within the City right-of-way shall be laid and covered in no more than 100-foot increments. The compacted stone along the pipe-walls will be placed in one lift to the spring-line compacted and tested for pipes with diameters ranging from 15 inches to 18 inches. For 24 inches to 36 inches pipe, stone will be placed and compaction tested in two lifts to the top of the pipe.

iii. Testing Requirements- HDPE.

Testing shall include compaction and density testing of stone backfill within utility trenches, but may include other material tests as required by the Zoning Administrator or his/her authorized representative.

iv. Compaction Testing - HDPE.

Applicability. The grading contractor and utility installation contractor, including public utilities and their subcontractors, shall be responsible for providing compaction testing and reporting as described below.

Compaction Requirements. Testing by a geo-technical engineering company shall be performed for all backfill over high-density polyethylene pipes within the right-of-way. The minimum required compaction shall be 95 percent Standard Proctor for all trenches within the right-of-way.

Location and Frequency of Tests. Compaction tests shall be taken at 100 feet intervals and at depths indicated in the "backfilling" section of the specification at each location.

The geo-technical testing firm shall determine the location for tests, and shall obtain prior approval from the Zoning Administrator or his/her authorized representative if the proposed testing frequency is less than shown above. Additional testing in problem areas may be required as directed by the Zoning Administrator or his/her authorized representative.

Reporting. The results of all compaction tests shall be reviewed by the Design Engineer and forwarded to the County Engineer or his/her representative with comments as necessary. A copy of the overall site plan or the appropriate road plan sheets, showing the test locations and depth below sub-grade elevation, shall be submitted with the test results. The report shall also include the geo-technical testing firms observations regarding soil condition, weather conditions, moisture content and total stone used as backfill during the installation process. No roadways shall be paved until the City has reviewed and approved the compaction tests results for the section of roadway to be paved.

v. Inspection Requirements - HDPE.

Inspections should consist of field visits during pipe installation activities for the purposes of observing activities, and documenting all substandard methods, materials, or conditions. Periodic (key) inspections by the Engineer of Record shall be required during the course of the project, and shall be conducted jointly with the City Zoning Administrator at critical stages of construction.

If rain occurred during a period when the high-density polyethylene pipe was uncovered, the geo-technical testing firm must inspect the pipe prior to work resuming to ensure that "no floating" has occurred during the rain event.

vi. Inspection Procedures - HDPE.

Inspection by Geo-Technical Firm. A Geo-technical firm shall be employed for the purpose of providing inspections during the installation of pipe.

Inspection by Design Engineer. The design engineer will inspect at completion of sub-grade and after major utility installation. The Design Engineer will verify that all major utilities are installed and trenches are backfilled and compacted. The Design Engineer will check the catch basin locations and configurations to identify any possible deviations from the

plans. The Design Engineer will review all compaction tests reports and verify the necessary number and location of tests and the required compaction at each location.

Inspections by the City. After installation of the storm drain system and prior to the binder installation, the Zoning Administrator or his/her authorized representative will perform an inspection of the storm drainage system. All lids and covers will be required to be removed for the inspection. The results of the compaction test and geo-technical site inspection report will be provided to the City prior to the installation of binder.

Engineers wishing to use HDPE pipe on City roads must include the above specification on the construction plans.

General Inspection Procedures.

a. Design Loading - As a minimum, all pipe materials shall be capable of supporting H-20 loading under minimum cover. All corrugated metal pipe and HDPE pipe shall also be of sufficient thickness to meet the design load requirements for the proposed cover height. Greater design loadings shall apply to industrial, commercial, or special situations as appropriate.
b. Minimum Cover - Two feet minimum cover shall be required for all pipe materials in the right of way, measured from the outside top of the pipe to the finished subgrade at the lowest point. The Zoning Administrator or his/her authorized representative will approve variances only if extenuating circumstances exist. In these cases, Class IV or ductile iron will be required.
c. Grade - The design engineer should make all efforts not to design pipe over a 10 percent slope, especially in the road right of way. In cases where the right of way where steep grades are inevitable, the design engineer should use concrete anchors or other factory recommended anchor systems. These details will be required on the construction plans.
d. Minimum Size - No pipe less than 15 inches in diameter will be allowed.
e. Installation - All storm drain lines shall be installed in accordance with SCDOT Specifications or City Specifications (stricter specifications will take precedence). A vibratory roller, trackhoe-mounted sheepsfoot roller, or other mechanical tamping device must be used for compacting all utility trenches in the right-of-way.

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f. City Public Works will support the design and installation of single piped drainage systems. In the case where the design engineer has no choice due to cover restrictions to use dual pipes (double barrel), headwalls will be required. No more than 2 pipes will be allowed at a crossing if a larger pipe or structure cannot be installed due to cover restrictions. The engineer should make every effort to provide alternatives to dual piped systems.

2. Catch Basins - shall conform to the following standards:
   a. Catch basins and aprons shall be constructed as shown in the Standard City Details, or an alternative configuration may be used upon approval by the Zoning Administrator or his/her authorized representative.
   b. Construction materials for catch basins shall be as specified in SCDOT Specifications.
   c. All catch basins deeper than 4.5 feet must be constructed with steps.
   d. The minimum drop from the edge of the roadway to the throat of the basin shall be six inches for the standard two-foot offset from the road. Greater offsets shall require greater drops to achieve the desired 25 percent cross-slope for the apron.
   e. All catch basins along the roadway must have manhole lids.

I. Subsurface Drainage.
   1. The following construction requirements shall apply to pipe underdrains:
      a. Underdrains shall be constructed as shown in the Standard City Details, or an alternative manufactured product such as strip or edge drain may be used upon approval by the County Engineer or his/her authorized representative.
      b. Underdrains shall be installed within 2½ feet of the back of the curb and shall be properly connected to a permanent drainage structure such as a catch basin, or daylighted to a suitable location off the right-of-way.
      c. All underdrains shall have a minimum of two feet of cover.
      d. Underdrains shall be installed prior to the base course.
      e. Underdrains are required on both sides of the street where mucking out and backfilling have been done, or where the water table is within two feet of the road centerline elevation.
      f. Underdrains must be inspected and approved by the City Subdivision Inspector or representative during installation.
      g. Additional underdrains may be required as determined by the County Engineer or his/her authorized representative.

J. Miscellaneous Drainage Requirements.
   1. Primary and Secondary Drainage Channels are defined as follows:

a. Primary Drainage Channels - are those drainage channels, streams, or creeks which drain an area of 500 acres or more.
b. Secondary Drainage Channels - are those drainage channels, streams, or creeks which drain an area of less than 500 acres, including natural drainage ways which only flow during periods of heavy or continuous rain conditions.

2. The required roadway and subdivision drainage shall be directed to a primary or secondary drainage channel within the immediate drainage basin provided the receiving channel has existing sufficient capacity or is improved to provide sufficient capacity for conveyance of the outfall flows. Under extenuating circumstances where this is not feasible, the design engineer shall document a good faith effort of the attempts made to provide the required information to the City in compliance with the above provisions.
3. Lake Water Elevations - The water elevation in lakes shall not be higher than three feet below the centerline elevation of the roadway at any time.
4. Damming Structures - No dams or structures serving as dams to impound water, or any portion of such a structure shall be allowed in the right-of-way. This further means that no City road shall pass over such a structure without approval from the appropriate agencies DES, Planning Department staff and City Public Works.
5. Drainage Outfall into a Lake - Where a drainage outfall discharges into a lake, rip rap shall be placed under and around the end joint as needed and on slopes at the end of the pipe. The outfall invert elevation must be above the normal pool elevation of the lake.
6. Drainage Outfall into a Stream or Ditch - Where a drainage outlet is an appreciable distance above the bottom of a stream or ditch into which it empties, a drop structure (junction box) with a stub or other approved outfall design must be used. In all other instances, the outfall will be required to have rip rap placed under and around the end joint as needed and on slopes at the end of the pipe. All discharge pipe 36 inches and over shall have a precast headwall or site-built reinforced concrete or masonry headwall.
7. Stabilization of Open Channels - All open channels used for conveyance of roadway drainage shall be properly stabilized to prevent erosion, and shall require rip rap at all direction changes exceeding 25 degrees or as directed by the Zoning Administrator or his/her authorized representative.
8. Drainage Easements - Drainage easements of the following widths shall be provided and dedicated for maintenance and public use:

Pipe Size	Required Easement Width
15 inches—30 inches	15 feet

36 inches—54 inches	22 feet
Over 54 inches	30 feet

a. For minor ditches with open channel flow, the required easement width shall be determined from the equivalent pipe size required to carry the flow and the easement width (listed above) corresponding to that calculated pipe size.
b. For major ditches or channels, the easement width shall be equal to the maximum top width of the ditch plus 25 feet.
c. The following statement shall be included on the construction plans and Final Plat: "There is a 5' drainage and utility easement along either side of all side lot lines and front lot line. There is a 10' drainage and utility easement along all rear lot lines except where otherwise noted."

9. Rip Rap - Stone shall be hard quarry or fieldstone which will withstand exposure to water and weathering. Stone shall vary in size from six inches minimum to 24 inches maximum, and the gradation shall be such that approximately 60 percent of the rip-rap is ten inches in size. All rip-rap shall be hand placed or satisfactorily machine placed. Refer to Storm Water Design Manual for design.
10. Stormwater Management for Amenity Areas - Any areas noted for future development, which may be intended to contain amenities, will be considered separately from the residential development itself. Therefore, all subsequent drainage plans for these areas must be reviewed and approved by the appropriate public agencies. If, or when, alterations are made to the submitted subdivision drainage plans to meet the requirements for the amenities area, the Design Engineer shall submit a revised drainage plan showing the effects of such revisions on all phases of the existing drainage system.

K. *Bridges.*

1. All bridges, tunnels, and underpasses intended for vehicular traffic shall have a minimum length of 20 feet and a clean width of 28 feet. The City of Fountain Inn reserves the right to request greater widths based on the street classification. All bridge designs shall be subject to the prior approval of the Zoning Administrator or his/her authorized representative.
2. All bridges, tunnels, and underpasses intended for vehicular traffic shall be designed in accordance with the most current edition of the AASHTO "Standard Specifications for Highway Bridges", including any interim specifications and the alternate military loading.

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3. A drainage analysis and shop drawings of the proposed bridge will be required for construction review.

L. *Construction Standards for Sidewalks, Curbs, Joints, Patching.*

1. Sidewalks and Curbing - All proposed street connections to existing streets or highways having existing sidewalks shall be constructed by removal of the sidewalk to the new proposed curb radii.

All sidewalks and curbs shall conform to the following regulations.

a. The concrete shall be batched and mixed in accordance with the provisions in the "Portland Cement Concrete for Structures" section of the SCDOT specifications.
b. Curbs and gutters shall be constructed in uniform sections ten to 15 feet in length except where shorter sections are necessary for closure, but none less than four feet in length.
c. Forms shall not be displaced during concrete pouring and the concrete shall be spaded or vibrated throughout the entire volume especially against forms and joints. The surface of the concrete shall be floated, trowled, broomed, corners edged and finished to the typical cross-section used, i.e. crown sections and/or superelevation,
d. Rolled Curb or Stand Up Curb and Gutter - Curb must provide a six-inch face against the pavement and the cross sectional shape is approved by the City Zoning Administrator or his/her authorized representative. When slip forms are used, the aggregate size, amount of cement, and proportions of all materials for the concrete may vary from previous requirements as necessary to provide a workable and satisfactory mix. Expansion and contraction joints shall be constructed at the same locations as required with formed construction. These joints, spaced at ten- to 15-foot intervals, shall be made by cutting the concrete by an acceptable method. The manner of construction of all joints shall meet the approval of the City Zoning Administrator or his/her authorized representative and shall present a workmanlike finish. See sketch as provided in this article.
    i. Six-inch Extruded Curb will require prior approval and review from the Zoning Administrator or his/her authorized representative.
    ii. No obstructions shall be allowed within the limits of the sidewalk area.

2. *Joints.*

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a. *Expansion Joints*. Preformed expansion joints three-quarter inch thick, extending the full depth of the concrete, shall be constructed at the locations indicated on the plans and at other locations as follows:
   i. Whenever a sidewalk is constructed between an adjoining substantial structure on one side and a curbing on the other side, an expansion joint shall be formed adjacent to the curbing.
   ii. An expansion joint shall be placed between the sidewalk and the radius curbing at street intersections.
   iii. When sidewalks are constructed adjacent to existing or new pavements or structures, expansion joints shall be places to match these existing joints.
   iv. Transverse expansion joints shall be placed at intervals of not more than 100 feet in all concrete shapes.

b. Contraction joints. The concrete slabs in sidewalks between expansion joints shall be divided into blocks ten feet in length by scoring transversely after floating operations are complete. Whenever the sidewalk slabs are more than ten feet in width, they shall be scored longitudinally in the center. All scoring shall extend for a depth of one inch and shall not be less than one-quarter inch nor more than one-half inch in width. All scoring shall be edged and finished smooth and true to line.

3. Patching and Full-Depth Repairs - The following requirements and procedures shall apply for all base failure, binder, and full-depth repairs:
   a. For full-depth repairs of finished pavement:
      i. Saw cut pavement 12 inches beyond the extent of distresses to provide clean, unbroken edges.
      ii. Patches will be cut to have a straight and vertical edge. The sides of the existing asphalt pavement will be clean and thoroughly tacked. The patch will tie into the existing pavement to ensure a smooth transition and ride as well as positive drainage.
   b. For all repairs including binder patching:
      i. For patched areas in excess of six inches deep, backfill with CR-14 or equivalent.
      ii. Depths of patches over four inches will be performed in two separate lifts.
      iii. Thickness of binder course must be at least three inches.
      iv. In the case of failures in the repaired area, the Planning Director or duly authorized staff may require a geotechnical firm to inspect and

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report recommendations to the developer/contractor in the repaired areas.

7.7 TESTING AND INSPECTIONS

7.7.1 DESCRIPTION

Testing shall include proofrolling, compaction, and density testing of in-situ base soils, roadway fill areas, backfill within utility trenches, stone base courses, and/or asphalt pavement, but may include other material tests as required by the City Planning Director or his/her authorized representative.

Inspections shall consist of periodic field visits during various phases of construction for the purposes of investigating present site conditions and activities, and documenting all substandard methods, materials, or conditions. Periodic (key) inspections by the Engineer shall be required during the course of the project, and shall be conducted jointly with the City representative at critical stages of construction.

7.7.2 TESTING REQUIREMENTS

A. **Proofrolling.**

1. The proofroll is good for 24 hours. The proofrolling shall be performed using a fully loaded tandem dump truck weighing not less than 30 tons gross, or equivalent. Any areas which show visible deflection will be required to be repaired, and a second proofroll may be required prior to verify the repairs. Compaction tests by a geotechnical engineering firm may also be required in problem areas as directed by the City Planning Director or his/her authorized representative.

B. **Compaction Testing.**

1. *Applicability.* The grading contractor and utility installation contractor shall be responsible for providing compaction testing and reporting as described below.
2. *Compaction Requirements.* Testing by a geotechnical engineering company shall be performed for all backfill over utility installations and fill areas in the road right-of-way. The minimum required compaction shall be 95 percent Standard Proctor for all trench and fill areas within the right-of-way.
3. Location and Frequency of Tests. Compaction tests shall be taken at random locations and at random depths at each location to provide a range of sampling depths. The required frequency of testing shall be as follows:
   a. *Sanitary Sewer.* Test along the line at 300 feet intervals, and randomly at service connections at the rate of one test per eight services and at manholes at the rate of one test for every three manholes.

b. *Water Mains.* Test along the line at 300 feet intervals, and randomly at valve and blowoff locations in the roadway at the rate of one for every three valve and blowoff locations in the roadway. Test randomly at service connections at the rate of one test per eight services and at manholes at the rate of one test for every three manholes.
c. *Storm Drains.* Test along the line at 300 feet intervals, and at all cross lines.
d. *Other Utilities.* Test along the line at 300 feet intervals, and at all road crossings (excluding borings).
e. *Fill Areas.* Fill should be placed, compacted and tested at no more than 18-inch intervals. The test shall be performed at 150-foot intervals, staggered on the left and right sides of the roadway. If bridging in the fill is required, a Geotechnical Engineer will provide a report for recommendations to be submitted to the City Planning Director or his/her authorized representative.
    i. Note: The design engineer or geotechnical testing firm shall determine the location for tests, and shall obtain prior approval from the City Planning Director or his/her authorized representative if the proposed testing frequency is less than shown above. Additional testing in problem areas may be required as directed by the City Planning Director or his/her authorized representative.
f. *Reporting.* The results of all compaction tests shall be reviewed by the Design City Planning Director and forwarded to the City Planning Director or his/her authorized representative with comments as necessary. A copy of the overall site plan or the appropriate road plan sheets, showing the test locations and depth below subgrade elevation, shall be submitted with the test results. No roadways shall be paved until the City Planning Director or his/her authorized representative has reviewed and approved the compaction tests results for the section of roadway to be paved.

7.7.3 Asphalt Quality Control

A. During pavement application, the Contractor shall achieve the required density for the asphalt by suitable rolling equipment and methods. The contractor will use a highway class paver exceeding 30,000 lbs, a steel wheel front roller of five to eight tons or more, nine wheel rubber tire intermediate roller, and a five- to eight-ton steel wheel back roller or equipment the City Planning Director or his/her authorized representative deems equal or better. If proper compaction of the asphalt is questionable, the City Planning Director or his/her authorized representative may require the Contractor to conduct a series of density tests to verify proper compaction of the asphalt.

B. Extraction and gradation testing may also be required at the Contractor's expense to determine mix composition and verify compliance with SCDOT specification
C. The City of Fountain Inn mixes for binder and surface asphalt will meet the following criteria. The contractor will have a current SCDOT approved job mix for each facility or an equivalent mix designed and stamped by a Geo-Technical firms' P.E. Hydrated lime will be required in all mixes at the rate of 1% of the dry aggregate.

COMPOSITION LIMITS FOR HOT MIX BINDER COURSE

Required Gradation

SIEVE DESIGNATION	PERCENTAGE BY WEIGHT PASSING
1 inch	100
¾-inch	90—100
½-inch	72—90
No. 4	42—60
No. 8	30—48
No. 30	12—29
No. 100	6—16
No. 200	2—8

Note: The amount between any two consecutive sieves smaller than ½ inch shall not be less than three percent.

PERCENT OF TOTAL MIXTURE	
Asphalt Binder	3.5—6.2

REQUIRED JOB MIX MARSHALL DESIGN CRITERIA	
Minimum Stability, lbs.	1200
Air Voids, %	3.5—6.0
Flow, 0.01 inch	8—16
Dust/Asphalt Ratio	0.6—1.2

VOIDS IN MINERAL AGGREGATES	
Nominal Maximum Aggregate	1000
¾-inch	14.0%
½-inch	15.0%
REQUIRED FIELD MARSHALL CRITERIA	
Minimum Stability, lbs.	1000

Air Voids, %	3.0—6.0
Dust/Asphalt Ratio	0.6—1.2

COMPOSITION LIMITS FOR HOT MIX ASPHALT SURFACE COURSES

GRADATION REQUIREMENTS - TYPE 3	
Sieve Designation	% by Weight Passing
¾-inch	100
½-inch	97—100
⅜-inch	80—100
No. 4	58—78
No. 8	42—64
No. 30	18—40
No. 100	5—20
No. 200	2—8

Note: The amount between any two consecutive sieves smaller than ⅜ inch shall not be less than three percent.

PERCENT OF TOTAL MIXTURE	
Asphalt Binder	5.0—6.5

REQUIRED JOB MIX MARSHALL DESIGN CRITERIA	
No. Blows per face	50
Min. Stability, Lbs.	600
Air Voids, %	4.0—6.0
Flow, 0.01 in.	8—16
Dust/Asphalt Ratio	0.60—1.20
% Voids Filled	68—77

NOMINAL MAXIMUM AGGREGATE SIZE	MINIMUM VMA, %
½-inch	15.0
⅜-inch	16.0
No. 4	18.0

7.7.4 Inspection Procedures.

A. **Inspections by the Design Engineer.**

1. *Key Inspections.* The following key inspections shall be performed by the Design Engineer during the course of construction:

a. Inspection #1 - at completion of clearing and grubbing operations. The Design Engineer will verify that all organic materials (i.e. stumps, logs, and brush) have been removed from the roadway area. The Design Engineer will also document any unsuitable soil conditions in the right-of-way.
b. Inspection #2 - at completion of rough grading. The Design Engineer will inspect the roadway, especially any fill areas and slopes, to identify unsuitable soil conditions. The Design Engineer will review the compaction test results in he fill areas to verify that the required compaction has been achieved.
c. Inspection #3 - at completion of subgrade and after major utility installation. The Design Engineer will verify that all major utilities are installed and trenches are backfilled and compacted. If unsuitable material is encountered, then the Engineer of Record will document the location of deficiencies, specific correction outlined to the contractor, and material used for correction. This information should be provided to the City Planning Director or his/her authorized representative as a part of the reports needed for final acceptance. The Design Engineer will check the road subgrade for proper elevations, grades, and crown, and will check the catch basin locations and configurations to identify any possible deviations from the plans. The Design Engineer will review all compaction test reports and verify the necessary number and location of tests and the required compaction at each location.
d. Inspection #4 - proofroll. The City Planning Director or his/her authorized representative shall meet the Design Engineer on-site to conduct the proofroll prior to binder or stone base installation. If any problems are encountered, the Contractor will make the necessary repairs at the direction of the Design Engineer and/or the City Planning Director or his/her authorized representative.
e. Inspection #5 - during binder/surface combination or stone base installation. The Design Engineer, his/her representative, or SCDOT Level 2 Asphalt inspector will periodically monitor the paving application in order to provide direction and document the binder or stone base installation. The City Planning Director or his/her authorized representative will plan to be on-site, but the City's presence will not relieve the Design Engineer or Level 2 Inspector of his/her duty to document and certify proper installation. If stone base is used, the Design Engineer will also certify the application of the prime coat if required.
f. Inspection #6 - binder punch-list inspection. The Design Engineer and City Planning Director or his/her authorized representative shall conduct a

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thorough punch-list inspection of the roadway, including curbs and catch basins, to identify base failures, broken curbs, broken CB aprons, water valve and/or manhole cover problems, etc. In the inspection report, the Design Engineer will detail the items to be corrected and the tentative schedule for repair.

g. Inspection #7 - follow-up inspection prior to final surface installation. The Design Engineer shall meet the City Planning Director or his/her authorized representative on-site to go over the repairs to the binder, curbs, and/or catch basins. If all repairs are satisfactory, the Contractor will be given the go-ahead to install the final surface.
h. Inspection #8 - during final surface installation. The Design Engineer, his/her representative, or SCDOT Level 2 Inspector will periodically monitor the paving application on-site to provide direction and document the final surface installation. The City Planning Director or his/her authorized representative will plan to be on-site, but the County's presence will not relieve the Design Engineer or other representative of his/her duty to document and certify proper installation of the final surface.
i. Inspection # 9 - final punch-list inspection. The Design Engineer, Developer, Contractor, City Planning Director or his/her authorized representative and County Maintenance Superintendent or his/her authorized representative shall meet on the site to go over the project. In the inspection report, the Design Engineer will detail the results of the meeting, any items to be corrected, and the tentative schedule for repair. If repairs are not substantially complete within 45 calendar days, a new punch list may be required.
j. Inspection #10 - final acceptance. The Design Engineer will meet the City Planning Director or his/her authorized representative on-site to go over the finished punch-list items. If all items are complete, the City Planning Director or his/her authorized representative will proceed to issue the notice of acceptance.
    i. Follow-up and repeat Inspections. The Design Engineer will be expected to conduct follow-up or repeat inspections as needed to resolve problems or provide the City with complete information and documentation as required above. Please see the "Construction Review/ Inspection Fees" table on page LDR 24 for repeat inspection cost.

