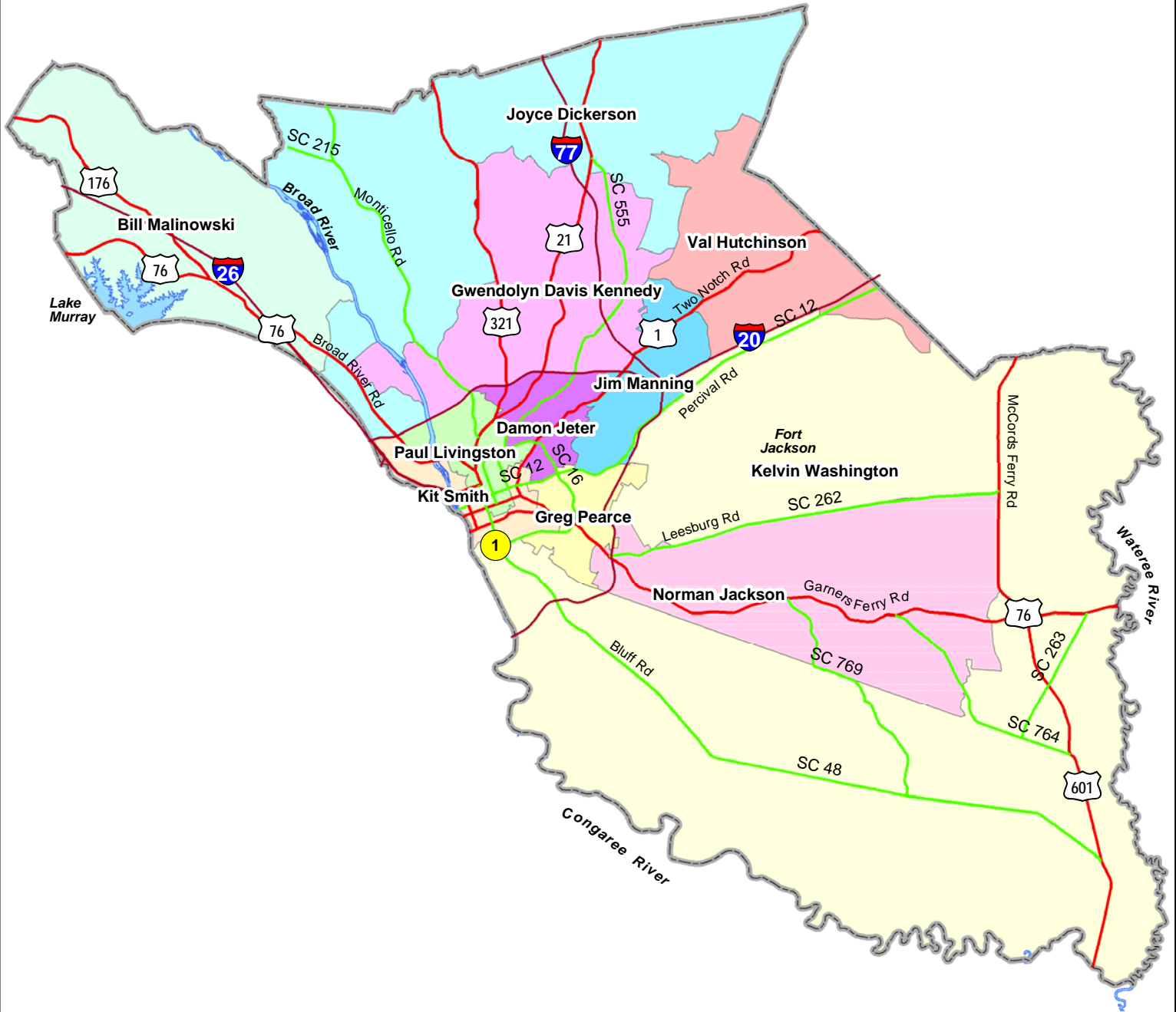


RICHLAND COUNTY COUNCIL
ZONING PUBLIC HEARING



SEPTEMBER 22, 2009

RICHLAND COUNTY COUNCIL ZONING PUBLIC HEARING SEPTEMBER 22, 2009



CASE NO.	APPLICANT	TMS NO.	LOCATION	DISTRICT
1. 09-12 MA	Robert Giles & Jonathan Giles	11203-01-01	Corner of Olympia Ave. and Bluff Rd.	Washington



RICHLAND COUNTY COUNCIL ZONING PUBLIC HEARING

Tuesday, September 22, 2009

7:00 P.M.

**2020 Hampton Street
2nd Floor, Council Chambers
Columbia, South Carolina**

STAFF: Joseph Kocy, AICP Planning Director
Anna Almeida, AICP Deputy Planning Director
Amelia R. Linder, Esq.Attorney

I. CALL TO ORDERPaul Livingston
Chairman of Richland County Council

II. ADDITIONS / DELETIONS TO THE AGENDA

OPEN PUBLIC HEARING

CASE # 09-12 MA	Robert Giles	
APPLICANT	Jonathan Giles	1 st Reading
REQUESTED AMENDMENT	RM-HD to NC (0.32 acres)	Approved
TAX MAP SHEET NUMBER (S)	11203-01-02	7-0
LOCATION	Corner of Olympia Ave. and Bluff Rd.	Page 1

III. TEXT AMENDMENTS

SECTION 26-180, SIGNS; SO AS TO CREATE A NEW SECTION THAT WOULD ALLOW OFF-PREMISE DIRECTIONAL KIOSKS UNDER CERTAIN CONDITIONS.
1st Reading Public Hearing Held on 6-23-09 Approved 7-0 Page 11

AN ORDINANCE TO DEFINE AND PERMIT "BUS SHELTERS & BENCHES" IN ALL ZONING DISTRICTS, WITH SPECIAL REQUIREMENTS.
1st Reading Approved 4-3 Page 17

AN ORDINANCE AMENDING SECTION 26-105, FP FLOODPLAIN OVERLAY DISTRICT; SUBSECTION (B), APPLICABILITY/ESTABLISHMENT; SO AS TO REQUIRE DELENEATION OF FLOOD LINES ON PLATS AND TO DELETE REFERENCE TO AREAS ALONG THE CONGAREE RIVER.
2nd Reading Approved 7-0 Page 71

AN ORDINANCE AMENDING THE IMAGINE RICHLAND 2020 COMP. PLAN BY INCORPORATING THE STUDY PREPARED BY THE CENTER FOR SOCIAL INCLUSION, ENTITLED "GROWING TOGETHER: THRIVING PEOPLE FOR A THRIVING COLUMBIA" INTO THE PLAN.

1st Reading

Denied 7-0

Page 75

AN ORDINANCE AMENDING SECTION 26-88, RS-LD RESIDENTIAL, SINGLE-FAMILY – LOW DENSITY DISTRICT; AND SECTION 26-89, RS-MD RESIDENTIAL, SINGLE-FAMILY – MEDIUM DENSITY DISTRICT; AND SECTION 26-90, RS-HD RESIDENTIAL, SINGLE-FAMILY – HIGH DENSITY DISTRICT; SO AS TO INCREASE SIDE SETBACK REQUIREMENTS TO FIVE (5) FEET FOR ANY ONE SIDE.

1st Reading

Approved 7-0 Page 79

AN ORDINANCE AMENDING ARTICLE V, ZONING DISTRICTS AND DISTRICT STANDARDS; AND ARTICLE VI, SUPPLEMENTAL USE STANDARDS; SO AS TO PROVIDE FOR A PARKS AND RECREATION DISTRICT.

1st Reading

Approved 5-3 Page 83

FORWARDED BY COUNTY COUNCIL: AN ORDINANCE AMENDING SECTION 26-180, SIGNS; SO AS TO ALLOW LEGAL NONCONFORMING OFF-PREMISES SIGNS IN COMMERCIAL, MANUFACTURING, AND INDUSTRIAL ZONING DISTRICTS TO BE REPLACED BY SURFACE AREA DIGITAL SIGNS.

2nd Reading

Approved 5-2 Page 93

Or

ALTERNATE LANGUAGE: AN ORDINANCE AMENDING SECTION 26-180, SIGNS; SO AS TO ALLOW LEGAL NONCONFORMING OFF-PREMISES SIGNS IN GENERAL COMMERCIAL, LIGHT INDUSTRIAL, AND HEAVY INDUSTRIAL ZONING DISTRICTS TO BE REPLACED BY SURFACE AREA DIGITAL SIGNS.

2nd Reading

Denied 5-2 Page 99

SECTION 26-180, SIGNS; SO AS TO CREATE A NEW SECTION THAT WOULD ALLOW DIGITAL DISPLAY DEVICES UNDER CERTAIN CONDITIONS.

1st Reading

Approved 6-1 Page 105

AN ORDINANCE AMENDING SECTION 26-181 REGARDING ROAD SIGNS/TRAFFIC CONTROL DEVICES; SO AS TO CONFORM TO THE FEDERAL HIGHWAY ADMINISTRATION'S *MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES 2003 EDITION WITH REVISIONS 1 AND 2 INCORPORATED*.

1st Reading

Approved 8-0 Page 113

IV. ADJOURNMENT



**Richland County Planning & Development Services
Department**
Map Amendment Staff Report

PC MEETING DATE: September 3, 2009
RC PROJECT: 09-12 MA
APPLICANT: Jonathan Giles
PROPERTY OWNER: Robert Giles

LOCATION: 1161 Olympia Ave

TAX MAP NUMBER: 11203-01-02
ACREAGE: 0.32 acres
EXISTING ZONING: RM-HD
PROPOSED ZONING: NC

PC SIGN POSTING: August 19, 2009

Staff Recommendation

Approval

Background /Zoning History

The current zoning of Residential Multifamily High Density (RM-HD) reflects the original zoning as adopted September 7, 1977. The site contains approximately 200 feet of frontage along Bluff Road and 186 feet of frontage along Olympia Avenue.

Summary

The Neighborhood Commercial District is intended to accommodate commercial and service uses oriented primarily to serving the needs of persons who live or work in nearby areas. This district is designed to be located within or adjacent to residential neighborhoods where large commercial uses are inappropriate, but where small neighborhood oriented business are useful and desired.

Minimum lot area: no minimum lot area requirement except as required by DHEC. Maximum density: no more than eight (8) units per acre.

Site Specific:

Gross density = 2.51 Dwelling units per acre
 Net Density = 1.79 Dwelling units per acre

Existing Zoning		
<u>North:</u>	RM-HD	Residence
<u>South:</u>	RM-HD	Residence
<u>East:</u>	RM-HD	Residence
<u>West:</u>	RM-HD	Residence

Plans & Policies

The Imagine Richland 2020 Comprehensive Plan “Beltway Land Use Map” designates this area as Commercial in the Developing Urban Area.

Objective: “Types and sites of employment and services shall be located to complement residential areas; minimize adverse effects of noise, pollution, glare and traffic on residential areas.”

Compliance: The businesses are centrally located to the surrounding residents.

Principle: “In general, commercial and office activities should be confined to existing zoned areas, and specifically proposed locations where the following apply; the intersection of two major streets and/or adjacent expressways.”

Compliance: The existing business is located along Olympia Ave and Bluff Rd.

Traffic Impact

Since the traffic volumes in this area of Olympia Avenue are low and the site is 0.32, the traffic impact of any development meeting the development standards is negligible.

Compliance with Pending Comprehensive Plan - Land Use Element 2009

The pending Land Use Element designates this area as Urban. Urban areas should contain a deliberate mix of residential, commercial, and civic land uses, with many multi-story buildings, complete utilities and full local government services. Throughout these areas, the floodplain should be buffered from development, complying with the Richland County Land Development Code.

Commercial/Office activities should be located at traffic junctions (intersections of arterial roads), along arterial roads, or in areas where existing commercial and office uses are located. Commercial uses within residential areas are appropriate when they complete a block face.

The subject parcel is internal to the existing Olympia neighborhood. The site contains frontage along Bluff Rd, which is considered a major arterial until it crosses with Virginia Street, in addition to frontage along Olympia Ave. Olympia Ave is considered a divided principle arterial beginning at the crossover from Bluff Rd and Virginia Street.

The proposed Amendment is *in* compliance with the Pending 2009 Comprehensive Plan.

Conclusion

The subject parcel is located on a triangularly shaped parcel straddled by two roads located north and south of the parcel. It is internal to the existing Olympia neighborhood. The site is located at the intersection Bluff Rd and Olympia Ave.

The rezoning of the subject parcel would allow for the existing buildings to be improved and brought into compliance with the current Land Development Code. However, the land owner should be aware that any improvements made to the structures located on the parcel will require compliance with the current Land Development Code and Building Code. The limited size and configuration of the parcel would limit site development for large or high intensity uses. Water and sewer service is provided by the City of Columbia.

The Planning Staff recommends **Approval** of this map amendment.

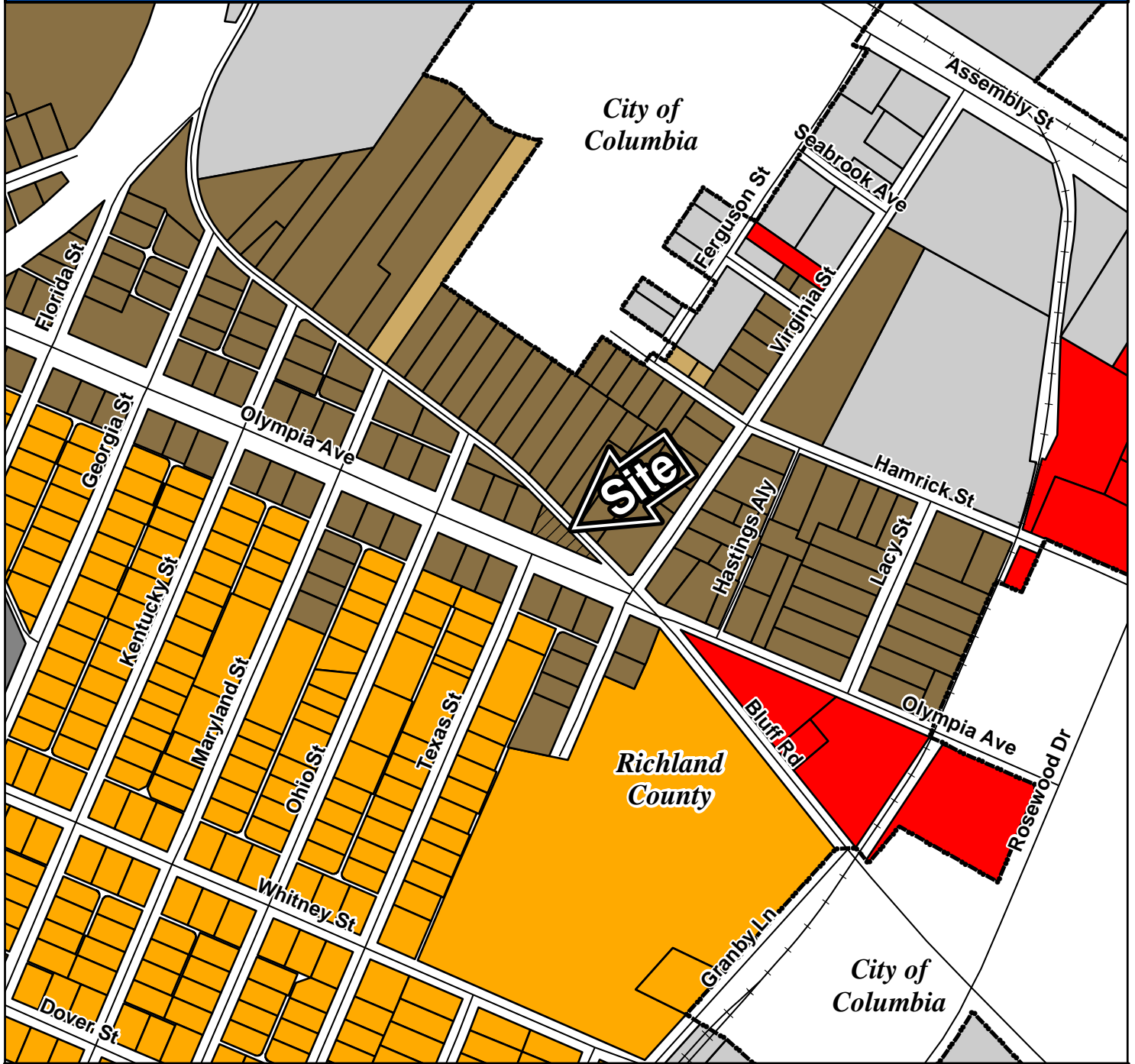
Zoning Public Hearing Date

September 22, 2009














Planning Commission Action


At their meeting of **September 3, 2009** the Richland County Planning Commission **agreed** with the PSDS recommendation and recommends the County Council initiate the ordinance consideration process to **approve** the proposed amendment for **RC Project # 09-12 MA** at the next available opportunity.

