

***Greenville-Spartanburg Airport  
Environs Area Zoning Ordinance***

***Adopted by  
the Greenville-Spartanburg Airport Environs Commission  
March 29, 1996  
Amended March 31, 1997  
Amended April 22, 1999***

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# GREENVILLE-SPARTANBURG AIRPORT ENVIRONS AREA ZONING ORDINANCE

## I. GENERAL PROVISIONS

A. *Purpose* - The purpose of this ordinance, to be known as the "Greenville-Spartanburg Airport Environs Area Zoning Ordinance," is to implement the powers granted to the Airport Environs Planning Commission under South Carolina Code Annotated § 55-11-230 (1995), as amended, to protect the safety and land of property owners within the boundaries of the Greenville-Spartanburg Airport Environs Area, and to protect and ensure the future growth and development of the Greenville-Spartanburg Airport, thus ensuring the ability to the Greenville-Spartanburg Airport to continue to serve the needs of the people and businesses within the Airport's service area.

1. The Governor of South Carolina, the South Carolina General Assembly, and the city and county councils located within the Greenville-Spartanburg Airport Environs Area have found that airport hazards and incompatible uses of land within the Greenville-Spartanburg Airport Environs Area would endanger the lives and property of users of the Greenville-Spartanburg Airport, as well as the occupants of land and other persons in its vicinity, and would also tend to impair the operation of the Airport and the public investment therein; accordingly, each municipality and county does hereby declare that:

a. The creation or establishment of an airport hazard is a public nuisance causing potential injury to those living in the community and those served by the Airport;

b. It is necessary in the interest of the public health, safety, and general welfare that creation of airport hazards and the establishment of incompatible uses of land be prevented, and that this be accomplished, to the extent legally possible, by proper exercise of the police power, and the powers granted to the Greenville-Spartanburg Airport Environs Planning Commission by South Carolina Code Annotated § 55-11-230 (1995), as amended;

c. The protection of lives and property, the prevention of the creation or establishment of airport hazards and incompatible uses, and the elimination, removal, alteration, mitigation or marking and lighting of existing airport hazards are public purposes;

- d. Because of the propensity of landfills to attract birds, which in turn are hazardous to aircraft in flight, landfills are considered incompatible with airport operations;
- e. It is highly desirable that there be no structures, natural objects, or traverses which constitute or create a hazard within the airport protection zones; and
- f. It is highly desirable that there be no new residential structures within the Airport Environs Area, due to the danger to persons and property therein, and the increased noise levels within the Airport Environs Area experienced because of the proximity of aircraft on takeoff and landing.

B. *Authority*

- 1. The provisions of this ordinance are adopted under authority granted by South Carolina Code §§ 55-11-100 through 55-11-230 (1995), as amended, and are consistent with the South Carolina Local Government Comprehensive Planning Enabling Act of 1994, found at South Carolina Code Annotated §§ 6-29-310 through 6-29-1200 (1994), as amended.

C. *Jurisdiction*

- 1. The regulations set forth in this ordinance shall only be applicable within the Greenville-Spartanburg Airport Environs Area ("Airport Environs Area") as defined in South Carolina Code Annotated § 55-11-230 (1995), as amended.

D. *Grandfather Clause*

- 1. Continuation of Non-conforming Uses
  - a. As of the date of enactment of the Greenville-Spartanburg Airport Environs Zoning Ordinance by the Airport Environs Planning Commission, a lawful use then existing on a specific Parcel is exempt from the permissible land use restrictions set forth in Article **IV**.
  - b. A non-conforming single family residential Structure existing or under construction at the time the Greenville-Spartanburg Airport Environs Zoning Ordinance is enacted may be extended or enlarged, provided the extension or enlargement meets the requirements of the relevant local zoning ordinance or land use

plan.

- c. The expansion or creation of a use normally associated with an already existing non-conforming use on a Parcel owned by a hospital, nursing home, other medical facility, educational services facility or a religious facility on the date of the adoption of the Greenville-Spartanburg Airport Environs Zoning Ordinance is allowed to the extent that the expansion or creation occurs on such Parcel or a contiguous Parcel owned by the entity on the date of the adoption of the Greenville-Spartanburg Airport Environs Zoning Ordinance, and provided the expansion or creation meets the requirements of the relevant Local Zoning Authority.