B. **Inspections by the City.**

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1. *Start Up or Pre-construction Meeting.* At the direction of the City Planning Director or his/her authorized representative, a start up or pre-construction meeting will be required to discuss construction issues prior to beginning work. The Design Engineer, Contractor, Utility Providers and County Engineer or his/her authorized representative will attend the meeting, preferably on-site.
2. *Proofrolls.* The City Planning Director or his/her authorized representative, or City approved third party Geotechnical Engineer must be on site for the proofroll, and any follow-up proofrolls as required. The City Planning Director or his/her authorized representative shall review all compaction test results submitted by the Design Engineer and must approve the reports before the contractor installs the binder.
3. *Storm Drainage Inspection.* After installation of the storm drain system and prior to the binder installation, the City Planning Director or his/her authorized representative will perform an inspection of the storm drainage system. All lids and covers will be required to be removed for the inspection.
4. *Binder Punch-list and Follow-up.* The City Planning Director or his/her authorized representative shall meet the Design Engineer to inspect and punch-out the binder, curbs, and catch basins prior to installing the final surface. A follow-up meeting will be held as necessary to review and approve any required repairs.
5. *Final Punch-list and Follow-up.* The City Planning Director or his/her authorized representative shall meet the Design Engineer and others to inspect all aspects of the roadway and drainage system and prepare the final punch list prior to acceptance. A follow-up meeting will be held as necessary to review and approve any required repairs.
6. *Paving.* The City Planning Director or his/her authorized representative and Design Engineer/Level 2, SCDOT Inspector will plan to be on-site during paving installations, but will ultimately rely on the Design Engineer's inspection report and certification of the paving operation.
7. *Follow-up Inspections.* The City Planning Director or his/her authorized representative will make additional inspections of the site as needed to meet with the Design Engineer, review and approve repairs, or address other problems.
8. *Thirty-six Hours Notice.* The City shall be provided a minimum of 36 hours advance notice prior to any of the above key inspections. Failure to provide the 36 hours advance notice may result in scheduling conflicts, delay of the City's inspection, and possible disruption of the project schedule.

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7.7.5 Asphalt Plant and Material Certification.

A. **Certification Requirements.**

1. SCDOT Certified Asphalt Plant. All plants currently on the SCDOT Asphalt Plant Certification list are automatically qualified to supply asphalt materials for proposed City roads.
2. All contractors supplying mix to the City of Fountain Inn Projects will have a level 2 (or above) SCDOT certified inspector on staff. If a company does not have this individual then he will hire a level 2 Inspector from a Geo-Technical firm while the City of Fountain Inn mix is being produced to perform proper quality assurance procedures.
3. Non-certified plants. In order to qualify to supply asphalt material for proposed City roads, all plants without current SCDOT certification are required to have a special certification letter, issued annually from a professional engineer, stating that the plant is capable of consistently producing material which is equivalent to a SCDOT Certified Plant. The letter shall state the following:

   " I _____, P.E., a registered engineer in the State of South Carolina, have inspected the asphalt plant proposed for use in paving roads to be accepted by the City of Fountain Inn and, in my professional opinion, the plant is capable of consistently producing a quality asphalt mix equivalent to SCDOT standards. The plant complies with all the requirements of Sec. 401.07 of the S.C. Highway Department Standard Specifications for Highway Construction (1986 Ed.). I have tested, reviewed, and certified the materials to be used for paving proposed public roads and it is my professional opinion that they meet the specifications."

   - The asphalt plant is located at _____
   - Asphalt cement is to be supplied by _____
   - Aggregate is to be supplied by _____
   - SEAL:

7.7.6 Miscellaneous Paving Requirements.

A. **Four Month Binder Waiting Period.**

1. In order to identify and repair possible base failures prior to final paving, the final surface may not be applied until four months after the binder application. The City Planning Director or his/her authorized representative shall inspect the binder after the four month waiting period, and shall reserve the right to extend the waiting period an additional three months if failures are observed.

7.7.7 Acceptance, One-Year Warranty, and Construction Damage Bond.

A. **Acceptance.**

1. At completion of all paving, storm drainage system installation, major utility installation, curbing, sidewalk installation (if applicable) and grassing/mulching of the right-of-way, the City Planning Director or his/her authorized representative shall conduct an inspection of the project or project phase to determine if it is substantially complete. If the project is approved, a written notice of acceptance will be issued.

B. **One Year Warranty.**

1. As a condition of the notice of acceptance, the subdivider, either an individual, partnership, corporation, or other legal entity, will enter into an agreement with the City of Fountain Inn wherein (s)he agrees that (s)he will repair, upon written notification by the City of Fountain Inn and at his/her own expense, all defects in material and workmanship which occur in the roadways or drainage system accepted by the City of Fountain Inn pursuant to the granting of such acceptance for a period of one year from the date such work is accepted by the City of Fountain Inn the City of Fountain Inn.
2. The one-year warranty period shall begin immediately after acceptance and shall cover all defects in materials, installation, and workmanship for the roadway pavement, storm drainage system, drainage outfall channels, curbs, sidewalks, and grassing/erosion control. Any significant problems, failures or defects observed during the warranty period shall be repaired by the developer at his/her expense, as deemed necessary by the City Planning Director or his/her authorized representative. Damage caused by construction activity or other external forces is excluded from the one-year warranty, and shall be covered under a separate construction damage bond.

C. **Construction Damage Bond.**

1. A contingency bond to cover the repair costs for possible damage to the roadway, curbs, sidewalks, and catch basins caused by construction activities shall be posted by the developer at the start of the one-year warranty period. The bond shall remain in effect for a period of one year or until 80% build-out in the project or project phase is achieved, whichever comes first. The required bond amount shall be determined by the City Planning Director or his/her authorized representative based on the remaining undeveloped lots and may be reduced proportionally as lot development is completed. During the bonding period, the developer shall repair all significant structural damage to the roadways, curbs, sidewalks, and catch basins as deemed necessary by the City Planning Director or his/her authorized representative.

2. If subdivision is to be phased the construction bond should cover repair costs for the main collector roadway entrance(s).
3. Build-out on a lot is defined as lot grading substantially complete, driveway installed, and house in the dry including brickwork and/or siding installed.

7.7.8 Sidewalk Construction Bond - Optional.

A. If at the time of road acceptance all required sidewalks are not completed, and at the discretion of the Planning Commission, the developer may post a separate sidewalk construction surety with the Planning Commission in the amount of 125 percent of the cost for completion of the sidewalks. The duration of the surety will be for a one-year period and may be renewed for an additional year if necessary and approved by Planning Staff with the advice of the City Public Works Department. With the posting of the surety and fulfilling all other requirements for roadway/infrastructure improvements, the roads may be accepted into the City inventory for maintenance. The developer any/or the builders of the individual lots will be responsible for the completion for the remaining sidewalks with the construction of the structures on the lots. If for any reason, sidewalks on the remaining undeveloped lots have not been completed by the end of the two-year period, the Planning Commission will draw the funds so that the sidewalks may be completed as determined by the City Public Works Department.

7.7.9 Encroachment Fee

A. An encroachment fee as part of the Building Permit fee is required by the City Public Works Department. This fee in the amount $60 is charged to account for any damages to the catch basin lids, curb and gutter, roadway or sidewalk due to homebuilding and development.

ARTICLE 8.
UTILITIES AND STORMWATER

8

8.1 Required Improvements

Except as provided in Article 3, Financial Security Requirements, the following improvements shall have been completed and approved in accordance with the general standards specified below before any Final Plat of a subdivision shall be eligible for final approval.

8.2 Water Supply and Sewage Disposal Systems

8.2.1 General

A. The developer shall be required to install water supply, including fire protection, in accordance with the standards, procedures, and policies of the governing authority appropriate water service provider and applicable fire code provisions, unless documented by the water service provider that the existing line size will not permit. The extension/upgrading of water lines, as well as the location and spacing of fire hydrants to be installed within a new subdivision will be determined by the water service provider and/or fire district.

B. The developer shall be required to provide public sewage disposal systems in accordance with the standards, procedures, and policies of the appropriate sewer district, unless documented by the sewer district or the Sewer Treatment Authority providing waste treatment, that sewer service and/or sewer treatment is not available.

8.2.2 Procedure

A. After a preliminary approval has been granted by the Planning Director, plans for proposed subdivisions of land shall be submitted to the Bureau of Water office of the South Carolina Department of Environmental Services (SCDES), and to the elected or appointed water and/or

CONTENTS

Article 8. UTILITIES AND STORMWATER 1
8.1 Required Improvements 1
8.2 Water Supply and Sewage Disposal Systems 1
8.3 Public Water and Sewer Systems 2
8.4 Private Water and Sewer Systems 2
8.5 Water Or Sewer Systems Not Connected To Municipal Or District Systems. 3
8.6 Stormwater Design Manual. . 3

sewer district bound by law for their approval. Plans for individual sewage facilities shall be submitted at this time by the developer to SCDES and the applicable sewer authority, when applicable, for approval in accordance with their rules and regulations. The Planning Director shall be notified in writing by the SCDES and/or the applicable sewer authority of their action prior to granting final approval of the subdivision plat.

8.3 PUBLIC WATER AND SEWER SYSTEMS

All extensions of public water and sewer systems, including fire protection systems, shall have the approval of the appropriate agency involved and shall be constructed according to their specifications and under their supervision. For sewage facilities involving new discharge or sewage collection systems, a preliminary engineering report will be submitted to the Bureau of Water Office of the SCDES for approval prior to preliminary approval being granted by the Planning Commission. The Planning Department shall be notified in writing by the Bureau of Water office of the SCDES and where necessary the appropriate agency of the acceptance of these extensions prior to granting final approval of the subdivision plat.

Should public water systems prove unfeasible, a statement of approval for individual wells shall be obtained from the SCDES.

Should public sewer systems prove unfeasible, a statement of approval for individual septic tank usage shall be obtained from the SCDES. Individual permits shall be obtained from the SCDES at the time of development of each lot.

8.4 PRIVATE WATER AND SEWER SYSTEMS

A. **Water.** Prior to construction, all community (private) water systems shall obtain a "Construction Permit" from the Bureau of Water office of the SCDES. The agency which issues the construction permit should be contacted when construction begins so they can make inspections. Upon completion and prior to placing the water system into service, Bureau of Water will make a final inspection and issue a copy of their "Permit to Operate" to the Planning Commission. Should community (private) water systems prove unfeasible, a statement of approval for individual wells shall be obtained from the SCDES.

B. **Sewer.** Prior to construction, all community (private) sewer systems shall obtain a "Construction Permit" from the Bureau of Water office of the SCDES. In order to make construction inspections, the Environmental Quality Control office will be contacted when construction begins. Upon completion and prior to placing

the sewer system into service, Bureau of Water will make a final inspection and issue a copy of their "Permit to Operate" to the Planning Commission.

8.5 Water Or Sewer Systems Not Connected To Municipal Or District Systems.

If a water and/or sewer system is not connected to a municipal or district system and serves an area outside a municipality or district, the responsibility for the operation and maintenance of the total facility must be approved by the Bureau of Water office of the SCDES and the appropriate agency. This instrument must be recorded in the County Register of Deeds office as required by the SCDES. Builders of systems which lie within the boundary of any legally constituted governmental jurisdiction such as a municipality or water and/or sewer district must submit written evidence to the Bureau of Water office of the SCDES that the facility is under the control of the municipality or district and that the municipality or district accepts responsibility for the operation and maintenance of the facility.

8.6 Stormwater Design Manual

All storm drainage design for subdivisions shall comply with DES and the most recent version of the Greenville County Stormwater Design Manual.

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ARTICLE 9. SIGNS

9.1 General Provisions

The purpose of this Article is to ensure clear communication, enhance the City of Fountain Inn's visual appeal, and eliminate signs that are confusing, distracting, or unsafe.

Nothing in this Article is intended to regulate the message or viewpoint expressed on any sign. Noncommercial decorative displays, holiday decorations, cultural expressions, and celebratory or personal displays are broadly permitted, subject only to reasonable time, place, and manner regulations necessary to protect safety and maintain community aesthetics.

9.1.1 Permit Required

A sign permit shall be required for the erection, alteration, reconstruction, or installation of any sign in the City of Fountain Inn unless expressly exempt by this Section.

9.1.2 Standards for All Signs

A. All signs shall conform to requirements established in the Building Code and any ordinance of the City of Fountain Inn.

B. No sign or sign structure shall obstruct any fire escape, window, door, opening or other means of ingress or egress from a building.

C. Sign illumination shall be constructed to prevent glare into any road, right-of-way, or any residential district and subject to the Sign Illumination section of this ordinance.

D. No sign shall exceed building height limits for the district in which it is located.

E. Signs shall not extend above the wall to which they are attached. No signs are allowed to be mounted on a roof.

F. Except for traffic directional, safety or informational signage posted by any federal, state,

9

CONTENTS

Article 9. Signs 1

9.1 General Provisions 1

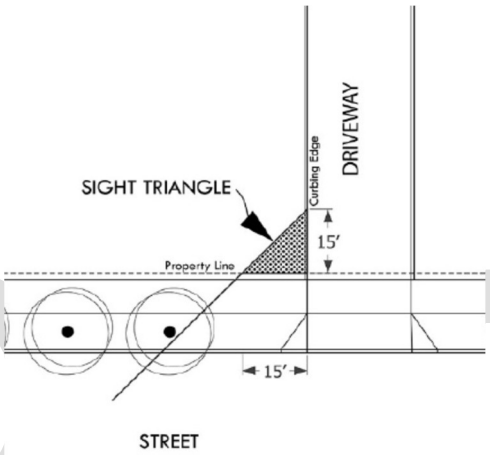
9.2 Regulations of Sign Types 9

9.3 Definitions 27

county, or municipal government, signs may not be located on a public right-of-way.

G. No sign or sign structure shall be placed within the sight triangle, defined as the area formed by measuring 15 feet along each curb line at the intersection of a street or driveway, and connecting these points with a straight line.

Figure 9-1 Sight Triangle



9.1.3 Signs Not Requiring a Permit

A. Legal notices.

B. Traffic directional or safety signs posted by any federal, state, county or municipal government.

C. Pole banners installed by the City of Fountain Inn for decorative, informational, or promotional purposes, including banners associated with events, holidays, or public services. These banners shall be exempt from permitting requirements and are allowed to be displayed along public streets, sidewalks, and rights-of-way as designated by the City.

D. Building address necessary for building identification and public safety. Such signage shall be at least four (4) inches in height, and legible from a public right of way. No such address identification shall exceed six (6) square feet.

E. Flags,provided:

1. The maximum height for such does not exceed 30 feet or the height of the tallest principal building on site, whichever is greater,

2. Flags and associated poles or fixtures shall not obstruct pedestrian paths, walkways, or other public access areas, and shall be positioned in such a manner as to not impede pedestrian movement or create hazards

3. The maximum size of each flag or insignia does not exceed 32 square feet, and

DRAFT

4. Flags on City Property. The City may display multiple flags on property it owns or controls, as determined by City Council or its designee. Such displays are not subject to the numerical limitations of this section.

F. Sandwich board signs under the following conditions:
1. The maximum dimensions shall not exceed six (6) square feet per side and four (4) feet in height with up to two (2) sides,
2. The number of signs on a parcel shall not exceed one (1) per ground floor retail storefront or tenant space,
3. The sign shall be located within 10 feet of the primary entrance,
4. The sign shall not be internally illuminated or equipped with any external lighting fixtures; however, it may be placed in areas illuminated by standard building-mounted or site lighting intended for pedestrian or storefront visibility,
5. Sign shall be located on a sidewalk or paved approach and shall maintain a minimum clear pedestrian path in compliance with ADA accessibility standards.

G. Decorations seasonal displays, inflatables, yard art, or ornamental features which do not contain commercial speech or cause glare or other nuisance to pedestrians or operators of motor vehicles.

H. Signs attached to a sports field or court fence and oriented to spectators or participants utilizing the facility.

I. Single-sided scoreboard located on or adjacent to a sports field or court and oriented to face spectators or participants using the facility.

J. Temporary Signs described in the Temporary Signs section of this ordinance unless where a permit is required as indicated in that section.

K. Free-standing Vending or Dispensing Unit signage including but not limited to automated teller machines, gas pumps, and other similar retail vending boxes may have one sign limited to two (2) square feet per sign face, which shall not extend more than 12 inches above or to the side of the box or machine housing.

L. Construction Fence Wraps as described in the Temporary Signs section of this ordinance.

M. Signs painted or otherwise affixed to a currently licensed motor vehicle provided that the vehicle is road worthy and displays a current license registered to said vehicle.

N. Signs indicating whether a business is open or closed, or displaying hours of operation provide that the sign is attached or located within a principal entrance

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or window of the business and not greater than two (2) square feet in area. The sign may be internally illuminated.

O. Property control signs, like "No Trespassing", "No Soliciting", "Private Property" or similar notices not exceeding 3 square feet.

9.1.4 Temporary Signs

Non-illuminated temporary signs may be erected in any district in addition to signs otherwise permitted in this Section subject to the following:

A. Temporary Signs allowed at any time. A property owner may place two (2) signs no larger than 12 inches by 18 inches in one window on the property at any time. Signs shall not block visibility, or physical access, for any driveway, roadway, sidewalk, public utility infrastructure, or public easement.

B. Temporary Window Display Signs. A business may display temporary signs inside or directly affixed to a ground-floor window, subject to the following:

1. The total area of all signs may not exceed 20% of the area of each individual window,
2. Temporary Window Display Signs shall not be illuminated,
3. Any individual sign may only be displayed for 30 days.

C. Temporary Signs allowed prior to and following election or ballot measure. Additional Temporary Signs are allowed beginning 40 days before an election involving ballot measures or elected offices representing the district where the property is located, with the property owner's permission. Individual sign measurements shall not exceed 24 inches by 48 inches. Signs shall not block visibility, or physical access, for any driveway, roadway, sidewalk, public utility infrastructure, or public easement. Signs subject to this Section must be removed within 10 days following the election.

D. Temporary Signs on properties with active construction. Temporary signs with a maximum of 32 square feet per side are allowed on properties on which active construction activities are being conducted subject to the following:

1. The subject property must have an active building, grading, or construction permit approved by the City of Fountain Inn or the applicable oversight entity.
2. One sign shall be permitted on each road frontage on the subject property.
3. The temporary signs shall be removed within seven days of the issuance of a Certificate of Occupancy or final inspection.
4. Temporary Construction Signs for residential development shall be removed after 80-percent build-out or four years, whichever occurs first.

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5. A construction fence wrap may be installed around active construction sites, provided it does not exceed the height of the fence and is designed to secure the site while ensuring visibility and safety.

E. Signs on property actively marketed for sale. One temporary ground-mounted sign, up to 6 square feet per face (with a maximum of two faces), may be placed on each street frontage of a lot being marketed. Lots with multiple street frontages may have one sign per frontage. Signs shall not exceed 4 feet in height and must be positioned outside of the street right-of-way to avoid obstructing motorists' visibility.

F. Temporary Banners requiring a permit.

1. Properties with a sign containing an Electronic Sign Display are prohibited from displaying temporary banners.
2. On properties without an electronic message center, temporary banners, not exceeding 15 square feet in size, may be displayed on the same premises for up to 30 consecutive days and no more than 90 total days within a 12-month calendar year. A permit from the Planning Department is required for such banners.
3. All temporary banners must be securely affixed flat against a building and maintained in good condition, meaning they shall be free of tears, fading, sagging, loose attachments, or any other form of visible deterioration.

9.1.5 Prohibited Signs

A. Signs imitating government, traffic or emergency signals.

B. Commercial attention attracting devices, including but not limited to:

1. Flashing, pulsating, and moving signs.
2. Inflatable or similar balloon-type devices.
3. Searchlights.
4. Banners, pennants, wind-driven spinners, streamers, balloons, flags, feather signs (including banner flags), holographic projections, laser light displays, beacons, inflatable signs, or yard signs except as otherwise permitted by this Chapter.

C. Off-site signage and billboards.

D. Noisy mechanical devices.

E. Roof mounted signs.

F. Mobile or portable signs excluding vehicles and trailers actively utilized by a business with the same name on the same site.

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H. Signs attached to natural features such as trees, rocks and living vegetation.Any other sign not expressly permitted in this ordinance.

I. Signs utilizing reflective or retro-reflective materials on any portion of the sign face, including lettering, copy or background.

9.1.6 Maintenance Required

A. A sign owner must maintain a sign to a standard condition as described in the following:

1. Signs and the premises surrounding them must be maintained in a clean and sanity condition, free and clear of obstruction, such as weeds, rubbish and similar materials.

2. Signs, including their associated supports, braces, brackets, and similar support structures shall be maintained in a good and safe condition, including the periodic weatherproofing of sign materials through paint or other suitable application to prevent decay, rust and deterioration which would result in a broken, torn, peeling, or flaking condition.

3. Bulbs for sign illumination shall be replaced when burned-out or non-functioning.

4. Temporary signs shall not be tattered, torn, or faded, and shall remain property secured.

B. Enforcement

1. If a sign is determined by the Zoning Administrator or Code Official to be unsafe, in disrepair, improperly maintained, or installed in violation of this ordinance, the property owner or responsible party shall, upon written notice, correct the violation or remove the sign within ten (10) days.

2. If the responsible party fails to comply within the specified timeframe, the City may remove or cause the sign to be removed and assess all costs incurred against the property owner or sign user.

9.1.7 Nonconforming Signs

The following shall apply to legally permitted signs or sign structures that satisfy all applicable at the time of installation but were made nonconforming at or prior to the effective date of this Ordinance.

A. Maintenance of Nonconforming Signs. Minor repairs and maintenance may be performed on a nonconforming sign or sign structure, such as painting, refacing, or refinishing to maintain standard condition the condition of the sign.

B. Conformance Required. A nonconforming sign shall be brought into compliance with this ordinance when:

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1. The sign is structurally altered,
2. The sign is relocated,
3. The sign is altered in any way that increases the extent of nonconformity,
4. The sign or property on which the sign is located is abandoned for a period of 90 days,
5. The sign is damaged or destroyed to the extent that repair to the sign shall cost greater than 50 percent current labor and materials to replace the sign.

9.1.8 Sign Illumination

All illuminated signs in the City of Fountain Inn shall comply with the following standards.

A. Internal Illumination

1. Internal illumination of signs shall be limited such that light only penetrates through letters, numbers, logos, or accent lines. Other sign elements shall be designed to prohibit light penetration,
2. The internal illumination shall not produce glare or illumination to interfere with the vision of drivers, cyclists, pedestrians or adjacent property owners,
3. All internal lighting components, including bulbs, tubes, LED modules, or other illumination elements, shall be fully concealed within the sign housing or structure and not directly visible from any public right-of-way, adjacent property, or pedestrian viewpoint. Sign faces shall be designed to prevent direct visibility of internal lighting sources.
4. Installation of internal illumination shall comply with the National Electrical Code.

B. External Illumination

1. External illumination shall be achieved by a white, stationary and steady light,
2. External illumination shall be aimed and shielded to exclusively focus on the sign area, and shall not cause glare or other nuisance to adjacent property,
3. The external illumination shall not produce glare or illumination to interfere with the vision of drivers, cyclists, pedestrians or adjacent property owners,
4. Installation of external illumination shall comply with the National Electrical Code.

C. Electronic Sign Displays

1. Electronic signs shall not exceed a brightness level of 5,000 nits (candelas per square meter) during daylight hours and 500 nits between dusk and dawn. Signs must be equipped with automatic dimming controls that adjust brightness based on ambient light levels.