Case 09-12 MA RM-HD to NC



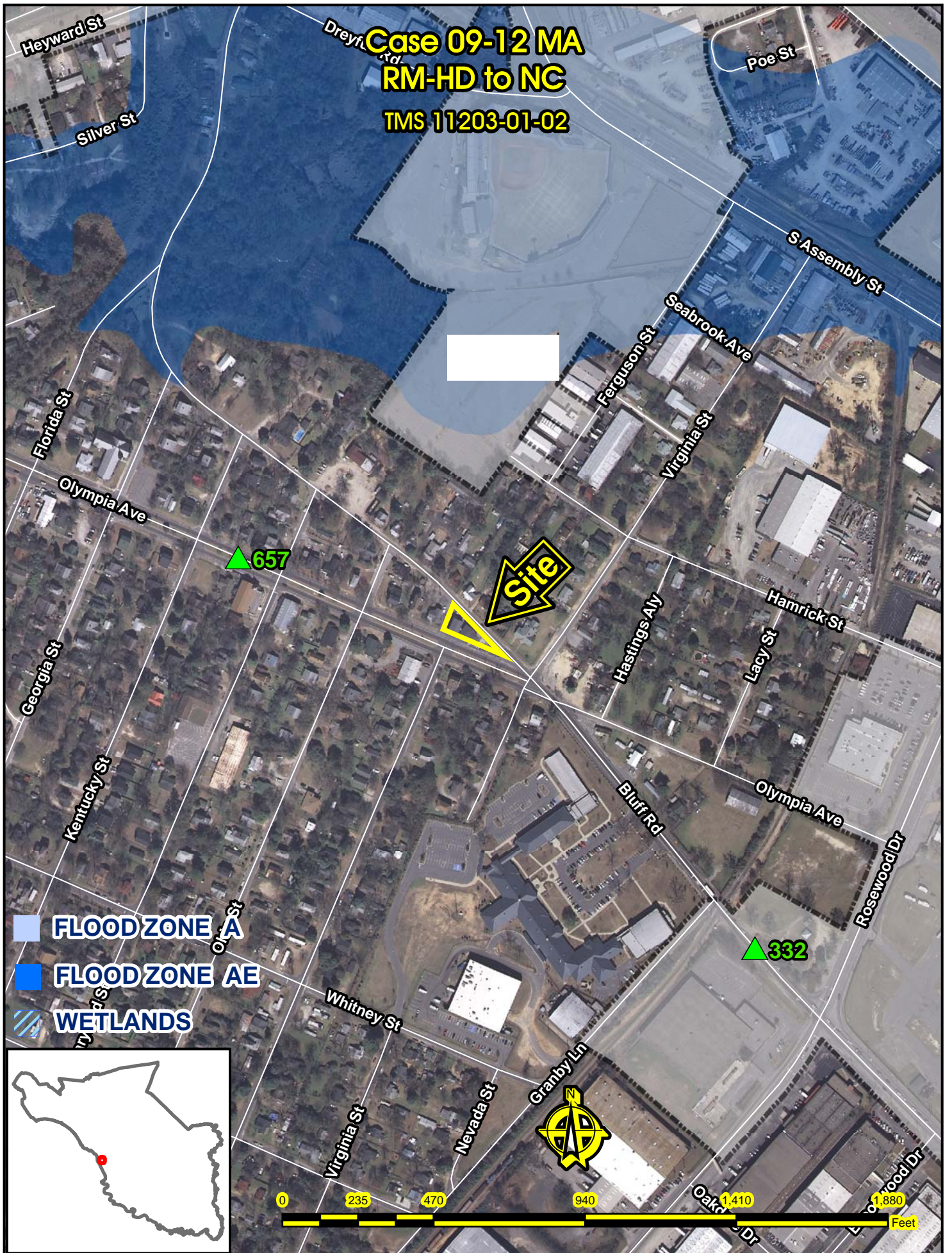
ZONING CLASSIFICATIONS

 RR	 RS-E	 MH	 NC	 HI
 C-1	 RS-LD	 RM-MD	 GC	 PDD
 C-3	 RS-MD	 RM-HD	 M-1	 RU
 RG-2	 RS-HD	 OI	 LI	 TROS

 Subject Property



Case 09-12 MA
RM-HD to NC
TMS 11203-01-02

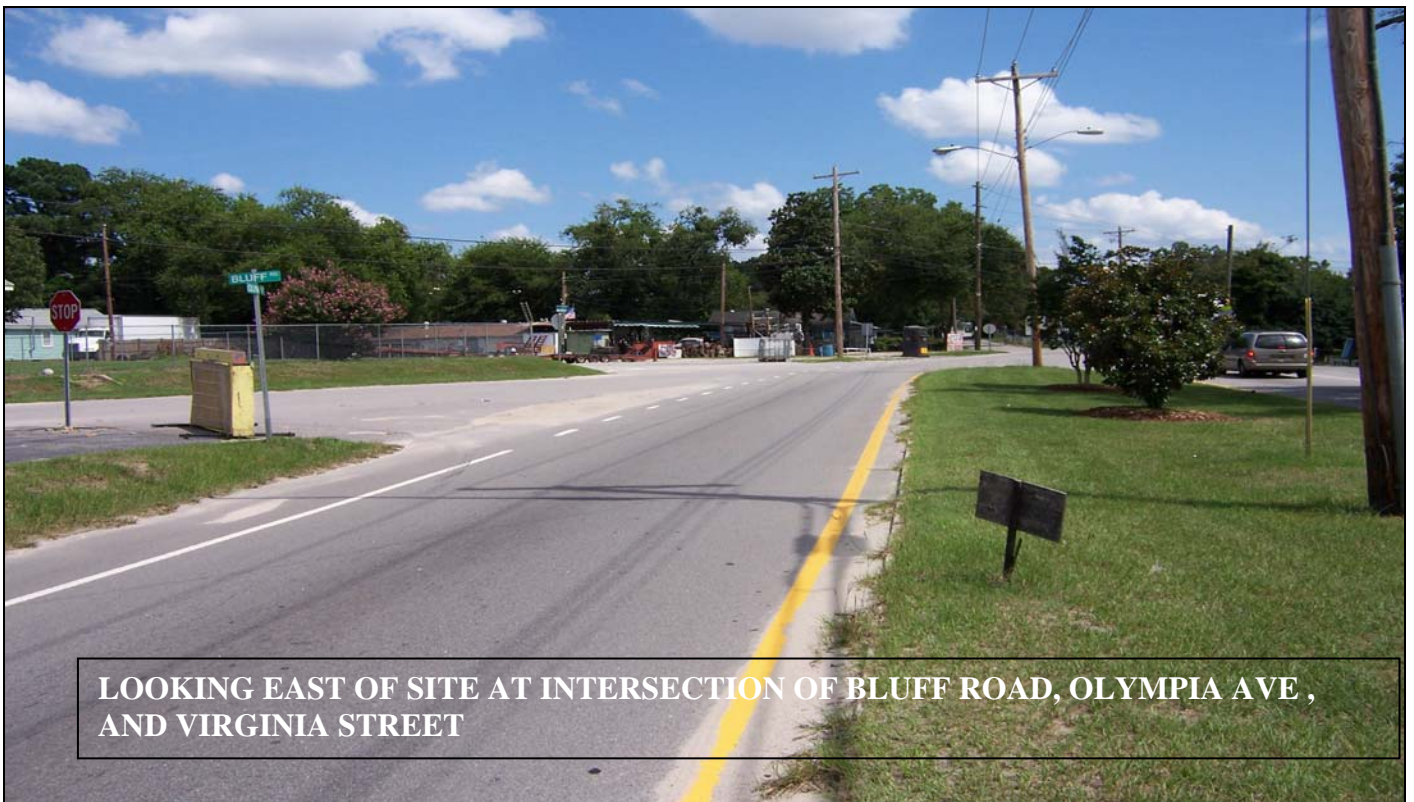


CASE 09-12MA

From RM-HD to NC

TMS# R11203-01-02

Olympia Ave and Bluff Rd





LOOKING WEST OF SITE ALONG OLYMPIA AVE , AND VIRGINIA STREET



LOOKING WEST OF SITE AT INTERSECTION OF OLYMPIA AVE AND BLUFF RD



LOOKING SOUTH OF PROPERTY ON OLYMPIA AVE



LOOKING SOUTH AT PROPERTY FROM BLUFF RD



LOOKING WEST ALONG BLUFF RD

STATE OF SOUTH CAROLINA
COUNTY COUNCIL OF RICHLAND COUNTY
ORDINANCE NO. ____-09HR

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED AS TMS # 11203-01-02 FROM RM-HD (RESIDENTIAL, MULTI-FAMILY – HIGH DENSITY DISTRICT) TO NC (NEIGHBORHOOD COMMERCIAL DISTRICT); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

Pursuant to the authority granted by the Constitution of the State of South Carolina and the General Assembly of the State of South Carolina, BE IT ENACTED BY RICHLAND COUNTY COUNCIL:

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the real property described as TMS # 11203-01-02 from RM-HD (Residential, Multi-Family – High Density District) zoning to NC (Neighborhood Commercial District) zoning.

Section II. If any section, subsection, or clause of this Ordinance shall be deemed to be unconstitutional, or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

Section III. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section IV. This ordinance shall be effective from and after _____, 2009.

RICHLAND COUNTY COUNCIL

By: _____
Paul Livingston, Chair

Attest this _____ day of
_____, 2009.

Michielle R. Cannon-Finch
Clerk of Council

RICHLAND COUNTY ATTORNEY’S OFFICE

Approved As To LEGAL Form Only
No Opinion Rendered As To Content

Public Hearing: September 22, 2009 (tentative)
First Reading: September 22, 2009 (tentative)
Second Reading:
Third Reading:

09-12 MA – corner of Olympia Ave and Bluff Road

Staff Recommendation: At the discretion of County Council

Planning Commission Recommendation: Approval

EXPLANATION OF KIOSK SIGNS ORDINANCE

Title:

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, LAND DEVELOPMENT; ARTICLE VII, GENERAL DEVELOPMENT, SITE, AND PERFORMANCE STANDARDS; SECTION 26-180, SIGNS; SO AS TO CREATE A NEW SECTION THAT WOULD ALLOW OFF-PREMISE DIRECTIONAL KIOSKS UNDER CERTAIN CONDITIONS.

What this ordinance will do:

The definition of a kiosk sign is provided. In addition, the following regulations apply to kiosk signs:

- Kiosks shall only be located along collector and arterial roads, outside of the right-of-way.
- Each kiosk shall not exceed sixty (60) square feet (6 feet in width and 10 feet in height).
- Individual directional kiosk signs shall not exceed 8 inches by 72 inches.
- The permit fee shall be \$100.00 dollars per sign face. If the directional sign is dual-faced, the permit fee shall be \$200.00 dollars. Each permit shall be valid for one (1) year from the date of issuance.
- The maximum number of directional signs allowed in a kiosk shall be 6 if single-faced or 12 if double-faced.
- One such sign (if single faced) or two such signs (if double-faced) shall be reserved for usage by the County.
- Kiosks and any directional signs shall be maintained, repaired, replaced, and/or repainted as necessary.

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ____-09HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, LAND DEVELOPMENT; ARTICLE VII, GENERAL DEVELOPMENT, SITE, AND PERFORMANCE STANDARDS; SECTION 26-180, SIGNS; SO AS TO CREATE A NEW SECTION THAT WOULD ALLOW OFF-PREMISE DIRECTIONAL KIOSKS UNDER CERTAIN CONDITIONS.

Pursuant to the authority granted by the Constitution and the General Assembly of the State of South Carolina, BE IT ENACTED BY THE RICHLAND COUNTY COUNCIL:

SECTION I. The Richland County Code of Ordinances, Chapter 26, Land Development; Article II, ~~Rules of Construction/Definitions~~; Section 26-22, Definitions; is hereby amended to include in the appropriate alphabetical order, the following definition:

Sign, kiosk. An off-premise structure designed to hold multiple individual directional signs, which provide the identification of a use or occupancy located elsewhere and which tells the location of or route to such use or occupancy.

SECTION II. The Richland County Code of Ordinances, Chapter 26, Land Development; ~~Article VII, General development, Site, and Performance Standards~~; Section 26-180, Signs; is hereby amended to create a new subsection to read as follows:

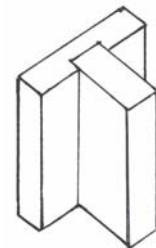
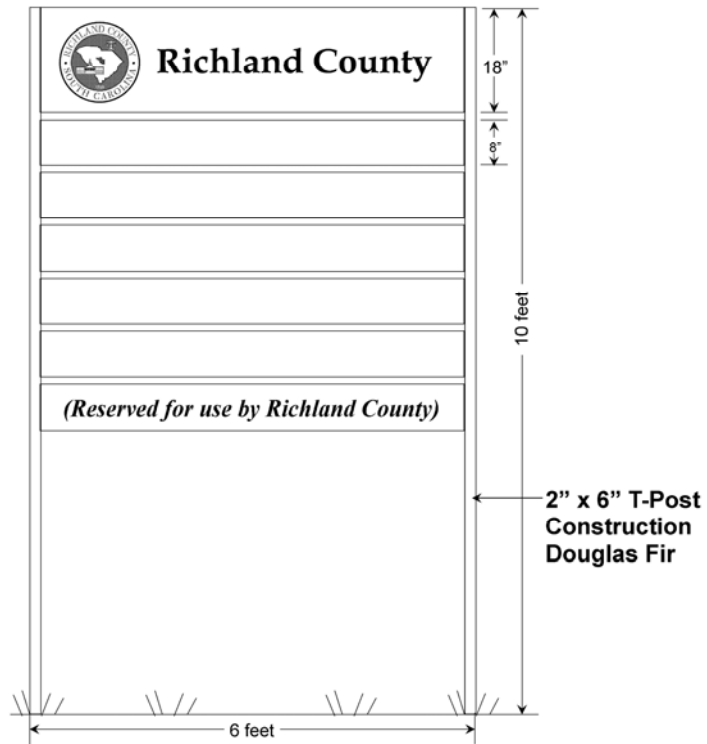
- (xx) *Off-premises kiosks.* Off-premises kiosks are permitted in all zoning districts, with the following restrictions:
- a. A site plan must be submitted and a building permit must be obtained from the County prior to erecting a sign kiosk in the unincorporated areas of the county.
 - b. Kiosks shall only be located along collector and arterial roads, outside of the right-of-way. If the kiosk is to be located at an intersection, it must be placed outside of the sight triangle.
 - c. Written consent from the landowner for the installation and maintenance of the kiosk , including a provision giving the County the right to enter the property and remove a sign for noncompliance with this Section, must be submitted with the site plans.
 - d. Kiosks shall be located in such a manner so as to not obscure proper vehicular sight-distance at street intersections, as determined by the Planning Director.

DRAFT

e. Kiosks shall be erected in accordance with the following specifications:

1. Each kiosk shall not exceed sixty (60) square feet nor shall any such kiosk exceed six (6) feet in width and ten (10) feet in height, as measured from the ground to the top of the kiosk. Individual directional kiosk signs shall be constructed so as to conform to the size and design of the kiosk. In no event shall the individual signs exceed eight (8) inches by seventy-two (72) inches.

