

CITY OF SIMPSONVILLE, SOUTH CAROLINA

TITLE: ORDINANCE NO. TX-2019-01. AN ORDINANCE CONTAINING VARIOUS REFINEMENTS TO THE SIMPSONVILLE ZONING ORDINANCE.

BASIS FOR THE ORDINANCE: TITLE 6, CHAPTER 29, SOUTH CAROLINA CODE OF LAWS

ENACTING CLAUSE: NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SIMPSONVILLE, SOUTH CAROLINA

CITATION OF ORDINANCE REPEALED: None

PROVISION OF ORDINANCE: See provision of ordinance below.

SECTION NUMBERS: See below.

EFFECTIVE DATE OF ORDINANCE: Upon final approval by Council after second reading and signing by the Mayor.

NAME OF PERSON REQUESTING INTRODUCTION OF ORDINANCE: Planning & Economic Development Director, Jason Knudsen.

NOW, THEREFORE BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SIMPSONVILLE, SOUTH CAROLINA, AS FOLLOWS:

*NOTE: Language in section 1 of this ordinance that is ~~struck through~~ is language proposed to be deleted, underlined language is language proposed to be added, language that is not ~~struck through~~ or underlined is not to be changed, and *** represents sections of the Zoning Ordinance that have been skipped and remain unchanged.*

SECTION 1. That the City of Simpsonville Zoning Ordinance is hereby amended as follows:

3.1.5 Table of Allowed Uses

	R-E	R-Lo	R-Mid	R-Hi	R-OI	B-L	B-G	B-U	B-I

Service, Construction	-	-	-	-	<u>S</u>	<u>S</u>	S	S	P

3.2.27 Service, Construction

A. Special Exception Review Criteria

1. The compatibility of the scale, form, and design of the facility, including off-street parking, with regard to the character of the surrounding district.
2. The extent to which the visible presence of the establishment is consistent with the purpose and intent of the underlying zoning district. Outdoor storage that is not consistent with the district shall not be permitted.
3. The extent to which the use may pose a direct threat to the health and safety of the neighborhood.
4. Outdoor storage shall be prohibited within the B-L and R-OI district.

4.2 Building Design

4.2.5 Building Fenestration

Blank, windowless walls shall be prohibited where visible from any public right-of-way. Any façade visible from a public right-of-way shall incorporate windows and doorways that account for at least 25 percent of the façade, but not more than 85 percent of the façade. Where windows are used, they shall be transparent, unless approved by the Planning Director. Windows and doorways should incorporate decorative elements such as sills, trim, lintels, transoms, and awnings. Where windows are not feasible, alternate fenestration techniques, meeting the intent of the Ordinance, may be approved by the Planning Director.

4.6 Loading

4.6.4 Waiver

The Planning Director may reduce or waive the off-street loading requirements ~~for sites that having parking areas with fewer than ten parking spaces.~~ In his determination, the Planning Director shall consider whether the design of the structure or potential use of the property would demonstrate a need for off-street loading.

SECTION 2. REPEALER: All ordinances, orders, resolutions and parts thereof in conflict herewith are, but only to the extent of such conflict, are hereby REPEALED and this Ordinance shall take effect and be in full force from and after its passage and approval.

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SECTION 3. PROVISION SEVERAGE: If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The CITY COUNCIL hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

SECTION 4. SAVING CLAUSE: Nothing in this ordinance hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action required or existing, under any act or ordinance hereby repealed as stated in Section 2 of this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

SECTION 5. The CITY CLERK is hereby ordered and directed to cause this Ordinance to be published according to law.

SECTION 6. EFFECTIVE DATE: This Ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect from and after the date of its final passage and signature by the Mayor.

SIGNATURE OF MAYOR:

Janice S. Curtis

ATTEST:

Phyllis Long
City Clerk

APPROVED AS TO FORM:

David W. Holmes
City Attorney

FIRST READING: September 10, 2019
SECOND READING: October 08, 2019