DRAFT

2. Electronic signs must display static images or messages only. No animation, flashing, blinking, or video is permitted.
3. Each message must remain static for a minimum of 6 seconds unless otherwise specified for specific zoning districts or by South Carolina Department of Transportation.
4. Transitions between messages must occur instantly and without movement or special effects.
5. In the event of a malfunction that causes excessive brightness, flashing, or any prohibited behavior, the sign must default to a black screen or be turned off until repaired.
6. Electronic signs must be oriented and shielded to prevent glare or light spill onto adjacent properties or roadways.

9.1.9 Computation of Sign Area

A. Sign area shall be computed by a regular geometric shape enclosing all elements of informational or representational matter including blank masking. Structural supports not bearing information shall not be included in the computation of display area. All decorative embellishments or appurtenances such as directional arrows, which are not a part of the display area, shall not be greater than 20 percent of the display area.

B. Multiple sign elements placed on the same wall or structure shall be considered one sign when located within a continuous background or within 3 feet of one another. Elements separated by more than 3 feet, or located on different architectural bays or walls, shall be considered separate signs.

C. No sign shall exceed 80-percent of its background area in height or length.

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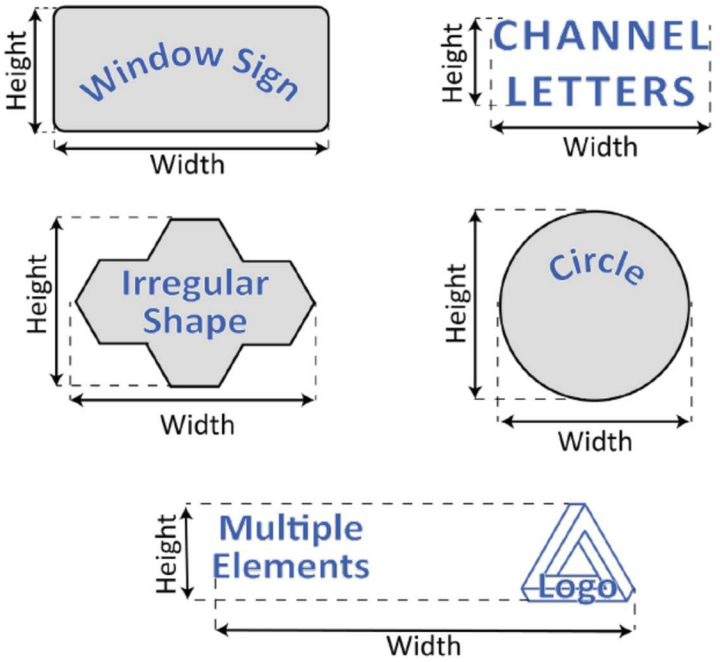
Figure 9-2: Computation of Sign Area



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9.2 REGULATIONS OF SIGN TYPES

9.2.1 OVERVIEW OF SIGN TYPES

The following sign types are permitted in the following districts subject to the standards established for each corresponding sign type.

Sign Type and Description	Example	Permitted Districts
Building Signs		
Awning Sign: Any sign that is attached to or part of the valance or face of an awning attached to the ground floor of a commercial storefront or tenant space.		C-1, C-2, S-1, I-1, N-C, D-MU, R-TR, R-M, O-S

Band Sign: A horizontally oriented sign that is flat against the facade and placed directly above a ground floor main entrance of a commercial store front or tenant space.		C-1, C-2, S-1, N-C, D-MU, O-S
Canopy Sign: A sign attached to the face of a canopy that is either (a) mounted to a building or (b) part of a freestanding canopy structure on the same site as a fuel dispensing use.		C-1, C-2, S-1, I-1, N-C, D-MU, R-TR, R-M, O-S
Projecting Sign: Sign other than a "hanging sign," attached to and projecting perpendicular from a building facade.		NC, D-MU, C-1, C-2
Wall Sign: Any sign painted on or attached flat and parallel to the exterior wall or surface of a building or other structure and which projects not more than 12 inches from that wall or surface.		C-1, C-2, S-1, I-1, N-C, D-MU, O-S
Ground-Mounted Signs		
Decorative Post Sign: A sign which is attached to a decorative post using a horizontal arm for support or a monument sign which is support between two decorative posts		O-S, R-C, GR-1, GR-2, R-M, R-MHP, N-C, C-1, D-MU C-2, S-1, I-1, R-TR

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Development Entrance Sign: Ground mounted sign located at the entrance to a development, subdivision, or office park where two or more separate tenants occupy the same parcel or where the intent is for the development to function as a single center.		O-S, R-C, GR-1, GR-2, R-M, R-MHP, C-2, S-1, I-1
Monument Sign: A ground-mounted sign with a solid base that is at least as wide as the sign itself. It is permanently fixed to the ground and not supported by visible poles or posts		O-S, R-C, GR-1, GR-2, R-M, R-MHP, C-1, D-MU C-2, S-1, I-1
Special Purpose Signs		
Directory Sign: Small sign mounted flat against the building facade or applied or mounted directly to the building facade at the primary entrance on the ground floor.		C-1, C-2, S-1, I-1, N-C, D-MU, O-S
Hanging Sign: Small sign that hangs from a bracket, beam, or similar feature attached to a building facade		N-C, D-MU, C-1, R-TR
Menu Board Sign: A sign permanently affixed to a structure or freestanding sign located adjacent to a drive-through lane, walk-up window, or other external point of sale.		C-2
Window Sign: A sign affixed to, placed within, or painted on a window or glass door that is intended to be visible from the outside		C-1, C-2, S-1, I-1, N-C, D-MU

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9.2.2 Sign Types Permitted by District

District Description	Open Space	Residential Conservation	General Residential 1	General Residential 2	Transitional Residential	Residential Multi-Family	Residential Manufactured Home Park	Neighborhood Commercial	Downtown Mixed Use	Central Business	Commercial	Services	Industrial
Sign Type	**O-S**	**R-C**	**GR-1**	**GR-2**	**R-TR**	**R-M**	**R-MHP**	**N-C**	**D-MU**	**C-1**	**C-2**	**S-1**	**I-1**
BUILDING SIGNS													
Awning Sign	P				P	P		P	P	P	P	P	P
Band Sign	P							P	P	P	P	P	
Canopy Sign	P				P	P		P	P	P	P	P	P
Projecting Sign								P	P	P	P		
Wall Sign	P								P	P	P	P	P
GROUND-MOUNTED SIGNS													
Decorative Post Sign	P	P	P	P	P	P	P	P	P	P	P	P	P
Development Entrance Sign	P	P	P	P		P	P				P	P	P
Monument Sign	P	P	P	P		P	P		P	P	P	P	P
SPECIAL PURPOSE SIGNS													
Directory Sign								P	P	P	P	P	P
Hanging Sign					P			P	P	P			
Menu Board Sign											P		
Window Sign								P	P	P	P	P	P

9.2.3 Building Signs

Building signs include the following as described below in this section:

1. Awning Signs,
2. Band Signs,
3. Canopy Signs,
4. Projecting Signs,
5. Wall Signs.

Primary structures are permitted up to two (2) building signs per facade fronting a street right of way. Other facades visible from a street right-of-way are permitted one (1) Building Sign.

A. Awning Sign

DESCRIPTION	
Any sign that is attached to or part of the valance or face of an awning attached to the ground floor of a commercial storefront or tenant space.	
STANDARDS	
Permitted Districts	C-1, C-2, S-1, I-1, N-C, D-MU, R-TR, R-M, O-S
Quantity	Maximum of one per primary entrance per ground floor storefront.
Sign Area	Not greater than 60-percent of the awning valence, or 35 percent of the awning face.
Placement	Awning valence or awning face.
Height	Minimum of 7 feet, maximum of 16 feet
Materials	Opaque canvas, cotton, or similar natural materials with lettering painted, screen printed, or appliqued,
Lighting	Sign illumination not permitted; however, awning may integrate illumination for the purpose of lighting the sidewalk or entrance below where the light source is fully shielded and directed downward

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B. Band Sign

DESCRIPTION	
A horizontally oriented sign that is flat against the facade and placed directly above a ground floor main entrance of a commercial storefront or tenant space.	
STANDARDS	
Permitted Districts	C-1, C-2, S-1, N-C, D-MU, O-S
Quantity	Maximum of one per primary entrance per ground floor storefront
Sign Area	Maximum of 1.5 square feet per linear storefront/tenant space
Placement	The sign must be applied to the ground floor facade, extending not more than one foot from the building facade and not extending above the roofline. The sign shall be vertically aligned with the center of an architectural feature, such as a retail storefront or entrance, or centered over the space occupied by the business.
Materials	Brick, stone, wood, metal, or a composite material that has the same properties
Lighting	May be externally or internally illuminated, except that band signs within C-1 District may only be externally illuminated.
Additional Standards for the C-1 District	A Band Sign is required in lieu of a wall sign for structures constructed with an architectural sign band feature.

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C. Canopy Sign

DESCRIPTION	
A sign attached to the face of a canopy that is either (a) mounted to a building or (b) part of a freestanding canopy structure on the same site as a fuel dispensing use.	
STANDARDS	
Permitted Districts	C-1, C-2, S-1, I-1, N-C, D-MU, R-TR, R-M, O-S
Quantity	One sign is permitted per visible canopy façade visible from a public right-of-way or internal drive aisle.
Sign Area	Maximum sign area per canopy façade shall not exceed 1.5 square feet per linear foot of the associated building or canopy façade, up to a maximum of 90% of the length of that canopy façade or 120 square feet, whichever is less.
Placement	The sign shall not extend greater than one foot from the canopy and shall not project above or below the canopy or be located above the building roofline
Materials	Metal or composite material
Lighting	May be externally or internally illuminated
Additional Standards for Fuel Canopy	For sites with a fuel dispensing use, allowable canopy signage shall be calculated separately from signage permitted on the primary structure. Signage on the fuel canopy shall not reduce or limit the amount of signage otherwise permitted on the primary building on the same site.

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D. Projecting Sign

DESCRIPTION	
Sign other than a "hanging sign," attached to and projecting perpendicular from a building facade.	
STANDARDS	
Permitted Districts	N-C, D-MU, C-1, C-2
Quantity	Maximum one per building frontage where a "sign band sign" or "wall sign" is not present
Sign Area	One square foot per linear foot of building facade up to a maximum of 30 square feet
Height	The sign shall not project below the window header on the first floor and must have at least 7 feet clearance from the bottom of the sign or sign bracket to the ground immediately below the sign. The sign shall not extend above the cornice of a two-story building, or above the third story window sill of a building greater than two stories.
Materials	Metal or composite material
Lighting	May be externally or internally illuminated
Additional Standards	May extend a maximum of 4 feet perpendicular to the building facade, inclusive of brackets and sign. Sign and frame may not exceed 18 inches in width.

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E. Wall Sign

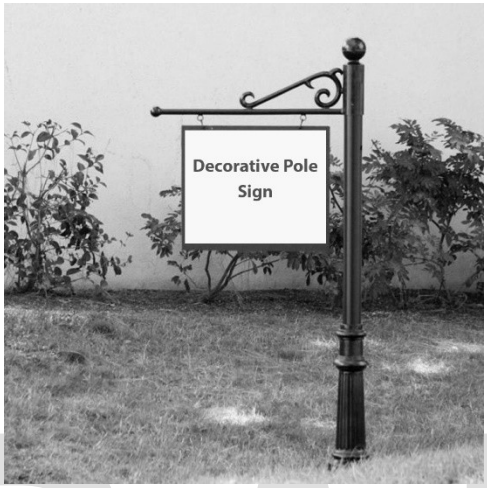
DESCRIPTION	
Any sign painted on or attached flat and parallel to the exterior wall or surface of a building or other structure and which projects not more than 12 inches from that wall or surface.	
STANDARDS	
Permitted Districts	C-1, C-2, S-1, I-1, N-C, D-MU, O-S
Quantity	Maximum of one sign per building facade without a Band Sign or Projecting Sign. Buildings with 4 or more tenants may have one wall sign per facade in addition to band signs permitted by this Ordinance.
Sign Area	In the C-1 District: 10-percent of wall area not to exceed 150 square feet All other districts: 20-percent of wall area not to exceed 150 square feet
Placement	Maximum height shall be the roofline of the uppermost full story. Sign may project up to one foot from the building facade
Materials	Wood, metal, stone, brick or a composite material with similar properties and appearance
Lighting	External or internal illumination

9.2.4 GROUND MOUNTED SIGNS

Gound Mounted Signs include the following as described below in this section:

1. Decorative Pole Sign
2. Development Entrance Sign
3. Monument Sign

B. Decorative Pole Sign



DESCRIPTION	
A sign attached to a decorative post using a horizontal arm for support or a monument sign which is support between two decorative posts	
STANDARDS	
Permitted Districts	O-S, R-C, GR-1, GR-2, R-M, R-MHP, N-C, C-1, D-MU C-2, S-1, I-1, R-TR
Quantity	Maximum of one (1) sign per lot per street frontage where another ground mounted sign does not exist.
Sign Area	Maximum of 24 square feet.
Placement	Minimum of 18 inches from right-of-way or back of sidewalk
Height	Maximum of 8 feet above the center line of the closest adjacent street.
Materials	Brick, stone, wood, metal or composite material. Materials utilized in the sign structure shall be complimentary to those utilized for structures in the same development.
Lighting	External
Landscaping	Must be located in a landscaped area designed to not impede vehicular or pedestrian circulation. At a minimum, the landscaped area shall include ground cover such as turf, low-growing plants, or mulch, and may include additional decorative plantings.
Additional Standards for Sign Structure	The maximum size of the sign and sign structure shall not exceed 8 feet in height above the center line of the closest adjacent street.
Additional Standards for the GR-1 and GR-2 Districts	Decorative Pole Signs are only permitted in the GR-1 and GR-2 districts at the entrance of a subdivision or within common recreational areas or facilities.

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Additional Standards for the C-1 District	Decorative Pole Signs are only permitted in the C-1 district as part of a parking lot with 20 or more spaces.

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C. Development Entrance Sign

DESCRIPTION	
Ground mounted sign located at the entrance to a development, subdivision, or office park where two or more separate tenants occupy the same parcel or where the intent is for the development to function as a single center or neighborhood.	
STANDARDS	
Permitted Districts	O-S, R-C, GR-1, GR-2, R-M, R-MHP, C-2, S-1, I-1
Quantity	Maximum of two (2) signs per primary entrance drive, with one sign permitted on either side of the entrance where no other ground-mounted signage exists on the same street frontage of the same parcel
Sign Area	Residential Districts – Maximum 20 square feet Non-Residential Districts – Maximum 40 square feet
Placement	Minimum of 5 feet from the property line and minimum 5 feet from an entrance drive. The sign may be constructed within or attached to a freestanding wall.
Height	Maximum of 6 feet above the center line of the closest adjacent street.
Materials	Brick, stone, wood, metal or composite material. Materials utilized in the sign structure shall be complimentary to those utilized for structures in the same development.
Lighting	External or internal illumination, except that residential development entrance signs may only be externally illuminated.
Landscaping	Must be located in a landscaped area that does not impede vehicular or pedestrian circulation. At a minimum, the landscaped area shall include ground cover and low-growing plants such as ornamental grasses, shrubs, or perennials, and may also include mulch or decorative stone to ensure year-round visual interest and integration with the surrounding site design.

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D. Monument Sign

DESCRIPTION	
A ground-mounted sign with a solid base that is at least as wide as the sign itself. It is permanently fixed to the ground and not supported by poles or posts	
STANDARDS	
Permitted Districts	O-S, R-C, GR-1, GR-2, R-M, R-MHP, C-1, D-MU, N-C, C-2, S-1, I-1
Quantity	Maximum of one (1) sign per lot per street frontage where another ground mounted sign does not exist on the same parcel
Sign Area	Property zoned C-1: Maximum of 6 square feet. Property zoned D-MU: • 0-75 linear feet of street frontage – maximum 12 square feet • 76-150 linear feet of street frontage – maximum of 18 square feet • 151+ linear feet of street frontage – maximum of 24 square feet All other districts: • 0-150 linear feet of street frontage – maximum 40 square feet • 151-300 linear feet of street frontage – maximum 80 square feet • 301+ linear feet of street frontage maximum of 120 square feet.
Placement	Minimum of 18 inches from right-of-way
Height	Property zoned C-2, S-1, I-1: Maximum of 16 feet above the center line of the closest adjacent street. Property zoned O-S, R-C, GR-1, GR-2, R-M, R-MHP, C-1, D-MU and N-C: Maximum of 6 feet above the center line of the closest adjacent street.
Materials	Brick, stone, wood, metal or composite material. Materials utilized in the sign structure shall be complimentary to those utilized for structures in the same development.
Lighting	External or internal
Landscaping	Must be located in a landscaped area that does not impede vehicular or pedestrian circulation. At a minimum, the landscaped area shall include ground cover and low-growing plants such as ornamental grasses, shrubs, or perennials, and may also

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	include mulch or decorative stone to ensure year-round visual interest and integration with the surrounding site design.
Additional Standards for Sign Structure	The maximum size of the sign and sign structure shall not exceed 120 square feet in area or 7 feet in height above the center line of the closest adjacent street. ▪ For single-tenant property: maximum sign size is 40% of sign structure ▪ For multi-tenant property: maximum sign size is 60% of sign structure
Electronic Displays	Electronic displays, including changeable copy messages, may be permitted in the C-2 and I-1 districts, and on sites in any district where the primary use is a community facility such as a school, place of worship, or government/institutional use. The display shall not exceed 40 percent of the total sign area and must be integrated into the primary sign structure. Electronic displays must comply with the Illumination section of this ordinance.
Additional Standards for the C-1 District	Monument Signs are only permitted in the C-1 district as part of a parking lot with 20 or more spaces.

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9.2.5 Special Purpose Signs

Pedestrian Oriented Signs include the following as described below in this section:

1. Directory Sign
2. Hanging Sign
3. Menu Board Sign
4. Window Sign.

A. Directory Sign

DESCRIPTION	
Small sign mounted flat against the building facade or applied or mounted directly to the building facade at the primary entrance on the ground floor.	
STANDARDS	
Permitted Districts	C-1, C-2, S-1, I-1, N-C, D-MU, O-S
Quantity	Maximum one per ground floor entrance per street-facing building facade
Sign Area	Maximum 5 square feet per sign
Projection	Maximum of six (6) inches from building facade
Materials	Brick, stone, wood, metal, or composite with the same properties or appearance
Lighting	Internal or external illumination where directed solely to the sign face

B. Hanging Sign

DESCRIPTION	
Small sign that hangs from a bracket, beam, or similar feature attached to a building facade.	
STANDARDS	
Permitted Districts	N-C, D-MU, C-1, R-TR
Quantity	One per primary entrance to a building
Sign Area	Maximum 4.5 square feet per side, with up to 2 sides
Placement	Projecting perpendicular to the building facade, protruding a maximum of 4 feet from the building facade on which it is mounted measured to the farthest point of the sign or bracket.
Height	Minimum 7-foot clearance from sidewalk or entry floor
Materials	Metal, wood or a composite material of similar properties and appearance
Lighting	External illumination only

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C. Menu Board Sign

DESCRIPTION	
A sign permanently affixed to a structure or freestanding sign located within five (5) feet of a drive-through lane, walk-up window, or other external point of sale.	
STANDARDS	
Permitted Districts	C-2
Applicability	This section applies only to Menu Board signs visible from a public right-of-way
Quantity	Maximum of one sign per drive-through lane, walk-up window, or other external point of sale
Sign Area	For freestanding signs, maximum of 45 square feet per sign for the first two signs, and maximum of 6 square feet per each additional point of sale. For building-mounted signs, maximum of 6 square feet per walk-up window.
Placement	Sign shall be located within six (6) feet of a drive-through communication system, walk-up window, or external point of sale. Signs must be set back a minimum of 20 feet from a public right-of-way.
Height	Maximum 8 feet in height
Materials	Must be constructed of wood, metal or a composite material with similar properties. May not be constructed with unfinished wood or plywood
Lighting	Internal or external illumination
Additional Standards	May transmit sound as part of a business transaction. Speakers must not be audible beyond the boundaries adjacent to or across the street from the subject property, and must be oriented away from or shielded from any adjacent residential property

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D. Window Sign

DESCRIPTION	
A sign affixed to, placed within, or painted on a window or glass door that is intended to be visible from the outside	
STANDARDS	
Permitted Districts	C-1, C-2, S-1, I-1, N-C, D-MU
Quantity	Maximum one per ground floor window or door
Sign Area	20% of the area of each individual window
Placement	Ground floor window or door, affixed directly to the glass
Materials	Vinyl, paint, etched or frosted film, perforated film, chalk or liquid marker
Lighting	No direct illumination

9.2.6 SIGNS WITHIN THE CENTRAL BUSINESS DISTRICT (C-1)

Signs within the Central Business District shall also comply with the following requirements:

a. Signage shall be of a size, scale and design compatible with the architecture of the district and the building to which it is attached. Signs shall obscure architectural elements such as columns, cornices, arches and balconies.

b. Letters can be painted or mounted directly on a signboard, storefront, wall or window, but should be in proportion to the storefront. Acceptable lettering materials include wood, stone, synthetic stone, dimensional plastic, or acrylic.

9.3 DEFINITIONS

Abandoned – A sign which meets any of the following conditions

1. The sign advertises or identifies a business, service, product, event, or activity that has not been conducted on the premises for a period of 90 consecutive days or more;
2. The business to which the sign pertains has closed, relocated, or had its business license revoked or expired for more than 90 days;
3. The sign structure remains but the face has been removed or left blank for more than 90 days;
4. The sign is damaged, weathered, or vandalized to the extent that it no longer communicates the intended message or presents a neglected appearance.

Awning - lightweight, fabric-covered structure attached to a building, extending over a window, door, or walkway to provide shade or shelter

Canopy - roof-like structure that extends outward from a building facade or supported by posts or column, providing shelter or shade over entrances, walkways, or outdoor spaces

Construction Fence Wrap - temporary sign or graphic material affixed to a construction safety fence or screening barrier that is used to obscure views into a construction site, enhance aesthetics, promote the future development, or provide public information

Pole Banner - sign, typically made of fabric, vinyl, or similar materials, mounted to a vertical pole or post for display purposes. These banners are commonly used for decorative, informational, or promotional purposes and may be temporary or permanent in nature and attached to the pole via brackets or other fasteners and are visible from the public right-of-way

Electronic Sign Display - portion of a sign that uses electronic or digital technology to display messages, images, or text. This type of display can change its content either manually or automatically, using technologies such as LED, LCD, or other similar methods

Flag - A piece of cloth or similar flexible material, typically rectangular, attached by one edge to a pole or halyard and designed to move freely in the wind. Flags are used to display the emblem, insignia, or logo of a government, civic, non-profit, or corporate organization. A flag does not include feather flags, teardrop banners, sail banners, or

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other similar attention-attracting devices supported by flexible or ground-mounted poles intended for advertising or promotional use.

Free-standing Vending or Dispensing Unit - self-contained, non-permanently affixed machine or device located outdoors that dispenses goods, services, or information directly to the public without the assistance of an attendant. Examples include automated teller machines (ATMs), newspaper racks, ice machines, propane tank exchanges, ticket kiosks, and self-service beverage or snack machines.

Holiday Decoration - temporary display of lights, ornaments, figures, or other decorative elements associated with a nationally recognized holiday or seasonal celebration.

Nuisance (for signage purposes) - A sign or display that creates a demonstrable safety hazard, obstructs required access, or violates electrical, building, or fire codes.

Sandwich Board - A pair of advertisement boards connected at the top by straps or hinge designed to be placed on the sidewalk in front of a retail storefront or tenant space

Sign - Any device, fixture, placard, or structure that uses color, form, graphic, illumination, symbol, or writing to advertise, announce, or identify a person or entity or to communicate information of any kind.

Storefront - exterior face or façade of a commercial building, typically the portion facing the public right-of-way, that includes the entryway, windows, and any signage.