2. Kiosks shall be constructed substantially in conformance with the diagrams, below:



T-Post detail (not to scale)

DRAFT

3. All individual directional signs mounted on the kiosk shall be of the same design and shall be a medium to dark colored background with contrasting colored lettering. Letters may be upper case and/or lower case. Type style shall be uniform for all plaques with the exception of the words "Richland County" at the top of the kiosk and shall be approved by the Planning Director.
3. Each individual directional sign shall contain only the name of the subdivision, community, or business to which it refers, and shall contain a directional arrow.
4. Nothing shall be attached to or placed on a directional kiosk other than a permitted individual kiosk sign. Additional signage, tags, streamers, flags, balloons, or other similar devices, are prohibited.
- f. For each individual directional sign proposed for the kiosk, an annual permit shall be obtained from the Planning Department. The permit fee shall be one hundred (\$100.00) dollars per sign face. If the directional sign is dual-faced, the permit fee shall be two hundred (\$200.00) dollars. Each permit shall be valid for one (1) year from the date of issuance. No later than thirty (30) days prior to the permit expiring, the County shall send a renewal notice to the permit holder. Failure to pay the fee prior to the expiration of the permit shall result in the sign being removed.
- g. The maximum number of directional signs allowed in a kiosk shall be six (6) if single-faced or twelve (12) if double-faced. One (1) such sign (if single faced) or two (2) such signs (if double-faced) shall be reserved for usage by the County for one for the purpose of indicating the location of public buildings, or public facilities or services, such as parks, schools, emergency substations.
- h. Kiosks and any directional signs shall be maintained, repaired, replaced, and/or repainted as necessary so that they remain in good condition and repair. If the County notifies the kiosk permit holder in writing that repairs are needed, said repairs shall be completed within five (5) business days of receipt of the notice.

SECTION III. Severability. If any section, subsection, or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

SECTION IV. Conflicting Ordinances Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

DRAFT

SECTION V. Effective Date. This ordinance shall be enforced from and after _____, 2009.

RICHLAND COUNTY COUNCIL

BY: _____
Paul Livingston, Chair

ATTEST THIS THE _____ DAY

OF _____, 2009

Michielle R. Cannon-Finch
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

Approved As To LEGAL Form Only
No Opinion Rendered As To Content

Public Hearing: June 23, 2009
First Reading: September 22, 2009 (tentative)
Second Reading: September 22, 2009 (tentative)
Third Reading:

Staff Recommendation: Approval

Planning Commission Recommendation: Approval

EXPLANATION OF ORDINANCE ALLOWING BUS SHELTERS AND BUS BENCHES AT DESIGNATED BUS STOPS THAT ARE SERVED BY A PUBLIC TRANSIT AUTHORITY

Title:

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 26, LAND DEVELOPMENT; SO AS TO DEFINE AND PERMIT “BUS SHELTERS” AND “BUS BENCHES” IN ALL ZONING DISTRICTS, WITH SPECIAL REQUIREMENTS.

What this ordinance will do:

The proposed ordinance will add “bus shelters” and “bus benches” as permitted uses with special requirements in all zoning districts. In addition, advertising on the outer side walls of the bus shelter will be allowed and on the forward facing side of the bench back rest.

The special requirements for both bus shelters and bus benches are as follows:

- Any person wishing to erect and maintain a bus shelter or bus bench shall obtain a permit for each shelter from the Planning Department. Each permit for a bus shelter shall cost fifty (\$50.00) dollars and shall be valid for one (1) year. Each permit for a bus bench shall cost twenty-five (\$25.00) dollars and shall be valid for one (1) year. These permits may be renewed upon payment of the fifty (\$50.00) dollar renewal fee for a bus shelter or upon payment of the twenty-five (\$25.00) dollar renewal fee for a bus bench.
- A shelter or bench may only be located at a designated bus stop that is presently being served by a public transit authority, and only one (1) bus shelter or bus bench shall be allowed per bus stop location.
- If the shelter or bench is proposed to be located within a SCDOT right-of-way, the location of the shelter must be approved by SCDOT prior to obtaining a permit from the Richland County Planning Department.

In addition, to the above requirements, bus shelters must meet the following:

- Design plans for the bus shelter shall be submitted for review and a building permit obtained. The bus shelter must be built to the current and future editions of the International Building Code for commercial structures, except

that plumbing and mechanical elements are not required, and the bus shelter must be able to withstand sustained three (3) second wind gusts of up to 95 MPH. All normal review and permit fees apply, along with normal inspections.

- The shelter shall be designed so that it will present an attractive appearance and not detract from the adjacent surroundings. It shall be illuminated and provide protection from weather elements. The shelter design shall include the following:
 - Each shelter shall consist of an aluminum or steel framework suitable for supporting transparent wall panels and opaque roof panels. The shelter must have a rear wall section, two (2) side panels, and a roof. The transparent wall section must be of tempered glass.
 - At a minimum, each shelter must have a six (6) foot bench, a bus route and schedule holder, a trash receptacle, and be illuminated during hours of darkness. The shelter must be installed on and attached to a concrete foundation.
 - Each bus shelter must be erected in accordance with ADA specifications and requirements. The permittee is responsible to meet the ADA standards and any complaints of nonconformance must be rectified by permittee at his/her expense within thirty (30) days of notification by the Planning department. Under this subsection, ADA compliance includes, but is not limited to, sidewalk on ramps, tactile warnings, and signage or directional arrows indicating handicap accessibility.
 - Advertising on the shelter shall be limited to the outward side of the side wall panels, and may provide a lighting source contained within the panel cabinet. Only two (2) advertisements will be allowed per shelter, and each advertisement will be limited to a maximum poster dimension of 4' wide by 6' high.
 - The general dimensions of a typical shelter will be at a minimum 9' long by 6' wide by 8' high.
- The route number shall be displayed prominently on the bus shelter.
- Each bus shelter shall make available printed bus schedules, and shall display a large regional map that includes the bus route.
- Bus shelters shall be maintained in good repair and the person whose name is on the permit application shall be responsible for the cleaning, repairing or replacement of any part thereof, including advertising materials, sidewalks, walkways, curbs or foundations encompassed by the bus shelter. Such work as is necessary to relocate, alter or

maintain the bus shelter will be done in such a manner that it will not in any way interfere with or endanger the safety of the general public in their use of the roads.

Bus benches must meet the following additional requirements:

- The bench shall be designed so that it will present an attractive appearance and not detract from the adjacent surroundings.
- Benches shall be constructed of durable material and shall be securely fastened to the ground.
- Advertising on the bench shall be limited to the forward facing side of the back rest and shall not extend beyond the perimeters of the back rest.

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___-09HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 26, LAND DEVELOPMENT; SO AS TO DEFINE AND PERMIT “BUS SHELTERS” AND “BUS BENCHES” IN ALL ZONING DISTRICTS, WITH SPECIAL REQUIREMENTS.

Pursuant to the authority granted by the Constitution and the General Assembly of the State of South Carolina, BE IT ENACTED BY THE RICHLAND COUNTY COUNCIL:

SECTION I. The Richland County Code of Ordinances, Chapter 26, Land Development; Article II, Rules of Construction/Definitions; Section 26-22, Definitions; is hereby amended to include in the appropriate alphabetical order, the following definitions:

Bus bench. A seating area at a designated bus stop designed for the convenience of bus passengers.

Bus shelter. A small roofed structure, having three (3) transparent walls, located at designated bus stops for the protection and convenience of passengers of public transportation systems.

SECTION II. The Richland County Code of Ordinances; Chapter 26, Land Development; Article VI, Supplemental Use Standards; Section 26-151, Permitted Uses with Special Requirements; Subsection (b), Permitted Uses with Special Requirements Listed by Zoning District; is hereby amended to read as follows:

- (b) *Permitted uses with special requirements listed by zoning district.*
- (1) Accessory Dwellings - (RU, RR, RS-E, RS-LD, RS-MD, RS-HD, M-1)
 - (2) Amusement or Water Parks, Fairgrounds - (GC, M-1, LI)
 - (3) Animal Shelters - (GC, M-1, LI)
 - (4) Antennas - (All Districts)
 - (5) Athletic Fields - (TROS, NC, RC)
 - (6) Banks, Finance, and Insurance Offices – (NC, RC)
 - (7) Barber Shops, Beauty Salons, and Related Services - (RU, RM-MD, RM-HD)
 - (8) Bars and other Drinking Places - (RC, GC, M-1, LI)

- (9) Batting Cages - (GC, M-1, LI)
- (10) Bed and Breakfast Homes/Inns - (RR, RM-MD, RM-HD, RC)
- (11) Beer/Wine/Distilled Alcoholic Beverages – (GC)
- (12) Body Piercing Facilities – (GC)
- (13) Buildings, High-Rise, Four (4) or Five (5) Stories – (RM-HD, OI, GC)
- (14) Bus Shelters/Bus Benches - (All Districts)
- ~~(14)~~15) Car and Light Truck Washes - (RC)
- ~~(15)~~16) Cemeteries and Mausoleums - (OI, NC, RC, GC, M-1, LI, HI)
- ~~(16)~~17) Continued Care Retirement Communities - (RM-MD, RM-HD, OI, RC, GC)
- ~~(17)~~18) Construction, Building, General Contracting, with Outside Storage - (M-1, LI)
- ~~(18)~~19) Construction, Building, Heavy, with Outside Storage - (M-1, LI)
- ~~(19)~~20) Construction, Special Trades, with Outside Storage - (M-1, LI)
- ~~(20)~~21) Country Clubs with Golf Courses - (TROS, RU, GC, M-1, LI)
- ~~(21)~~22) Day Care, Adult, Home Occupation (5 or fewer) – (RU, RR, RS-E, RS-LD, RS-MD, RS-HD, MH, RM-MD, RM-HD, OI, GC)
- ~~(22)~~23) Day Care Centers, Adult - (RU, OI, NC, RC, GC, M-1)
- ~~(23)~~24) Day Care, Child, Family Day Care, Home Occupation (5 or fewer) - (RU, RR, RS-E, RS-LD, RS-MD, RS-HD, MH, RM-MD, RM-HD, OI, GC)
- ~~(24)~~25) Day Care Centers, Child, Licensed Centers - (RU, OI, NC, RC, GC, M-1)
- ~~(25)~~26) Drugs and Druggists' Sundries – (GC)
- ~~(26)~~27) Durable Goods, Not Otherwise Listed – (GC)
- ~~(27)~~28) Dwellings, Manufactured Homes on Individual Lots - (RU, MH)
- ~~(28)~~29) Dwellings, Manufactured Homes on Individual Lots - (RR, RS-E)

- (~~29~~30) Dwellings, Single Family, Zero Lot Line, Common and Parallel -
(Common: RM-MD, RM-HD, OI, GC, M-1; Parallel: RS-E, RS-LD, RS-
MD, RS-HD, RM-MD, RM-HD, OI, M-1)
- (~~30~~31) Electrical Goods – (GC)
- (~~31~~32) Fuel Oil Sales (Non-Automotive) - (M-1, HI)
- (~~32~~33) Furniture and Home Furnishings – (GC)
- (~~33~~34) Golf Courses - (TROS, GC, M-1, LI)
- (~~34~~35) Golf Driving Ranges (Freestanding) - (TROS, RC, GC, M-1, LI)
- (~~35~~36) Go-Cart, Motorcycle, and Similar Small Vehicle Tracks - (GC)
- (~~36~~37) Group Homes (9 or Less) - (RU, RR, RS-E, RS-LD, RS-MD, RS-HD,
MH, RM-MD, RM-HD)
- (~~37~~38) Home Occupations - (RU, RR, RS-E, RS-LD, RS-MD, RS-HD, MH, RM-
MD, RM-HD, OI, NC, RC, GC)
- (~~38~~39) Kennels - (RU, OI, RC, GC, M-1, LI)
- (~~39~~40) Libraries – (RU, RR, RS-E, RS-LD, RS-MD, RS-HD, MH, RM-MD, RM-
HD)
- (~~40~~41) Lumber and Other Construction Materials – (GC)
- (~~41~~42) Machinery, Equipment and Supplies – (GC)
- (~~42~~43) Manufactured Home Sales – (GC, M-1)
- (~~43~~44) Manufactured Home Parks – (MH, M-1)
- (~~44~~45) Market Showrooms - (GC)
- (~~45~~46) Motor Vehicles, New Parts and Supplies – (GC)
- (~~46~~47) Motor Vehicles, Tires and Tubes – (GC)
- (~~47~~48) Nondurable Goods, Not Otherwise Listed – (GC)
- (~~48~~49) Paints and Varnishes – (GC)
- (~~49~~50) Pet Care Services – (NC, RC)

- (~~50~~51) Petroleum and Coal Products Manufacturing - (HI)
- (~~51~~52) Petroleum and Petroleum Products - (M-1, HI)
- (~~52~~53) Places of Worship – (RU, RR, RM-MD, RM-HD, RC)
- (~~53~~54) Plumbing and Heating Equipment and Supplies – (GC)
- (~~54~~55) Poultry Farms – (RU)
- (~~55~~56) Produce Stands – (RU)
- (~~56~~57) Public or Private Parks- (All Districts)
- (~~57~~58) Public Recreation Facilities- (All Districts)
- (~~58~~59) Radio, Television, and Other Similar Transmitting Towers – (M-1)
- (~~59~~60) Recreational Vehicle Parks and Recreation Camps – (RU)
- (~~60~~61) Rental Centers, With Outside Storage – (GC)
- (~~61~~62) Repair and Maintenance Service, Appliance and Electronics - (RC, GC, M-1, LI)
- (~~62~~63) Research and Development Services – (OI)
- (~~63~~64) Schools, Including Public and Private Schools, Having a Curriculum Similar to Those Given in Public Schools - (RU, RR, RS-E, RS-LD, RS-MD, RS-HD, MH, RM-MD, RM-HD)
- (~~64~~65) Sexually Oriented Businesses - (GC, HI)
- (~~65~~66) Sporting Firearms and Ammunition – (GC)
- (~~66~~67) Swim and Tennis Clubs – (TROS)
- (~~67~~68) Swimming Pools - (TROS, RU, RR, RS-E, RS-LD, RS-MD, RS-HD, MH, RM-MD, RM-HD, OI, NC, RC, GC)
- (~~68~~69) Tobacco and Tobacco Products – (GC)
- (~~69~~70) Utility Substations - (All Districts)

- (~~70~~71) Veterinary Services (Non-Livestock, May Include Totally Enclosed Kennels Operated in Connection with Veterinary Services) - (OI, NC)
- (~~71~~72) Warehouses (General Storage, Enclosed, Not Including Storage of Any Hazardous Materials or Waste as Determined by Any Agency of the Federal, State, or Local Government) - (OI, NC, RC, GC)
- (~~72~~73) Warehouses (Self Storage) - (RC, GC, M-1, LI)
- (~~73~~74) Yard Sales - (RU, RR, RS-E, RS-LD, RS-MD, RS-HD, MH, RM-MD, RM-HD, OI, NC, RC, GC)
- (~~74~~75) Zoos and Botanical Gardens – (GC, M-1)

SECTION III. The Richland County Code of Ordinances; Chapter 26, Land Development; Article VI, Supplemental Use Standards; Section 26-151, Permitted Uses with Special Requirements; Subsection (c), Standards; is hereby amended to read as follows:

- (c) *Standards.* The development standards listed herein are additional to other requirements of this chapter. These development standards are use-specific and apply to those uses designated with an “SR” in the Table of Permitted Uses, Permitted Uses with Special Requirements, and Special Exceptions (Table 26-V-2. Section 26-141).
 - (1) *Accessory dwellings.*
 - a. Use districts: Rural; Rural Residential; Residential, Single-Family, Estate; Residential, Single-Family, Low Density; Residential, Single-Family, Medium Density; Residential, Single-Family, High Density, M-1 Light Industrial.
 - b. Accessory dwellings shall be located only on lots containing one single-family detached structure. (However, other conforming accessory structures may also be located on the lot).
 - c. Only one accessory dwelling shall be permitted per single-family dwelling.
 - d. If the accessory dwelling is located within the same structure as the principal dwelling, the principal dwelling shall not be altered in any way so as to appear from a public or private road to be multi-family housing.
 - e. A manufactured home may not be used as an accessory dwelling.
 - f. The gross floor area of the accessory dwelling shall not exceed five hundred (500) square feet or contain more than one-fourth of the

heated floor area of the principal single-family dwelling, whichever is greater.

