

CITY OF SIMPSONVILLE, SOUTH CAROLINA

TITLE: ORDINANCE NO. TX-2021-01. 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CITATION OF ORDINANCE REPEALED: None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 Uses by Districts

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
Commercial Sales and Services									
<u>Brewpub Beer/Wine</u>	=	=	=	=	=	=	C	C	=

<u>Micro-Distillery</u>	=	=	=	=	=	=	C	C	C

Industry, Warehousing, and Transportation									
<u>Brewery</u>	=	=	=	=	=	=	C	=	C

3.2 Conditional and Special Exception Use Standards

3.2.4 Dwelling, Attached Single-Family

A. Standards

4. Driveways shall not occupy more than 50 percent of the front yard. The driveway of each dwelling unit shall at a minimum be separated by a 3-foot-wide grass or landscaped strip extending at least 75 percent of the length of the driveway.

At their discretion, the Planning Commission may allow for driveways to occupy more than 50 percent of the front yard, not to exceed 20 feet in width, where additional vegetation is provided as streetscaping between buildings and adjacent to the roadway. The level of which the vegetation enhances the public realm and overall community appeal, as well as provides shading and cooling effects will be among the factors used by the Planning Commission to determine a sufficient level of vegetation.

3.2.27 Service, Construction

A. Special Exception Review Criteria*

* Administrative offices for construction services shall be permitted by right within the R-OI, B-L, B-G, B-U Districts. The storage of materials and/or vehicles is prohibited.

3.2.41 Brewery

A. Standards

1. A brewery shall be located at least 300 feet from any religious institution, child day care, school, or playground.
2. A brewery shall be located at least 100 feet from any residential zoning district or residential property.
3. 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 State Regulations.
4. Within the B-G District, a restaurant must be on-site and operated in conjunction with the brewery.

3.2.42 Brewpub Beer/Wine

A. Standards

1. A brewpub shall be located at least 300 feet from any religious institution, child day care, school, or playground.
2. A brewpub shall be located at least 100 feet from any residential zoning district or residential property.
3. 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 State Regulations.

3.2.43 Micro-Distillery

A. Standards

1. A micro-distillery shall be located at least 300 feet from any religious institution, child day care, school, or playground.
2. A micro-distillery shall be located at least 100 feet from any residential zoning district or residential property.
3. A micro-distillery within the B-G or B-U districts shall have retail sales on site.
4. 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 State Regulations.

3.3 Accessory Use/Structure Standards

3.3.9 Outdoor Dining

E. Outdoor music shall comply with Chapter 18, Article II, Division 3 of the Simpsonville Code of Ordinances

4.2 Building Design

4.2.6 Building Finish Materials

Exterior building materials shall draw upon the neighborhood pattern of finish materials. Exterior finishes shall primarily be wood, masonry, stone, high quality architectural metal or a combination thereof. The use of pressed wood, composite siding, vinyl siding, sheet metal sheathing, plain concrete block, plain concrete, corrugated metal, and other similar materials shall be prohibited in the exterior finish of buildings where visible from any public right-of-way. However, low maintenance materials may be used in the trim work not to exceed ten percent of the building's exterior wall area. The use of architectural metal shall not exceed 50 percent of the façade.

6.2 Administrative and Decision-Making Bodies

6.2.5 Board of Zoning and Building Appeals

- B. Membership. The Board shall consist of seven members appointed by City Council. A majority of the membership shall constitute a quorum. The City Council may, at its discretion, appoint not more than two alternate members to serve on the Board in the absence, for any cause, of any regular members. Alternate members shall be appointed in the same manner as regular members. None of the members shall hold any other public office or position in the City. Members must be a resident of the city or own and operate a business in the city that holds a current city business license.

8.3 Interpretation of Measurements

8.3.3 Distance Between Establishments

Where this Ordinance requires a minimum separation between specific uses or establishments, such distances shall be measured along the shortest straight line from lot line to lot line of such establishments, unless otherwise indicated.

Distances associated with alcohol sales are as follows. With respect to a church or a school, the distance shall be measured from the nearest entrance of the place of business by following the shortest route of ordinary

pedestrian or vehicular travel along the public thoroughfare to the nearest point of entrance to the grounds of the church or school, or any building in which religious services or school classes are held, whichever is the closer. The South Carolina Department of Revenue has determined that the grounds in use as part of the church or school is restricted to the grounds immediately surrounding the building or buildings which provide ingress or egress to such building or buildings and does not extend to the grounds surrounding the church which may be used for beautification, cemeteries, or any purpose other than such part of the land as is necessary to leave the public thoroughfare and to enter or leave such building or buildings. Only one entrance to the grounds of a church or school shall be considered, to wit: the entrance to the grounds nearest an entrance to the church or school building. Where no fence is involved, the nearest entrance to the grounds shall be in a straight line from the public thoroughfare to the nearest door. The nearest point of the grounds in use as part of a playground shall be limited to the grounds actually in use as a playground and the grounds necessary for ingress or egress to such grounds from the public thoroughfare.

8.5 Defined Terms

Building

Any structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of any individual, animal, process, equipment, goods, or materials of any kind.

Comment: This excludes shipping containers (modified or not) and portable storage pods.

8.6 Description of Uses of Land and Buildings

Accessory Structure

A structure detached from a principal building located on the same lot and customarily incidental and subordinate to the principal building or use.

Comment: The accessory structure must be on the same lot as the principal structure unless this Ordinance specifically permits it to be located on another lot

This category excludes shipping containers (modified or not) and portable storage pods.

Brewpub Beer/Wine

A tavern, public house, restaurant, or hotel which produces beer/wine for sale on the premises.

Brewery

A building housing operation for the production of beer/wine.

Micro-distillery

A manufacturer who distills, blends, and bottles alcoholic liquors on the licensed premises in this State with an alcohol content greater than seventeen percent and who produces a maximum quantity of one hundred twenty-five thousand cases per year at the licensed premises.

SIGNATURE OF MAYOR:

Paul Shewmaker

ATTEST:

APPROVED AS TO FORM:

Phyllis Long
City Clerk

David W. Holmes
City Attorney

FIRST READING: March 09, 2021
SECOND READING: April 13, 2021