Temporary Construction Sign - temporary sign placed on a property undergoing development or redevelopment that identifies information such as the project name, developer, contractor, design professionals, financial institutions, future tenants, or expected completion date. Such signs are intended for informational purposes during the period of active construction.

Temporary Sign - sign that is intended for short-term use, is not permanently installed or affixed to the ground or a structure. Temporary signs may include, but are not limited to, signs advertising events, sales, construction activities, or other time-limited occurrences. Temporary signs are not intended for ongoing business identification or permanent messaging.

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ARTICLE 10. DEFINITIONS

10

Except where specifically defined herein, all words used in this Ordinance shall carry their customary meanings. Words used in the present tense include the future tense; the singular number includes the plural. The word "shall" is mandatory, not directory.

10.1 A

Abandonment. The relinquishment of maintenance responsibilities on a roadway by the Engineering/Maintenance Division of the Public Works Department.

Accessory Dwelling Unit. A secondary dwelling unit established in conjunction with and clearly subordinate to a principal dwelling unit, whether a part of the same structure as the principal dwelling unit or a detached dwelling unit on the same lot.

Accessory Use. A use of land or of a building or portion thereof customarily incidental to the principal use of the land or building and located on the same lot with such principal use. For the purpose of this Ordinance, accessory uses include swimming pools, game courts, and satellite dish antennas and shall meet the requirements of Article 4 Table of Permitted Uses and Article 6 Conditional Uses.

Agriculture. The keeping, grazing, or feeding of livestock; croplands; aquaculture; horticulture; silviculture; and/or apiaries. This definition does not include processing or distribution plants for agricultural products and supplies.

Agritourism. Events and activities conducted on a working farm offered to the public or to invited groups for the purpose of recreation, education, or active involvement in the farm operation, and that are related to agriculture or natural resources and directly associated with and incidental to on-going

agricultural activity on-site. Agritourism includes, but is not limited to, farm tours, hayrides, corn mazes, petting zoos, classes related to agricultural products or skills, and picnic and party facilities offer in conjunction with such activities.

Alley. A minor, permanent private service-way which is used for secondary vehicular access to the back or the side of properties which otherwise have primary vehicular access to a public street. All alleys are to be privately maintained with measures to ensure that the travel way is not obstructed in any manner, including parking.

Approved or Approval. A final action by the City of Fountain Inn, county governing body, or boards or commissions which results in the authorization of a proposed use, site specific development plan or a phased development plan.

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.

Architectural Metal. A metal sheet that is fabricated and modified into a variety of shapes and sizes to enhance the appearance of a structure.

Articulate. To give emphasis to or distinctly identify a particular element. An articulated exterior wall would be the emphasis of elements on the face of a wall including a change in setback, materials, roof pitch or height.

Arboretum or botanical garden. Land where trees, shrubs, and/or other living plants are grown, exhibited or labeled for scientific, educational, conservation, or passive recreational purposes, not including the harvest of plants or their produce.

Arena, stadium or outdoor theater. A building or structure designed or intended for use for spectator sports, entertainment events, expositions, and other public gatherings. Such uses may or may not include lighting facilities for illuminating the field or stage area, concessions, parking facilities, and maintenance areas. Examples include sports stadiums, amphitheaters, and drive-in movie theaters.

Artisan goods production. Application, teaching, making, or fabrication of crafts or products by an artist, artisan or craftsperson either by hand or with minimal automation and may include direct sales to consumers. This definition includes uses such as small-scale fabrication, manufacturing, and other industrial uses and processes typically not permitted in non-industrial zoning districts such as welding and sculpting.

Artist studio. Work space for one or more artists or artisans, including space for the accessory sale of art produced on the Premises.

Auction house. A place where the property of others, such as objects of art, furniture, and other goods (except livestock), are offered by a broker or auctioneer for sale to persons who bid on the items in competition with each other at scheduled sales periods or events.

Automated Teller Machine (ATM). Events and activities conducted on a working farm offered to the public or to invited groups for the purpose of recreation, education, or active involvement in the farm operation, and that are related to agriculture or natural resources and directly associated with and incidental to on-going agricultural activity on-site. Agritourism includes, but is not limited to, farm tours, hayrides, corn mazes, petting zoos, classes related to agricultural products or skills, and picnic and party facilities offer in conjunction with such activities.

10.2 B

Bakery. A facility for the production and sale of baked goods and confectioneries, primarily for retail sales to customers of the facility.

Bank An establishment that provides retail banking services, mortgage lending, or similar financial services. Accessory uses may include automated teller machines and drive-through facilities. This use does not include non-depository personal credit institutions.

Bar. An Eating/Drinking Establishment providing or dispensing by the drink for on-site consumption alcoholic beverages and in which the sale of food products such as sandwiches and light snacks is secondary. A bar may include provision of live entertainment and/or dancing; however, a bar shall not include any adult business use.

Bed and Breakfast, Home Stay. A residential-type lodging facility that has one to three guestrooms and that serves only breakfast to registered guests.

Bed and Breakfast Inn. Residential-type lodging facilities that have three to ten guestrooms and that serve only breakfast to registered guests.

Berm. An earthen mound formed to shield undesirable views, decrease noise, and/or add topographical interest. The slope of a berm should not exceed a rise of one foot in two horizontal feet.

Block. A piece or parcel of land entirely surrounded by public streets.

Borrow Pit. An excavated area where naturally occurring earthen materials are to be removed for use as ordinary fill at another location.

Brewpub. A use that manufactures not more than 2,000 barrels of beer per calendar year for on-premise consumption. May serve beer or wine produced off-premise for on-premise consumption, or sell food for on-premise consumption.

Broadcasting Studio. A building or portion of a building used as a place to stage, record, and broadcast content for radio, television, or other broadcast media.

Buffer. See also "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.

Building. Any structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of any person, process, equipment, or goods.

Building, Accessory. A structure attached to or detached from a principal building on the same lot and customarily incidental in use to the principal building.

Building, Principal. A building in which is conducted the principal use of the lot.

Building Footprint. The exterior outline of a structure where it meets the earth.

Building permit. A written license or permit issued by a local building official that authorizes the construction or renovation of a building or structure at a specific location.

Building Setback Line. A line establishing the minimum allowable distance between the nearest portion of any building, excluding steps, gutters, and similar fixtures, and the property line when measured perpendicularly thereto.

Building supply sales. An establishment that sells lumber and may also sell roofing, siding, shingles, wallboard, paint, brick, tile, cement, sand, gravel, and other building materials and supplies, to the general public.

10.3 C

Caliper. A unit of physical measure for defining the diameter of a newly planted tree measured six inches above ground level.

Campground. An outdoor facility designed for overnight accommodation of persons in recreational vehicles, tents, rustic cabins, and/or shelters for recreation, education, naturalist, or vacation purposes. Accessory uses may include office, retail, and other commercial uses commonly established in such facilities and related parking facilities.

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Canopy. A roof-like, unenclosed (except when connected to a building) shelter having various means of support and generally used for protection from weather for pedestrians.

Car wash. An establishment primarily engaged in cleaning or detailing personal vehicles (cars or light trucks), whether full service, self-service, automatic or by hand.

Catering. An establishment whose principal business is to prepare food on-site, then to transport and serve the food off-site. This use includes a commercial kitchen. No business consumption of food or beverages is permitted on the premises.

Certificate of Occupancy. A statement, signed by the zoning administrator, setting forth that the building, structure, or use complies with the Zoning Ordinance and that the same may be used for the purpose stated herein.

Chicanes. Curb extensions that alternate from one side (or both sides) of the street to the other, forming S-shaped curves.

City Council. Shall refer to the City Council of Fountain Inn in this Ordinance.

Cluster Mailbox Unit. A freestanding, pedestal-mounted mailbox that consists of multiple mailbox compartments and parcel lockers that can lock individually.

College or University. An institution authorized to provide post-secondary courses of study and grant degrees, certificates, and/or diplomas.

Commercial recreation, indoor. An indoor establishment that is maintained or operated for the amusement, patronage, or recreation of the general public, members, or paying customers, including: amusement arcades; bowling centers; skating rinks; theaters, motion picture, other than drive-ins, paintball, airsoft and other similar uses.

Commercial recreation, outdoor. An outdoor establishment that is maintained or operated for the amusement, patronage, or recreation of the general public, members, or paying customers, including: amusement or water parks; fairgrounds; batting cages; billiard parlors; go-cart, motorcycle and similar small vehicle tracks; miniature golf courses; freestanding golf driving ranges, and other similar uses; paintball and airsoft facilities are included within this use.

Commercial Vehicle. Means

A. Any motor vehicle, trailer, or semi-trailer that:

   1. Is designed or used to carry freight, other vehicles, equipment, passengers for a fee, or merchandise in the furtherance of any business enterprise; and

2. Has a gross weight of more than 10,000 pounds;

B. Any step van or truck that is designed for commercial moving or parcel delivery services;

C. Any truck that is used for retail sales (e.g., ice cream, lunches);

D. Any vehicle with more than four wheels that is used for business purposes;

E. Any trailer that is used to haul machinery, supplies, or equipment for business purposes (horse trailers, boat trailers, motorcycle trailers, RV trailers, and car trailers put to personal use are not included in the definition);

F. Any trailer that is used for commercial hauling (e.g., waste, junk, or lawn clippings), or commercial moving services;

G. Any tracked vehicle used for construction or excavation; and

H. Any vehicle which has permanently mounted outside brackets or holders for ladders, tools, pipes, or other similar equipment, unless such vehicle is used for on-call emergency services contracted by the City or other governmental entity.

Communication and Information. A use classification for establishments that produce or distribute information, including publishing, motion pictures and sound recording, telecommunications and broadcasting, and information services and data processing industries

Community Food Services. Establishments primarily engaged in the collection, preparation, and delivery of food for the needy. Establishments may also distribute clothing and blankets to the poor; prepare and deliver meals to persons who by reason of age, disability, or illness are unable to prepare meals for themselves; collect and distribute salvageable or donated food; or prepare and provide meals at fixed or mobile locations. Food banks, meal delivery programs, and soup kitchens are included in this use type.

Community Garden. A private or public facility for cultivation of fruits, flowers, vegetables, or ornamental plants by more than one person, household, family, or non-profit organization for personal or group use, consumption, or donation. Community gardens may be divided into separate plots for cultivation by one or more individuals or may be farmed collectively by members of the group and may include common areas maintained and used by group members.

Community Recreation Center. A place, building, area, or other facility used for providing social and recreation programs and facilities. The center may be private or

public and may be designed to accommodate and serve specific residential developments or significant segments of the community.

Communication Tower. A tower of any size which supports communication (broadcast or receiving) equipment utilized by commercial governmental or other public and quasi-public users. This does not include private home use of satellite dishes and television antennas, or amateur radio operators as licensed by the Federal Communications Commission.

Conditionally approved or conditional approval. An interim action taken by the City of Fountain Inn that provides authorization for a site specific development plan or a phased-development plan which is subject to further approval.

Consumer goods repair. The maintenance and rehabilitation of consumer goods and appliances customarily used in the home, not including vehicle repair, commercial and industrial equipment repair, or specialized equipment repair.

Consumer goods store. An establishment of 90,000 square feet or less that sells consumer goods at retail, such as department stores; variety stores; apparel and accessory stores; used merchandise stores; tobacco products stores; newspaper and magazine stores; florists; retail nurseries and lawn and garden supply stores; paint, glass, and wallpaper stores; hardware stores; and furniture and home furnishing stores.

Consumer goods store, large. An establishment larger than 90,000 square feet that otherwise meets the definition of "consumer goods store."

Contractor's office. A building or portion of a building used by a building, heating and air conditioning, plumbing, or electrical contractor, or contractor providing similar services, both as an office and for the storage of a limited quantity of materials, supplies, and equipment inside the building. If outdoor storage of materials, supplies, or equipment is associated with the office, the use is considered a contractor's yard.

Contractor's yard. A lot or portion of a lot or parcel used for outdoor storage and maintenance of construction equipment and other materials and facilities customarily required in the building trade by a construction contractor.

Cottage Court Subdivision. A group of single-family homes built in close proximity to one another fronting a central green, lawn, or garden with additional land around the homes owned in common by the residents of the development.

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Cemetery. A place used for the permanent interment of dead human bodies (or their cremated remains) or pet animal bodies. A "Cemetery" may include a mausoleum or columbarium but does not include a crematory.

Consumer goods repair. The maintenance and rehabilitation of consumer goods and appliances customarily used in the home, not including vehicle repair, commercial and industrial equipment repair, or specialized equipment repair.

Construction. Any new construction, reconstruction, alteration or expansion requiring a permit accordance to the SC Building Code.

Construction and inert debris, landfill. A landfill used to dispose of construction and demolition type debris.

Construction site office or storage. A temporary office structure and one or more sheds used by for the staging, management, and security of new construction and for the storage of materials on an active construction site.

Continuing Care Community. A development that provides a continuum of accommodations and care, from independent living to convalescence care and long-term skilled nursing care, and enters into contracts to provide lifelong care. A continuing care community typically includes a full range of living arrangements from independent living, congregate housing, residential care and skilled nursing and sometimes hospice care. Continuing care communities provide a range of ancillary facilities and services such as health care, meals with common dining facilities, physical therapy, education, recreation, and other social and cultural activities.

Convenience store. A retail store of 5,000 square feet or less in gross floor area, which carries a range of merchandise oriented to daily convenience and travelers' shopping needs. These stores may be part of a gasoline service station or an independent facility.

Correctional Facility. A publicly or privately operated facility to house persons awaiting trial or persons serving a sentence after being found guilty of committing a crime.

Cul-de-sac. A street having one end open to traffic and being permanently terminated by a vehicular turnaround of circular design.

Cutoff Fixture. An outdoor light fixture shielded or constructed in such a manner than no more than two and one-half (2 ½) percent of the total light emitted by the fixture is projected above the horizontal plane of the fixture.

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10.4 D

Daycare Facility (Adult and Child). A state licensed, registered or approved facility which provides care, supervision or guidance for any person who is not related by blood, marriage or adoption to the owner or operator of such a facility, whether or not the facility is operated for profit and whether or not the facility makes a charge for services offered by it. This definition includes but is not limited to day nurseries, nursery schools, pre-kindergarten programs, adult daycare centers, child day care centers, group day care homes and family day care homes. For purposes of this Ordinance, "day care facility" does not include

1. Any education facility, whether private or public, which operates solely for educational purposes for grades kindergarten or above.

2. Facilities operated in connection with a shopping center, industrial or office building or service, or other facility, where the same children are cared for while parents or custodians of the children are occupied on the premises or are in the immediate vicinity and immediately available.

3. Summer resident or day camps.

Day Care Home (Child). One in which care is given in a family home for one (1) and not more than six (6) children. Not more than one (1) person other than those residing in the home may be involved in the day-to-day operation of the child care home.

Dedication. A deeded, prescriptive, or acknowledged proof by maintenance activity right-of-way, unless otherwise stated, grants an easement to the traveling public and does not convey the fee.

Developable Land. Land which is suitable as a location for structures.

Development Plan. Plan for property prior to development.

Diameter at Breast Height (DBH). Tree trunk diameter measured 4½ feet above ground level.

Dormer. A window set vertically in a gable projecting from a sloping roof.

Drainage Plan. A site plan showing contours, drainage structures, (including, but not limited to pipes, ponds, ditches, etc.), anticipated flow calculations, destination of runoff to nearest identifiable drainage way, and any other data required to clearly define the proposed drainage system.

Drive-through Facility. A facility used to provide products or services to customers who remain in their vehicles, whether through a window or door in a building, a

machine in a building or detached structure (e.g., ATM), or via a mechanical device (e.g., a pneumatic tube system). In addition to the pick-up window or door, drive-through service facilities also may include remote menu boards and ordering stations. Use types that commonly have drive-through service include banks, fast food restaurants, and drugstores.

Drugstore. A retail store engaged in the filling and sale of prescription drugs and the sale of medical supplies, nonprescription medicines, and related goods and services. It may also sell nonmedical goods such as cosmetics, toiletries, cards, and candy. Accessory uses may include automated teller machines (ATMs) and facilities providing drive-through service.

Dwelling. Any building used exclusively for human habitation, including any permitted home occupation but excluding hotels, motels, and rooming and boarding houses.

Dwelling, Cottage Court. A group of single-family homes built in close proximity to one another fronting a central green or lawn with additional land around the homes owned in common by the residents of the development.

Dwelling, Live-Work, A building or portion of a building combining a dwelling unit with an integrated work space.

Dwelling, Multi-Family. A building or a group of buildings, including a portion thereof, containing five or more dwelling units, with the exception of Multifamily located above a ground floor non-residential use, which may include one to two units only on a single lot where each unit has a separate entrance from the outside or through a common vestibule. The dwelling units may be located side by side in a horizontal configuration or stacked one above the other in a vertical configuration, sharing common vertical walls or horizontal floors and ceilings. A Multifamily structure where dwelling units are available for lease or rent for less than one month is be considered lodging.

Dwelling, Single-Family. A residential building containing only one dwelling unit and not occupied by more than one family.

Dwelling, Single-Family Attached. Two or more single-family dwelling units each with its own outside entrance, which are generally joined together by a common party wall or connecting permanent structures such as breezeways, carports, or garages, where such a group on adjoining individual lots. For the purpose of this Ordinance, dwellings such as garden court dwellings, patio houses, rowhouses, townhouses, or zero lot line dwellings shall be treated as single-family attached dwellings.

Dwelling, Single-family detached. A single-family dwelling unit that is not attached to any other dwelling unit by any means.

Dwelling, Three or Four Family. A building, commonly known as a"triplex" that contains three dwelling units or "fourplex" or "quadplex" that contains four dwelling units, is not physically attached to any other principal structure, and is not a townhouse dwelling.

Dwelling, Townhouse. Three or more single-family dwelling units, with private entrances, which are part of a structure together where dwelling units are attached horizontally in a linear arrangement, having a totally exposed front and rear wall to be used for access, light and ventilation.

Dwelling, Two-family. A building, commonly known as a "duplex," that contains exactly two dwelling units and is not physically attached to any other principal structure. Dwelling units may be on a single lot or separate lots.

Dwelling, Upper Story. Residential dwelling units located on the upper floors of a building where the first floor of the building is used for nonresidential purposes.

Dwelling Unit. One or more rooms with cooking and toilet facilities used as a place of residence for one family.

10.5 E

Easement. A grant, by the property owner of a portion of land, for use by the public, a utility, a corporation, or person for specified purposes. No structure of any kind is permitted upon easements except that which is allowed or required in conjunction with the designated use. An easement acts as a reciprocal agreement between the subdivision property owners. Each property owner is responsible for maintaining such easement on the property. Drainage and utility easements are intended to be reciprocal easements among the subdivision property owners and not a dedication to the City and/or County.

Electric vehicle charging. A vehicle parking space served by an electrical component assembly or cluster of components assemblies (battery charging station) designed and intended to transfer electric energy by conductive or inductive means from the electric grid or other off-board electrical source to a battery or other energy storage device within a vehicle that operates, partially or exclusively, on electric energy.

• A Level 1 charging station is a slow-charging station that typically operates on a 15- or 20-amp breaker on a 120-volt Alternating Current (AC) circuit.

• A Level 2 charging station is a medium-speed-charging station that typically operates on a 40- to 100-amp breaker on a 208- or 240-volt Alternating Current circuit.

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• A level 3 charging station is an industrial grade charging station that operates on a high-voltage circuit to allow for fast charging.

Elementary, middle or high school. A public or private institution that satisfies the compulsory education laws of the State of South Carolina for kindergarten through grade 12, or some combination of those included years.

Equestrian Center. A facility designed and intended for the instruction and display of equestrian skills—including, but not limited to, show jumping and dressage—and the hosting of events, competitions, exhibitions, or other displays of equestrian skills. Accessory uses include the caring for, breeding, boarding, dealing, selling, renting, riding, or training equines. It includes barns, stables, rings, paddocks, or other related accessory structures.

Event Venue. A facility rented to individuals, groups, or organizations, and used to host gatherings such as, but not limited to, weddings, receptions, parties, and meetings. An Event Venue may be comprised of a permanent structure(s), uncovered outdoor gathering area(s), or any combination thereof. This definition does not include community recreation centers or facilities, cultural facilities (libraries, museums, etc.), places of worship, commercial lodging, or publicly-owned facilities.

Evergreen Shrub. Any self-supporting woody plant with several stems, retaining leaves throughout the year, easily maintained at 30 to 40 inches in height.

Exterior Wall. 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.

Eyebrow. The arch of a cul-de-sac covering the outer ridge of a tangent street section.

10.6 F

Family Child Care Home. A facility within a residence occupied by the operator that cares for no more than 6 children; The number includes those living in the residence and children who are related to the operator; Family Child Care Centers must be registered, but may choose to be licensed.

Farmer's market. A collection of vendors using private or publicly owned property or property owned by a not-for-profit organization for the sale of agricultural and horticultural products grown by the vendor, or for the sale of baked, canned, or preserved foods prepared by the vendor. If the farmers' market occurs regularly for all or most of the year, it is considered a principal use. If the farmers' market occurs only occasionally or periodically for only a limited time period during the year, it is considered a temporary use.

Fireworks Stands, Temporary. This facility consists of a temporary structure for the purpose of the retail sales of fireworks in accordance with the rules and regulations of the state Board of Pyrotechnics Safety, and shall be located in such a manner as to make it immobile and to prevent it from shifting or blowing over. Tie down devices shall be affixed and wheels shall be removed.

Fitness or Training Center/Studio. A non-medical service establishment intended to maintain or improve the physical condition of persons that contains exercise and game equipment and facilities, steam baths and saunas, or similar equipment and facilities, including active or fitness class facilities such as dance studios and martial arts instructional schools.

Flea market. A collection of vendors using stalls, booths, or tables for the sale of merchandise, collectibles, crafts, antiques, and other items, excluding automobiles, automobile parts, and nonportable household appliances.

Flood Light. A form of lighting designed to direct its output in a diffused, less specific direction.

Food truck. Any readily movable mobile food service establishment, including vehicles that are self-propelled, pushed, or pulled to a specific location.

Foot-Candle. A quantitative unit measuring the amount of light cast onto a given point measured as one lumen per square foot.

Forestry. Activity that involves timbering, including, but not limited to, harvesting, site preparation, controlled burning, tree planting, applications of fertilizers, herbicides, and pesticides, weed control, animal damage control, fire control, insect and disease control, forest road construction, any other generally accepted forestry practices, and forestry support activities.

Fuel sales, non-vehicular. An establishment primarily engaged in the retail sale of bottled or bulk liquefied petroleum gas, fuel oil, coal, wood, or other fuels. This does not include gasoline service stations.

Full Cutoff Fixture. An outdoor light fixture shielded or constructed in such a manner that it emits no light above the horizontal plane of the fixture.

10.7 G

Gable. A triangular wall section at the end of a pitched roof, bounded by the two roof slopes.

Garage. Yard Sale. The sale or offering for sale to the general public of over five items of personal property at one time on any portion of a lot containing a residential use, whether within or outside any building.

Garden center or retail nursery. An establishment that specializes in the retail of nursery plants or related items, which may include: plants that have been grown on the property or imported, nursery products and stock, potting soil, and other gardening materials and equipment.

Golf course. A tract of land laid out with a course for playing the game of golf, including any accessory clubhouse, driving range, office, restaurant, concession stand, picnic tables, pro shop, maintenance building, shelters, restroom facility, or similar accessory use or structure. The facility may also include public trails private trails, and golf cart paths.

Government office. A facility used for the conduct of business of a unit of government. For purposes of this Ordinance, "government office" includes offices of County, State, and federal government or their agencies that provide administrative and/or direct services to the public, executive offices, legislative offices, courts, post offices, school administrative facilities, and individual and family services.