(2) *Amusement or waterparks, fairgrounds.*

- a. Use districts: General Commercial; M-1 and LI Light Industrial.
- b. The minimum lot size for an amusement park, waterpark, or fairground shall be five (5) acres.
- c. No principal building or structure shall be located within fifty (50) feet of any property line.
- d. Security fencing, a minimum of six (6) feet in height, shall be provided along the entire boundary of the park activities.
- e. No amusement equipment, machinery, or mechanical device of any kind may be operated within two hundred (200) feet of any residentially zoned property.

(3) *Animal shelters.*

- a. Use districts: General Commercial; M-1 and LI Light Industrial.
- b. Any building (which is part of an animal shelter) housing animals shall be located a minimum of one hundred and fifty (150) feet from any residentially zoned or developed property.
- c. Fenced outdoor runs are allowed for use during the hours of 6:00 am to 10:00 p.m.; however, no animal may be kept in the run for boarding purposes, and pens for the animals must be located indoors. Feeding of animals must be conducted indoors and is prohibited in the runs.
- d. All animal refuse and food must be kept in airtight containers and disposed of on a regular basis. Animal wastes shall not be stored any closer than fifty (50) feet from any property line or surface water.

(4) *Antennas.*

- a. Use districts: All Districts.
- b. In residential districts, no antenna shall be permitted between the front of a principal structure and any adjacent public road. In the case of corner lots, no antenna shall be permitted between the side

of a principal structure and the road. No dish type antenna more than eighteen (18) inches in diameter shall be placed on the roof or other portion of a building so as to be visible from any adjacent property.

- c. In nonresidential districts, antennas may be placed at any location that is not visible from any adjacent public road. Antennas may be placed on top of a principal structure less than thirty (30) feet in height, provided that screening is provided with materials compatible with the principal structure at least equal in height to the antenna. Antennas may be placed on top of a flat roofed structure that exceeds thirty (30) feet in height. Antennas erected on any pitched roof structure, regardless of height of the structure, must be screened with materials compatible with the principal structure. The screening shall not be less than the height of the antenna. In these districts, dish type antennas measuring less than three (3) feet in diameter may be placed at any location on a principal structure, except for the building façade or any road oriented side wall.

(5) *Athletic fields.*

- a. Use districts: Traditional Recreation Open Space; Neighborhood Commercial; Rural Commercial.
- b. All athletic fields shall have primary access to collector or thoroughfare roads.
- c. Lights shall be positioned and shielded so as not to shine onto adjacent properties.
- d. Loud speaker systems shall not be operated before 8:00 a.m. or after 10:00 p.m.

(6) *Banks, finance, and insurance offices.*

- a. Use districts: Neighborhood Commercial; Rural Commercial.
- b. No drive-thru service permitted.

(7) *Barber shops, beauty salons, and related services.*

- a. Use districts: Rural; Residential, Multi-Family, Medium Density; Residential, Multi-Family, High Density.
- b. No more than four (4) workstations are permitted.

- c. Signage shall be limited to a single sign, not to exceed three (3) square feet and not containing internal lighting. Such signage shall be attached to the building.

(8) *Bars and other drinking places.*

- a. Use districts: Rural Commercial; General Commercial; M-1 and LI Light Industrial.
- b. Lots used for drinking places shall be located no closer than four hundred (400) feet from any other lot used as a drinking place, and shall be no closer than six hundred (600) feet to any lot which contains a school (public or private) or a place of worship.
- c. Bars and other drinking places shall provide adequate off-street parking at a rate of twelve (12) spaces for each one thousand (1,000) square feet of gross floor area.
- d. Parking areas related to the establishment of a bar or other drinking place shall be located no closer than thirty (30) feet to the property line of residentially zoned or used property.
- e. A minimum six (6) foot high opaque fence shall be erected adjacent to the property line of abutting residentially zoned or used property.

(9) *Batting cages.*

- a. Use districts. General Commercial; M-1 and LI Light Industrial.
- b. No equipment, machinery, or mechanical device of any kind shall be operated within two hundred (200) feet of any residentially zoned property.
- c. Fencing, netting or other control measures shall be provided around the perimeter of the batting area to prevent balls from leaving the designated area.
- d. Lights shall be positioned and shielded so as not to shine onto adjacent properties.
- e. Loud speaker systems shall not be operated before 8:00 a.m. or after 10:00 p.m.

(10) *Bed and breakfast homes/inns.*

- a. Use districts: Rural Residential; Residential, Multi-Family, Medium Density; Residential, Multi-Family, High Density; Rural Commercial.
- b. Bed and breakfast homes/inns shall be located a minimum of one thousand five hundred (1,500) feet from any other bed and breakfast home/inn
- c. The owner or manager of the home/inn shall reside on the property.
- d. The maximum number of guest rooms provided by the bed and breakfast home/inn shall be five (5).
- e. Activities and functions designed to accommodate the guests shall take place within the principal structure.
- f. Off-street parking for bed and breakfast homes/inns shall be provided as required in Section 26-173 of this chapter. Parking shall be provided on the same lot on which the bed and breakfast inn is located, at the rear of the lot, and screened (with vegetation) from adjacent properties and from the road.
- g. In the residential districts, signage shall be limited to a single sign, not to exceed three (3) square feet and not containing internal lighting. Such signage shall be attached to the building.
- h. Exterior lighting shall be residential in nature and shall not be directed toward adjacent properties.
- i. No meals may be served to anyone other than staff and guests registered at the inn.
- j. No exterior alterations, other than those necessary to ensure the safety and accessibility of the structure, shall be made to any building for the purpose of providing a bed and breakfast home/inn.

(11) *Beer/Wine/Distilled Alcoholic Beverages.*

- a. Use districts: General Commercial.
- b. The aggregate gross floor area shall be limited to no more than 12,000 square feet per parcel or per building, whichever is more restrictive.
- c. Materials and/or products shall not be displayed outside the building.

- d. Materials, products, and/or equipment shall not be stored outside the building.
- e. Materials and/or products shall not be processed outside the building.
- f. Lighting shall comply with the requirements of Section 26-177 infra.
- g. Landscaping buffers shall comply with the requirements of Section 26-176 infra.

(12) *Body Piercing Facilities.*

- a. Use districts: General Commercial.
- b. The applicant must receive a license from the South Carolina Department of Health and Environmental Control (SCDHEC) to operate the facility.

(13) *Buildings, high-rise, four (4) or five (5) stories.*

- a. Use districts: Residential, Multi-Family, High Density; Office and Institutional; General Commercial.
- b. The minimum lot size to establish a high-rise building shall be one (1) acre.
- c. The minimum lot width to establish a high-rise building shall be one hundred and fifty (150) feet.
- d. A high-rise structure shall be set back a minimum of twenty-five (25) feet from all property lines.
- e. In the RM-HD District, the maximum lot coverage for a high-rise building shall be thirty-five percent (35%). In the GC and OI Districts, the maximum lot coverage for a high-rise building shall be forty-five percent (45%).
- f. Increase of allowable lot coverage:
 - 1. Additional lot coverage may be allowed on a foot for foot basis equal to the number of square feet provided on the structure above the first level in the form of landscaped roof gardens, solariums, recreational spaces and the like made available generally to tenants. In no case shall such an increase in coverage exceed an amount equal to ten

percent (10%) of the total lot area upon which the high-rise structure is located.

2. Parking lots or structures to accommodate required parking may be erected to cover not more than thirty percent (30%) of the total lot area in addition to the coverage listed in paragraph e. of this subsection.
- g. No portion of any high-rise building shall project through imaginary planes leaning inward over the lot from the exterior lot lines of the parcel at angles representing two (2) feet in height for each one (1) foot of horizontal distance from such lot line.
- h. Parking and loading facilities shall be provided as required by Section 26-173 and Section 26-174 of this chapter. No parking lots shall be permitted within any required setback.

(14) *Bus shelters/bus benches.*

- a. Use districts: All Districts.
- b. Any person wishing to erect and maintain a bus shelter or bus bench shall obtain a permit for each shelter from the Planning Department. Each permit for a bus shelter shall cost fifty (\$50.00) dollars and shall be valid for one (1) year. Each permit for a bus bench shall cost twenty-five (\$25.00) dollars and shall be valid for one (1) year. These permits may be renewed upon payment of the fifty (\$50.00) dollar renewal fee for a bus shelter or upon payment of the twenty-five (\$25.00) dollar renewal fee for a bus bench.
- c. A shelter or bench may only be located at a designated bus stop that is presently being served by a public transit authority, and only one (1) bus shelter shall be allowed per bus stop location.
- d. If the shelter or bench is proposed to be located within a SCDOT right-of-way, the location of the shelter must be approved by SCDOT prior to obtaining a permit from the Richland County Planning Department.
- e. Bus shelters must meet the following additional requirements:
 1. Design plans for the bus shelter shall be submitted for review and a building permit obtained. The bus shelter must be built to the current and future editions of the International Building Code for commercial structures, except that plumbing and mechanical elements are not required, and the bus shelter must be able to withstand sustained three (3) second wind gusts of up to 95 MPH. All

normal review and permit fees apply, along with normal inspections.

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 and provide protection from weather elements. The shelter design shall include the following:

[a] Each shelter shall consist of an aluminum or steel framework suitable for supporting transparent wall panels and opaque roof panels. The shelter must have a rear wall section, two (2) side panels, and a roof. The transparent wall section must be of tempered glass.

[b] At a minimum, each shelter must have a six (6) foot bench, a bus route and schedule holder, a trash receptacle, and be illuminated during hours of darkness. The shelter must be installed on and attached to a concrete foundation.

[c] Each bus shelter must be erected in accordance with ADA specifications and requirements. The permittee is responsible to meet the ADA standards and any complaints of nonconformance must be rectified by permittee at his/her expense within thirty (30) days of notification by the Planning department. 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, and may provide a lighting source contained within the panel cabinet. Only two (2) advertisements will be allowed per shelter, and each advertisement will be limited to a maximum poster dimension of 4' wide by 6' high.

[e] The general dimensions of a typical shelter will be at a minimum 9' long by 6' wide by 8' high.

3. The route number shall be displayed prominently on the bus shelter.

4. Each bus shelter shall make available printed bus schedules, and shall display a large regional map that includes the bus route.

5. Bus shelters shall be maintained in good repair and the person whose name is on the permit application shall be responsible for the cleaning, repairing or replacement of any part thereof, including advertising materials, sidewalks, walkways, curbs or foundations encompassed by the bus shelter. Such work as is necessary to relocate, alter or maintain the bus shelter will be done in such a manner that it will not in any way interfere with or endanger the safety of the general public in their use of the roads.

f. Bus benches must meet the following additional 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.

3. Advertising on the bench shall be limited to the forward facing side of the back rest and shall not extend beyond the perimeters of the back rest.

(~~1415~~) *Car and light truck washes.*

- a. Use districts: Rural Commercial.
- b. Buildings shall not be less than seventy-five (75) feet from any interior side or rear property line that adjoins a residentially zoned or used property.
- c. The hours of operation shall be limited to the hours between 7:00 a.m. and 10:00 p.m.
- d. Adequate provisions shall be made for the safe and efficient disposal of waste products.

(~~1516~~) *Cemeteries and mausoleums.*

- a. Use districts: Office and Institutional; Neighborhood Commercial; Rural Commercial; General Commercial; M-1 and LI Light Industrial; Heavy Industrial.

- b. A minimum of three (3) contiguous acres shall be required to establish a cemetery or a mausoleum not located on the same tract of land as a place of worship.
- c. Primary access to the facility shall be from a collector or thoroughfare road.

(~~16~~17) *Continued care retirement communities.*

- a. Use districts: Residential, Multi-Family, Medium Density; Residential, Multi-Family, High Density; Office Institutional; Rural Commercial; General Commercial.
- b. The minimum lot size to establish a continued care retirement community shall be one (1) acre.
- c. No parking space or driveway shall be located closer than twenty (20) feet to any other residence not a part of the community.
- d. The front setback shall be the same as permitted in the respective district, but shall not be less than the lesser setback of any existing homes on adjacent lots. The side and rear setbacks shall be twenty (25) feet.
- e. All facilities shall be solely for the use of the residents and their guests.

(~~17~~18) *Construction, building, general contracting, with outside storage.*

- a. Use districts: M-1 and LI Light Industrial.
- b. All outside storage shall be completely screened from adjacent roads and residentially zoned or used properties.

(~~18~~19) *Construction, building, heavy, with outside storage.*

- a. Use districts: M-1 and LI Light Industrial.
- b. All outside storage shall be completely screened from adjacent roads and residentially zoned or used properties.

(~~19~~20) *Construction, special trades, with outside storage.*

- a. Use districts: M-1 and LI Light Industrial.
- b. All outside storage shall be completely screened from adjacent roads and residentially zoned or used properties.

(~~20~~21) *Country clubs with golf courses.*

- a. Use districts: TROS, Rural; General Commercial; M-1 and LI Light Industrial.
- b. There shall be a minimum fifty (50) foot setback between clubhouses, swimming pools, lighted tennis courts, or athletic fields and adjacent residentially zoned or used property.
- c. In the Rural District, club facilities may not be used between 12:00 midnight and 7:00 a.m., Sunday through Thursday and between 1:00 a.m. and 7:00 a.m. on Friday and Saturday nights.

~~(2122)~~ *Day care, adult, home occupation (five or fewer).*

- a. Use districts: Rural; Rural Residential; Residential, Single-Family – Estate; Residential, Single-Family - Low Density; Residential, Single-Family – Medium Density; Residential, Single-Family – High Density; Manufactured Home; Residential, Multi-Family – Medium Density; Residential, Multi-Family – High Density; Office and Institutional; General Commercial.
- b. An adult day care, home occupation, with five (5) or fewer attendees must be operated in an occupied residence.
- c. Client pick-up and drop-off shall not obstruct traffic flow on adjacent public roads.
- d. All other state and federal regulations shall be met.

~~(2223)~~ *Day care centers, adult.*

- a. Use districts: Rural; Office and Institutional; Neighborhood Commercial; Rural Commercial; General Commercial; M-1 Light Industrial.
- b. Client pick-up and drop-off shall not obstruct traffic flow on adjacent public roads.

~~(2324)~~ *Day care, child, family day care, home occupation (five or fewer).*

- a. Use districts: Rural; Rural Residential; Residential, Single-Family – Estate; Residential, Single-Family – Low Density; Residential, Single-Family – Medium Density; Residential, Single-Family – High Density; Manufactured Home; Residential, Multi-Family – Medium Density; Residential, Multi-Family – High Density; Office and Institutional; General Commercial.

- b. A child family day care home occupation must be operated in an occupied residence.
- c. Any outdoor 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.
- d. Client pick-up and drop-off shall not obstruct traffic flow on adjacent public roads.
- e. All other state and federal regulations shall be met.

(~~2425~~) Day care centers, child, licensed centers.

- a. Use districts: Rural; Office and Institutional; Neighborhood Commercial; Rural Commercial; General Commercial; M-1 Light Industrial.
- b. Any outdoor 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.
- c. Client pick-up and drop-off shall not obstruct traffic flow on adjacent public roads.
- d. All other state and federal regulations shall be met.

(~~2526~~) Drugs and Druggists' Sundries.

- a. Use districts: General Commercial.
- b. The aggregate gross floor area shall be limited to no more than 12,000 square feet per parcel or per building, whichever is more restrictive.
- c. Materials and/or products shall not be displayed outside the building.
- d. Materials, products, and/or equipment shall not be stored outside the building.
- e. Materials and/or products shall not be processed outside the building.
- f. Lighting shall comply with the requirements of Section 26-177 infra.

- g. Landscaping buffers shall comply with the requirements of Section 26-176 infra.

(~~2627~~) Durable Goods, Not Otherwise Listed.

- a. Use districts: General Commercial.
- b. The aggregate gross floor area shall be limited to no more than 12,000 square feet per parcel or per building, whichever is more restrictive.
- c. Materials and/or products shall not be displayed outside the building.
- d. Materials, products, and/or equipment shall not be stored outside the building.
- e. Materials and/or products shall not be processed outside the building.
- f. Lighting shall comply with the requirements of Section 26-177 infra.
- g. Landscaping buffers shall comply with the requirements of Section 26-176 infra.

(~~2728~~) Dwellings, manufactured homes on individual lots.