## 2. Future Non-conforming Uses

- a. As of the date of enactment of the Greenville-Spartanburg Airport Environs Zoning Ordinance by the Airport Environs Planning Commission, a future use for a specific Parcel is exempt from the land use restrictions specified in Article IV if the Parcel is part of a development which has been platted or is under consideration by the Local Zoning Authority; or if the Parcel is not part of such a development, if a building or occupancy permit for that use has been issued, provided, however, that any such future non-conforming use will only be permitted when it is a single family residential structure to be located on a parcel on which no residential use currently exists in a subdivided residential development which was platted or was under consideration by the local zoning authority as of March 29, 1996, the effective date of the Greenville-Spartanburg Airport Environs Area Zoning Ordinance.
- b. If a developer has expended substantial money and made efforts in developing the property, but does not meet the above criteria, the developer may make a direct appeal to the Environs Commission to allow the development to be grandfathered. Upon such appeal, the developer must present objective evidence that substantial time, money and energy have been expended on the project prior to the date of enactment of the Greenville-Spartanburg Airport Environs Zoning Ordinance.

## 3. Repair and Replacement of Non-conforming Uses

- a. After the effective date of the Greenville-Spartanburg Environs Area

Zoning Ordinance, a Structure prohibited or uses of land which would be prohibited for the location of the land or Structure, shall be considered non-conforming. Existing non-conforming uses of a Structure may be continued provided they meet with the requirements of the applicable local zoning ordinance or land use plan.

- b. Normal maintenance and repair of a building occupied by a non-conforming use is permitted, provided no local zoning ordinance or land use requirement is violated thereby.
- c. A non-conforming Structure or a Structure containing a non-conforming use which has been damaged by fire or other causes, may be repaired or rebuilt and used as before, provided no local zoning ordinance or land use requirement is violated thereby. The new structure must meet the building standards, permits and approvals as set forth in section V.A., if the original structure was required to do so.

E. *Coordination of Zoning Ordinances*

- 1. In the event the Local Zoning Authority fails to amend its zoning, land planning, or permitting regulations, or to otherwise permit a use of the Parcel that would be in compliance with the Greenville-Spartanburg Airport Environs Zoning Ordinance, and all uses permitted under the Local Zoning Authority's regulations are inconsistent herewith, the uses permissible for that Parcel under the Greenville-Spartanburg Airport Environs Area Zoning Ordinance shall be applicable.

II. DEFINITIONS

- A. *Act*: The act creating the Airport Environs Planning Commission as set forth in § 55-11-230, et. seq. of the S.C. Code Annotated (1995), as amended.
- B. *Airport*: The Greenville-Spartanburg Airport.
- C. *Airport Environs Commission*: The Greenville-Spartanburg Airport Environs Planning Commission established in the Act.
- D. *Airport hazard*: Any structure, tree or use of land which would exceed the Federal obstruction standards as contained in Part 77, Subpart C of the Code of Federal

Regulations as applicable to runway 3L-21R and proposed parallel runway 3R-21L, as in effect on the date the Airport Environs Commission adopts the Greenville-Spartanburg Airport Environs Zoning Ordinance, and which obstructs the airspace required for the flight of aircraft, the landing or takeoff of aircraft at the Airport, or is otherwise hazardous to such landing or taking off of aircraft.

- E. *Airport layout plan*: A Federal Aviation Administration approved drawing depicting existing and future property lines and facilities including but not limited to runways, taxiways, aprons, buildings and clear zones.
- F. *Airport master plan*: A comprehensive plan for the development of the Airport adopted from time to time by the Greenville-Spartanburg Airport Commission. The master plan includes, among other things, aviation activity forecasts, determination of needed Airport facilities, a financial plan and proposed time schedule for developing facilities included in the master plan, and recommendations for the use of land on and adjacent to the Airport.
- G. *Airport overlay zoning map*: The maps established in Article **III** hereof. Copies of such maps are to be on file in the offices of the Registrar of Mesne Conveyances in both Greenville and Spartanburg Counties and all the relevant municipalities located in whole or in part within the Greenville-Spartanburg Airport Environs Area as defined in the Act.
- H. *Avigation easement*: An agreement substantially in the form attached hereto as Exhibit "A" executed by the owner of a Parcel.
- I. *Environs Area Compliance Coordinator*: The individual appointed by the Airport Environs Commission exercising the responsibilities set forth in section **VI.A.** hereof.
- J. *Greenville-Spartanburg Airport Environs Area ("Airport Environs Area")*: The area established in § 55-11-230 (1995), as amended.
- K. *Local Zoning Authority*: The local body or bodies in each relevant political subdivision which are entrusted with zoning, land planning and permitting powers, including but not limited to the power to hear variance requests from existing land use and development regulations.
- L. *Nonconforming use*: Any pre-existing Structure, object of natural growth or use of land which is inconsistent with the provisions of the Greenville-Spartanburg Airport Environs Area Zoning Ordinance, or amendments thereto.
- M. *Parcel*: A unit of land whose location, boundary and ownership for any and all purposes relating to the Greenville-Spartanburg Airport Environs Area Zoning

