

Town of Greenwood

Table of Contents

Article 1 – Title & Map	1
Section 1.1 Title	1
Section 1.2 Map	1
Article 2 – General Provisions	1
Section 2.1 Purpose	1
Section 2.2 Scope	2
Section 2.3 Interpretation	2
Section 2.4 Severability	2
Article 3 – Definitions	2
Section 3.1 Specific Definitions	2
Section 3.2 Words Not Defined in Section 3.1	11
Section 3.3 Word Usage	11
Article 4 – Establishment of Districts	12
Section 4.1 Establishment of Districts	12
Section 4.2 Official Zoning Map	12
Section 4.3 Determining District Boundaries	12
Section 4.4 Boundary Tolerances	13
Section 4.5 Zoning Map Amendments	13
Section 4.6 Zoning of Annexed Lands	13
Section 4.7 Replacement of Official Zoning Map	13
Article 5 – Use Regulations	13
Section 5.1 Classification of Use	13
Section 5.2 One Principal Building Per Lot	14
Section 5.3 Accessory Uses, Buildings, and Structures	14
Section 5.4 Fences	14
Section 5.4.1 Existing Fences	14
Section 5.4.2 New Fences	14
Section 5.5 Exceptions to Dimensional Regulations	15
Section 5.5.1 Height of Buildings, Exceptions to Height Limitations	15
Section 5.5.2 Building Setback Lines	15
Section 5.6 Reduction in Lot Area	15
Section 5.7 Lots Fronting on Two or More Streets	15
Section 5.8 Street Access	15
Section 5.9 Interference with Traffic Control Devices	16
Section 5.10 Vision Clearance at Street Intersection	16
Section 5.11 Prohibited Uses	16
Section 5.12 Multiple Permitted Uses and Mixed Uses	16
Section 5.13 Community Residential Treatment Programs	16
Section 5.14 Temporary Buildings or Structures During Construction; Construction Vehicles	17
Section 5.15 Yard Sales	18
Section 5.16 “For Sale By Owner Items”	18

Section 5.17	Restoration or Removal of a Damaged or Destroyed Building or Structure	18
Section 5.18	Dog Houses	18
Section 5.19	Compliance with Federal, State, and Sussex County Statutes, Ordinances, and Regulations	18
Article 6 – District Regulations		19
Section 6.1	R-1 Single-Family Residential District	19
Section 6.1.1	Purposes	19
Section 6.1.2	Permitted Uses	19
Section 6.1.3	Accessory Uses, Buildings, and Structures	19
Section 6.1.4	Conditional Uses	20
Section 6.1.5	Dimensional Regulations	22
Section 6.2	Residential District	23
Section 6.2.1	Purpose	23
Section 6.2.2	Permitted Uses	23
Section 6.2.3	Accessory Uses	23
Section 6.2.4	Conditional Uses	23
Section 6.2.5	Dimensional Regulations	24
Section 6.3	R-3 Garden Apartment and Townhouse District	25
Section 6.3.1	Purpose	25
Section 6.3.2	Permitted Uses	25
Section 6.3.3	Conditional Uses Subject to Special Regulations	27
Section 6.4	Downtown Commercial District (“DC”)	27
Section 6.4.1	Purpose	27
Section 6.4.2	Permitted Uses	27
Section 6.4.3	Conditional Uses Subject to Special Requirements	29
Section 6.4.4	Dimensional Regulations	29
Section 6.5	HC Highway Commercial District	30
Section 6.5.1	Purpose	30
Section 6.5.2	Permitted Uses	30
Section 6.5.3	Conditional Uses Subject to Special Requirements	31
Section 6.5.4	Dimensional Regulations	33
Section 6.6	Manufacturing & Light Industrial District (“M/LI”)	34
Section 6.6.1	Purpose	34
Section 6.6.2	Permitted Uses	34
Section 6.6.3	Prohibited Uses	34
Section 6.6.4	Conditional Uses	35
Section 6.6.5	Design Standards and Requirements	35
Section 6.6.6	Dimensional Regulations	36
Section 6.7	Residential Planned Community (“RPC”) Overlay District	37
Section 6.7.1	Overlay District	37
Section 6.7.2	Purpose	37
Section 6.7.3	Permitted Use	37
Section 6.7.4	Minimum Requirements, Area and Width	37
Section 6.7.5	Density	37
Section 6.7.6	Other Requirements	37
Section 6.8	Utility District (“UD”)	38
Section 6.9	Open Spaces (“OS”)	38