- a. Use districts: Rural, Manufactured Home Park.
- b. Manufactured homes must meet the standards set by the Federal Manufactured Housing Construction and Safety Standards Act of 1974 (which became effective June 15, 1976), as revised and in effect on the date the application is made for a land development permit.
- c. The tongue, axles, transporting lights, and removable towing apparatus must be removed subsequent to final placement.
- d. Manufactured home skirting or a continuous, permanent masonry foundation, unpierced except for openings required by the building code for ventilation, utilities and access, shall be installed under the manufactured home.

(~~2829~~) Dwellings, manufactured homes on individual lots.

- a. Use districts: Rural Residential; Residential, Single-Family, Estate.

- b. Manufactured homes must meet the standards set by the Federal Manufactured Housing Construction and Safety Standards Act of 1974 (which became effective June 15, 1976), as revised and in effect on the date the application is made for a land development permit.
- c. The tongue, axles, transporting lights, and removable towing apparatus must be removed subsequent to final placement.
- d. The manufactured home shall be oriented so that the side containing the front entrance door shall be no more than twenty (20) degrees from parallel to the front property line, except on corner lots. The front of the manufactured home is that side which has an entrance door leading to a living room, foyer, or hall.
- e. The exterior siding shall consist predominately of vinyl or aluminum horizontal lap siding (that does not exceed the reflectivity of gloss white paint), wood, or hardboard, comparable in composition, appearance, and durability to the exterior siding commonly used in standard residential construction.
- f. A continuous, permanent masonry foundation, unpierced except for openings required by the building code for ventilation, utilities and access, shall be installed under the manufactured home. The foundation shall be excavated and shall be exposed no more than twelve (12) inches above grade.
- g. The pitch of the manufactured home's roof shall have a minimum vertical rise of three feet for each twelve feet of horizontal run (3:12) and the roof shall be finished with a type of roof that is commonly used in standard residential construction.
- h. The manufactured home shall have a length not exceeding four (4) times its width, excluding additions.
- i. There shall be a porch, at the main entrance to the manufactured home, which is a minimum of six (6) feet by six (6) feet in size.

(2930) Dwellings, single family, zero lot line, common and parallel.

- a. Use districts, Common: Residential, Multi-Family, Medium Density; Residential, Multi-Family, High Density; Office and Institutional; General Commercial.

Use districts: Parallel: Residential, Single-Family, Estate; Residential, Single-Family, Low Density; Residential, Single-

Family, Medium Density; Residential, Single-Family, High Density; Residential, Multi-Family, Medium Density; Residential, Multi-Family, High Density; Office and Institutional.

- b. The lot proposed for zero lot line development must be under the same ownership as the adjacent lot at the time of initial construction, or the owner of adjacent properties must record an agreement or deed restriction, in writing, consenting to the development of zero setback. The maintenance and drainage easement required in subsection e. below must be provided as part of this agreement and deed restriction.
- c. For common lot line dwellings, the dwelling unit shall be placed on one interior side property line with a zero setback, and the dwelling unit setback on the other interior side property line shall be a minimum of twelve (12) feet. Patios, pools, garden features, and other similar elements shall be permitted within the twelve (12) foot setback area; provided, however, no structure shall be placed within easements required by subsection e. below.
- d. The wall of a dwelling located on the lot line shall have no windows, doors, air conditioning units, or any other type of openings. An atrium or court shall be permitted on the zero lot line side when such court or atrium is enclosed by two (2) walls of the dwelling unit, and a solid wall of at least six (6) feet in height is provided on the zero lot line extending to the front and/or rear of the dwelling unit. Said wall shall be constructed of the same materials as exterior walls of the unit.
- e. A perpetual five (5) foot maintenance easement shall be provided on the lot adjacent to the zero lot line property, which shall be kept clear of structures. This easement shall be shown on the plat and incorporated into each deed transferring title to the property. Roof overhangs and footings may penetrate the easement on the adjacent lot a maximum of twenty-four (24) inches, but the roof shall be so designed that water runoff from the dwelling placed on the lot line is controlled by gutters or other approved methods.

~~(3031)~~ *Electrical Goods.*

- a. Use districts: General Commercial.
- b. The aggregate gross floor area shall be limited to no more than 12,000 square feet per parcel or per building, whichever is more restrictive.

- c. Materials and/or products shall not be displayed outside the building.
- d. Materials, products, and/or equipment shall not be stored outside the building.
- e. Materials and/or products shall not be processed outside the building.
- f. Lighting shall comply with the requirements of Section 26-177 infra.
- g. Landscaping buffers shall comply with the requirements of Section 26-176 infra.

~~(3132)~~ *Fuel oil sales, non-automotive.*

- a. Use districts: M-1 Light Industrial; Heavy Industrial.
- b. Gravel or paved roadways shall be provided to all storage tanks.
- c. Security fencing, a minimum of six (6) feet in height, shall be provided along the entire boundary of such facilities.
- d. 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 one hundred twenty (120) feet. Storage tanks not equipped as indicated above shall not be located closer to an exterior property line than a distance equal to one and one half (1½) 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 one hundred seventy-five (175) feet. Storage tanks and loading facilities shall be located a minimum of five hundred (500) feet from any existing residence or residentially zoned property.
- e. All storage facilities shall comply with the latest regulations of the National Fire Protection Association.
- f. All other federal, state, and local laws shall be met.

~~(3233)~~ *Furniture and Home Furnishings.*

- a. Use districts: General Commercial.
- b. The aggregate gross floor area shall be limited to no more than 12,000 square feet per parcel or per building, whichever is more restrictive.
- c. Materials and/or products shall not be displayed outside the building.
- d. Materials, products, and/or equipment shall not be stored outside the building.
- e. Materials and/or products shall not be processed outside the building.
- f. Lighting shall comply with the requirements of Section 26-177 infra.
- g. Landscaping buffers shall comply with the requirements of Section 26-176 infra.

(~~33~~34) *Golf courses.*

- a. Use districts: Traditional Recreation Open Space; General Commercial; M-1 and LI Light Industrial.
- b. There shall be a minimum fifty (50) foot setback between clubhouses or other non-course facilities and adjacent residentially zoned or used property.

(~~34~~35) *Golf driving ranges (freestanding).*

- a. Use districts: Traditional Recreation Open Space; Rural Commercial; General Commercial; M-1 and LI Light Industrial.
- b. Fencing, netting, or other control measures shall be provided around the perimeter of the driving area to prevent balls from leaving the property.
- c. No equipment, machinery, or mechanical device of any kind shall be operated within two hundred (200) feet of any residentially zoned or used property.
- d. Operations shall not begin before 9:00 a.m. nor continue after 10:00 p.m.

(~~35~~36) *Go-cart, motorcycle, and similar small vehicle tracks.*

- a. Use districts: General Commercial.
- b. Security fencing, a minimum of six (6) feet in height, shall be provided along the entire boundary of the track activities.
- c. No equipment, machinery, or mechanical device of any kind shall be operated within two hundred (200) feet of any residentially zoned or used property.
- d. Hours of operation shall be limited to 9:00 a.m. to 10:00 p.m.

(~~3637~~) *Group homes (nine persons or less).*

- a. Use districts: Rural; Rural Residential; Residential, Single-Family, Estate; Residential, Single-Family, Low Density; Residential, Single-Family, Medium Density; Residential, Single-Family, High Density; Manufactured Home Park; Residential, Multi-Family, Medium Density; Residential, Multi-Family, High Density.
- b. Location approval is subject to Section 6-29-770 of the South Carolina Code of Laws, as amended.

(~~3738~~) *Home occupations.*

- a. Use districts: Rural; Rural Residential; Residential, Single-Family, Estate; Residential, Single-Family, Low Density; Residential, Single-Family, Medium Density; Residential, Single-Family, High Density; Manufactured Home Park; Residential, Multi-Family, Medium Density; Residential, Multi-Family, High Density; Office and Institutional; Neighborhood Commercial; Rural Commercial; General Commercial.
- b. Home occupations shall be conducted entirely within the principal dwelling or an accessory structure, if such accessory structure meets all setback requirements for a principal structure in the district in which it is located. Home occupations 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.
- c. An area equal to not more than twenty-five percent (25%) of the floor area of the principal dwelling may be utilized for the home occupation. If the home occupation is housed in an accessory structure, the accessory structure can be no larger than twenty-five percent (25%) the gross floor area of the principal dwelling.

- d. Only persons residing on the premises may be employed by the home occupation.
- e. The home occupation shall not involve the retail sale of merchandise manufactured off the premises. No display of goods, products, services, merchandise, or any form of advertising shall be visible from outside the dwelling.
- f. No outside storage shall be allowed in connection with any home occupation.
- g. Instruction in music, dance, art or similar subjects shall be limited to four (4) students at a time.
- h. No traffic shall be generated by the home occupation in greater volumes than would normally be expected in a residential neighborhood, and any parking need generated by the home occupation shall be provided for off street and other than in the front yard.
- i. Signage for the home occupation shall be regulated in accordance with Section 26-180 of this chapter.

~~(3839)~~ (3839) *Kennels.*

- a. Use districts: Rural; Office and Institutional; Rural Commercial; General Commercial, M-1 and LI Light Industrial.
- b. Any building (which is part of a kennel) housing animals shall be located a minimum of one hundred and fifty (150) feet from any residentially zoned or used property.
- c. Fenced outdoor runs are allowed for use only during the hours of 6:00 a.m. to 10:00 p.m.; however, no animal may be kept in the run for boarding purposes, and pens for the animals must be located indoors. Feeding of animals must be conducted indoors and is prohibited in the runs.
- d. All animal refuse and food must be kept in airtight containers and disposed of on a regular basis. Animal wastes shall not be stored any closer than fifty (50) feet from any property line or surface waters.

~~(3940)~~ (3940) *Libraries.*

- a. Use districts: Rural; Rural Residential; Residential, Single-Family, Estate; Residential, Single-Family, Low Density; Residential, Single-Family, Medium Density; Residential, Single-Family, High Density; Manufactured Home Park; Residential, Multi-Family, Medium Density; Residential, Multi-Family, High Density.
- b. No parking shall be allowed in the required front yard.

(~~40~~41) *Lumber and Other Construction Materials.*

- a. Use districts: General Commercial.
- b. The aggregate gross floor area shall be limited to no more than 12,000 square feet per parcel or per building, whichever is more restrictive.
- c. Materials and/or products shall not be displayed outside the building.
- d. Materials, products, and/or equipment shall not be stored outside the building.
- e. Materials and/or products shall not be processed outside the building.
- f. Lighting shall comply with the requirements of Section 26-177 infra.
- g. Landscaping buffers shall comply with the requirements of Section 26-176 infra.

(~~41~~42) *Machinery, Equipment and Supplies.*

- a. Use districts: General Commercial.
- b. The aggregate gross floor area shall be limited to no more than 12,000 square feet per parcel or per building, whichever is more restrictive.
- c. Materials and/or products shall not be displayed outside the building.
- d. Materials, products, and/or equipment shall not be stored outside the building.
- e. Materials and/or products shall not be processed outside the building.

- f. Lighting shall comply with the requirements of Section 26-177 infra.
- g. Landscaping buffers shall comply with the requirements of Section 26-176 infra.

(~~4243~~) *Manufactured home sales.*

- a. Use districts: General Commercial; M-1 Light Industrial.
- b. Sales and storage areas shall be screened from adjacent residentially zoned or used properties.

(~~4344~~) *Manufactured home parks.*

- a. Use districts: Manufactured Home; M-1 Light Industrial.
- b. All manufactured home park development plans must be approved by DHEC.
- c. Uses permitted within any manufactured home park shall be regulated in accordance with the underlying zoning district. See Article V. of this chapter. Unless otherwise, specified, all minimum development standards for the underlying zoning district apply.
- d. All manufactured home parks must provide water and sanitary sewer to each manufactured home site, subject to DHEC requirements. All manufactured homes within the site are required to connect to water, sanitary sewers, and electricity.
- e. The minimum area required for the development of a manufactured home park shall be five (5) acres.
- f. The maximum density of a manufactured home park shall not exceed six (6) units per acre.
- g. A minimum of seven thousand two hundred sixty (7,260) square feet is required for each manufactured home site within the manufactured home park development.
- h. A minimum width of sixty (60) feet is required for each manufactured home site within the manufactured home park development.
- i. All manufactured homes shall be set back from exterior road rights-of-way a minimum of thirty-five (35) feet, and shall be set

back a minimum of fifteen (15) feet from all other exterior property lines.

If the landscape and buffer yard standards require additional setbacks, the most restrictive shall apply. See Section 26-176 of this chapter.

- j. All manufactured homes shall be set back from interior road rights-of-way a minimum of fifteen (15) feet. Additionally, the following minimum spacing between manufactured home structures shall apply:
 - 1. Front to front: 35 feet.
 - 2. Front to side: 25 feet.
 - 3. Front to rear: 35 feet.
 - 4. Rear to rear: 25 feet.
 - 5. Rear to side: 25 feet.
 - 6. Side to side: 25 feet.
- k. Common area open space (meeting the requirements set forth in Sections 26-184(b)(2)&(3) of this chapter) shall be provided for each manufactured home park. A minimum of twenty percent (20%) of the total development area shall be reserved for open space. However, in no event shall the required open space within a manufactured home development be less than three hundred (300) square feet. In order to expand an existing manufactured home park development, the minimum open space requirements must be met.

(4445) *Market showrooms.*

- a. Use districts: General Commercial.
- b. Display areas shall exist within permanent buildings only.

(4546) *Motor Vehicles, New Parts and Supplies.*

- a. Use districts: General Commercial.
- b. The aggregate gross floor area shall be limited to no more than 12,000 square feet per parcel or per building, whichever is more restrictive.

- c. Materials and/or products shall not be displayed outside the building.
- d. Materials, products, and/or equipment shall not be stored outside the building.
- e. Materials and/or products shall not be processed outside the building.
- f. Lighting shall comply with the requirements of Section 26-177 infra.
- g. Landscaping buffers shall comply with the requirements of Section 26-176 infra.

(~~464~~7) *Motor Vehicles, Tires and Tubes.*

- a. Use districts: General Commercial.
- b. The aggregate gross floor area shall be limited to no more than 12,000 square feet per parcel or per building, whichever is more restrictive.
- c. Materials and/or products shall not be displayed outside the building.
- d. Materials, products, and/or equipment shall not be stored outside the building.
- e. Materials and/or products shall not be processed outside the building.
- f. Lighting shall comply with the requirements of Section 26-177 infra.
- g. Landscaping buffers shall comply with the requirements of Section 26-176 infra.

(~~474~~8) *Nondurable Goods, Not Otherwise Listed.*

- a. Use districts: General Commercial.
- b. The aggregate gross floor area shall be limited to no more than 12,000 square feet per parcel or per building, whichever is more restrictive.
- c. Materials and/or products shall not be displayed outside the building.

- d. Materials, products, and/or equipment shall not be stored outside the building.
- e. Materials and/or products shall not be processed outside the building.
- f. Lighting shall comply with the requirements of Section 26-177 infra.
- g. Landscaping buffers shall comply with the requirements of Section 26-176 infra.

(~~484~~9) *Paints and Varnishes.*

- a. Use districts: General Commercial.
- b. The aggregate gross floor area shall be limited to no more than 12,000 square feet per parcel or per building, whichever is more restrictive.
- c. Materials and/or products shall not be displayed outside the building.
- d. Materials, products, and/or equipment shall not be stored outside the building.
- e. Materials and/or products shall not be processed outside the building.
- f. Lighting shall comply with the requirements of Section 26-177 infra.
- g. Landscaping buffers shall comply with the requirements of Section 26-176 infra.

(~~49~~50) *Pet Care Services.*

- a. Use districts: Neighborhood Commercial, Rural Commercial.
- b. All pet care services shall be conducted inside an enclosed structure.

(~~50~~51) *Petroleum and coal products manufacturing.*

- a. Use districts: Heavy Industrial.
- b. Gravel or paved roadways shall be provided to all storage tanks.