Greenway. A greenway is a linear area maintained as open space to provide linkages between open space and recreational facilities and between these facilities and their users

Grocery/Food Store. A store that is primarily engaged in selling food at retail for home preparation and consumption, such as grocery stores, fruit and vegetable markets, and retail bakeries and other specialty food products stores. A grocery store or food market may sell non-food commodities, such as beverages, dairy, dry goods, fresh produce, and other perishable items, frozen foods, household products, and paper goods; may sell beer, wine, and/or liquor sales for consumption off the premises with the appropriate beverage license; may include a drugstore; may include a delicatessen, and prepare minor amounts of food on site for immediate consumption; and may have a restaurant as an accessory use.

Gross Leasable Area. The total floor area designed for tenant occupancy and exclusive uses, including basements, mezzanines, and upper floors, if any, expressed in square feet and measured from the center line of joint partitions and from outside wall faces.

Group Home. A residential home, provided by an agency, organization or individual, for mentally or physically handicapped persons and which is licensed by the State of

South Carolina to provide such a service. A family group home houses at most 9 residents.

Group Non-Residential Development. A building or group of buildings which consists of more than one office, commercial, retail or industrial structure erected on one or more parcels of ground developed with a common plan for the protection, maintenance and improvement of the parcels with reciprocal easements and rights in one of more of the parcels and governed by an owner's association or developed as a horizontal property regime.

Group Residential Development. A building or group of buildings containing three or more dwelling units located on one or more parcels of ground developed with a common plan for the protection, maintenance and improvement of the parcels with reciprocal easements and rights in one or more of the parcels and governed by an owner's association or developed as a horizontal property regime

10.8 H

Hazardous waste collection, storage and disposal. The collection, storage, and disposal of waste consisting of substances that, because of their quantity, concentration, or physical or chemical characteristics, pose a significant present or potential hazard to human health and safety or to the environment if released into the workplace or the environment.

Heavy vehicle wash. An establishment primarily engaged in cleaning or detailing large vehicles or commercial fleet vehicles not included in the definition of “car wash.”

Height. The vertical distance measured from the average finished grade at the front building line to the highest point of the structure.

Highway. A Street or traffic way serving as and designated as a State or United States route.

Hip Roof. Roof without gables.

Home-based business. An occupation, profession, or trade that is conducted within a dwelling unit by a resident of the dwelling unit as a use that is clearly incidental and subordinate to the residential purpose of the dwelling unit. A home-based business does not include any use that meets the definition of another accessory use listed in this Ordinance, including but not limited to, home-based day care or hosted home-based lodging.

Home-based day care. An accessory use to a single-family dwelling that consists of the provision of childcare to up to five children who do not reside in the dwelling, or

the provision of supportive services, health monitoring, protection, or supervision to up to five persons who are aged or infirm or persons with disabilities and who do not reside in the dwelling.

Home-based lodging. The provision of a dwelling or portion of a dwelling for transient occupancy. This use does not include a bed and breakfast.

Home-based lodging, hosted. The provision of a room or space that is suitable or intended for transient occupancy, as an accessory use to a dwelling, for a fee.

Horticulture. The cultivation of plants.

Hospital. An institution receiving inpatients and outpatients, that renders medical care on a 24-hours-per-day basis. The use includes general hospitals, sanitariums, sanatoriums, and institutions in which service is limited to special fields, such as cardiac, eye, ear, nose and throat, pediatric, orthopedic, skin, cancer, mental, tuberculosis, chronic disease, and obstetrics. Hospital facilities may include rooms for patients, surgery facilities, laboratories, offices of medical practitioners, and facilities for outpatient care, ambulatory care, respite care, training, medical day care and day care for sick children, gift shops, restaurants, and other accessory uses. For purposes of this Ordinance, hospitals do not include daycare facilities, residential care facilities, or medical or dental clinics/offices.

Hotel/Motel. A commercial establishment offering transient lodging in ten (10) or more rooms, in which sleeping accommodations are offered to the public, where there may be access through an inside lobby or the office or individual entrances to separate units, and in which there may be a public dining room for the convenience of the guests.

10.9 I

Junk Yard. Any land or area used, in whole or in part, for commercial storage and/or sale of waste paper, rags, scrap metal, or other junk and including storage of vehicles and machinery, and/or dismantling of such vehicles or machinery.

10.10 K

Kennel. An establishment where more than four animals commonly kept as pets, such as cats or dogs, are boarded overnight. This does not include a veterinary hospital or clinic or pet store that provides boarding of animals as a regular, but not primary, focus of its business.

10.11 L

Landowner. An owner of a legal or equitable interest in real property, including the heirs, devisees, successors, assigns and personal representatives of the owner.

"Landowner" may include a person holding a valid option to purchase real property pursuant to a contract with the owner to act as his agent or representative for purposes of submitting a proposed site specific development plan or a phased development plan pursuant to this article.

Lawn, tree or pest control services. An establishment primarily engaged in providing lawn care services (e.g., mowing, aeration, seeding, fertilizer, landscaping), tree services (e.g. pruning, removal), or pest control services (e.g., inspection, extermination).

Large vehicle and commercial and industrial equipment repair. Repair, rebuilding, and painting of agricultural, commercial, industrial, railroad or similar large vehicles, motors, machines, implements, and equipment.

Library. A facility for the use, but not sale, of literary, historical, scientific, musical, artistic, or other reference materials. Accessory uses include offices and storage facilities used by staff and meeting rooms.

Limited fuel, oil, gas distribution. The distribution, for compensation, of fuel oil or bottled gases such as propane of liquid petroleum in containers no greater than five gallons in volume.

Linen or uniform supply. Establishments primarily engaged in supplying to commercial establishments or household users, on a contractual basis, such laundered items as uniforms, other work-related clothing, gowns, table linens, bed linens, towels, and similar items.

Liquor Sales. A use of place of business that holds a State Alcoholic Beverage License exclusively for the retail sale of alcoholic beverages, excluding beer and wine, in original packaging for off-premises consumption.

Local governing body. (a)The governing body of Fountain Inn; or (b) A county body authorized by statute or by the governing body of the City of Fountain Inn to make land use decisions.

Lot. A parcel of land designated by number or other symbol as a part of a legally approved and recorded subdivision or as described by metes and bounds and recorded in the office of the register of mesne conveyance.

Lot, Corner. A lot abutting upon two or more streets at their intersection, or upon two parts of the same street, forming an interior angle of less than 135 degrees. The point of intersection of the street lines or of the street lines as extended is the corner.

Lot Depth. The average horizontal distance between the front and rear property lines of a lot.

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Lot, Double Frontage. A lot which extends through a block, having frontage on two streets.

Lot, Flag. The narrow portion of a flag lot that serves as access to a public street. The minimum width of the flagpole portion of the lot is 20 feet.

Lot, Flag Pole. The narrow portion of a flag lot that serves as access to a public street. The minimum width of the flagpole portion of the lot is 20 feet.

Lot Line, Front. That line which separates the lot from a street right-of-way.

Lot Line, Rear. Ordinarily that lot line which is opposite and most distant from the front lot line. In the case of a triangular or otherwise irregularly shaped lot, a line ten feet in length entirely within the lot, parallel to and at the maximum distance from the front lot line, or a chord thereof if the front lot line is curved shall be considered as the rear lot line for purposes of determining the required rear yard. In cases where neither of these conditions is applicable, the Zoning Administrator shall designate the rear lot line.

Lot, Through. A lot which has access to an internal subdivision road and an external collector or arterial road.

Lot of Record. A lot existing before the adoption of the Zoning Ordinance and as shown or described on a plat or deed in the records of the Greenville or Laurens County Register of Deeds. For the purpose of this Ordinance, a nonconforming lot of record can be developed if it meets the requirements of Section 1.4.6.

Lot Width. The distance between the side lot lines at the setback line as measured along a straight line parallel to the front lot line or parallel to the chord thereof.

Lot, Zoning. A parcel of land which is indicated by the owner at the time of application for a building or zoning permit as being that land which he proposes to develop under one ownership.

Lumen. The amount of light that falls upon an area of one square meter, every point of which is one meter from a source of one candle (one candle equals 12.57 lumens).

10.12 M

Manufacture, assembly and fabrication, intensive. An establishment primarily engaged in manufacturing that regularly uses hazardous chemicals or procedures or produce hazardous byproducts, including but not limited to: animal food; animal slaughtering and processing; beverage, other than soft drink and water, and tobacco; cement and concrete products; chemicals and chemical products; clay products; leather and hide tanning and finishing; lime and gypsum products; paint, coating, and

adhesives; paper products (coating and laminating); petroleum and coal products manufacturing; primary metal manufacturing; pulp, paper, and paperboard mills; rubber and plastic products; seafood product preparation and packaging; and textile mills; wood products, and chip mills.

Manufacture, assembly and fabrication, light. An establishment primarily engaged in manufacturing uses that involve the mechanical transformation of predominantly previously prepared materials into new products, including assembly of component parts and the creation of products for sale to the wholesale or retail markets or directly to consumers. Such uses are wholly confined within an enclosed building, do not include processing of hazardous gases and chemicals, and do not emit noxious noise, smoke, vapors, fumes, dust, glare, odor, or vibration. Including but not limited to: bakeries, manufacturing; computer, appliance, and electronic products; medical equipment and supplies; printing and publishing; signs.

Manufactured Home. A factory-built, single-family structure that is manufactured under the authority of 42 U.S.C. Sec. 5401, the National Manufactured Home Construction and Safety Standards Act, is transportable in one or more sections, is built on a permanent chassis and is used as a place of human habitation. The term "manufactured home" shall not include prefabricated modular dwellings placed on permanent foundations, nor shall it include travel trailers, campers, or similar units designed for recreation or other short term uses.

Manufactured Home Park. A lot used, designed or intended to be used for the purpose of supplying a parking space for two or more occupied manufactured homes for rent or sale, and which includes buildings, structures, vehicles, or enclosures used or intended to be used as part of that manufactured home park. Sales or storage lots for unoccupied manufactured homes are not considered to be manufactured home parks.

Manufactured Home Sales. A facility that is engaged in the sales or installation of manufactured homes.

Manufactured Home Space. That portion of land in a mobile home park allotted to or designed for the accommodation of one manufactured multi-section home, single-section home or modular home.

Manufactured Multi-Section Home. A portable unit designed and built to be towed on its own chassis, comprised of frame and wheels, connected to utilities, and designed to be used without a permanent foundation for a permanent residence. It contains two or more separately towable sections designed to be joined into one integral unit capable of being again separated into components. Either or both units

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may contain parts that may be folded, collapsed, or telescoped when being towed and expanded later to provide additional cubic capacity. These units may be used for residential, commercial, educational, or industrial purposes. Travel trailers, travel motorized homes, pick-up coaches, and camping trailers are excluded from this definition. This definition includes units referred to as double-wide mobile homes built prior to the enactment of the Federal Manufactured Home Construction and Safety Standards Act of 1974, which became effective June 15, 1976.

Manufactured Single-Section Home. A portable unit designed and built to be towed on its own chassis, comprised of frame and wheels, connected to utilities, and designed to be used without a permanent foundation for a permanent residence. A single-section unit may contain parts that may be folded, collapsed, or telescoped when being towed and expanded later to provide additional cubic capacity. These units may be used for residential, commercial, educational, or industrial purposes. Travel trailers, travel motorized homes, pick-up coaches, and camping trailers are excluded from this definition. This definition includes units referred to as single-wide mobile homes built prior to the enactment of the Federal Manufactured Home Construction and Safety Standards Act of 1974, which became effective June 15, 1976.

Medical health and dental practitioner. A small-scale facility or office where patients are admitted for examination and treatment by one or more physicians, dentists, or other health practitioners on a short-term basis. The use includes the offices of physicians, dentists, chiropractors, optometrists, podiatrists, audiologists, speech pathologists, physical therapists, therapeutic massage clinics, acupuncturists, psychologists, and other health practitioners. It also includes facilities providing short-term outpatient care and treatment (which may or may not be overnight), such as urgent care centers, kidney dialysis centers, ambulatory surgical clinics, outpatient pain therapy clinics, biofeedback centers, sleep disorder clinics, family planning clinics, community health clinics, health maintenance organization (HMO) medical clinics, drug and alcohol treatment facilities, and hospice care facilities. Such facilities that provide overnight care and treatment may include sleeping rooms for care workers and members of patients' families. This use does not include hospitals (which are much larger in scale).

Microbrewery, Small Winery or Micro-distillery. A small brewery, winery or distillery that produces limited quantities of its product.

Membership Organization Facility. Establishments primarily engaged in promoting the civic and social interests of their members. Such establishments must be incorporated and operating as not-for-profit organizations.

Modular Home. A home consisting of two or more factory fabricated components that do not have an integrated chassis which are transported to the home site where they are put on a permanent foundation or slab and joined to make a permanent single-family house. Such units shall comply with all state and locally adopted building codes.

Motor freight facility. A facility for the refueling, parking, and minor servicing of tractor trailer trucks and similar heavy commercial vehicles during their transport of goods. Such a facility may include the sale of accessories and equipment for such vehicles and overnight accommodations, showers and restaurant facilities primarily for the use of truck crews.

Mulch. A protective covering (such as pine straw, shredded bark, or other materials) spread evenly around trees, shrubs, and ground covers to reduce evaporation, maintain even root temperatures, prevent erosion, and control weeds.

10.13 N

Nonconforming Lot. A lot of record at the time of passage of this Ordinance which does not meet the requirements for area and/or width generally applicable in the district in which such lot is located.

Nonconforming Use or Structure. A land use or structure which existed lawfully on the date this Zoning Ordinance became effective, and which does not conform with the permitted uses for the zoning district in which it is situated. Nonconforming uses are incompatible with permitted uses in the districts involved. Such nonconformities are permitted to continue until they are removed, but their survival, enlargement, or extension is not encouraged.

Nondepository personal credit institution. An establishment that provides loans to individuals with personal checks or titles as collateral, but that does not engage in deposit banking. Examples include payday and title loan establishments.

Non-hazardous waste collection, storage and disposal. A landfill or other facility that collects, stores, and disposes of municipal solid waste (household waste), but cannot accept infectious waste or hazardous waste. This use does not include construction and inert debris landfills, scrapyards, or recycling activities.

Nursing care facility. A facility where inpatient nursing and rehabilitative services are provided to patients who require continuous health care, but not hospital services.

10.14 O

Office. An establishment characterized by activities generally focusing on business, professional, insurance, or financial services conducted in an office setting. Examples include advertising agencies, graphic design services, computer and data processing

DRAFT

services, legal services, accounting services, financial services, engineering services, and architectural services. Accessory uses may include cafeterias, health facilities, parking, or other amenities primarily for the use of employees in the firm or building.

Open Space. See Park or Greenway.

Outdoor power equipment store. An establishment primarily engaged in the retail sale of household and gardening power equipment and machinery.

Outdoor seating. The provision of on-site outdoor seating areas by an eating or drinking establishment where food and/or beverages are served for consumption. This accessory use also may include outdoor seating areas on public sidewalks in front of the establishment.

Outdoor storage. An unroofed area used for the long-term deposit (more than 24 hours) of any goods, material, merchandise, vehicles, or junk as an accessory use to and associated with a nonresidential use on the property.

Owners Association. A private non-profit association which is organized by the developer and/or owners of a development in which individual owners share common interests in open space and/or facilities and are in charge of preserving, protecting, managing, and maintaining the common property and enforcement of the protective covenants, easements and /or restrictions.

10.15 P

Parapet. The portion of a wall that extends above the roofline.

Park or Greenway. A park consists of land used for recreation, exercise, sports, education, rehabilitation, or similar activities, or a land area intended to preserve or enhance the enjoyment of natural features or natural beauty, specifically excluding commercially operated amusement parks. A public park that includes athletic fields, swimming pools, playgrounds, and similar facilities is included in this definition. A greenway is a linear area maintained as open space to provide linkages between open space and recreational facilities and between these facilities and their users (see definition of “greenway”).

Parking Space. The storage space for one automobile of not less than 9 feet by 20 feet plus the necessary access space. It shall always be located outside the dedicated street right-of-way.

Parking. commercial. A structure or off-street, hard-surfaced, ground level area composed of one or more levels or floors that is used exclusively for the temporary storage of motor vehicles. A parking structure may be totally below grade or partially

or totally above grade, with levels either being open to the sides (deck) or enclosed (garage).

Passenger terminal, surface transportation. Any structure or transit facility that is primarily used as part of a transit system for the purpose of loading, unloading, or transferring of passengers or accommodating the movement of passengers from one mode of transportation to another. This use does not include bus stops.

Pawnshop. An establishment that: 1) lends money on the security of tangible personal property, other than vehicles requiring a license under State Law, choses in action, title, securities, or printed evidences of indebtedness, that is deposited with or left in the possession of a pawnbroker, or 2) purchases tangible personal property on condition that it may be redeemed or repurchased by the seller for a fixed price within a fixed period of time.

Pedestrian Walkway. A surfaced walkway, separate from the traveled portion of a public or private right-of-way or parking lot/driving aisle.

Performing Arts Center. A facility for the viewing of live performances of theater, dance, music, or other similar arts.

Person. An individual, corporation, business or land trust, estate, trust, partnership, association, two or more persons having a joint or common interest, or any legal entity as defined by the laws of South Carolina.

Personal services. Establishments primarily engaged in the provision of frequent or recurrent needed services of a personal nature, such as barber shops, beauty salons, cosmetic services, clothing alterations and repairs, footwear repairs, laundry and dry cleaning, picture framing, tanning salons, taxidermists, watch and jewelry repair, and weight reducing centers.

Pervious concrete. It is a high cement-content mix made with no fine aggregate and a low water-cement ratio. It is delivered in conventional ready-mix trucks and placed in conventional forms. Vibrating and rolling densify the wet concrete for greater strength. No further finishing is employed, leaving a pebbled, open surface. Also called Porous Concrete Paving.

Pet grooming. An establishment where a pet animal may be cleaned, styled or otherwise have its appearance maintained. This does not include boarding facilities such as kennels.

DRAFT

Phased development plan. A development plan submitted to the local governing body or body authorized by the local governing body to make land-use decisions that shows the types and density or intensity of uses for a specific property or properties to be developed in phases, but which do not satisfy the requirements for a site-specific development plan.

Place of worship. A structure (or structures) and the parcel on which it is located, in/on which persons regularly assemble for religious worship. The term "place of worship" shall not include accessory uses such as day cares, schools, thrift shops, and other facilities designed for ministries incidental to the use as a place of worship. Family life centers, church offices, regular worship ("Sunday School") classrooms and fellowship halls are considered accessory uses and part of a "place of worship".

Planned Development. For purposes of this Ordinance, a planned development shall be a group of detached, semi-detached, attached, groups of attached, cluster, or multi-storied residential structures, or any combination thereof on a parcel of land, residentially zoned under single, corporation, firm, partnership or association ownership, planned and developed as an integrated unit in a single development operation or a definitely programmed series of development operations in accordance with an approved development plan.

Planned Shopping Center. A group of commercial establishments planned, developed, owned, and managed as a unit related in location, size, and type of shops to the trade area that the unit serves. It provides on-site parking in definite relationship to the types and sizes of stores.

Planning Commission. Shall refer to the Planning Commission of Fountain Inn in this Ordinance.

Planning Commission Staff. The Planning Director or duly authorized staff.

Portable storage container. A purpose-built, fully enclosed, box-like container designed for temporary storage and transport of household goods and other personal property. Such containers are uniquely designed for ease of loading to and from a transport vehicle.

Portico. A porch or walkway with a roof supported by columns, often leading to the entrance to a building.

Power Generation Facility. A facility for the generation of electricity at utility scale, that is not a large scale solar or wind energy conversion system.

DRAFT

Private Access Easement. A privately owned and maintained right-of-way that provides vehicular access to each of not more than six lots.

Private Road. Any right-of-way, road, street, drive, or means of vehicular access to private properties that is not dedicated to or maintained by City of Fountain Inn, Greenville County, or Laurens County. The property owner(s) uses the private road as a means of access and has an undivided fee interest or usage easement in the private road. The fee interest in the private road may be held by a corporation, trust, partnership, or other legal entity provided the property owners are members of, and/or owners in, the legal entity. The entity has the obligation to maintain and repair the private road; provided, however, the City of Fountain Inn, Greenville County, or Laurens County shall not be obligated in any way to maintain the private road.

Private Recreation Area. A recreation area owned and maintained by members and operated as a non-profit organization.

Produce stand. A building or structure used for the retail sales of fresh fruits, vegetables, flowers, herbs or plants grown on the same parcel of land where the stand is located. Such use may also involve the accessory sales of other unprocessed foodstuffs, home processed food products such as jams, jellies, pickles, sauces or baked goods, and homemade handicrafts. Such uses also include “pick your own” establishments where customers gather their own produce from the fields for purchase and off-site consumption. A produce stand may be either a principal use operated seasonally or an accessory use.

Professional Offices. Establishments intended for the conduct of professional business services by a commercial enterprise. Examples include legal services; accounting, tax, bookkeeping, and payroll services; architectural, engineering, and related services; consulting services; graphic, industrial, and interior design services; advertising services; and office and administrative services.

Public safety facility. A police station, fire station, ambulance service facility, or other emergency medical service facility.

Public right-of-way. Roadway surface being used by the traveling public and/or proposed to be used by the traveling public, being paved or unpaved, being either existing or proposed alleys, roadways, stub-outs, cul-de-sacs, etc.

10.16 Q

Quit Claim Deed. A deed of conveyance that transfers any title, interest, or claim the City of Fountain Inn may have in an easement or right-of-way, being public or City, to another party/parties, and does not profess that such title or interest is valid nor

DRAFT

prejudice any rights of use that others may have and does not warrant clear title or covenants for title to the land.

10.17 R

Racetrack or drag strip. A facility containing a roadway that is used primarily for automobile, animal, and/or motorcycle racing. A racetrack may include seating, concession areas, and parking facilities along with accessory offices.

Rail transportation facility. An area and related facilities connected with the loading, unloading, assembly, or disassembly of trains, including without limitation passenger or freight terminals, operations and maintenance shacks, train sheds, and classification yards.

Raised Sidewalk. Speed humps outfitted with crosswalk markings and signage to be used primarily by pedestrians.

Real Estate Office, Model home. A dwelling, dwelling unit, or other marketable unit of a new development that is used for real estate sales or leasing activities associated with the development pending construction of the development and the initial sales of homes or units in the development.

Real Estate Office, trailer or modular unit. A construction trailer, modular building, or other similar building constructed off-site and temporarily placed within a new development for the purpose of real estate sales or leasing activities associated with the project pending construction of the development and the initial sales of homes or units in the development.

Real property or property. All real property that is subject to the land-use and development Ordinances or regulations enacted, approved or promulgated by the Fountain Inn City Council, and includes the earth, water and air above, below or on the surface, and includes improvements or structures customarily regarded as part of real property.

Record Drawing. Drawings submitted for record purposes and which have been annotated to show significant changes in the work made during construction based upon marked up prints, drawings, and other data furnished by the Contractor to the Developer, or to the Developer's Engineer.

Recycling collection station. A location providing designated containers (commonly known as drop-off stations) for the collection of recyclable materials. Materials are stored in containers temporarily until they are transported to a separate processing facility.

DRAFT

Recycling sorting facility. A facility for the sorting, processing, assembling, packaging, baling and storage of recyclable materials.

Remediation services. An establishment providing cleanup of contaminated buildings, soil, or groundwater, which may include abatement of biohazards, asbestos, lead, or other contaminants.

Rest Home. The rooming or boarding of any aged or convalescent persons, whether ambulatory or nonambulatory, for which a license is required by a county, state, or federal agency.

Reserve Strip. A strip of land adjacent to a public street or similar right-of-way which has been reserved for the purpose of controlling access to the public way.

Restaurant. An establishment primarily for the sale of food and drink that is prepared, served, and consumed for the most part within the principal building.

Restaurant, carry out. Any establishment, without a drive-through facility, which provides as a principal use, the preparation and/or sale of food, frozen desserts, or beverages for immediate consumption off the premises.