Ordinance shall be that which exists of record on the date of enactment of the Greenville-Spartanburg Airport Environs Area Zoning Ordinance by the Airport Environs Commission.

N. *Structure*: Any object, constructed or installed by man, including but not limited to: antennas, buildings, cranes, overhead transmission lines, smoke stacks, towers and utility poles.

O. *Uniform Land Use Plan*: The Plan encompassed in Article IV hereof.

### III. ESTABLISHMENT OF MAPS, AREAS AND ZONES

A. Attached hereto as Exhibit "B" are the maps setting forth the boundaries of the Airport Environs Area and the Federal Aviation Administration Part 77, Sub Part C height regulation area, as applicable to the Greenville-Spartanburg Airport Environs Area.

### IV. PERMISSIBLE USES

A. *Land Use Overlay*:

1. Parcels partially within the Airport Environs Area.

a. That portion of any Parcel which falls outside the Airport Environs Area shall be treated in the same manner as Parcels wholly outside the Airport Environs Area, and shall be governed by the planning and zoning regulations of the relevant Local Zoning Authority.

b. That portion of the Parcel falling within the Airport Environs Area shall be treated in the same manner as Parcels wholly within the Airport Environs Area, using the procedures established in paragraph IV.A.2.

c. The owner of a Parcel may subdivide the Parcel, creating two Parcels, one which falls wholly without the Airport Environs Area and one which falls wholly within the Airport Environs Area. When a Parcel is so divided, each of the new Parcels will be considered separately and all applicable use restrictions and zoning requirements of the Greenville-Spartanburg Airport Environs Area Zoning Ordinance shall apply only to the Parcel falling within the Airport Environs Area.

- d. If fifty percent (50%) or less of a total Parcel falls within the Airport Environs Area, and the total area which falls within the Airport Environs Area is less than one (1) acre, the whole parcel will be considered and regulated as if the entire parcel were outside the Airport Environs Area upon the filing of a formal request to be so considered with the Environs Area Compliance Coordinator.
2. Parcels wholly within the Airport Environs Area.
    - a. Permissible uses are those uses indicated as compatible in the Airport Environs Land Use Compatibility Table (Attached hereto as "Table A").
      - (1) Those uses indicated as "Yes-with restrictions" (permitted upon review), must be approved in writing by the Environs Area Compliance Coordinator when he or she is satisfied that the restriction has been satisfied.
  3. All uses of land within the Airport Environs Area must take into account the land uses and circumstances of the surrounding Parcels. Great care must be taken in any change of zoning, or the granting of a variance, to ensure that the enjoyment of the surrounding Parcels of land is not compromised to an unacceptable level due to development of the Parcel of land in question. The Local Zoning Authority shall also ensure that the local transitional or buffer zone requirements are enforced. If the Local Zoning Authority has no such requirements, it shall adopt and enforce those of the relevant county in which the Parcel is located.

B. *Lighting, height and electronic interference*

1. Lighting:
  - a. All lighting or illumination used in conjunction with streets, parking, signs or other uses of land and structures shall be arranged and operated in such a manner that it is not misleading or dangerous to aircraft operating from the airport or in the vicinity thereof.

- b. The owner of any structure, the height of which is greater than 982 feet above mean sea level, shall install lighting on the structure in accordance with Federal Aviation Administration Advisory Circular 70-7460, as amended and as determined by the Environs Area Compliance Coordinator; and in compliance with guidelines of the Federal Aviation Administration, any applicable Federal, State or local laws or regulations, and the Greenville-Spartanburg Airport Environs regulations.
- c. Any permit or variance granted by the Greenville-Spartanburg Airport Environs Area Board of Zoning Adjustments may be so conditioned as to require the owner of the structure or growth in question to abide by the requirements of the Airport Environs Commission with regard to the installation, operation and maintenance thereon of such markers and lights as may be necessary to indicate to pilots the existence of an airport hazard.