- c. Security fencing, a minimum of six (6) feet in height, shall be provided along the entire boundary of such facilities.
- d. 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 one hundred twenty (120) feet. Storage tanks not equipped as indicated above shall not be located closer to an exterior property line than a distance equal to one and one half (1½) times the greater dimension of either the diameter or the height of the tank. However, regardless of the diameter or height of the tank, in no event shall the required distance be greater than one hundred seventy-five (175) feet. Storage tanks and loading facilities shall be located a minimum of five hundred (500) feet from any existing residence or residentially zoned property.
- e. All storage facilities shall comply with the latest regulations of the National Fire Protection Association.
- f. All other federal, state, and local laws shall be met.

(5152) *Petroleum and petroleum products.*

- a. Use districts: Heavy Industrial; M-1 Light Industrial.
- b. Gravel or paved roadways shall be provided to all storage tanks.
- c. Security fencing, a minimum of six (6) feet in height, shall be provided along the entire boundary of such facilities.
- d. 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 one hundred twenty (120) feet. Storage tanks not equipped as indicated above shall not be located closer to an exterior property line than a distance equal to one and one half (1½) times the greater dimension of either the diameter or the height of the tank. However, regardless of the diameter or height of the tank, in no event shall the required distance be greater than one hundred seventy-five (175) feet. Storage tanks and loading facilities shall be

located a minimum of five hundred (500) feet from any existing residence or residentially zoned property.

- e. All storage facilities shall comply with the latest regulations of the National Fire Protection Association.
- f. All other federal, state, and local laws shall be met.

~~(5253)~~ *Places of worship.*

- a. Use districts: Rural; Rural Residential; Residential, Multi-Family, Medium Density; Residential, Multi-Family, High Density; Rural Commercial.
- b. Facilities for a place of worship located on a site of three (3) acres or more shall have primary access to the facility from a collector of thoroughfare road.
- c. No parking space or drive shall be located closer than twenty (20) feet to a residence not associated with the place of worship. No parking area may be located in the front setback.
- d. The front setback shall be the same as permitted in the respective district, but shall not be less than the lesser setback of any existing homes on adjacent lots. The side and rear setbacks shall be thirty (30) feet.

~~(5354)~~ *Plumbing and Heating Equipment and Supplies.*

- a. Use districts: General Commercial.
- b. The aggregate gross floor area shall be limited to no more than 12,000 square feet per parcel or per building, whichever is more restrictive.
- c. Materials and/or products shall not be displayed outside the building.
- d. Materials, products, and/or equipment shall not be stored outside the building.
- e. Materials and/or products shall not be processed outside the building.
- f. Lighting shall comply with the requirements of Section 26-177 infra.

- g. Landscaping buffers shall comply with the requirements of Section 26-176 infra.

~~(5455)~~ *Poultry farms.*

- a. Use districts: Rural.
- b. Not more than one (1) animal unit shall be kept per six thousand (6,000) square feet of land.
- c. All areas containing poultry shall be located no closer than one hundred and fifty (150) feet from any abutting residentially zoned or used property.

~~(5556)~~ *Produce stands.*

- a. Use districts: Rural.
- b. Produce stands operating year-round must be located on the property on which the crops for sale are produced.
- c. Produce stands operating seasonally (i.e. for no more than six (6) months in any one calendar year) shall be located no closer than five (5) feet from a road right-of-way. Adequate off-street parking shall be provided.

~~(5657)~~ *Public or private parks.*

- a. Use districts: All Districts.
- b. Overflow parking shall be designated on the site plan and shall be kept available to handle all traffic from special events.
- c. All parks greater than ten (10) acres shall have primary access to a collector or thoroughfare road.

~~(5758)~~ *Public recreation facilities.*

- a. Use districts: All Districts.
- b. Overflow parking shall be designated on the site plan and shall be kept available to handle all traffic from special events.
- c. All recreation facilities greater than ten (10) acres shall have primary access to a collector or thoroughfare road.

- d. Lights shall be positioned and shielded so as not to shine onto adjacent properties.
- e. Loud speaker systems shall not be operated before 8:00 a.m. or after 10:00 p.m.

(~~585~~59) Radio, Television, and Other Similar Transmitting Towers.

- a. Use districts: M-1 Light Industrial.
- b. Communication towers shall have a maximum height of three hundred (300) feet. For towers on buildings, the maximum height shall be twenty (20) feet above the roofline of buildings forty (40) feet or four stories in height or less. For buildings greater than four stories or forty-one (41) feet in height, the maximum height of communication towers shall be forty feet above the roofline.
- c. The minimum setbacks for communication towers from certain uses shall be as follows:
 - 1. In no case shall a communication tower be located within fifty (50) feet of a residential zoning district or an inhabited residential dwelling.
 - 2. For towers in excess of fifty (50) feet, the setback shall increase one (1) foot for each foot of height of the tower as measured from the base of the tower. The maximum required separation being two hundred and fifty (250) feet.
- d. The proposed user must show proof of an attempt to collocate on existing communication towers, and must be willing to allow other users to collocate on the proposed tower in the future subject to engineering capabilities of the structure. Evidence of an attempt to collocate must show that alternative towers, buildings, or other structures are not available for use within the applicant's tower site search area that are structurally capable of supporting the intended antenna or meeting the applicant's necessary height criteria, or provide a location free of interference from other communication towers.
- e. Towers shall be illuminated as required by the Federal Communications Commission, Federal Aviation Administration, or other regulatory agencies. However, no nighttime strobe lighting shall be incorporated unless required by the Federal Communications Commission, the Federal Aviation Administration, or other regulatory agency.

- f. Each communication tower and associated buildings shall be enclosed within a fence at least seven (7) feet in height.
- g. Each communication tower site shall be landscaped in accordance with the requirements of Section 26-176 of this chapter.
- h. No signage may be attached to any portion of a communications tower. Signs for the purpose of identification, warning, emergency function or contact or other as required by applicable state or federal rule, law, or regulation may be placed as required by standard industry practice.
- i. A communications tower which is no longer used for communications purposes must be dismantled and removed within one hundred twenty (120) days of the date the tower is taken out of service.

(5960) Recreational vehicle parks and recreation camps.

- a. Use districts: Rural.
- b. Uses permitted within a recreational vehicle park and recreation camp shall 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 park/camp).
- c. A minimum of five (5) acres is required for a recreational vehicle park or recreation camp.
- d. For recreational vehicle parks, there shall be a minimum net space of six hundred ninety (690) square feet for each RV space. A distance of at least ten (10) feet shall be maintained between trailers and/or structures. Any accessory structures or attachments shall, for the purpose of this requirement, be considered a part of the trailer or recreational vehicle.
- e. For recreational vehicle parks, each travel trailer or recreational vehicle area shall be connected to an approved water supply system that provides an accessible, adequate, safe, and potable supply of water. An adequate and safe sewer system, approved by DHEC, shall be provided in all travel trailer/recreational vehicle parking areas.

- f. In recreational vehicle parks, neither any person nor any travel trailer/recreational vehicle shall occupy a trailer space or travel trailer parking space for a period in excess of thirty (30) days. A registry of all occupants, the space occupied, the time of arrival, and time of departure shall be maintained by the owner or operator of the travel trailer/recreational vehicle parking facility.
- g. 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.

~~(6061)~~ *Rental centers, with outside storage.*

- a. Use districts: General Commercial.
- b. All storage areas shall be screened from adjacent residentially zoned or used properties.
- c. Lighting shall be directed and shielded so as not to shine across to adjacent properties.

~~(6162)~~ *Repair and maintenance service, appliance and electronics.*

- a. Use districts: Rural Commercial; General Commercial; M-1 and LI Light Industrial.
- b. No outside storage of appliances, equipment, or parts shall be permitted.

~~(6263)~~ *Research and development services.*

- a. Use districts: Office and Institutional.
- b. Research using dangerous hazardous materials is prohibited.
- c. All research and development operations must be conducted indoors.

~~(6364)~~ *Schools, including public and private schools, having a curriculum similar to those given in public schools.*

- a. Use districts: Rural; Rural Residential; Residential, Single-Family, Estate; Residential, Single-Family, Low Density; Residential, Single-Family, Medium Density; Residential, Single-Family, High

Density; Manufactured Home Park; Residential, Multi-Family, Medium Density; Residential, Multi-Family, High Density.

- b. The minimum lot size for a school shall be two (2) acres.
- c. Parking and active recreation areas shall not be located within any required setback.
- d. Primary access shall be provided from a collector or a thoroughfare road.

(6465) *Sexually oriented businesses.*

- a. Use districts: General Commercial, Heavy Industrial.

- b. *Purpose and Findings:*

1. The purpose of this subsection is to regulate sexually oriented businesses in order to promote the health, safety, morals, and general welfare of the citizens of Richland County, and to establish reasonable and uniform regulations to prevent or reduce to any extent the secondary effects of sexually oriented businesses within the County. The provisions of this subsection have neither the purpose nor effect of imposing a limitation or restriction on the content of or reasonable access to any communicative materials or expression. Similarly, it is neither the intent nor effect of these regulations to restrict or deny access by adults to sexually oriented materials or expression protected by the First Amendment of the United States Constitution, or to deny access by the distributors and exhibitors of sexually oriented entertainment to their intended market. Neither is it the intent nor effect of this subsection to condone or legitimize the distribution or exhibition of obscenity.
2. Based on evidence of the adverse secondary effects of sexually oriented businesses presented in hearings and reports made available to the Richland County Council, and on the findings, interpretations, and narrowing constructions incorporated in the cases of *City of Littleton v. Z.J. Gifts D-4, LLC*, 124 S. Ct. 2219 (2003); *City of Los Angeles v. Alameda Books, Inc.*, 535 U.S. 425 (2002); *Pap's A.M. v. City of Erie*, 529 U.S. 277 (2000); *City of Renton v. Playtime Theatres, Inc.*, 475 U.S. 41 (1986); *Young v. American Mini Theatres*, 427 U.S. 50 (1976);

Barnes v. Glen Theatre, Inc., 501 U.S. 560 (1991); *California v. LaRue*, 409 U.S. 109 (1972); *Chesapeake B & M, Inc. v. Harford County*, 58 F.3d 1005 (4th Cir. 1995); *Giovani Carandola, Ltd. v. Fox*, 470 F.3d 1074 (4th Cir. 2006); *Centaur v. Richland County*, 392 S.E.2d 165 (S.C. 1990); and other cases; and on reports of secondary effects occurring in and around sexually oriented businesses, including, but not limited to, Phoenix, Arizona (1979); Minneapolis, Minnesota (1980); Houston, Texas (1987); Indianapolis, Indiana (1984); Amarillo, Texas (1977); Garden Grove, California (1991); Los Angeles, California (1977); Whittier, California (1978); Austin, Texas (1986); Seattle, Washington (1989); Oklahoma City, Oklahoma (1986); El Paso, Texas (1986); New York City, New York (1994); Dallas, Texas (1997); Newport News, Virginia (1996); New York Times Square Study (1994); Phoenix, Arizona (1995-1998); Greensboro, North Carolina (2003); Toledo, Ohio (2002); Centralia, Washington (2004); and also from the reports of “Sexually Oriented Businesses: An Insider’s View,” by David Sherman, presented to the Michigan House Committee on Ethics and Constitutional Law, January 12, 2000; “Survey of Appraisers Fort Worth & Dallas, Effects of Land Uses on Surrounding Property Values, by Duncan Associates, September 2004; and the Report of the Attorney General’s Working Group on the Regulation of Sexually Oriented Businesses, (June 6, 1989, State of Minnesota), the Richland County Council finds:

- (a) Sexually oriented businesses, as a category of commercial uses, are associated with a wide variety of adverse secondary effects including, but not limited to, personal and property crimes, public safety risks, prostitution, potential spread of disease, lewdness, public indecency, illicit sexual activity, illicit drug use and drug trafficking, negative impacts on surrounding properties, litter, and sexual assault and exploitation.
- (b) Each of the foregoing negative secondary effects constitutes a harm which the County has a substantial government interest in preventing and/or abating in the future. This substantial government interest in preventing secondary effects, which is the County’s rationale for this ordinance, exists independent of any comparative analysis between sexually oriented and non-sexually oriented

businesses. Additionally, the County's interest in regulating sexually oriented businesses extends to future secondary effects that could occur in the County related to current sexually oriented businesses in the future as well as sexually oriented businesses that may locate in the County in the future. The County Council finds that the cases and secondary effects documentation relied on in this ordinance are reasonably believed to be relevant to said secondary effects.

c. *Classification.* Sexually oriented businesses are classified as follows:

1. Adult arcades;
2. Adult bookstores or adult video stores;
3. Adult cabarets;
4. Adult motels;
5. Adult motion picture theaters;
6. Sexual device shops; and
7. Sexual encounter centers.

d. *Location of Sexually Oriented Businesses:*

1. A sexually oriented business currently in operation or established subsequent to the enactment of this Ordinance shall comply with the provisions herein.
2. All sexually oriented businesses shall be located within a General Commercial or Heavy Industrial District.
3. A sexually oriented business shall not be located within one thousand (1,000) feet of any place of worship, a public or private elementary or secondary school, a child care center or kindergarten, orphanage, a boundary of any residential district, a boundary of a parcel designated and assessed as residential use by the Richland County Assessor's Office; or a public park.

4. A sexually oriented business shall not be located within one thousand (1,000) feet of another sexually oriented business.
5. The operation, establishment, or maintenance of more than one (1) sexually oriented business is prohibited in the same building, structure, or portion thereof, or the increase of floor areas of any sexually oriented business in any building, structure, or portion thereof containing another sexually oriented business.
6. For the purpose of this subparagraph d. 3., above, measurement shall be made in a straight line, without regard to intervening structures or objects, from the nearest property line of the premises where a sexually oriented business is conducted, to the nearest property line of the premises of a place of worship, or public or private elementary or secondary school, daycare facility, kindergarten, orphanage, a boundary of any residential district, a boundary of a parcel designated and assessed as residential use by the Richland County Assessor's Office, or a public park. Presence of a city or other political subdivision boundary shall be irrelevant for purposes of calculating and applying the distance requirements of this section.
7. For the purpose of subparagraph d. 4. above, the distance between any two (2) sexually oriented businesses shall be measured in a straight line, without regard to intervening structures or objects, from the nearest property line of the premises where a sexually oriented business is conducted to the nearest property line of another premises where a sexually oriented business is conducted.

e. *Regulations pertaining to Sexually Oriented Businesses that offer Viewing Room(s).*

A person who operates or causes to be operated a sexually oriented business, other than an adult motel, which exhibits on the premises in a viewing room of less than one hundred fifty (150) square feet of floor space, adult media, or live entertainment characterized by emphasis on exposure or display of specified sexual activities or specified anatomical areas, shall comply with the following requirements:

1. A diagram of the premises showing a plan thereof specifying the location of one or more manager's stations

and the location of all overhead lighting fixtures and designating any portion of the premises in which patrons will not be permitted must be provided to the Zoning Administrator. A manager's station may not exceed thirty-two (32) square feet of floor area. A professionally prepared diagram in the nature of an engineer's or architect's blueprint shall not be required; however, each diagram should be oriented to the north or to some designated street or object and should be drawn to a designated scale or with marked dimensions sufficient to show the various internal dimensions of all areas of the interior of the premises to an accuracy of plus or minus six (6) inches.

2. The diagram shall be sworn to be true and correct by the applicant.
3. No alteration in the configuration or location of a manager's station may be made without the prior approval of the zoning administrator.
4. It is the duty of the owner(s) and operator(s) of the premises to ensure that at least one (1) employee is on duty and situated in each manager's station at all times that any patron is present inside the premises.
5. The interior of the premises shall be configured in such a manner that there is an unobstructed view from a manager's station of every area of the premises to which any patron is permitted access for any purpose, excluding restrooms. Restrooms may not contain video reproduction equipment. If the premises has two (2) or more manager's stations designated, then the interior of the premises shall be configured in such a manner that there is an unobstructed view of each area of the premises to which any patron is permitted access for any purpose from at least one (1) of the manager's stations. The view required in this subparagraph must be by direct line of sight from the manager's station.
6. It shall be the duty of the owner(s) and operator(s), and it shall also be the duty of any agents and employees present in the premises, to ensure that the view area specified in subparagraph (5) above remains unobstructed by any doors, walls, merchandise, display racks, or other materials at all times and to ensure that no patron is permitted access to

any area of the premises that has been designated as an area in which patrons will not be permitted in the diagram submitted pursuant to subparagraph (1) above.