Restaurant, Drive-through. An establishment engaged in the retail sale of ready-to-consume food and drinks in portable or disposable containers, for consumption on or off the premises, and has drive-through facilities so that patrons may be served while remaining in their automobiles.

Resubdivision. A combination or recombination of previously recorded lots or tracts of contiguous land for the purpose of creating building sites.

Retail. Retail uses that sell, lease, or rent a variety of new or used products. Typical examples include, appliance store, bicycle sales, rental, or repair, book store, clothing or shoe store, craft or fabric store, electronics store, department store, drug store or pharmacy, flower shop, home goods or furniture store, hardware store, musical instruments sales, rental or repair, optician, pet store, sporting goods store, toy store, automobile parts store, convenience store without gasoline sales, photography, art, dance studio or gallery, grocery store, and jewelry store.

Retail sales, as accessory to industrial use. The offering of products associated with a manufacturing or warehouse/distribution use for retail sale to the general public on the premises of the manufacturing or warehouse/distribution use. An example is an outlet or seconds shop located at a manufacturing plant.

Riding Stables. A place where horses are kept for people to ride.

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Right-of-way. A public road or public way that is accepted by the governing body.

Roadside Buffer. The designated area between the road right-of-way and the parking area used to soften the impact of dissimilar land uses and provide screening to satisfy the requirements of this section.

Roadway. That portion of a street intended for the use by vehicular traffic.

Root Protection Zone. A root protection zone or area is an area surrounding a tree that cannot be excavated, compacted, surfaced, driven over, or any other form of disturbance during any phase of the construction process. The root protection area is the circular area to remain undisturbed around a tree with a radius equal to 1.25 feet per inch of tree DBH measured at 4.5 feet above grade with the tree trunk at the center of the circle. The main structural and functional portion of the root system.

10.18 S

Satellite Dish Antenna. A device incorporating a reflective service that is solid, open mesh, or bar configured and is in the shape of a shallow dish, cone, horn, or cornucopia. Such device shall be used to transmit and/or receive radio or electromagnetic waves between terrestrially and/or orbitally based uses. This definition is meant to include but not to be limited to what are commonly referred to as satellite earth stations, TVRO's, and satellite microwave antennas.

School, business or trade. An establishment, other than a college or university, that provides specialized on-site training and education beyond the high school level, principally in business, commercial, or trade skills, that does not provide lodging or dwelling units for students or faculty, and that has programs that typically result in the awarding of a certificate.

Scrapyard. A use involving storage or processing of inoperable, unused, dismantled or wrecked vehicles, equipment or machinery or the storage or processing of scrap metal, waste paper, rags, food processing wastes, construction wastes, industrial wastes, secondhand building materials, or other scrap, salvage, waste or junk materials.

Screen. See also "buffer". The sole purpose of a screen is to block views. A screen should be constructed of opaque materials and whose height will be effective in obstructing unwanted views.

Self-storage Facility. A facility primarily engaged in providing for rent individual, self-contained units or areas leased for self-service storage of personal property. The storage units or areas are designed to allow private access by the tenant for storing or removing personal property. This use does not include a transfer and storage business not involving individual storage areas and where employees are the primary movers of

property being stored or transferred (see the Freight Movement, Warehousing, and Wholesale use category). Accessory uses may include leasing offices, outdoor storage of boats and recreational vehicles, incidental sales or rental of moving supplies and equipment, and living quarters for a resident manager or security guard. Use of the storage areas for sales, service, repair, or manufacturing operations is not considered accessory to self-service storage. The rental of trucks or equipment is also not considered accessory to the use.

Service Station. Any establishment used for the servicing of automobiles including the sale of gasoline, oil, grease, minor accessories, and washing and polishing, but excluding the sale of automobiles, body repairing, major motor repairing, and painting.

Setback Line. That line which is parallel to and a given distance from the front lot line of a lot or parcel of land at such distance as is required in this Ordinance.

Sexually Oriented Business. An adult arcade, adult bookstore, adult video store, adult cabaret, adult motel, adult motion picture theater, sexual device shop, or sexual encounter center.

Shade Tree. Any tree, evergreen or deciduous, of a species which normally reaches a height of 30 feet or more and a crown spread of 20 feet or more at maturity.

Shipping Container Used As Structure. A structure originally, specifically or formally designed for or used in the packing, shipping, movement or transportation of freight, articles, goods or commodities, designed for or capable of being mounted or moved on a rail car and/or designed for or capable of being mounted on a chassis or bogie for movement by truck or trailer or loaded on a ship.

Shooting Range, Indoor. An indoor facility used for firearm target practice, competitions, or similar uses, including but not limited to archery, skeet, trap and similar shooting activities.

Shooting Range, Outdoor. An outdoor facility used for firearm target practice, competitions, or similar uses, including but not limited to archery, skeet, trap, and similar shooting activities.

Short Term or Transitional Housing. Congregate facilities characterized by a clientele composed of persons who generally do not possess personal automobiles to assist them in their daily transportation throughout the area and its vicinity. Such facilities may include indigent care facilities, shelter facilities, hostels, and similar facilities.

Short Term Rental- Any dwelling unit, or part thereof, rented for less than 30 days.

Signs, Definitions. Terms related to signs are defined in Article 9.

Site specific development plan. A development plan submitted to the local governing body or a body authorized by the local governing body to make land-use decisions by a landowner describing with reasonable certainty the types and density or intensity of uses for a specific property or properties. The plan may be in the form of, but is not limited to, the following plans or approvals: planned unit development; subdivision plat; preliminary or general development plan; variance, conditional use or special use permit plan; conditional or special use district zoning plan; or other land-use approval designations as are used by the City of Fountain Inn with regard to submitted plans.

Small Tree. A single or multi-stem tree of a species that normally reaches a mature height between eight and 30 feet and a crown spread of less than 20 feet at maturity.

Smoking place. An establishment that offers a meaningful selection of cigars, tobacco for pipes, hookah, or other smoking products for smoking on the premises, and which may be licensed for the on-premise consumption of beer, wine, or alcoholic beverages, or some combination of those, as well as, limited food service. The term does not include any establishment which is primarily a bar or restaurant. No bar can be considered a smoking place unless at least 51 percent of its gross revenue can be demonstrated to come from the sale of cigars, pipe tobacco, and other products for smoking.

Solar Panels, Roof Mounted. An incidental use to the principal uses on a property that uses roof mounted equipment for the collection of solar energy to convert solar radiation to electrical energy. Typically, the panels are roof mounted on the principal building but may also be mounted to the roof of an accessory building.

Solar Energy Conversion, Small Scale. A series of ground mounted solar collector panels that collects solar radiation and transfers it as heat to a carrier fluid for use in hot water heating or space heating and cooling, and/or collects solar energy to convert it into electricity. This land activity covers a maximum of five (5) acres and is often referred to as a solar farm and does not include solar collection panels installed on the roofs of structures or solar collection panels intended to generate power or energy to individual entities.

Solar Energy Conversion, Large Scale, A series of ground mounted solar collector panels that collects solar radiation and transfers it as heat to a carrier fluid for use in hot water heating or space heating and cooling, and/or collects solar energy to convert it into electricity. This land activity covers more than five (5) acres is often referred to as a solar farm and does not include solar collection panels installed on the roofs of structures or solar collection panels intended to generate power or energy to individual entities.

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Street. A dedicated public right-of-way which affords the principal means of access to abutting property and which has been accepted for maintenance by the City of Fountain Inn, Greenville County, Laurens County, or South Carolina Department of Transportation. For the purposes of these regulations, the term street or streets shall also mean avenues, boulevards, roads, lanes, thoroughfare, place, court, trail, and other public ways.

Street, Arterial, High-volume streets that carry traffic between commercial centers or communities. For example: Wade Hampton Boulevard.

Street, Arterial Minor. Principal traffic arteries within residential or commercial areas that carry traffic from arterials to lower-order residential streets. For example: Edwards Road.

Street, Collector Major. Street that provides access to arterials from residential streets and carry more than 4,000 vehicles per day.

Street, Collector Minor. Streets that provide access to arterials from residential streets and carry 1,250 to 4,000 vehicles per day.

Street, Nonresidential. Streets used for access to commercial, service, and industrial properties as designated by the zoning classification or to those areas exhibiting this character or intent.

Street, Residential. Streets used primarily to provide access from major or minor collector streets to residential units. By nature of their design, these streets serve vehicles passing through the area with either origin or destination within the area. The three classes of residential streets are listed below:

1. Residential Collector. A street which provides access to residential dwelling units and carries 750—1,250 vehicles per day

2. Residential Subcollector Street. A street which provides access to residential dwelling units and carries 250—750 vehicles per day. A street may not be classified a sub collector street if it is designed in such a way that it may carry at any future date more than 750 vehicles per day.

3. Residential Access Street. A street providing access and/or road frontage to residential dwelling units and carries less than 250 vehicles per day. A street may not be classified as an access street if it is designed in such a way that it may carry at any time in the more than 250 vehicles per day.

Street Width. The shortest distance between the lines delineating the traveling surface of a street. For streets with curbs, the width is measured from the edge of pavement.

Structure. Anything constructed or erected which requires 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, swimming pools, underground fallout shelters, air-conditioning compressors, pump houses or wells, mailboxes, privies, outdoor fireplaces, gatehouses, burial vaults, or bus shelters.

Subdivider. Any person, individual, firm, partnership, association, corporation, estate, trust, or any other group or combination acting as a unit, dividing or proposing to divide land so as to constitute a subdivision. This definition includes any authorized agent of the subdivider.

Subdivision. All divisions of a tract or parcel of land into two or more lots, building sites, or other divisions for the purpose, whether immediate or future, of sale, lease, or building development, and includes all division of land involving a new street or change in existing streets, and includes re-subdivision which would involve the further division or relocation of lot lines of any lot or lots within a subdivision previously made and approved or recorded according to law; or, the alteration of any streets or the establishment of any new streets within any subdivision previously made and approved or recorded according to law, and includes combinations of lots of record; however, the following exceptions are included within this definition only for the purpose of requiring that the local planning agency be informed and have a record of the subdivisions:

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;

A. 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;

B. 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 planning agency which shall indicate that fact on the plats; and

C. The combination or recombination of entire lots of record where no new street or change in existing streets is involved.

Superelevation. The construction of a curved roadway section in which the elevation of the outside edge of the curve is higher than the elevation of the inside edge of the curve.

Swimming pool. A man-made enclosure at least three feet deep at the deep end that is filled with water and used for wading or swimming.

10.19 T

Tattoo or body piercing facility. An establishment wherein designs, letters, figures, body piercing, or other marks are placed upon the skin of any person, using ink or other substances that result in the permanent coloration, or piercing of the skin by means of use of needles or other instruments designed to contact or puncture the skin.

Tattoo or Tattooing means to indelibly mark or color the skin by subcutaneous introduction of nontoxic dyes of pigments unless performed by a licensed physician or surgeon if permitted by law.

Temporary Event. Temporary uses, such as circuses, carnivals, fairs, festivals, and religious events in a temporary structure, and similar types of events.

Temporary Sale. Temporary structures or areas for the display of goods and merchandise as part of promotional or seasonal activities.

Temporary Use. A land use (or structure) that is needed or is in place for a limited duration.

Timber And Timber Products Wholesale Facility. Facilities primarily engaged in timber and timber product wholesale operations (not including lumber).

Tiny Home. Single-family dwelling units that are a maximum of seven hundred (750) square feet. They must be on a permanent foundation in compliance with the South Carolina Residential Code and are not attached to a chassis,. They cannot be defined as manufactured homes as defined by HUD or a recreational vehicle (park model) as defined by National Fire Protection Association (NFPA) and American National Standards Institute (ANSI).

Tiny Home Village. A lot or parcel with space, improvements and utilities for three (3) or more tiny homes, which may include services and facilities for the residents.

Tower Height. The vertical distance measured from ground to the upper most point of the telecommunications tower and any antenna affixed thereto.

Traffic calming. Raised islands placed in intersections around which traffic circulates.

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Traffic Control Island. The area in a roadway where vehicles are intended to be excluded. Traffic control islands are classified as follows:

A. Divisional Islands. Islands built to separate opposing traffic flows. A continuous divisional island is a median. A divisional island located at the public entrance to a subdivision is a subdivision entrance island.

B. Channelization Islands. Islands built to guide traffic traveling in the same direction in proper and safe paths.

C. Pedestrian Refuge Islands. Islands built exclusively for the safety of pedestrians.

Trip. A one-way movement A one way movement of vehicular travel from an organization point (one trip end) to a destination point (the other trip end). For purposes of these Regulations, trip shall have the meaning that it has in commonly accepted traffic engineering practice and that is substantially the same as the definition in the previous sentence.

Transit Stop. The location where passengers wait to board a regularly scheduled public transportation service. A transit stop may include a concrete pad, a seating area designed for the convenience of transit passengers, and a shelter.

Travel Trailer. Any vehicle mounted on wheels but not self-propelled and not more than twenty-six (26) feet in length, designed and intended to serve primarily as short-term shelter.

Truck or Freight Terminal. A central facility for the distribution, storage, loading and repair of commercial fleet vehicles, with or without associated dispatch services and offices. This definition includes central facilities for courier services; limousine services; taxi services; and similar fleet dependent services.

Undevelopable Land. Land that has development constraints due to one of the following constraining factors: land with a slope greater than 30 percent, lakes, marshes, sloughs, wetlands, areas within the area of special flood hazard, defined as the land in the floodplain within a community subject to inundation by the base flood having a one-percent or greater chance of being equaled or exceeded in any given year, and areas of recent or active landslides. Land that lies within the boundaries of an overhead utility easement shall be deemed to be undevelopable land.

Underlying fee. The property upon which the right-of-way is physically located.

DRAFT

10.20 U

Undevelopable Land. Land that is not suitable for development due to environmental constraints or other restrictions (i.e. designated conserved open space, overhead utilities, etc.).

Uses Permitted by Special Exception. Uses allowable where facts and conditions detailed in this Ordinance, as those upon which a use may be permitted, are found to exist.

Utility, Public. Any agency which, under public franchise or ownership, provides the general public with electricity, gas, heat, steam, communication, rail transportation, water, sewage collection, or other service.

Utility, Major. A structure or facility that is a relatively major component of an infrastructure system providing community- or region-wide utility services. Examples of major utility facilities include water treatment plants, sewage treatment facilities, and solid waste facilities, This use does not include telecommunications facilities or towers.

Utility, Minor. A structure or facility that by itself is a relatively minor component of an infrastructure system providing community- or region-wide utility services and that needs to be in or near the neighborhood or use type where the service is provided, such as utility lines and substations. Examples of minor utility facilities include, water and sewage pipes and pump stations, water towers, stormwater pipes and retention/detention facilities, telephone lines and local exchanges, electric lines and transformers, gas transmission pipes and valves, CATV lines, and associated offices.

10.21 V

Vacation. Removal of all right-of-way from the Official City and/ County Road Inventory System. "Vacation" makes no disposition of the property if the City and/ County owns the underlying fee.

Variance. A variance is a relaxation of the dimensional terms of the Zoning Ordinance where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of actions of the applicant, a literal enforcement of the Ordinance would result in unnecessary and undue hardship.

Vehicular Canopy. A roofed, open, drive-through structure designed to provide temporary shelter for vehicles and their occupants while making use of a business' services.

Vehicle fueling station. An facility used for the retail dispensing of vehicle fuels. Such uses may include gas, diesel, and alternative propulsion fuel stations in conjunction

with another use such as, but not limited to, a convenience store, grocery store, or other retail use. This use does not include an electric vehicle charging as an accessory use.

Vehicle parts and accessories store. An establishment for the retail sale of minor parts and accessories for vehicles including oils, lubricants, detailing materials, paints, and tires, but not including major components such as engines or vehicle body parts.

Vehicle repair, major. An establishment engaged in the significant repair and replacement of parts and motor services to automobiles, including, but not limited to, such services as: engine rebuilding, reconditioning of automobiles, the removal from any vehicle of a major portion (i.e., the differential, transmission, head, engine block, or oil pan) thereof for replacement or repair, the repair of damaged motor vehicles or trailers (including body, frame, or fender straightening or repair), and/or the painting of vehicles.

Vehicle repair, minor. An establishment engaged in the sale of automotive fuels or oils, and the incidental repair and replacement of parts and motor services to automobiles, including oil change, tire sales, and alignment, but not including any operation specified under "vehicle repair, major."

Vehicle sales and rental. Establishments that provide for the sale or rental of new or used autos, small trucks or vans, trailers, motorcycles, motor homes, or recreational vehicles. Typical examples include automobile dealers, auto malls, car rental agencies, and moving equipment rental establishments (e.g., U-Haul).

Vehicle Storage Facilities: A lot or facility in which vehicles, including automobiles, boats, motorcycles, or recreational vehicles are stored for periods greater than five days.

Vehicle towing. An establishment providing the service of transporting individual motor vehicles and providing temporary storage of the vehicles, whether operable or temporarily inoperable, in an impound yard or storage area. This does not include junk, salvage, scrap, or wrecking yards.

Veterinary hospital or clinic. A facility used for the care, diagnosis, and treatment of sick, ailing, infirm, or injured animals and preventive care for healthy animals, where such animals are limited to dogs, cats, and other comparable household pets. Accessory uses may include animal grooming services, short-term boarding that is incidental to medical care or treatment, and limited retail sales of pet-related merchandise.

DRAFT

10.22 W

Wall Pack. A type of light fixture typically surface-mounted on a vertical wall surface.

Warehouse, Distribution Facility. A facility primarily engaged in the storage and distribution of manufactured products, supplies, and equipment, excluding bulk storage of materials that are flammable or explosive or that present hazards or conditions commonly recognized as offensive.

Wind Energy Conversion System. A facility consisting of one or more rotating wind turbines and related equipment that converts the kinetic energy in wind into mechanical energy. A wind energy conversion system as an accessory use is intended to primarily reduce on-site consumption of utility power for a home or business.

10.23 Y

Yard, Front. An area extending across the full width of the lot and lying between the front lot line and the setback line as required in the applicable district.

Yard, Rear. An area extending across the full width of the lot and lying between the rear lot line and a line parallel thereto at a distance there from as required in the applicable district.

Yard, Required. The open space between a lot line and the buildable area within which no structure may be located except as otherwise provided in this Ordinance. All yards referred to in this Ordinance are minimum required yards.

Yard, Side. An area extending along the length of the lot between the required front yard and the required rear yard, and between the side lot line and a line parallel thereto and a distance there from as required in the various districts.

10.24 Z

Zoning. Any existing zoning ordinance of the City of Fountain Inn, South Carolina.

Zoning Certificate/Building Permit. A certification by the Zoning Administrator that a proposal to use or occupy a tract of land or a building; or to erect, install, or alter a structure, building, or sign, fully meets the requirements of this Ordinance.

Zoo. A facility, indoor or outdoor, where animals are kept for viewing by the public. Accessory uses may include office, retail, and other commercial uses commonly established in such facilities and related parking structures.

DRAFT

EXECUTIVE SUMMARY OF CHANGES

Overview of Code Updates

The current Ordinance is divided into 21 chapters and three appendices. Two of the appendices, titled Appendix A- Zoning and Appendix B- Land Development Regulations, house Fountain Inn's current land development regulations. Together, these ordinances contain requirements for land use and development in the City. The INNtheZONE UDO Project seeks to update the existing Land Development Regulations and Zoning Ordinance and integrate these appendices into a single Unified Development Ordinance (UDO). The project also aims to improve clarity and usability, implement key recommendations from the INNvision Comprehensive Plan, revise districts and development standards, update administration and submittal requirements and undertake other important revisions to prepare the City for future growth while maintaining its existing charm.

Reorganization and Clarification

The existing zoning ordinance and land development regulations were split between two Appendices in the City Code. Each document had been updated incrementally over time and as a result there were many instances where duplication occurred. In some cases, provisions, processes, standards and/or definitions were similar but slightly different between the two appendices. This has created issues when trying to consistently enforce the ordinance. To address this, duplicate provisions and definitions were reviewed and integrated into appropriate articles in the UDO. In addition, processes, requirements, and decision criteria were clarified in different articles in the new ordinance.

Zoning Districts

The existing zoning ordinance included a number of zoning districts that were not broadly utilized. Also, the recently adopted Comprehensive Plan pointed out the need to better address the design and character of new development in certain areas of the City. Accordingly, a number of changes to the zoning district structure were implemented in the draft UDO. These are described in more detail below.

New Residential Districts – A new Residential Conservation District (RC) was created to acknowledge existing lower density development in the City (many properties in the R-15 zoning district were reclassified here) and provide a new district that may be appropriate for annexations in more rural and undeveloped areas. Other single family residential areas were consolidated from three districts (R-12, R-10 and R-7.5) to two districts (General Residential 1 and General Residential 2). This change addressed many inconsistencies with the current zoning and reduced the number of nonconforming lots in existing zoning districts. A new Transitional Residential (TR) district was created that allows small-scale attached housing, also known as "missing middle housing." This will provide an option for new development in areas where larger-scale apartments may not be appropriate.

Downtown Districts – A new Downtown Mixed-use District (DMU) will provide a transition between the Central Business District in the core of Downtown and surrounding neighborhoods. It promotes infill development and a walkable environment while extending the character of Downtown.

Planned Unit Development Conversion to Flexible Review Districts - Any property zoned Planned Development District (PD) will be converted to Flexible Review District (FRD) and shall maintain any conditions approved for the PD at the time of approval unless otherwise amended following an approval process outlined in this ordinance. This includes any amendments to an approved concept plan.

Permitted Uses

In addition to changes in zoning districts, a Table of Permitted Uses has been created that shows uses permitted in each zoning district. This replaces independent lists that were included under each zoning district previously. This will help with usability and administration of the ordinance. New uses have been added to the ordinance including different housing types, short-term rentals, event venue, fitness center, brewpub and more.

Development Standards

The new UDO incorporates new development standards related to landscape buffers, tree preservation, open space, and transportation improvements (including sidewalks and streets). Street tree requirements and open space design standards are among the notable changes. The overarching goal of these standards is to encourage well-designed development that adds value to the City.

INN *the* ZONE
Zoning Code Update • Fountain Inn, SC

Frequently Asked Questions

Table of Contents

What is the purpose of zoning? 2

I have heard the terms Zoning Ordinance, Land Development Regulations and UDO. What do these terms mean? 2

What are the long-term benefits of a UDO? 2

What is a zoning map? 3

Why is Fountain Inn updating its zoning ordinance and zoning map? 3

How can I find out if my property's zoning is changing? 3

What uses are allowed in a zoning district? 4

What is the difference between a use that is conditional and a use that requires a special exception? 4

How does the adoption of this UDO and zoning map affect me and my property? ..... **Error! Bookmark not defined.**

Will there still be a process for changing the zoning of my property after the UDO and zoning map are adopted? 4

What is the purpose of zoning?

The purpose of zoning as stated in the draft ordinance is to promote health, safety and the general welfare; facilitate orderly development and planned growth; assure the timely provision of streets, utilities and services; provide safe and convenient transportation access and circulation, both vehicular and pedestrian; and assure the reservation of land for open space, recreation, education, transportation and other public purposes. Zoning regulations are meant to clarify processes for development review and approval, implement the City's Comprehensive Plan, protect property values and encourage harmonious and appropriate use of land throughout the City of Fountain Inn.

I have heard the terms Zoning Ordinance, Land Development Regulations and Unified Development Ordinance (UDO). What do these terms mean?

Fountain Inn's zoning ordinance is a set of regulations adopted by the City that regulates the use of property as well as standards for the development of that property, like parking, landscaping, and signs.

Land Development Regulations regulate how land is subdivided and developed. They also provide standards for how new roads and other infrastructure are constructed and conveyed to the City.