Article 7 – Conditional Uses	38
Section 7.1 Purpose	38
Section 7.2 Application, Fees, and Approval Procedures	38
Section 7.3 Criteria for Evaluation	39
Section 7.4 Conditions for Approval; Expiration	39
Article 8 - Non-Conforming Uses, Lots, Buildings And Structures	40
Section 8.1 Non-conforming Uses	40
Section 8.1.1 Continuation	40
Section 8.1.2 Extension	40
Section 8.1.3 Changes	40
Section 8.1.4 Restoration	40
Section 8.1.5 Abandonment	40
Section 8.2 Non-conforming Buildings, Structures	40
Section 8.2.1 Continuation	41
Section 8.2.2 Extension	41
Section 8.2.3 Restoration	41
Section 8.3 Non-conforming Lots; Merger of Abutting Non-conforming Lots	41
Section 8.3.1 Lots in Single and Separate Ownership	41
Section 8.3.2 Approval by Board of Adjustment	42
Section 8.3.3 Non-conforming Lots in Existing Approved Subdivisions	42
Section 8.4 Construction Previously Commenced	42
Section 8.5 Manufactured Homes	42
Article 9 – Off-Street Parking & Loading	43
Section 9.1 General Provisions	43
Section 9.1.1 Establishment of Off-Street Parking Area	43
Section 9.1.2 Parking Space Size	43
Section 9.1.3 Parking Spaces in Driveways	43
Section 9.1.4 Location of Parking Spaces	43
Section 9.1.5 Backing Onto Public Street Prohibited	43
Section 9.1.6 Parking Spaces Assigned to More Than One Use	43
Section 9.1.7 No Off-Street Parking Required in the D-C Downtown Commercial District	44
Section 9.1.8 Parking Lot and Garage Maintenance	44
Section 9.1.9 Surface Materials	44
Section 9.1.10 Drainage	44
Section 9.1.11 Lighting	44
Section 9.1.12 Fractional Spaces	44
Section 9.1.13 Boat, Trailer, Bus, and RV Parking	44
Section 9.1.14 Points of Ingress and Egress	44
Section 9.2 Parking and Loading Standards	44
Section 9.2.1 Design Standards (General)	44
Section 9.2.2 Use Standards	45
Section 9.2.3 Loading Spaces	46
Article 10 – Landscape Screening	47
Section 10.1 District Requirements	47
Section 10.1.1 Residential Districts	47
Section 10.1.2 Commercial Districts	47
Section 10.1.3 Manufacturing/Light Industrial District	48

Section 10.2	Installation and Maintenance	48
Article 11	– Signs	48
Section 11.1	Applicability and Purposes	48
Section 11.1.1	Applicability	48
Section 11.1.2	Purposes	48
Section 11.2	General	48
Section 11.2.1	Sign Area and Measurement	48
Section 11.2.2	Placement	49
Section 11.2.3	Color	49
Section 11.2.4	Illumination	49
Section 11.2.5	Structural Limitations	50
Section 11.3	Permanent Signs	50
Section 11.3.1	Definition	50
Section 11.3.2	Requirements by Zones	50
Section 11.4	Real Estate, Development, and Construction Signs	52
Section 11.4.1	Definition	52
Section 11.4.2	General Requirements	52
Section 11.5	Temporary Signs	53
Section 11.5.1	Definition	53
Section 11.5.2	Requirements by Zone	53
Section 11.6	Exempt Signs	53
Section 11.6.1	Definition	53
Section 11.6.2	List of Exempt Signs	53
Section 11.7	Nonconforming Signs	54
Section 11.8	Prohibited Signs	54
Section 11.8.1	General	54
Section 11.8.2	List of Prohibited Signs	54
Article 12	– Site Plan Review	55
Section 12.1	Purpose	55
Section 12.2	Guidelines	56
Section 12.2.1	Automatic Determination of Review	56
Section 12.2.2	Discretionary Determination of a Review	56
Section 12.3	Review Procedure	56
Section 12.3.1	Code Enforcement Official	57
Section 12.3.2	Planning Commission	57
Section 12.3.3	Site Plan Review Requirements; Review by Town Engineer and/or Government Agencies	57
Article 13	– Board of Adjustment	57
Section 13.1	Membership, Term of Office	57
Section 13.1.1	Appointment	57
Section 13.1.2	Term of Office; Officers	58
Section 13.1.3	Removal from Office	58
Section 13.2	Rules	58
Section 13.3	Powers and Duties	58
Section 13.3.1	Appeals	58
Section 13.3.2	Variances	58
Section 13.3.3	Special Exceptions	58
Section 13.3.4	Interpretation	59

Section 13.4	Appeals	59
Section 13.4.1	Who May Appeal; Board's Authority In Appeal	59
Section 13.4.2	Effect of Appeal Upon Proceedings	59
Section 13.5	Hearings	59
Section 13.5.1	Hearing Required	59
Section 13.5.2	Time for Hearing	60
Section 13.5.3	Notice of Hearing	60
Section 13.5.4	Conduct of Hearing	60
Section 13.5.5	Decision	60
Section 13.6	Appeal From Decision of The Board	61
Section 13.6.1	Persons Entitled to Appeal; Time to Appeal	61
Section 13.6.2	Duties in Case of Writ of Certiorari	61
Article 14	– Administration	61
Section 14.1	Code Enforcement Official	61
Section 14.2	Certificates to be Issued	62
Section 14.2.1	Permitted Uses	62
Section 14.2.2	Special Exception Uses	62
Section 14.2.3	Conditional Uses	62
Section 14.2.4	Zoning Compliance Certificate After an Appeal or a Request for Variance	62
Section 14.2.5	Certificate of Occupancy	63
Section 14.3	Zoning Compliance Certificates	63
Section 14.4	Application for Zoning Compliance Certificates	63
Section 14.5	Waiver of Requirements	64
Section 14.6	Issuance of Zoning Compliance Certificates	64
Section 14.7	Expiration of Zoning Compliance Certificates	65
Section 14.8	Certificates of Occupancy	65
Section 14.8.1	Issuance of Certificate of Occupancy	65
Section 14.9	Payment of All Required Fees and Outstanding Taxes and Assessments as a Condition of Filing Application or Obtaining Certificates	66
Article 15	– Enforcement Notice of Violation; Remedies; Penalties; Stop-Work Orders	66
Section 15.1	Notice of Violation	66
Section 15.2	Revocation of Zoning Compliance Certificates and Stop-Work Orders; Appeals	66
Section 15.3	Penalties for Violation	67
Section 15.4	Remedies Not Exclusive	68
Section 15.5	Violations Declared a Nuisance	67
Article 16	– Amendments	67
Section 16.1	Procedure	67
Section 16.2	Hearing; Notice Required	68
Section 16.3	Fee	68
Article 17	– Repealer, Effective Date, Certification	69
Section 17.1	Repealer	69

Section 17.2 Effective Date
Section 17.3 Certification

69
69