2. Height:

- a. Any Structure, tree or use of land within the Greenville-Spartanburg Airport Environs Area whose height would exceed the Federal obstruction standards as contained in Part 77, Subpart C of the Code of Federal Regulations, as in effect on the date the Airport Environs Planning Commission adopts the Greenville-Spartanburg Airport Environs Zoning Ordinance, as referenced in section **II.D.** and set forth in Exhibit "C", is prohibited.
  - (1) The Federal obstruction standards as contained in Part 77, Subpart C of the Code of Federal Regulations as applicable to the Greenville-Spartanburg Airport Environs Area and the surrounding area have been or should be enacted by all the jurisdictions which are completely or partially within the Airport Environs Area.
  - (2) The Federal obstruction standards as contained in Part 77, Subpart C of the Code of Federal Regulations as applicable to the Greenville-Spartanburg Airport Environs Area are also a part of the Greenville-Spartanburg Airport Environs Area Zoning Ordinance and are attached hereto as Exhibit "C".

- (3) The procedure for securing the certificate shall be established by the Local Zoning Authority and the Environs Area Compliance Coordinator. The procedure shall be designed to eliminate the need for the applicant to personally appear before the Environs Area Compliance Coordinator.

3. Electronic Interference:

- a. No operations from any use shall produce electronic interference with navigation signals or radio communication between the Airport and aircraft.

V. PERMITS AND APPROVALS.

A. *Permits and Approvals*

1. Attached hereto as Exhibit "D" are the building requirements applicable to residential construction in the Airport Environs Area. These requirements shall apply only if a variance is granted under Article VII for the construction of a residential structure within the Airport Environs Area.

B. *Quarterly Review of Development within the Airport Environs Area*

- a. The Environs Area Compliance Coordinator shall quarterly present a written report, to the Environs Commission, setting forth the rate and manner of development which is occurring within the Greenville-Spartanburg Airport Environs Area. The report shall detail the number and location of new residences, and other development which has part of the Greenville-Spartanburg Airport Environs Area Zoning Ordinance and are attached hereto as Exhibit "C".
- b. No building permit may be issued for any Structure within the Greenville-Spartanburg Airport Environs Area, the height of which is greater than 982 feet above mean sea level, unless the Environs Area Compliance Coordinator has issued a certificate, signed by the Environs Area Compliance Coordinator, which states that the proposed Structure will not constitute an Airport Hazard as defined in section II.D. occurred since the Environs Area Compliance Coordinator's last report and since the passage of the Greenville-

Spartanburg Airport Environs Area Zoning Ordinance.

VI. ADMINISTRATIVE MECHANISMS

A. *Environs Area Compliance Coordinator*

1. An Environs Area Compliance Coordinator shall be designated by the Airport Environs Commission to assist the Local Zoning Authority with the administration and enforcement of Greenville-Spartanburg Airport Environs Area Zoning Ordinance. Upon approval of the Airport Environs Commission, the Environs Area Compliance Coordinator may be provided with the assistance of such other persons as may be necessary. It is the intent of this chapter that questions of administration and enforcement by the appropriate Local Zoning Authority and the local political subdivision, as related to the Airport Environs Area, shall be answered by consultation with the Environs Area Compliance Coordinator.
2. The duties of the Environs Area Compliance Coordinator shall include:
  - a. advising the Local Zoning Authority on questions of interpretation of the terms and provisions of the Greenville-Spartanburg Airport Environs Area Zoning Ordinance;
  - b. preparation of a report relating to the compliance of any application for a variance under Article VII, with the Uniform Land Use Plan and the provisions of the Greenville-Spartanburg Airport Environs Area Zoning Ordinance; such report shall state whether such variance is consistent with the intent of both the Uniform Land Use Plan and the provisions of Greenville-Spartanburg Airport Environs Area Zoning Ordinance;
  - c. preparation of a report relating to the compliance of any application for a use permitted upon review with the Uniform Land Use Plan and the provisions of the Greenville-Spartanburg Airport Environs Area Zoning Ordinance. Such report shall also state whether such use is consistent with the intent of both the Uniform Land Use Plan and the provisions of the Greenville-Spartanburg Airport Environs Area Zoning Ordinance;
  - d. the review of complaints from persons who allege that violations of

the Greenville-Spartanburg Airport Environs Area Zoning Ordinance have occurred, to assist the appropriate local political subdivision with properly investigating or causing to be investigated such complaints; and to assist the with initiating or, if necessary, initiating action to prevent, enjoin, abate, or remove such violations;