Because zoning ordinances and land development regulations both regulate land and often overlap, it has become a common practice for local governments to combine them into a single, simple document that is easier to understand for the City as well as the residents and business owners. This combined document is called a Unified Development Ordinance, or UDO, which will include both the zoning ordinance and land development regulations together.

What are the long-term benefits of a UDO?

UDO's are a tool for residents and business owners to go to a single document to find out the rules associated with land uses, densities, design, and public infrastructure.

UDO's can protect Fountain Inn's character by regulating the size and location of development, requiring transitions between uses, and ensuring a certain number of trees are retained or planted on a developed lot.

UDO's and the zoning map help the City guide development in a location and manner that encourages connections and walkability while reducing the cost of sprawling growth.

Fountain Inn adopted several guiding principles and goals in its INNvision Comprehensive Plan that are intended to be implemented through this UDO and subsequent development and land use decisions. These goals include:

- A vibrant Main Street and downtown are critical to the prosperity of the City.
- Well-connected neighborhoods provide the relational and physical framework to the City's community spirit and wellness.
- Development is managed in concert with natural resource conservation and thoughtful infrastructure improvements to address future growth needs.
- Quality housing-design, construction, and cost- is available for all residents.

What is a zoning map?

The properties in Fountain Inn are assigned zoning districts, generally grouped into categories like residential, commercial and industrial with varying degrees of impact among these categories. Each zoning district has its own set of permitted uses and development standards. A draft proposed zoning map can be viewed here: https://www.fountaininn.org/460/Zoning-Update.

Why is Fountain Inn updating its zoning ordinance and zoning map?

Updating a zoning ordinance is a common practice. It is a living document that needs to respond to recent trends and emerging issues. Fountain Inn adopted its current comprehensive plan in 2024, which recommended updating its zoning ordinance and zoning map as a key step in meeting the goals and recommendations that City Council adopted in the comprehensive plan. Parts of the zoning ordinance had been updated since it was initially adopted in 1992, but it needed to be completely overhauled to better reflect the existing and future land uses and standards of land development as well as to clarify processes and provisions in the current zoning ordinance and land development regulations. Major changes proposed in the new Unified Development Ordinance are outlined in documents located at: https://www.fountaininn.org/460/Zoning-Update.

How will this impact my property?

All properties in the city limits will see their current zoning districts updated to the newly defined districts in the proposed zoning map and ordinance. Most changes are lateral in nature – meaning properties will be placed into new zoning districts that most closely align with the property's current zoning. If a property's new zoning differs in character from its original zoning (e.g. moves from industrial to commercial), the property will still not be impacted unless there is significant alteration to the property and/or buildings on-site (also known as "grandfathered in"). Anyone with questions should reach out to the City's Planning Department for more information.

An interactive, online map has been created that provides a comparison between a property's existing zoning district and the proposed zoning district.
For a comparison between the existing zoning map and the proposed map see: https://www.fountaininn.org/460/Zoning-Update.

What uses are allowed in a zoning district?

Zoning districts specify land uses and regulations controlling the intensity and design of development. Each zoning district has uses that are permitted by right, conditionally permitted, permitted with a special exception, or prohibited. The Table of Permitted Uses can be found in Article 4.

What is the difference between a use that is conditional and a use that requires a special exception?

If a use is permitted as a conditional use, it must meet certain conditions as specified in Article 6. If a use is permitted with a special exception, the Board of Zoning Appeals makes the final decision based on the conditions for that specific use as well as its own general criteria. One big difference between the existing ordinance and the current ordinance is the conditions that will be required for certain uses if this ordinance is adopted.

Will there still be a process for changing the zoning of my property after the UDO and zoning map are adopted?

Yes. The process for a map amendment is described in the UDO and requires a public hearing with the Planning Commission and City Council approval. If you have questions or concerns about a change in your zoning district that is proposed with the new UDO, please contact the Fountain Inn Planning and Development or submit a comment at https://www.fountaininn.org/460/Zoning-Update.

New Zoning Bylaws comments Dec. 4, 2025

Hello all.

General comments:

I like the format of the new Zoning Bylaws. It is much easier to use than the old system. The Consultants have done great job combining and consolidating this new document. I'm not going to nitpick the document to death. As it is fairly easy to make changes if required. We should not let perfect be the enemy of good. If problem(s) come up they can be dealt with at that time.

I have selected a few issues that I have had some experience with that I would like to comment on. They are as follows:

ADU Section 6.11.1 In the table of uses it is listed as "Conditional" in most of the Zoning districts. In MA we called them "Temporary Independent Living Quarters" or "In-Law Units". The fear that most folks have is that it can turn any single-family home into a two-family property (with a rental unit). In recent years the State of MA has been moving in the direction of places like California trying to eliminate Single Family Zoning and using ADU's has been one of the primary tools to implement this agenda. This is all being done in the name of "Affordable Housing". I realize that is not likely to happen in mass here. Some things I think should be considered. Parking (noticed there is a parking requirement) I noted that in table 7.2.4 that ADU's in a Tier 1 parking district don't need to have a parking space. I would recommend it to be 1 space per ADU. Some other requirements I have seen are bylaws that require a limit on the size of the ADU either tied to a percentage of the square footage of the primary residence or an absolute maximum square footage (say 700 sq. feet). Also, should the ADU and Primary residence be required to share common utilities? This makes it more difficult to make a rental unit. Finally, should ADU's be restricted to direct family members only? I know

this is difficult to enforce but again it can discourage folks that just want to make a rental unit on their property.

Table 3.2 Development Review Procedures: I feel the Planning Commission should somehow be involved in review of FRD's, Minor Subdivisions, Preliminary PLAT's for Major Subdivisions, and Final PLAT's for Major Subdivisions. This model is much more the order of business in MA; however, I realize that it's not exactly like that here. But what I have learned is that folks want to be heard in a public forum. Land use and development can be an emotional subject. Given the rapid growth of the City some are not happy. The Planning Commission is comprised of regular people. Folks that are not usually involved in the Public Sector. While we may not be up on every State Law and/or Bylaw (though I have been learning) I feel that over the last couple of years the Commission has always acted in good faith, with the best interest of the Community in mind. As the members of the Commission are the primary gatekeepers to land use issues, I think that there should be some way for the Board to weigh in on these subjects.

Sign Bylaw Section 9.1.4(B) Temporary Signs allowed prior to and following elections or ballot measure. When the Planning Board and BZA had our presentation of the new Bylaws Jason correctly pointed out the US Supreme Court Case regarding this issue. While the City can regulate size, placement and determine if they are a safety hazard (i.e. limit sight distance at an intersection), I don't believe it can regulate political signs on private property. Nor can it require when they are erected and removed. I'm not a Lawyer, but the two Towns I served in in MA had similar Bylaws and eventually both Communities deleted these requirements.

Open Space Subdivisions Section 5.4. I have always liked Open Space Residential Subdivision. When done properly they maintain green space and can provide amenities that other designs do not. I understand that we have updated this bylaw recently, and it was a great improvement to what we had. Unfortunately, developers will not take this option if it yields fewer lots than a conventional plan.

I would propose that if a builder can get 100 lots with a conventional plan, they should be able to get the same number of lots with an open space plan. These lots would be smaller and in cluster(s). But the saving in infrastructure costs could give a developer a financial incentive to go this route.

Best Regards,

Mark Pease
[redacted]
Ward 5 Planning Commissioner
[redacted]

December 15, 2025

City of Fountain Inn Planning Commission

RE: Public Review & Comments | UDO

We respectfully submit the following comments on behalf of Upstate Forever. We believe the UDO will better serve the City of Fountain Inn by preserving quality open space, enhancing tree canopy requirements, and expanding housing types. We appreciate your thoughtful consideration of our recommendations to strengthen the zoning and land development regulations even further.

COMMENTS:

Article 5: General Development Standards

5.3 Open Space and Common Areas

5.3.1 Minimum Open Space Requirements

Consider tiering minimum open space requirements based on acreage. For example, large-scale residential development (e.g., over 30 acres) should require more open space than small-scale residential development.

5.4 Open Space Residential Option

To ensure conservation subdivision design is a viable option for developers, consider incentivizing open space residential development by allowing developers to build to the maximum allowable density in the base district.

5.6 Tree Protection

Although this article is a major improvement from the City of Fountain Inn's existing ordinance, the protections still fall short. We believe strengthening this section will further realize the comprehensive plan's overarching vision to protect the small-town feel and character of Fountain Inn.

At a minimum, we recommend that the City of Fountain Inn bring tree preservation requirements in alignment with Greenville County's existing tree ordinance as it relates to required tree density units for development, tree density units for preserved trees, and tree density units for replacement and planted trees. The City of Greer and the City of Mauldin are excellent examples of nearby municipalities using a similar model to Greenville County's that take an even more proactive approach to preservation. We also strongly recommend that the city set clear protections in place to preserve significant trees over 24" DBH.

Table 5.10 Required Tree Density Units for Developments

The City of Fountain Inn should consider increasing the threshold for "all other uses" to 15 tree density credits per disturbed acre to mirror Greenville County's requirements. The City of Fountain Inn should also consider setting standards for the number of trees required per residential lot (e.g., two trees per residential lot).

Table 5.11 Tree Density Units for Preserved Trees

The City of Fountain Inn should consider aligning Table 5.11 with Greenville County's existing ordinance. Under the current draft, only one preserved tree (20-24" DBH) per acre is sufficient to satisfy the tree density unit requirements.

5.6.3(B) Existing Trees

The city should consider setting clear protections for significant trees over 24" DBH. Significant trees should be preserved unless such preservation would deprive a property of all economic value. If removal is deemed necessary, then mitigation or payment into the Tree Fund for Alternative Compliance should be mandated.

Table 5.12 Tree Density Units for Replacement and Planted Trees

Similar to above, the City of Fountian Inn should consider mirroring Greenville County's existing ordinance for tree density units for replacement and planted trees. Since trees on average take up to 40 years or more to reach maturity, preservation should be heavily incentivized.

5.6.6(G) Tree Fund for Alternative Compliance

The city should consider setting a per-acre cap on fee-in-lieu of mitigation. For example, the City of Greenville caps fee-in-lieu-of mitigation fees at $25,000 per acre to be adjusted upward or downward based upon the size of the parcel. Additionally, the city should outline that expenditures from the fund can be used to mitigate the impacts of tree ordinance requirements for affordable housing developments.

Article 6: Conditional Uses and Special Exception Standards

6.9 Accessory Uses

Consider adding design guidelines to ensure compatibility with the principal structure and surrounding neighborhood.

Sincerely,

Allie Mortensen

Allie Martinsen

Land Policy Manager, Upstate Forever

amartinsen@upstateforever.org

(864) 203-1947

FOUNTAIN INN est 1886	**REQUEST FOR COUNCIL ACTION** City of Fountain Inn, South Carolina To: Mayor and Members of City Council From: Shawn M. Bell, City Administrator	January 8, 2026 Regular City Council Meeting

☒ Ordinance/First Reading ☐ Ordinance/Second Reading ☐ Resolution/First & Final Reading

Agenda Date Requested: January 8, 2026

Ordinance/Resolution Caption: Ordinance 2026-02
An ordinance authorizing the execution and delivery of (A) a purchase-sale agreement related to an approximately 1.2-acre portion of TMS 0342000100316 and (B) a lease agreement related to a portion of the Fountain Inn Elementary School; authorizing the consummation of the transactions contemplated hereby; and providing for other related matters.

Summary Background:
The City of Fountain Inn owns approximately 4.6 acres at 610 Fairview Street, the site of the Activities Center. The School District of Greenville County is in the process of expanding Fountain Inn Elementary School at 608 Fairview Street to establish a Kindergarten through 8th Grade campus. To accommodate their new drop-off loop design, the School District requires approximately 1.2 acres of City-owned land behind the City's Activities Center.

The proposed lease agreement allows the City of Fountain Inn to utilize Fountain Inn School's facilities for its Recreational programs, such as gymnasiums, playing/recreation fields, and playground area, from August 1, 2028, through July 31, 2033.

Per the City's 2023 Parks and Recreation Master Plan, a 26,000 square foot expansion of the Activities Center with an additional 116 parking spaces would cost at least approximately $8.5 million.

Impact If Denied:
The School District of Greenville County will need to make alternative site plan arrangements to accommodate the campus expansion. When the newly expanded Fountain Inn School opens, the City of Fountain will not have access to the school's facilities.

Impact If Approved:
The City would be unable to accommodate the 2023 Master Plan's Activities Center expansion. However, the Recreation Department could adapt its projected growth in youth sports participation by partnering with neighboring facilities. Thus, allowing the City to redirect capital project resources elsewhere.

Financial Impact:
The purchase price for the 1.2 acres is confidential until the School Board takes official action to approve.

The City of Fountain Inn will pay the School District of Greenville County $1.00 annually as consideration for the lease agreement. The City of Fountain Inn is responsible for maintaining liability insurance and for paying a mutually agreeable monthly fee to the School District of Greenville County to offset the costs of utilities during the City's use of the premises.

CITY OF FOUNTAIN INN, SOUTH CAROLINA
ORDINANCE 2026-02

AUTHORIZING THE EXECUTION AND DELIVERY OF (A) A PURCHASE-SALE AGREEMENT RELATED TO AN APPROXIMATELY 1.20 ACRE PORTION OF TMS 0342000100316 AND (B) LEASE AGREEMENT RELATED TO A PORTION OF THE FOUNTAIN INN ELEMENTARY SCHOOL; AUTHORIZING THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED HEREBY; AND PROVIDING FOR OTHER RELATED MATTERS.

WHEREAS, the City previously acquired approximately 1.2 acres of real property located off Fairview Street, Fountain Inn, South Carolina, also known by its Greenville County Tax Parcel No. 0342000100316 (portion of), and also known as the Fountain Inn Activities Center ("Sale Property");

WHEREAS, the School District of Greenville County ("School District") has requested the City transfer the Sale Property to the School District;

WHEREAS, the parties have caused to be drafted and presented to this meeting an agreement of purchase and sale, the substantially final form of which is attached to this Ordinance as Exhibit A ("PSA");

WHEREAS, the School District previously acquired real property located at 608 Fairview Street, Fountain Inn, South Carolina, also known by Greenville County Tax Parcel Nos. 0340000600100 and 0340000602800, and also known as the Fountain Inn Elementary School (collectively, "Lease Property");

WHEREAS, the City has requested the School District lease the Lease Property to the City;

WHEREAS, the parties have caused to be drafted and presented to this meeting a lease agreement, the substantially final form of which is attached to this Ordinance as Exhibit B ("Lease Agreement");

WHEREAS, the City and the School District desire to transact the sale and the lease contemporaneously with, as the mutual consideration for, and contingent on the transaction, of the other;

WHEREAS, South Carolina law authorizes municipalities to sell, alienate, convey, and otherwise dispose of real property to third parties;

WHEREAS, South Carolina law authorizes municipalities to lease, rent, let, and otherwise hire real property from third parties;

WHEREAS, after careful consideration of the costs and potential benefits of consummating each transaction simultaneously, the City now wishes to move forward with the matters described in this Ordinance;

NOW, THEREFORE, the Council ordains:

Section 1. ***Incorporation of Findings.*** The City hereby adopts and incorporates the findings contained in the "WHEREAS" clauses above.

Section 2. ***Lease of Elementary School.*** The City Council approves the City's lease of the Lease Property from the School District contingent on the consummation of transaction contemplated by Section 3 and meeting the conditions of Section 4 of this Ordinance.

Section 3. ***Sale of Sale Property.*** The City Council approves the City's sale of the Sale Property to the School District contingent on the consummation of transaction contemplated by Section 2 and meeting the conditions of Section 4 of this Ordinance.

Section 4. ***Authorization and Approval of Form of PSA and Lease Agreement.*** The PSA and the

Lease Agreement are each authorized and approved. The form of the PSA and the Lease Agreement presented at this meeting attached, respectively, as Exhibit A and Exhibit B, are approved, and each provision is incorporated in this Ordinance by reference as if the PSA and the Lease Agreement were set out in this Ordinance in their entirety. The City Administrator and the City Clerk, are each authorized, empowered, and directed to execute, acknowledge, and deliver the PSA and the Lease Agreement in the name of and on behalf of the City, and to cause the executed PSA and the Lease Agreement to be delivered to the School District. Neither the PSA nor the Lease Agreement shall be substantively changed in any way that would be materially adverse to the City.

Section 5. ***Authorization for City Officials to Act.*** The City Administrator and the City Clerk, for and on behalf of the City, are each authorized and directed to do each thing that is reasonably necessary and prudent, including the execution of additional documents related to the documents and transactions contemplated by this Ordinance, to effect the sale of the Sale Property and lease of the Lease Property, the execution and delivery of the PSA and the Lease Agreement and the performance of all obligations of the City under and pursuant to this Ordinance, the PSA, and the Lease Agreement.

Section 6. ***General Repealer.*** Each order, resolution, ordinance, or part of the same in conflict with this Ordinance, is, to the extent of that conflict, repealed.

Section 7. ***Effective Date.*** This Ordinance is effective at its approval following second reading.

[ONE SIGNATURE PAGE AND TWO EXHIBITS FOLLOW]
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CITY OF FOUNTAIN INN, SOUTH CAROLINA

George Patrick McLeer, Jr., Mayor

[CITY SEAL]

ATTEST:

Elizabeth Adams, City Clerk

APPROVED AS TO FORM:

Michael E. Kozlarek, Esq.
King Kozlarek Root Law LLC

First Reading: January 8, 2026
Second Reading / Final Approval: February 12, 2026

EXHIBIT A

SUBSTANTIALLY FINAL FORM OF AGREEMENT OF PURCHASE AND SALE

[ATTACHED]

EXHIBIT B

SUBSTANTIALLY FINAL FORM OF LEASE AGREEMENT

[ATTACHED]

AGREEMENT OF PURCHASE AND SALE

[GREENVILLE COUNTY SD-CITY OF FOUNTAIN INN]

THIS AGREEMENT OF PURCHASE AND SALE is made and entered into as of this [] day of February 2026, between the City of Fountain Inn ("Seller") and the School District of Greenville County and/or assigns ("Buyer").

RECITALS

WHEREAS, Seller is the fee simple owner of real property and improvements found upon the parcel consisting of approximately 1.2 acres, more or less, located at 610 Fairview Street, Fountain Inn, in the County of Greenville, State of South Carolina, more particularly described as part of Greenville County Tax Map # 034200100316 and further described on Exhibit A attached hereto and made a part hereof by reference ("Property"), including all appurtenances thereto and improvements thereon, if any; and

WHEREAS, Seller now desires to sell and convey its interest in the Property to Buyer, and Buyer desires to purchase the same on the terms and conditions hereinafter set forth.

NOW THEREFORE, for and in consideration of the sum of Ten Dollars ($10.00) and other good and valuable consideration in hand paid by each of the parties to the other, the receipt whereof is hereby acknowledged each for the other, and in further consideration of the mutual covenants and promises hereafter set forth, the parties hereto do hereby mutually covenant and agree as follows:

1. Agreement of Purchase and Sale.

(a) Subject to and on the terms and conditions herein set forth in this Agreement of Purchase and Sale ("Agreement"), Seller hereby agrees to sell, assign and convey to Buyer, and Buyer hereby agrees to purchase and acquire from Seller, the Property, together with all rights, privileges, tenements, hereditaments, rights of way, easements, appendages, appurtenances, or riparian rights belonging or anywise appertaining to the above premises.

(b) Buyer shall, at Buyer's expense, obtain a survey of the Property prior to the expiration of the Inspection Period. Seller shall have the right to review and approve the Property boundary. At closing, the Property shall be conveyed pursuant to the legal description derived from the survey ("Survey").

2. Earnest Money. Within five business days of the execution of this Agreement by both Buyer and Seller ("Effective Date"), Buyer shall pay to Bell Carrington & Price ("Escrow Agent") the sum of [redacted] which shall be held in trust as an earnest money deposit and applied to payment of the purchase price due at Closing. All earnest money deposits tendered pursuant to this Agreement shall be held and applied in accordance with the terms of this Agreement. Escrow Agent shall deposit all earnest money deposits in a non-interest-bearing account with a federally insured financial institution acceptable to Buyer. All earnest money deposits tendered under this Agreement are referred to in this Agreement as "Earnest Money."

3. Purchase Price. The purchase price ("Purchase Price") which Buyer shall pay to Seller for the Property shall be the amount of [redacted] The balance of the Purchase Price, less the Earnest Money Deposit and any other credit provided herein, shall be due and payable in immediately available United States funds at Closing.

4. Contingencies.

(a) Buyer's title to the Property shall be conveyed by limited warranty deed. Buyer shall have until 90 days from the Effective Date of this Agreement to examine the title to determine the

acceptability of the title for Buyer's intended purposes. If Buyer determines that title exceptions exist that are unacceptable for Buyer's intended purposes, then Buyer shall notify Seller prior to the expiration of the 90-day examination period of said objections, and if Seller is unable or unwilling to remedy said defect(s) within 10 days of receipt of such notification, then Buyer shall have the option of closing with said exceptions affecting the title or terminating this agreement by written notification within said 10-day period, in which event the Earnest Money and any accrued interest will be promptly paid to Buyer. Buyer shall pay all legal costs associated with any title examination and the cost of the premium for title insurance policy, if any; and

(b) Buyer shall have until 90 days from the Effective Date of this Agreement ("Inspection Period") to enter upon the Property and make such soil, building, environmental and utility inspections and to conduct such interviews with any party desired by Buyer as Buyer may deem necessary and to review and verify the various materials supplied and representations made by Seller herein and further during the Inspection Period, including without limitation appraisal inspection report, zoning, site plan, permits, soil tests, subdivision plans, specifications, utility availability and environmental reports, in order to make a final determination whether or not to complete the transaction and purchase the Property; provided that all such activities shall be at the sole cost and expense of Buyer. Seller consents to such entry and shall cooperate with Buyer during the course of Buyer's inspection of the Property. Buyer shall indemnify and hold Seller harmless as permitted by South Carolina law from all costs and liabilities relating to Buyer's due diligence activities. Buyer shall repair all damage to the Property caused by Buyer's due diligence activities.

For purposes of obtaining zoning approvals and/or approval from the Board of Trustees of the School District of Greenville County, Buyer shall have the right to extend the Inspection Period by up to two additional periods of 30 days by giving written notice to Seller prior to the expiration of the then-current Inspection Period.

Within 5 business days of the Effective Date of this Agreement, Seller shall provide to Buyer the following items that are in Seller's possession:

1. existing plats, boundary and topographical surveys, and any appraisal reports in Seller's possession;

2. copies of latest deed and title insurance policy (if any) for the Property;

3. copies of any documents known to Seller related to deed restrictions, restrictive covenants, regulations or ordinances;

4. copies of easements, rights of way and documents related to rights of ingress and egress related to the Property;

5. copies of any and all documents known to Seller relating to the environmental condition of the Property, including, but not limited to, any environmental permits or approvals, and underground storage tank operating or closure permits and documentation, related to the Property; and

6. the results of any soil boring and other geotechnical studies related to the Property.

If for any reason whatsoever Buyer deems in its sole and absolute discretion that the results of its investigation and inspection to be unsatisfactory in any respect, then Buyer may cancel this Agreement by written notice to Seller given at any time before the expiration of the Inspection Period, including any extension as described above. Simultaneously with such termination, the Seller shall immediately return to

Buyer the Earnest Money Deposit, together with any accrued interest thereon, whereupon both parties shall be released from all further obligations under this Agreement. In the event that Buyer does not notify Seller of the termination of this Agreement pursuant hereto, this Paragraph 4 will be deemed to have been waived by Buyer.