7. No viewing room may be occupied by more than one (1) patron or customer at any time.
 8. The premises shall be equipped with overhead lighting fixtures of sufficient intensity to illuminate every place to which patrons are permitted access at an illuminations of not less than one (1) foot-candle as measured at the floor level.
 9. It shall be the duty of the owner(s) and operator(s), and it shall also be the duty of any agents and employees present in the premises, to ensure that the illuminations described above, is maintained at all times that any patron is present in the premises.
 10. No owner or operator shall allow openings of any kind to exist between viewing rooms.
 11. The operator or owner shall, during each business day, regularly inspect the walls between the viewing booths to determine if any openings or holes exist.
 12. The owner or operator shall cause all floor coverings in viewing booths to be nonporous, easily cleanable surfaces with no rugs or carpets.
 13. The owner or operator shall cause all wall surfaces and ceiling surfaces in viewing booths to be constructed of, or permanently covered by, nonporous, easily cleanable material.
- f. *Regulations pertaining to adult cabarets and sexual encounter centers.* It shall be a violation of this chapter for an employee, independent contractor, or person under a similar arrangement with any owner, operator, manager, agent, shareholder of an adult cabaret or sexual encounter center, while located within an adult cabaret or sexual encounter center, to appear in a manner that does not conform to the definition of semi-nude.
- g. *Exemptions.* The following activities or businesses are exempt from the requirements of section 26-151(c)(64):

1. A business or organization in which a person serves as a model for a drawing, painting, sketching, sculpture or other similar art studio class operated:
 - (a) By a university or college or other institution of higher education; or
 - (b) By a non-profit arts organization, such as a museum, gallery, artist association or arts cooperative.
2. A professional or community theater, or a theater affiliated with an institution of higher education, that produces works of dramatic arts in which actors or actresses occasionally appear on stage in a state of semi-nudity, nudity, or in any state of undress as part of his or her dramatic role.

h. *Administrative Decision-making Process; Appeals.*

1. Under no circumstances shall staff review and decision-making of an application of a sexually oriented business for a permitted use with special requirements, including determination of completeness, extend beyond fifteen business (15) days from the date of receipt of an application. In the event that a County official is required to take an act or do a thing pursuant to section 26-55 of the Richland County Code of Ordinances and any other section referenced therein, and fails to take such an act or do such a thing within the time prescribed, such failure shall not prevent the exercise of constitutional rights of an applicant. If the County fails to inform an applicant, by any reasonable means, of a decision by the County by the close of business on the fifteenth (15) business day from receipt of application, the application shall be deemed granted and the applicant allowed to commence or continue operation the day after the deadline for action has passed.
2. Under no circumstances shall an appeal of an administrative decision pursuant to section 26-58 of the Richland County Code of Ordinances concerning an application by a sexually oriented business for a permitted use with special requirements exceed a time period of seventy-five (75) business days from the date of receipt of an appeal to the Board of Zoning Appeals. In the event that a County official, including the Board of Zoning Appeals, is required to take an act or do a thing pursuant to section

26-58 of the Richland County Code of Ordinances and any other section referenced therein, and fails to take such an act or do such a thing within the time prescribed, such failure shall not prevent the exercise of constitutional rights of an applicant. If the County fails to inform an applicant, by any reasonable means, of a decision by the Board of Zoning Appeals by the close of business on the sixtieth (60th) business day from receipt of an appeal, the application shall be deemed granted and the applicant allowed to commence or continue operation the day after the deadline for action has passed.

i. Amortization; Conforming Use.

1. Any sexually oriented business in operation before the effective date of this ordinance that does not comply with the location restrictions found in subsection (d) above is permitted to continue its operation for a period not to exceed three years from the effective date of this ordinance. During this period of non-compliance, such continued operation shall not be increased, enlarged, extended, or altered.
2. A sexually oriented business lawfully operating as a conforming use is not rendered a nonconforming use by the subsequent location, of a place of worship, a public or private elementary or secondary school, a child care facility or kindergarten, orphanage, a boundary of any residential district, a boundary of a parcel designated and assessed as residential use by the Richland County Assessor's Office, or a public park within one thousand (1,000) feet of the sexually oriented business.

~~(6566)~~ *Sporting Firearms and Ammunition.*

- a. Use districts: General Commercial.
- b. The aggregate gross floor area shall be limited to no more than 12,000 square feet per parcel or per building, whichever is more restrictive.
- c. Materials and/or products shall not be displayed outside the building.
- d. Materials, products, and/or equipment shall not be stored outside the building.

- e. Materials and/or products shall not be processed outside the building.
- f. Lighting shall comply with the requirements of Section 26-177 infra.
- g. Landscaping buffers shall comply with the requirements of Section 26-176 infra.

~~(6667)~~ *Swim and Tennis Clubs.*

- a. Use Districts. Traditional Recreation Open Space.
- b. There shall be a minimum fifty (50) foot setback between clubhouses, swimming pools, lighted tennis courts, or athletic fields and adjacent residentially zoned or used property.
- c. Lights shall be positioned so as not to shine onto adjacent properties.

~~(6768)~~ *Swimming pools.*

- a. Use districts: Traditional Recreation Open Space; Neighborhood Mixed Use; Rural; Rural Residential; Residential, Single-Family, Estate; Residential, Single-Family, Low Density; Residential, Single-Family, Medium Density; Residential, Single-Family, High Density; Manufactured Home Park; Residential, Multi-Family, Medium Density; Residential, Multi-Family, High Density; Office and Institutional; Neighborhood Commercial; Rural Commercial; General Commercial.
- b. Swimming pools shall be protected by a fence or equal enclosure, a minimum of four (4) feet in height, and equipped with a self-closing gate provided with hardware for permanent locking.
- c. No private residential swimming pool that is located in a residential district shall be operated as, or in conjunction with, a business, day care operation, bed and breakfast, or a home occupation.
- d. Pools shall be located so as to comply with the minimum setback requirements for accessory buildings.

~~(6869)~~ *Tobacco and Tobacco Products.*

- a. Use districts: General Commercial.

- b. The aggregate gross floor area shall be limited to no more than 12,000 square feet per parcel or per building, whichever is more restrictive.
- c. Materials and/or products shall not be displayed outside the building.
- d. Materials, products, and/or equipment shall not be stored outside the building.
- e. Materials and/or products shall not be processed outside the building.
- f. Lighting shall comply with the requirements of Section 26-177 infra.
- g. Landscaping buffers shall comply with the requirements of Section 26-176 infra.

~~(6970)~~ *Utility substations.*

- a. Use districts: All Districts.
- b. All buildings shall observe accessory building setbacks. Transformer stations shall observe the principal building setback regulations.
- c. Equipment that produces noise or sound in excess of seventy (70) decibels shall be located no closer than one hundred (100) feet to the nearest residence.
- d. Transformer stations shall be screened from adjacent properties and from roads with a vegetative screen that, at a minimum, meets the standards listed in Section 26-176(h).

~~(7071)~~ *Veterinary services (non-livestock, may include a totally enclosed kennel operated in connection with veterinary services).*

- a. Use districts: Office and Institutional; Neighborhood Commercial.
- b. Veterinary services shall not include provisions for kennels or boarding of animals not undergoing treatment.
- c. All buildings used in the operation shall be soundproofed and air-conditioned.
- d. Outside activity shall be limited to six (6) hours per day or fewer.

- e. Where the lot is adjacent to a residential zoning district or residential use, a side yard of not less than ten (10) feet shall be maintained.
- f. All animal refuse and food must be kept in airtight containers and disposed of on a regular basis.

(~~71~~72) *Warehouses (general storage, enclosed, not including storage of any hazardous materials or waste as determined by any agency of the federal, state, or local government).*

- a. Use districts: Office and Institutional; Neighborhood Commercial; Rural Commercial; General Commercial.
- b. Warehouses (enclosed, general storage, non-hazardous) are allowed in the various districts listed above as follows:
 - 1. In the Office and Institutional and the Neighborhood Commercial districts, warehousing is permitted as an accessory use not involving over two thousand (2,000) square feet of floor area.
 - 2. In the Rural Commercial and the General Commercial districts, warehousing is permitted as an accessory use not involving over twelve thousand (12,000) square feet of gross floor area.

(~~72~~73) *Warehouses (self-storage).*

- a. Use districts: Rural Commercial, General Commercial, M-1 and LI Light Industrial.
- b. Any side of the building providing doorways to storage areas shall be set back from the property line not less than an additional twenty-five (25) feet of the required setback.
- c. Off-street parking shall be as follows:
 - 1. One space for each ten (10) storage cubicles. This parking requirement may be satisfied with parking lanes as established below.
 - 2. Two parking spaces for any manager's quarters.

3. In addition to subsection 1. above, one (1) space for every fifty (50) storage cubicles, to be located adjacent to the project office for the use of prospective clients.
- d. On-site driveway widths shall be required as follows:
 1. All one-way driveways shall provide for one ten (10) feet parking lane and one fifteen (15) feet travel lane. Traffic direction and parking shall be designated by signage or painting.
 2. All two-way driveways shall provide for one ten (10) feet parking lane and two twelve (12) feet travel lanes.
 3. The parking lanes may be eliminated when the driveway does not directly serve any storage cubicles.
 - e. Retail and wholesale uses, and the storage of hazardous materials, shall be prohibited in self storage warehouses. Notice of such prohibition shall be given to customers by a conspicuous sign posted at the entrance to the property, or by provisions in the lease agreement, or both.
 - f. Any outside storage area for vehicles, trailers, campers, boats, or the like shall be separate from any structures and located to one side or to the rear of the development. Spaces shall be located a minimum of twenty-five (25) feet from any adjacent property line, and in no case shall these spaces be counted towards meeting the parking requirements of this subsection c. above.
 - g. All lights shall be shielded so as to direct light onto the uses established, and away from adjacent property; but lighting may be of sufficient intensity to discourage vandalism and theft.

(7374) Yard Sales.

- a. Use districts: Rural; Rural Residential; Residential, Single-Family, Estate; Residential, Single-Family, Low Density; Residential, Single-Family, Medium Density; Residential, Single-Family, High Density; Manufactured Home Park; Residential, Multi-Family, Medium Density; Residential, Multi-Family, High Density; Office and Institutional; Neighborhood Commercial; Rural Commercial; General Commercial.
- b. Yard sales shall be limited to two (2) occurrences within a twelve (12) month period.

- c. Each occurrence shall be no longer than two (2) days and only during the daylight hours.

(7475) Zoos and Botanical Gardens.

- a. Use districts: General Commercial; M-1 Light Industrial.
- b. There shall be a minimum one hundred (100) foot setback between all activities associated with the use and any adjacent residential property.
- c. All zoos and botanical gardens shall have primary access to collector or thoroughfare roads.

SECTION III. The Richland County Code of Ordinances; Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-141, Table of Permitted Uses, Permitted Uses with Special Requirements, and Special Exceptions; “Institutional, Educational and Civic Uses” of Table 26-V-2.; is hereby amended to read as follows:

(ORDINANCE CONTINUES ON NEXT PAGE)

USE TYPES	TROS	RU	RR	RS-E	RS-LD	RS-MD	RS-HD	MH	RM-MD	RM-HD	OI	NC	RC	GC	M-1	LI	HI
Institutional, Educational and Civic Uses																	
Ambulance Services, Emergency		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Ambulance Services, Transport																	
Animal Shelters														SR	SR	SR	
Auditoriums, Coliseums, Stadiums											P			P	P	P	
Bus Shelters/Bus Benches	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR
Cemeteries, Mausoleums											SR	SR	SR	SR	SR	SR	SR
Colleges and Universities											P		P				
Community Food Services											P	P	P	P	P	P	
Correctional Institutions		SE														P	SE
Courts											P	P	P	P			SE
Day Care, Adult, Home Occupation (5 or Fewer)		SR	SR	SR	SR	SR	SR	SR	SR	SR	SR			SR			
Day Care Centers, Adult		SR									SR	SR	SR	SR	SR		
Day Care, Child, Family Day Care, Home Occupation (5 or Fewer)		SR	SR	SR	SR	SR	SR	SR	SR	SR	SR			SR			
Day Care, Child, Licensed Center		SR									SR	SR	SR	SR	SR		
Fire Stations		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Government Offices											P	P	P	P	P	P	
Hospitals											P		P	P			
Individual and Family Services, Not Otherwise Listed											P	P	P	P	P		
Libraries		SR	SR	SR	SR	SR	SR	SR	SR	SR	P	P	P	P	P	P	
Museums and Galleries											P	P	P	P	P		
Nursing and Convalescent Homes		SE	SE						P	P	P	P	P	P			
Orphanages		SE	SE						SE	SE	P	P	P	P			
Places of Worship		SR	SR	SE	SE	SE	SE	SE	SR	SR	P	P	SR	P	P	P	P
Police Stations, Neighborhood		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Post Offices											P	P	P	P	P	P	P
Postal Service Processing & Distribution														P	P	P	
Schools, Administrative Facilities											P	P	P	P	P	P	
Schools, Business, Computer and Management Training											P	P	P	P	P	P	
Schools, Fine Arts Instruction											P	P	P	P	P	P	
Schools, Junior Colleges											P	P	P	P	P	P	

USE TYPES	TROS	RU	RR	RS-E	RS-LD	RS-MD	RS-HD	MH	RM-MD	RM-HD	OI	NC	RC	GC	M-1	LI	HI
Schools, Including Public and Private, Having a Curriculum Similar to Those Given in Public Schools)		SR	SR	SR	SR	SR	SR	SR	SR	SR	P	P	P	P	SE		
Schools, Technical and Trade (Except Truck Driving)											P	P	P	P	P	P	
Schools, Truck Driving														P	P	P	P
Zoos and Botanical Gardens		SE									SE		SE	SR	SR		

SECTION IV. The Richland County Code of Ordinances, Chapter 26, Land Development; Article VII, General development, Site, and Performance Standards; Section 26-180, Signs; Subsection (e), Prohibited Signs; Paragraph (9), Signs Located in the Right-of-Way; is hereby amended to read as follows:

- (9) *Signs located in the right-of-way.* All signs located in the right-of-way, unless specifically allowed elsewhere in this chapter.

SECTION V. Severability. If any section, subsection, or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

SECTION VI. Conflicting Ordinances Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION VII. Effective Date. This ordinance shall be enforced from and after _____, 2009.

RICHLAND COUNTY COUNCIL

BY: _____
Paul Livingston, Chair

ATTEST THIS THE _____ DAY
OF _____, 2009

Michielle R. Cannon-Finch
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

Approved As To LEGAL Form Only
No Opinion Rendered As To Content

Public Hearing: September 22, 2009 (tentative)
First Reading: September 22, 2009 (tentative)
Second Reading:
Third Reading:

Staff Recommendation: Approval

Planning Commission Recommendation: Approval

EXPLANATION OF FLOOD ORDINANCE

Title:

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, LAND DEVELOPMENT; SECTION 26-54, SUBDIVISION REVIEW AND APPROVAL; SO AS TO REQUIRE THE DELINEATION OF ANY AND/OR ALL FLOOD LINES ON PLATS THAT ARE SUBMITTED PURSUANT TO THIS SECTION; AND TO AMEND SECTION 26-105, FP FLOODPLAIN OVERLAY DISTRICT; SUBSECTION (B), APPLICABILITY/ESTABLISHMENT; SO AS TO DELETE SPECIFIC REFERENCE TO AREAS ALONG THE CONGAREE RIVER.

What this ordinance will do:

This ordinance will amend Section 26-54 by requiring all sketch plans and plats submitted for approval to be prepared by a licensed surveyor and to contain a contour delineation of any and/or all flood areas, as shown on the County's Flood Insurance Rate maps, for each lot indicated on such plat.

Because a decision by the 4th Circuit Court of Appeals overturned Judge Seymour's decision on the 1995 map and placed the 2002 map back in effect, the ordinance will also amend Section 26-105 by deleting all reference to the 1995 map for areas along the Congaree River.