- e. the maintenance of an official copy of the overlay zoning map and such other records and official materials as may relate to the adoption, amendment, enforcement or administration of the Greenville-Spartanburg Airport Environs Area Zoning Ordinance;
- f. determining whether structures within the Greenville-Spartanburg Airport Environs Area the height of which is greater than 982 feet above mean sea level, constitute Airport hazards and the issuing certificates of compliance if the Structures do not so constitute;
- g. preparation of a quarterly report to the Environs Commission setting forth the rate and manner of development which is occurring within the Greenville-Spartanburg Airport Environs Area. The report shall detail the number and location of new residences, and other developments within the Airport Environs Area; and
- h. other such duties as may properly relate to the accomplishment of the spirit and intent of the Greenville-Spartanburg Airport Environs Area Zoning Ordinance.

- B. ***Environs Area Notification*** - The means of providing notification that a Parcel within its jurisdictional boundaries falls within the Greenville-Spartanburg Airport Environs Area shall be determined by the local political subdivision or municipality. This action should include procedures which will enable property owners to determine if their Parcel is located within the Airport Environs Area and methods of notifying subsequent purchasers of the potential applicability of the Greenville-Spartanburg Airport Environs Area Zoning Ordinance to Parcels within the Airport Environs Area. These actions and/or procedures are subject to review and/or modification by the Airport Environs Commission to ensure that the issue of proper notification is addressed.

## VII. APPEALS AND VARIANCES

- A. The procedure attached hereto as Exhibit "E".

- B. The Board of Zoning Appeals may grant a variance for a use of land, a building, or a structure that may be prohibited by Table A, Airport Environs Area Land Use Compatibility Table, if strict application of the provisions of the ordinance would result in unnecessary hardship, provided all of the required findings for the granting of a variance request are made by the Board of Zoning Appeals.

## VIII. ENFORCEMENT AND REVIEW

### A. *Violations*

1. Enforcement of penalties for violations of the Greenville-Spartanburg Airport Environs Zoning Ordinance shall be the responsibility of the appropriate local political subdivisions.
2. If a violation comes to the attention of the Airport Environs Commission, the appropriate local political subdivisions shall, on request of the Airport Environs Commission, take any or all of the following steps:
  - a. Issue a temporary stop order to the offending party.
    - (1) The owner of the property where the violation is occurring shall be personally served with the stop order. If personal service cannot be affected, the stop order shall be sent via certified mail to the address of the offending party, or delivered to foreman or director of workers on the site where the violation is occurring.
    - (2) The stop order shall make clear what provision or provisions of the Greenville-Spartanburg Environs Area Zoning Ordinance are being violated.
    - (3) The stop order shall also tell the offending party that they have the right to appeal the stop order.
    - (4) The stop order shall be good until a full public hearing can be held by the local political subdivisions to determine if a violation of the Greenville-Spartanburg Airport Environs Area Zoning Ordinance has occurred.
  - b. Seek to enjoin the violation through action for an injunction in

circuit court.

- c. Obtain a warrant for the party in violation of the Greenville-Spartanburg Airport Environs Area Zoning Ordinance if the Airport Environs Commission is convinced that there is probable cause that the Greenville-Spartanburg Environs Area Zoning Ordinance is being violated. A warrant shall be obtained only when the other procedures are ineffective in halting the violation and the Airport Environs Commission attorney has been consulted.
- d. Issue an ordinance summons, stating that the violation of the Greenville-Spartanburg Airport Environs Area Zoning Ordinance is a misdemeanor.
  - (1) The ordinance summons shall require the offending party to appear before a magistrate or municipal judge.
  - (2) The court may impose a fine or jail term. The offending party may also be required to pay court costs.
  - (3) The summons may be issued in conjunction with the Environs Area Compliance Coordinator or any staff thereof, provided the issuing officer personally observes the violation.
  - (4) Once the summons is served, no further action must be taken until the hearing.