5. Representations of Seller. The undersigned representative of Seller, for and on behalf of Seller makes the following representations, each of which (a) is to the best of the undersigned's knowledge, without inquiry, (b) is material and is being relied on by Buyer, (c) is true in all material respects as of the date hereof, and (c) shall be true in all material respects as of the Closing:

(a) This Agreement has been duly executed and delivered by Seller by persons authorized to do so on behalf of Seller and is a valid and binding obligation of Seller, enforceable against Seller in accordance with its terms;

(b) No person, firm or entity, other than Seller has any rights or estates in and to the Property or any portion thereof;

(c) There is no litigation pending or threatened, which affects the Property or which would or might affect the transaction contemplated hereby or the ability of Seller to satisfy all of its obligations hereunder;

(d) Seller is not a party to any contracts or agreements affecting or pertaining to the Property which will be binding on Buyer or the Property following the Closing;

(e) (A) there is no chemical, radioactive, toxic, or otherwise hazardous material, substance, or waste located in, upon, under, or adjacent to the Property or any ground or surface water courses thereon or thereunder; (B) the Property and all adjacent properties are not now, nor were they previously, used for the manufacture, generation, transfer, storage, or disposal of any hazardous or toxic substance; (C) the Property is in compliance with all, and not violative of any, rules, restrictions, codes, ordinances, regulations, statutes, or laws of any local, state, or federal governmental authority; (D) the Property does not contain any insulation or fire retardant material which consists, in whole or in part, of asbestos or any electrical transformers, capacitors, or other appliances containing PCB's; and (E) the Property does not now, nor has it ever, had installed thereon or thereunder above-ground or underground storage tanks; and

(f) Seller covenants and agrees from this Effective Date of this Agreement until Closing to take all reasonable steps not to encumber the Property or permit the Property to be encumbered with any encumbrance, lien, or other claim or right which may affect title thereto, zoning change, tenant leases, or other rights, appurtenances, or hereditaments to be conveyed pursuant to this Agreement other than monetary liens which will be extinguished at Closing.

6. Representations and Warranties of Buyer. Buyer does hereby represent and warrant that the persons executing this Agreement on behalf of Buyer are authorized to do so and, upon execution by such parties, and approval of said Agreement by Buyer's Board of Trustees the Agreement shall be a valid and binding obligation of Buyer, enforceable against Buyer in accordance with its terms.

7. Closing Date; Close of Escrow. Provided all conditions precedent to Buyer's obligation to consummate this Agreement hereof have been satisfied, the consummation of the purchase and sale of the Property in accordance with this Agreement ("Closing") shall take place the earlier of (a) 30 days from Buyer receiving written approval from the School Board, and (b) 30 days from the expiration of the Inspection Period, including any extensions as described above, at a place mutually acceptable to Buyer and Seller.

8. Seller's Closing Obligations. Seller shall deliver to Buyer or the Closing attorney at least two business

days prior to Closing a limited warranty deed, in form and substance satisfactory to Buyer, conveying to Buyer fee simple title to the Property subject to any and all encumbrances of record and as may be otherwise known or knowable to Buyer. Possession shall be delivered to Buyer at Closing.

9. Buyer's Closing Obligations.

(a) Not later than the close of business on the last regular business day before the Closing Date or earlier if requested by Seller (but in no event more than two business days prior to the Closing Date), Buyer shall deliver to Seller or Seller's attorney any instruments, documents or things required by this Agreement to be delivered by Buyer to Seller.

(b) At Closing, Buyer shall pay to Seller, subject to the adjustments and prorations provided for herein and subject to the application of Earnest Money, the balance of the Purchase Price.

10. Closing Prorations. Real estate taxes, if and to the extent applicable, shall be prorated to the closing date based on amounts due for the current year, except that if tax amounts for the current year are not available, prorations shall be made based on the gross real estate taxes for the preceding year. If Property is the result of the subdivision of a larger tract currently described in the Greenville County tax records, the taxes shall be pro-rated based on the acreage of the respective parts. Buyer and Seller shall make adjustments between themselves post-closing, if necessary, based on the actual tax bills for the Property when received, to correct the pro-ration of taxes at Closing. Buyer shall assume responsibility for all rollback taxes, if any.

11. Apportionment of Closing Costs. Except as set forth above, Seller and Buyer shall each pay their share of closing costs as follows (if applicable): Recording transfer documents (Seller), deed stamps (Seller), transfer tax (Seller), Title Insurance Commitment and Title Insurance Policy (Buyer), Survey (Buyer), due diligence inspections (Buyer). Each party shall pay their respective attorney's fees.

12. Commissions. Buyer is represented in this transaction by Justin Hirsch & CBRE ("Buyer's Broker") and no other broker or agent. Seller is not represented by a broker in this transaction. [redacted].

13. Notices. Any notice, request, instruction or other document to be given hereunder by either party to the other shall be in writing and delivered personally or mailed by certified mail, postage prepaid, return receipt requested, or U.S. Express Mail or other nationally recognized overnight mail delivery service (such mailed notice be effective on the date such receipt is acknowledged or refused) or telefax receipt requested to the parties as follows:

To Seller:

City of Fountain Inn, South Carolina
Attention: City Administrator
200 North Main Street
Fountain, South Carolina 29644

With a copy to (does not constitute notice): Michael E. Kozlarek, Esq.
King Kozlarek Root Law LLC Post Office Box 565
Greenville, South Carolina 29602-0565

To Buyer: School District of Greenville County
Facilities Department
Attn: Scott Carlin
2 Space Drive
Taylors, South Carolina 29687

With copy to: CBRE
Attn: Justin Hirsch
355 South Main Street, Suite 701
Greenville, South Carolina 29601
864-650-5570
justin.hirsch@cbre.com

Either party may change the person or address for notices to such party by giving notice to the other party as provided hereinabove.

14. Damages.

(a) If Buyer defaults for any reason whatsoever in the performance of its obligations under this Agreement, as Seller's sole remedy, the Earnest Money Deposit shall be delivered to and retained by Seller as damages for Buyer's default.

(b) If Seller defaults for any reason whatsoever in the performance of its obligations under this Agreement, then in such event, at the option of Buyer, Buyer may cancel and receive the return of the entire Earnest Money Deposit and seek its costs and expenses necessary and required under this Agreement, or Buyer may seek specific performance.

15. Entire Agreement. This Agreement, when fully executed, constitutes the entire Agreement between the parties hereto with respect to the subject matter hereof and supersedes any and all prior representations, understandings and agreements, whether written or oral. No supplement, modification or waiver of any provision of this Agreement shall be binding unless executed in writing by the party to be bound thereby. No waiver of any of the provisions of this Agreement shall be deemed or shall constitute a waiver of any other provision hereof (whether or not similar), nor shall such waiver constitute a continuing waiver unless otherwise expressly provided.

16. Contingent Transactions. Lease Agreement

17. Successors and Assigns. This Agreement and every provision hereof shall bind and inure to the benefit of the parties hereto and their respective heirs, personal representatives, successors and assigns. Neither Buyer nor Seller may assign its rights or delegate its duties under this Agreement. Any purported assignment and/or delegation is void.

18. Governing Law. This Agreement shall be construed, interpreted and the rights of the parties determined in accordance with the laws of the State of South Carolina.

19. Covenants of Cooperation. Seller and Buyer each agree to cooperate with each other and to execute such additional documents, including escrow instructions, as may be necessary to carry out the provisions of this Agreement.

20. Headings and Captions. The headings and captions of the paragraphs of this Agreement are for convenience of reference only and in no way define, describe or limit the scope or intent of this Agreement or any of the provisions hereof.

21. Gender and Number. As used in this Agreement, the neuter shall include the feminine and masculine, the singular shall include the plural and the plural shall include the singular, as the context may require.

22. Invalidity. In the event that any one or more of the provisions contained in this Agreement shall, for any reason, be held to be invalid, illegal, or unenforceable in any respect, then to the maximum extent permitted by law, the remaining provisions of this Agreement shall be enforced and such invalidity, illegality, or unenforceability shall not affect any other provision of this Agreement or any other such instrument.

23. Multiple Counterparts. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

24. Exhibits. Any exhibits to this Agreement, which are referred to in this Agreement, are hereby incorporated herein by reference.

25. Additional Approvals. This Agreement is contingent upon final approval from the Board of Trustees of the School District of Greenville County and upon the approval of the appropriate office of the South Carolina Department of Education for the Buyer's contemplated use.

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

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

WITNESSES:

SELLER:
CITY OF FOUNTAIN INN, SOUTH CAROLINA

_____ By:_____

_____ Its:_____

Date:_____

PERSONALLY appeared before me the undersigned Witness #1 who made oath that with Witness #2 above, he/she was present and witnessed the above signatory sign, seal, and as a free and voluntary act, deliver the Agreement of Purchase and Sale.

_____
WITNESS #1

SWORN TO before me this _____
Day of _____, 2026.

_____
Notary Public for South Carolina
My Commission Expires:_____

WITNESSES:

BUYER:
SCHOOL DISTRICT OF GREENVILLE COUNTY

_____ By:_____

_____ Its:_____

Date:_____

PERSONALLY appeared before me the undersigned Witness #1 who made oath that with Witness #2 above, he/she was present and witnessed the above signatory sign, seal, and as a free and voluntary act, deliver the Agreement of Purchase and Sale.

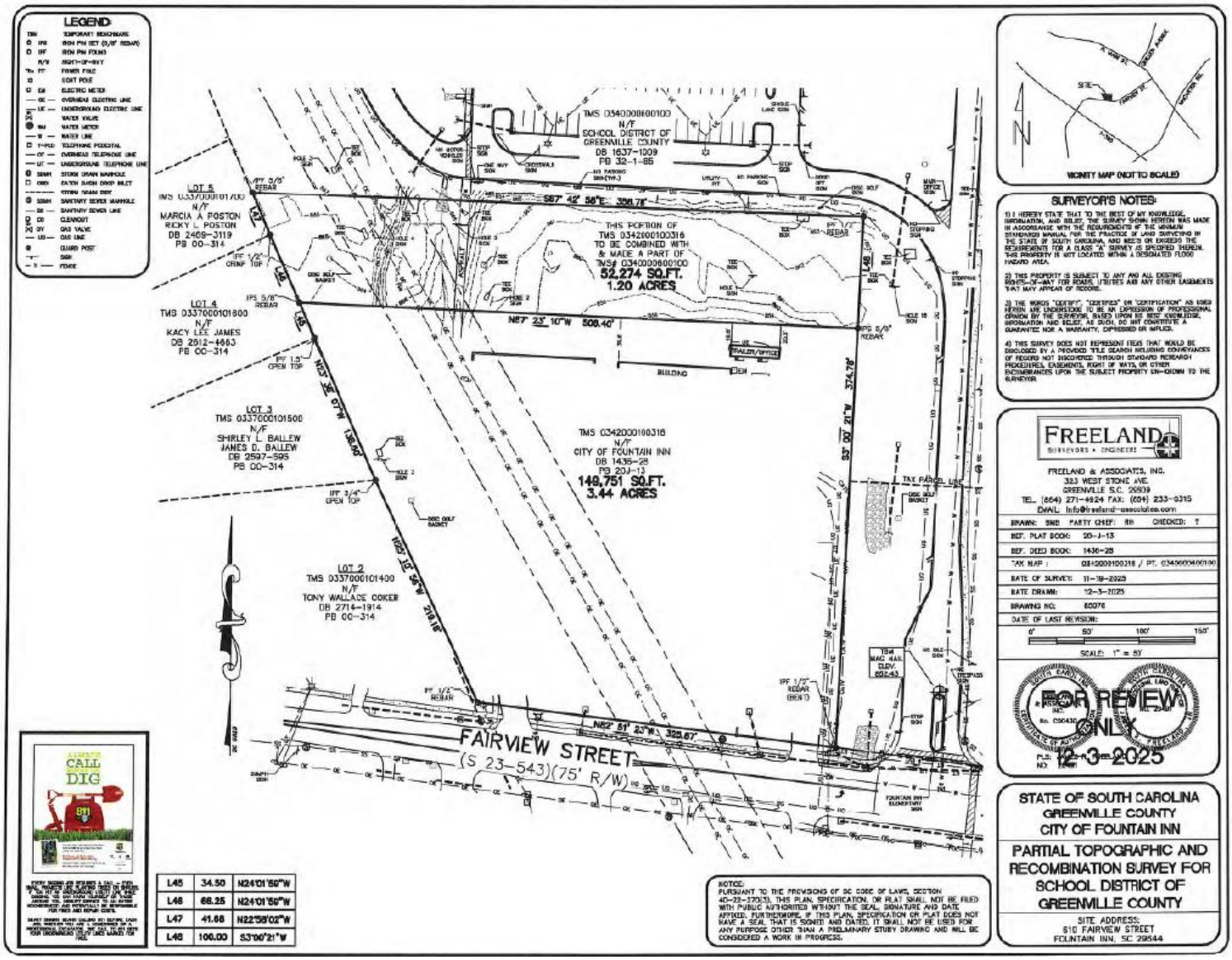
_____
WITNESS #1

SWORN TO before me this _____
Day of _____, 2026.

_____
Notary Public for South Carolina
My Commission Expires:_____

EXHIBIT A

DEPICTIONS OF PROPERTY
[approximately 1.2 Acres]



Buyer_____ Seller_____

STATE OF SOUTH CAROLINA	)	LEASE AGREEMENT
	)	[GREENVILLE COUNTY SD-CITY OF FOUNTAIN INN]
COUNTY OF GREENVILLE	)	[FOUNTAIN INN ELEMENTARY]

THIS LEASE AGREEMENT effective as of August 1, 2028 ("Effective Date"), by and between the School District of Greenville County ("Lessor") and the City of Fountain Inn ("Lessee," with Lessor, collectively, "Parties," each, a "Party").

In consideration of the mutual covenants and conditions contained in this Lease, the Parties agree as follows:

1. Description of Premises. Lessor hereby leases to Lessee, and Lessee hereby leases from Lessor, subject to the terms of this Lease, to the extent they exist or are subsequently created, the gymnasium(s), playing/recreation field(s), and the playground area located at and/or on 608 Fairview Street, Fountain Inn, South Carolina 29644 (Greenville County), located on the property of "Fountain Inn Elementary School," or as it may otherwise be known now or in the future, also known by Greenville County Tax Parcel Nos. 0340000600100 and 0340000602800, all as more fully depicted on Exhibit A, which is attached and incorporated by reference in this Lease (collectively, "Leased Premises"). This Lease is for the use of Leased Premises during (a) only non-school hours. For purposes of this Lease, "non-school hours" means any time before 07:00:00 a.m. and after 05:30 p.m. (local time), during the days that instruction is provided at Fountain Inn Elementary School, and (b) any time during the days that instruction is not provided at Fountain Inn Elementary School.

2. Term. The initial term of this Lease is from 12:00:00 a.m. (local time), on August 1, 2028, through and included 11:59:59 p.m. (local time), on July 31, 2033.

3. Rental. Lessee shall pay Lessor $1.00 per year as consideration for this Lease. This amount shall be due upon signing this Lease and on each annual anniversary of signing this Lease.

4. Use of Leased Premises. Lessee is entitled to use Leased Premises for only those activities that constitute a regular and routine component of Lessee's program of community recreation. Lessee's use of Leased Premises shall at all times be secondary to any use that Lessor may have for Leased Premises during non-school hours and days that instruction is not provided as described in Section 1 above, as long as Lessor's representative, the Principal at Fountain Inn Elementary School, gives Lessee at least twenty-four hours written notice of Lessor's intent to use Leased Premises.

5. [Reserved].

6. [Reserved].

7. Liability. During Lessee's active use of Leased Premises, Lessee shall be responsible for all costs, including attorney's fees, damages, or injuries arising from such Lessee use.

8. Commercial General Liability Insurance. Lessee shall procure and maintain during the term of this Lease commercial general liability insurance in the amount of at least one million dollars for each occurrence and two million dollars aggregate. This coverage shall include at least the following: product liability; contractual liability; explosion, collapse and underground hazards (when any substantial excavation or heavy construction is involved). The policy should be issued by an "A" rated carrier licensed to do business in the State of South Carolina and satisfactory to Lessor. This insurance shall name Lessor as an additional insured. At the time of signing this Lease, and annually thereafter, Lessee shall present to Lessor a certificate verifying the existence of this insurance coverage. The insurance carrier shall also verify to Lessor that it will provide Lessor thirty days written notice of any cancellation of this insurance coverage. Any failure by Lessee to maintain the coverage required herein shall terminate this Lease.

9. Business Automobile Liability Insurance. Lessee shall procure and maintain business automobile liability insurance in the amount of not less than $1,000,000 for each accident. The policy will be a "comprehensive form," meaning that the policy covers all vehicles, owned, hired, and non-owned, for which Lessee may be liable in Lessee's use of Leased Premises. The policy should be issued by an "A" rated carrier licensed to do business in the State of South Carolina and satisfactory to Lessor or the South Carolina Municipal Insurance and Risk Financing Fund (or equivalent). At the Effective Date of this Lease, and annually thereafter, Lessee shall present to Lessor a certificate verifying the existence of insurance coverage. as required by this Paragraph. The insurance carrier shall also verify to Lessor that it will provide Lessor thirty days written notice of any cancellation of this insurance coverage. Any failure by Lessee to maintain the coverage required in this Paragraph is an Event of Default under this Lease.

10. Workers' Compensation Insurance. Lessee shall procure and maintain in force during the term of this Lease a policy of Excess Workers' Compensation insurance, applicable to all of Lessee's employees who may work on Leased Premises, in the amount of not less than $100,000.00 for each accident with a policy aggregate of not less than $500,000.00. The policy should be issued by an "A" rated carrier licensed to do business in the State of South Carolina and satisfactory to Lessor or the South Carolina Municipal Insurance and Risk Financing Fund (or equivalent). At the Effective Date of this Lease, and annually thereafter, Lessee shall present to Lessor a certificate verifying the existence of insurance coverage as required by this Paragraph. The insurance carrier shall also verify to Lessor that it will provide Lessor thirty days written notice of any cancellation of this insurance coverage. Any failure by Lessee to maintain the coverage required in this Paragraph is an Event of Default under this Lease.

11. Utilities. Lessee shall pay mutually agreeable monthly fee to offset the costs of utilities used by Lessee during Lessee's use of Leased Premises. This fee shall be in addition to, and not a part of, the rental fee, and shall not be recoverable as "rent" and/or "additional rent," as those terms might be commonly understood.

12. Alterations. Lessee, after receiving written permission from Lessor, may make certain alterations, additions, and improvements to Leased Premises. All alterations, additions, and/or improvements of any kind or nature whatsoever will, at no cost to Lessor, become part of Leased Premises and will remain so at the end of this Lease. Once made, any alterations, additions, and/or improvements to Leased Premises shall, at no cost to Lessor, become the property of Lessor. Lessor's freedom from any costs for alterations, additions, and/or improvements survives any default or termination of this Lease.

13. [Reserved].

14. [Reserved].

15. Signs. Lessee may place or attach signs or other such identification to Leased Premises as needed after receiving written permission from Lessor. Any signs or other such identification must conform to county and/or municipal ordinances governing signs/placards in effect at the time of placement. Any damage caused to Leased Premises by Lessee's erecting or removing such signs or other such identification will be repaired promptly by Lessee at Lessee's expense.

16. Personal Property. All personal property moved onto Leased Premises by Lessee shall be at the sole risk of Lessee and/or the owners of the personal property. Lessee agrees that Lessor shall not be liable for any damage, loss, or theft to and/or of personal property, regardless of the cause or responsibility for the loss.

17. Trash Removal and Maintenance of the Leased Premises. Lessee agrees to keep the entire Leased Premises clean at all times during Lessee's active use of Leased Premises, at Lessee's sole expense. Lessor agrees to keep the grass and shrubbery neatly cut at its sole expense.

18. [Reserved].

19. Default. It is mutually agreed that each of the following is a "Default" under this Lease:

(A) Lessee fails to perform any of the terms of this Lease and fails to cure the same within 10 days after receiving written notice of the same from Lessor;

(B) Lessee abandons Leased Premises; and

(C) A materialman's, mechanic's or other lien is filed against Leased Premises in connection with any improvements, alterations, and/or additions made by Lessee pursuant to Lease, and Lessee is responsible for the cost of the improvements, alterations, and/or additions, but allows the lien or liens to stand against Leased Premises and does not secure the discharge of the property from such liens by filing an appropriate bond or other financial security pursuant to applicable law. In the event Lessee does not file a bond or other financial security and elects to contest the liens, there shall be no default pending final determination of such disputed matter; then, after final determination, Lessor, at its option, may terminate this Lease if, after written notice of default to Lessee by certified mail, Lessee fails to secure the release of Leased Premises from any such lien within (10) days of the date such notice of default is received by Lessee.

20. Right to Terminate. Lessor may elect, upon Lessee's failure to cure any default within 10 days of the date written notice of Default, by certified mail, is received by Lessee, to terminate this Lease. In such event, this Lease shall be regarded as canceled as of the date the notice of Lessor's election to terminate is received by Lessee. Lessee is entitled to terminate this Lease by providing Lessor with 30 days written notice. Lessor is entitled to terminate this Lease by providing Lessee with 180 days' written notice

21. Damage to or Destruction of Leased Premises. During the term of this Lease, Lessee shall promptly notify Lessor's representative, the principal of Fountain Inn Elementary School, in the event of any fire, damage, unsafe condition, or other casualty to Leased Premises.

22. Condemnation. In the event the whole or any part of the real property of which Leased Premises are a part shall be condemned, taken by court decree, or taken by any other lawful authority (including power of eminent domain), Lessee shall have no claim or interest in any award of damages or other compensation for such taking.

23. Governmental Orders. Lessee, at its sole expenses, agrees to observe and comply with all laws, ordinances, rules, and regulations of the Federal, State, county, and municipal authorities as may apply to the activities conducted by Lessee on Leased Premises.

24. Waiver of Rights. The Parties agree that no waiver of any condition of this Lease by a Party, whether implied or in writing, shall constitute any further waiver by that Party of any other condition of this Lease. The rights and remedies created by this Lease are cumulative and the use of one remedy does not exclude or waive the right of the use of another.

25. Zoning. The use of Leased Premises is subject to any applicable zoning ordinances, regulations, and setback lines of any applicable governmental authority.

26. Notices. All notices required or desired to be given hereunder by either Party to the other shall be given by certified mail, return receipt requested. Notice to a Party shall be addressed as follows:

To Lessor:

The School District of Greenville County
Attention:
Email:

To Lessee:

City of Fountain Inn, South Carolina

Attention: City Administrator
200 North Main Street
Fountain, South Carolina 29644

With a copy to (does not constitute notice):

Michael E. Kozlarek, Esq.
King Kozlarek Root Law LLC
Post Office Box 565
Greenville, South Carolina 29602-0565

Either Party may, by like written notice, designate a new address and/or individual to whom such notices shall be directed.

27. Liens. Lessor and Lessee mutually agree and covenant that they will not cause or suffer the creation of any liens on behalf of contractors, subcontractors, mechanics, laborers, materialman, or other liens, for any labor performed or materials furnished for or on behalf of Lessor or Lessee, which may cloud or impair Lessor's title to Leased Premises; and that if any such lien shall arise due to an act or omission of Lessor or Lessee, that Party shall promptly remove the same at its own expense.

28. Quiet Enjoyment. Lessor warrants that it is the owner of Leased Premises and has full right and authority to enter into this Lease; and Lessor covenants that, for and during the term of this Lease, neither Lessor nor its agent will cause or suffer anything to be done that could impair Lessee's leasehold interest and rights under this Lease.

29. Written Agreement. This Lease contains the entire agreement between the Parties with respect to this subject matter. This Lease may be modified by only a subsequent agreement, in writing, signed by Lessor and Lessee.

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

IN WITNESS WHEREOF, the Parties set their hands and seals, effective, as of the date first above written.

[NTD: to be updated prior to execution – two signature pages with acknowledgements for the possibility of recording]

EXHIBIT A

[NTD: to be updated prior to execution – to designate specific areas on the depiction]