**B. *Penalties***

1. The penalties for violating the Greenville-Spartanburg Airport Environs Zoning Ordinance shall be the penalties set forth by the applicable local political subdivision and shall be enforced by the applicable local political subdivision.

**C. *Judicial Review***

1. The Airport Environs Commission as a whole or any of its member bodies individually or collectively, shall have standing to appear and oppose or support any local action by any of the local political subdivisions affecting the Airport Environs Area.
2. The Airport Environs Commission will have the same standing as the political subdivision or the affected landowner. This is as provided in S.C.

Code § 55-11-230(B)(11) (1995), as amended.

- D. It is the intent of the Greenville-Spartanburg Airport Environs Area Zoning Ordinance that the function of the Airport Environs Commission under the Greenville-Spartanburg Airport Environs Area Zoning Ordinance shall be to act on proposals for amendment or repeal of the Greenville-Spartanburg Airport Environs Area Zoning Ordinance, to establish a schedule of fees and charges as herein provided, to advise the local political subdivisions and the Local Zoning Authorities on issues relating to the interpretation and enforcement of the provisions of the Greenville-Spartanburg Airport Environs Area Zoning Ordinance, and to hear requests for variances to the Greenville-Spartanburg Airport Environs Area Zoning Ordinance.

## IX. AMENDMENTS

- A. An amendment to either the Greenville-Spartanburg Airport Environs Area Zoning Ordinance or the zoning map may be proposed by the Airport Environs Commission, the City Council of any municipality whose boundaries are wholly or partially within the Airport Environs Area, the County Council of either Greenville or Spartanburg County, or any property owner or authorized representative thereof whose Parcel is either wholly or partially within the Airport Environs Area. Requests for amendments shall be submitted in writing to the Environs Area Compliance Coordinator. The Environs Area Compliance Coordinator shall present such proposed amendments to the Airport Environs Commission for review and for determination. The applicant has the burden of proof in establishing the need for the requested change.
- B. When a proposed amendment or change to the Greenville-Spartanburg Airport Environs Area Zoning Ordinance is put forward by a party other than the Airport Environs Commission, or any of the city or county councils, a fee shall be paid for each application. The fee, as set forth in Exhibit "F" hereto, shall be used to defray the administrative costs and expenses involved.
- C. Before any action is taken on a proposed amendment, a public hearing must be held by the Airport Environs Commission. The Airport Environs Commission may hold a special meeting to consider the proposed amendment.
- D. In scheduling a public hearing concerning zoning amendments, the Airport Environs Commission shall publish two (2) notices in newspapers of general circulation in all areas of the Airport Environs Area effected by the proposed amendment. The notices shall be published once at least thirty (30) and not more than thirty-five (35) days prior to the meeting and once at least fifteen (15) days prior. Each notice shall state the date, time and place of the hearing, shall be

blocked in, and shall have an appropriate descriptive title. The location and county tax map reference numbers of all affected Parcels shall also be given.

- E. When a proposed amendment affects the permitted use for a Parcel, the Airport Environs Commission shall provide the applicant or his or her designated representative with an adequate number of notice of public hearing signs to allow the applicant or his designated representative to properly post and maintain on the property a notice of public hearing a least eighteen (18) days prior to the date of the public hearing. Only the signs provided by the Airport Environs Commission shall be posted and all signs must be placed in a conspicuous place or places on the affected Parcel. Failure to comply with the posting requirements will result in the removal of the application from the public hearing agenda and a forfeiture of the application fee. All signs must be removed within thirty (30) days after the public hearing.
  
- F. All proposed amendments will be presented by the Airport Environs Commission to the Environs Area Compliance Coordinator for study and recommendation. Within thirty (30) days from the referral of the proposed amendment to the Airport Environs Commission, the Environs Area Compliance Coordinator shall submit his report and recommendation to the Airport Environs Commission. The period of time for review and recommendation can be extended, in individual cases, by the Airport Environs Commission, up to a limit of an additional sixty (60) days. Prior to recommending any amendment the Environs Area Compliance Coordinator shall establish that:
  - 1. The amendment complies with the Uniform Land Use Plan developed by the Airport Environs Commission, and the amendment will not violate any applicable Federal or State standards or guidelines concerning safety or noise in areas around airports, and that the amendment will not create an Airport hazard or nonconforming use; and
  - 2. That the purpose of the amendment complies with one of the following:
    - a. the original zoning classification made by the Airport Environs Commission was inappropriate or improper;
    - b. there have been major changes of an economic, physical, or social nature within the Airport Environs Area which were not anticipated by the Airport Environs Commission's original Uniform Land Use Plan, and which have significantly altered the basic character of the area;
    - c. there have been a major changes in the use of the Airport itself

which were not anticipated by the Airport Environs Commission's original Uniform Land Use Plan;

- d. the amendment is necessary for the continued use, enjoyment and or development of the Airport and surrounding communities.
- G. The recommendation of the Environs Area Compliance Coordinator shall be advisory only, and shall not be binding on the Airport Environs Commission. If the Environs Area Compliance Coordinator does not submit its report within the prescribed time period the Airport Environs Commission may proceed to act on the amendment without awaiting the recommendation of the Environs Area Compliance Coordinator.
- H. Such amendment or change shall not become effective except by a two-thirds (2/3rds) vote of all members of the Airport Environs Commission.
- I. When the Airport Environs Commission has denied a request for an amendment, it shall not consider the same reclassification for an amendment affecting the same Parcel until one (1) year from the date of the previous denial. A more restrictive classification is not subject to the one (1) year period.
- J. When an application for an amendment is withdrawn at the request of the applicant after such time as the application has been legally advertised for a public hearing, it shall not be reconsidered for an amendment affecting the same Parcel for six (6) months from the date of withdrawal.
- K. When an application for an amendment is withdrawn at the request of the applicant before it has been legally advertised, the fee shall be refunded and the application can be resubmitted at a later date without penalty.

X. FEES AND EXPENSES

- A. A schedule of the applicable fees and expenses for services provided within the Airport Environs Area is attached hereto as Exhibit "F".

This Ordinance was adopted by the Greenville-Spartanburg Airport Environs Commission at the meeting of the full Commission held on March 29, 1996; and sections I(D)(2)(a), IV(B)(1)(b) and IV(B)(1)(c) amended at the Commission meeting held March 31, 1997. Section VII(B) added and Exhibits "E" and "F" amended at the commission meeting held April 22, 1999.

Greenville-Spartanburg Airport Environs Commission

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BY: Birney Blind, Secretary  
April 22, 1999

**TABLE A**

**AIRPORT ENVIRONS AREA LAND USE COMPATIBILITY TABLE**

<b>SLUCM NO.</b>	<b>LAND USE NAME</b>	<b>COMPATIBILITY</b>
<b>10</b>	<b>Residential</b>	
11	Household Units	N
11.11	Single Units; Detached	N
11.12	Single Units; Semidetached	N
11.13	Single Units; Attached Row	N
11.21	Two Units; Side-by-Side	N
11.22	Two Units; One Above the Other	N
11.31	Apartments; Walk-Up	N
11.32	Apartments; Elevator	N
12	Group Quarters	N
13	Residential Hotels	N
14	Mobile Home Parks or Courts	N
15	Transient Lodgings	Y <sup>1</sup>
16	Other Residential	N
<b>20</b>	<b>Manufacturing</b>	
21	Food & Kindred Products; Manufacturing	Y <sup>2</sup>
22	Textile Mill Products; Manufacturing	Y <sup>2</sup>
23	Apparel and Other Finished Products Made from Fabrics, Leather & Similar Materials; Manufacturing	Y <sup>2</sup>
24	Lumber & Wood Products(except furniture); Manufacturing	Y <sup>2</sup>
25	Furniture & Fixtures; Manufacturing	Y <sup>2</sup>
26	Paper & Allied Products; Manufacturing	Y <sup>2</sup>
27	Printing, Publishing & Allied Industries	Y <sup>2</sup>
28	Chemicals & Allied Products; Manufacturing	Y <sup>2</sup>
29	Petroleum Refining & Related Industries (Excluding Tank Farms)	Y <sup>2</sup>
<b>30</b>	<b>Manufacturing</b>	
31	Rubber & Miscellaneous Plastic Products; Manufacturing	Y <sup>2</sup>
32	Stone, Clay & Glass Products; Manufacturing	Y <sup>2</sup>
33	Primary Metal Industries	Y <sup>2</sup>
34	Fabricated Metal Products; Manufacturing	Y <sup>2</sup>
35	Professional, Scientific & Controlling Instruments; Photographic & Optical Goods; Watches & Clocks; Manufacturing	Y <sup>2</sup>
39	Miscellaneous Manufacturing	Y <sup>2</sup>

**TABLE A**

**AIRPORT ENVIRONS AREA LAND USE COMPATIBILITY TABLE**

<b>SLUCM NO.</b>	<b>LAND USE NAME</b>	<b>COMPATIBILITY</b>
<b>40</b>	<b>Transportation, Communications &amp; Utilities</b>	
41	Railroad, Rapid Rail Transit and Street Railroad Transportation	Y
42	Motor Vehicle Transportation	Y
43	Aircraft Transportation	Y
44	Marine Craft Transportation	Y
45	Highway & Street Right-of-Way	Y
46	Automobile Parking	Y
47	Communications	Y
47.32	Towers (Communications)	Y <sup>2</sup>
48	Utilities	Y <sup>2</sup>
48.5	Solid Waste Disposal, Landfills	N
49	Other Transportation, Communications and Utilities	Y <sup>2</sup>
<b>50</b>	<b>Trade</b>	
51	Wholesale Trade	Y
52	Retail Trade - Building Materials, Hardware and Farm Equipment	Y
53	Retail Trade - General Merchandise	Y <sup>1</sup>
54	Retail Trade - Food	Y <sup>1</sup>
55	Retail Trade - Automotive, Marine Craft, Aircraft and Accessories	Y <sup>1</sup>
56	Retail Trade - Apparel and Accessories	Y <sup>1</sup>
57	Retail Trade - Furniture, Home Furnishings and Equipment	Y <sup>1</sup>
58	Retail Trade - Eating and Drinking Est.	Y <sup>1</sup>
59	Other Retail Trade	Y <sup>1</sup>
<b>60</b>	<b>Services</b>	
61	Finance, Insurance & Real Estate Services	Y
62	Personal Services	Y
62.4	Cemeteries	Y
63	Business Services	Y
64	Repair Services	Y
65	Professional Services	Y
65.1	Hospitals, Nursing Homes	N
65.2	Other Medical Facilities	N
66	Contract Construction Services	Y
67	Governmental Services	Y
68	Educational Services	N
69	Miscellaneous Services	Y <sup>1</sup>
69.1	Religious Facilities	N

**TABLE A**

**AIRPORT ENVIRONS AREA LAND USE COMPATIBILITY TABLE**

<b>SLUCM NO.</b>	<b>LAND USE NAME</b>	<b>COMPATIBILITY</b>
<b>70</b>	<b>Cultural, Entertainment &amp; Recreational</b>	
71	Cultural Activities	Y <sup>1</sup>
71.11	Libraries	N
71.2	Nature Exhibits	Y
72	Public Assembly	N
72.1	Auditoriums, Concert Halls	N
72.11	Outdoor Music Shell, Amphitheaters	N
72.2	Outdoor Sports Arenas, Spectator Sports	N
73	Amusements	Y <sup>1</sup>
74	Recreational Activities (including golf courses, riding stables, stables, water recreation)	Y
75	Resorts and Group Camps	N
76	Parks	Y <sup>1</sup>
79	Other Cultural Entertainment & Recreation	Y <sup>1</sup>
<b>80</b>	<b>Resources Production and Extraction</b>	
81	Agriculture (except livestock)	Y
81.5 to 81.7	Livestock Farming & Animal Breeding	Y
82	Agricultural Related Activities	Y
83	Forestry Activities & Related Services	Y
84	Fishing Activities & Related Services	Y
85	Mining Activities & Related Services	Y
89	Other Resources, Production & Extraction	Y

**LEGEND:**

SLUCM Standard Land Use Coding Manual.

Y Yes - Land Use and related structures are compatible without restrictions.

N No - Land Use and related structures are not compatible and are prohibited.

Y<sup>x</sup> Yes-with restrictions. Land Use and related structures are generally compatible. See rules.

**NOTES:**

1. Dependent on the proximity of the proposed land use to the ends of the existing and proposed parallel runway. Consideration will also be given to sound proofing and to the intensity of the proposed land use.

2. Actual proposed land use must not produce or create any substance, smoke, transmission, building, tower, electronic interference, or anything else which is or shall be an airport hazard or endanger the safe operation of aircraft.