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___-09HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, LAND DEVELOPMENT; SECTION 26-54, SUBDIVISION REVIEW AND APPROVAL; SO AS TO REQUIRE THE DELINEATION OF ANY AND/OR ALL FLOOD LINES ON PLATS THAT ARE SUBMITTED PURSUANT TO THIS SECTION; AND TO AMEND SECTION 26-105, FP FLOODPLAIN OVERLAY DISTRICT; SUBSECTION (B), APPLICABILITY/ESTABLISHMENT; SO AS TO DELETE SPECIFIC REFERENCE TO AREAS ALONG THE CONGAREE RIVER.

NOW, THEREFORE, pursuant to the authority granted by the Constitution and the General Assembly of the State of South Carolina, BE IT ENACTED BY THE RICHLAND COUNTY COUNCIL:

SECTION I. The Richland County Code of Ordinances, Chapter 26, Land Development; Article IV, Amendments and Procedures; Section 26-54, Subdivision Review and Approval; Subsection (b), Processes; is hereby reordered to read as Subsection (c), Processes; and a new subsection (b) shall read as follows:

- (b) *Sketch plans and plats to show contour lines of flood areas.* All sketch plans and plats submitted for approval pursuant to this section shall be prepared by a licensed surveyor and shall contain a contour delineation of any and/or all flood areas, as shown on the County's Flood Insurance Rate maps [see Section 26-105 (b)] for each lot indicated on such plat.

SECTION II. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-105, FP Floodplain Overlay District; Subsection (b), Applicability/Establishment; is hereby amended to read as follows:

- (b) *Applicability/establishment.* The FP Overlay District shall function as an overlay district providing additional requirements to the regulations of the underlying general use zoning classification(s). It shall be applied to those areas designated on the Federal Emergency Management Agency's Flood Insurance Study, dated February 20, 2002, with accompanying Flood Insurance Rate Maps (FIRM), dated February 20, 2002, as areas of special flood hazard. ~~Provided, however, those base flood elevation determinations that were included in the Federal Emergency Management Agency's Flood Insurance Study, dated July 17, 1995, shall apply along the Congaree River only. Floodplain and floodway boundary determinations along the Congaree River will be based on those boundaries depicted in the FIRM dated February 20, 2002, derived from the Federal Emergency Management Agency's Flood Insurance Study, dated February 20, 2002.~~ In addition to other required development approvals, development applicants subject to the

FP Overlay District must also receive a floodplain development permit from the county's flood coordinator. Review of developments subject to these requirements shall be conducted as part of the review for a grading or land development permit, whichever is applicable.

SECTION III. Severability. If any section, subsection, or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

SECTION IV. Conflicting Ordinances Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION V. Effective Date. This ordinance shall be effective from and after _____, 2009.

RICHLAND COUNTY COUNCIL

BY: _____
Paul Livingston, Chair

ATTEST THIS THE _____ DAY
OF _____, 2009.

Michielle R. Cannon-Finch
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

Approved As To LEGAL Form Only
No Opinion Rendered As To Content

First Reading: July 7, 2009
Public Hearing: September 22, 2009 (tentative)
Second Reading: September 22, 2009 (tentative)
Third Reading:

Staff Recommendation: Deny; Growing Together: Thriving People for a Thriving Columbia is best suited for examination and discussion when preparing the Hopkins Neighborhood Master Plan, which will focus solely on the Southern portion of the County.

Planning Commission Recommendation: Deny; concurs with staff that Growing Together: Thriving People for a Thriving Columbia is best suited for examination and discussion when preparing the Hopkins Neighborhood Master Plan, which will focus solely on the Southern portion of the County.

EXPLANATION OF ORDINANCE INCORPORATING “GROWING TOGETHER” INTO THE COUNTY’S COMPREHENSIVE PLAN

Title:

AN ORDINANCE AMENDING THE IMAGINE RICHLAND 2020 COMPREHENSIVE PLAN, ADOPTED ON MAY 3, 1999, FOR THE RURAL PORTIONS OF THE LOWER RICHLAND AREA BY INCORPORATING THE STUDY PREPARED BY THE CENTER FOR SOCIAL INCLUSION, ENTITLED “GROWING TOGETHER: THRIVING PEOPLE FOR A THRIVING COLUMBIA” INTO THE PLAN.

What this ordinance will do:

It will incorporate the study prepared by the Center for Social Inclusion, entitled “Growing Together: Thriving People for a Thriving Columbia” into the County’s Current Comprehensive Plan. “Growing Together: Thriving People for a Thriving Columbia” contains numerous policy recommendations. Many of these recommendations align with the 2009 Comprehensive Plan and are already incorporated in the Goals & Implementation Strategies. Other policy recommendations, detailed below, conflict with the 2009 Comprehensive Plan.

SIMILARITIES:

- Assessing **Impact Fees** to offset the cost of development. (See pg. PIE-4 & PIE-16 of the Comp Plan)
- Increasing **Affordable Housing** through **Inclusionary Zoning & Housing Trust Funds** (see pg. H-13 & H-14 of the Comp Plan)
- Offering **Transit Options** (such as Park & Ride services) (see pg. TE-12 of the Comp Plan)
- Focusing on **Community Based Schools** (see pg. P-24 of the Comp Plan)
- Increasing **Intergovernmental Coordination** (see pg. PIE-15 of the Comp Plan)
- Support *inclusive* **community planning** (See pgs. P-24 & H-13 of the Comp Plan)

- **Linking urban and rural planning.** The 2009 Comp Plan takes a “whole County” planning approach and focuses on preserving the rural nature of the County (where it still exists).

DIFFERENCES/CONFLICTS:

- This report was not reviewed or discussed with the public; this report was not included in the Comp Plan Public Outreach effort.
- The report does not focus solely on Richland County. It meanders between the County, the Columbia area, and the Midlands (which includes the 6 surrounding Counties).
- The report “studied” the Imagine Richland 2020 Plan, not the 2009 Comprehensive Plan. Therefore, policy recommendations are based on the old Comp Plan.
- When discussing Richland County, the report focuses primarily on the Southern portion of the County.
- Extension of infrastructure (water & sewer) to “poor communities”. The County supports the equitable distribution of infrastructure to all areas, but responsibly to avoid further sprawl. Additionally, the County has minimal control over this (beyond coordination with the City of Columbia); we have only a small sewer company and no water company. (See pgs. CF-29 & CF-30 of the Comp Plan)
- Promote farming while promoting growth. These ideas are conflicting since it is difficult to promote farming (organic farming in particular) without protecting rural land. Growing Together promotes extensive water and sewer expansion; such infrastructure is not necessary for agriculture. The 2009 Comp Plan aims to protect the rural land in this County.

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___-09HR

AN ORDINANCE AMENDING THE IMAGINE RICHLAND 2020 COMPREHENSIVE PLAN, ADOPTED ON MAY 3, 1999, FOR THE RURAL PORTIONS OF THE LOWER RICHLAND AREA BY INCORPORATING THE STUDY PREPARED BY THE CENTER FOR SOCIAL INCLUSION, ENTITLED “GROWING TOGETHER: THRIVING PEOPLE FOR A THRIVING COLUMBIA” INTO THE PLAN.

WHEREAS, on May 3, 1999, Richland County Council adopted the Imagine Richland 2020 Comprehensive Plan pursuant to S.C. Code Section 6-29- 310, et al. (Ordinance No. 013-99HR); and

WHEREAS, Section 6-29-520 (B) of the South Carolina Code of Ordinances 1976, as amended (South Carolina Local Government Comprehensive Planning and Enabling Act of 1994, as amended), requires that recommendations for amendments to the Comprehensive Plan must be by Resolution of the Planning Commission; and

WHEREAS, the Richland County Planning Commission has unanimously disapproved a Resolution recommending that County Council adopt the study prepared by the Center for Social Inclusion, entitled “Growing Together: Thriving People for a Thriving Columbia”, as they concurred with staff that this plan is best suited for examination and discussion when preparing the Hopkins Neighborhood Master Plan, which will focus solely on the Southern portion of the County; and

WHEREAS, the Richland County Council has final authority for determining whether or not the 2020 Comprehensive Plan is amended; and

WHEREAS, the Richland County Council has determined that the study entitled “Growing Together: Thriving People for a Thriving Columbia” is an appropriate amendment to the County’s 2020 Comprehensive Plan;

NOW, THEREFORE, pursuant to the authority granted by the Constitution and the General Assembly of the State of South Carolina, be it enacted by the County Council for Richland County as follows:

SECTION I. The Imagine Richland 2020 Comprehensive Plan is hereby amended by the incorporation of the study prepared by the Center for Social Inclusion, entitled “Growing Together: Thriving People for a Thriving Columbia”, which is attached hereto and incorporated herein, into the Plan for the rural portions of the lower Richland area.

SECTION II. Severability. If any section, subsection, or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

SECTION III. Conflicting Ordinances Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION IV. Effective Date. This ordinance shall be enforced from and after _____, 2009.

RICHLAND COUNTY COUNCIL

BY: _____
Paul Livingston, Chair

ATTEST THIS THE ____ DAY

OF _____, 2009.

Michelle R. Cannon-Finch
Clerk of Council

Public Hearing: September 22, 2009 (tentative)
First Reading: September 22, 2009 (tentative)
Second Reading:
Third Reading:

Staff Recommendation: Approval

Planning Commission Recommendation: Approval

EXPLANATION OF ORDINANCE INCREASING SIDE SETBACK REQUIREMENTS OF RS-LD, RS-MD, AND RS-HD DISTRICTS TO 5 FEET FOR ANY ONE SIDE

Title:

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, LAND DEVELOPMENT; ARTICLE V, ZONING DISTRICTS AND DISTRICT STANDARDS; SECTION 26-88, RS-LD RESIDENTIAL, SINGLE-FAMILY – LOW DENSITY DISTRICT; AND SECTION 26-89, RS-MD RESIDENTIAL, SINGLE-FAMILY – MEDIUM DENSITY DISTRICT; AND SECTION 26-90, RS-HD RESIDENTIAL, SINGLE-FAMILY – HIGH DENSITY DISTRICT; SO AS TO INCREASE SIDE SETBACK REQUIREMENTS TO FIVE (5) FEET FOR ANY ONE SIDE.

What this ordinance will do:

The 2006 Edition of the International Residential Building Code has been amended to require dwelling structures which are less than five (5) feet from the abutting property line to be fire rated. In addition to being fire rated, the wall of the dwelling will be prohibited from having windows, doors, or any other type of opening. This ordinance will ensure that the setback requirements of the Richland County Land Development Code, regarding the side yard setbacks in the single-family zoned districts, correlate with those of the building code.

The requirements for side setbacks in the RS-LD district will be as follows:

16 feet total for side setbacks, with 5 feet minimum for any one side (subject to the requirements of the current building codes regarding fire rated construction).

The requirements for side setbacks in the RS-MD district will be as follows:

13 feet total for side setbacks, with 4 5 feet minimum for any one side (subject to the requirements of the current building codes regarding fire rated construction).

The requirements for side setbacks in the RS-HD district will be as follows:

12 feet total for side setbacks, with 4 5 feet minimum setback for any one side (subject to the requirements of the current building codes regarding fire rated construction).

DRAFT

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___09HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, LAND DEVELOPMENT; ARTICLE V, ZONING DISTRICTS AND DISTRICT STANDARDS; SECTION 26-88, RS-LD RESIDENTIAL, SINGLE-FAMILY – LOW DENSITY DISTRICT; AND SECTION 26-89, RS-MD RESIDENTIAL, SINGLE-FAMILY – MEDIUM DENSITY DISTRICT; AND SECTION 26-90, RS-HD RESIDENTIAL, SINGLE-FAMILY – HIGH DENSITY DISTRICT; SO AS TO INCREASE SIDE SETBACK REQUIREMENTS TO FIVE (5) FEET FOR ANY ONE SIDE.

Pursuant to the authority granted by the Constitution and the General Assembly of the State of South Carolina, BE IT ENACTED BY THE COUNTY COUNCIL FOR RICHLAND COUNTY:

SECTION I. The Richland County Code of Ordinances; Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-88, RS-LD Residential, Single-Family – Low Density District; Subsection (c), Development Standards; Paragraph (4), Setback Standards; Subparagraph b. is hereby amended to read as follows:

- b. Side: 16 feet total for side setbacks, with 5 feet minimum for any one side (subject to the requirements of the current building codes regarding fire rated construction).

SECTION II. The Richland County Code of Ordinances; Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-89, RS-MD Residential, Single-Family – Medium Density District; Subsection (c), Development Standards; Paragraph (4), Setback Standards; Subparagraph b. is hereby amended to read as follows:

- b. Side: 13 feet total for side setbacks, with 4 5 feet minimum for any one side (subject to the requirements of the current building codes regarding fire rated construction).

SECTION III. The Richland County Code of Ordinances; Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-90, RS-HD Residential, Single-Family – High Density District; Subsection (c), Development Standards; Paragraph (4), Setback Standards; Subparagraph b. is hereby amended to read as follows:

- b. Side: 12 feet total for side setbacks, with 4 5 feet minimum setback for any one side (subject to the requirements of the current building codes regarding fire rated construction).

SECTION IV. If any section, subsection, or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

DRAFT

SECTION V. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION VI. This ordinance shall be effective from and after _____, 2009.

RICHLAND COUNTY COUNCIL

BY: _____
Paul Livingston, Chair

Attest this the _____ day of
_____, 2009

Michielle R. Cannon-Finch
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

Approved As To LEGAL Form Only.
No Opinion Rendered As To Content.

Public Hearing: September 22, 1009 (tentative)
First Reading: September 22, 2009 (tentative)
Second Reading:
Third Reading:

Staff Recommendation: Approval

EXPLANATION OF ORDINANCE CREATING A PARKS AND RECREATION DISTRICT

Title:

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, LAND DEVELOPMENT; ARTICLE II, RULES OF CONSTRUCTION/DEFINITIONS; ARTICLE V, ZONING DISTRICTS AND DISTRICT STANDARDS; AND ARTICLE VI, SUPPLEMENTAL USE STANDARDS; SO AS TO PROVIDE FOR A PARKS AND RECREATION DISTRICT.

Background:

This ordinance is being initiated by Planning staff in response to several Council members' expressed concerns about protecting existing parks from possible future development.

What this ordinance will do:

It will create a new zoning district known as "Parks and Recreation", with the purpose of ensuring the preservation of substantial green areas devoted to passive and/or active recreational uses.

The following primary uses will be allowed in the PR District:

- Golf courses, driving ranges, and appurtenances.
- Indoor and/or outdoor recreational courts and appurtenances, including, but not limited to, those devoted to tennis, volleyball, basketball, or bocce.
- Recreational fields and appurtenances, including, but not limited to, those devoted to football, soccer, baseball, or lacrosse, and to include sports lighting systems.
- Clubhouses, gyms, fitness centers, and meeting rooms.
- Community meeting and security sub station space, including Sheriff Department satellite locations.
- Recreational, health, and educational classes.
- Swimming, wading, splash pools, and appurtenances.
- Picnic areas, trails, tracks, amphitheaters, and appurtenances.

- Playgrounds.
- Any other recreational or community service use substantially similar to those specifically listed above.
- A State Park and all facilities associated with the operation and maintenance of the park to provide public recreation.

In addition, the following accessory uses will be allowed in the PR District:

- Pavilions.
- Restroom facilities.
- Parking areas.
- Bleachers and other seating areas intended for public viewing of recreational activities.
- Concession stands, press boxes, dugouts, and associated athletic facility support structures.
- Batting cages, and athletic field and security fencing.
- Administrative and park operation offices and storage buildings.
- Any other accessory use substantially similar to those specifically listed above.

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___-09HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, LAND DEVELOPMENT; ARTICLE II, RULES OF CONSTRUCTION/DEFINITIONS; ARTICLE V, ZONING DISTRICTS AND DISTRICT STANDARDS; AND ARTICLE VI, SUPPLEMENTAL USE STANDARDS; SO AS TO PROVIDE FOR A PARKS AND RECREATION DISTRICT.

Pursuant to the authority granted by the Constitution and the General Assembly of the State of South Carolina, BE IT ENACTED BY THE RICHLAND COUNTY COUNCIL:

SECTION I. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; Section 26-83, Establishment of Zoning Districts; Subsection (b), General Use Districts; is hereby amended to read as follows:

- (b) *General use districts.* General use districts are those in which a variety of uses are permitted. For the purpose of this chapter, the zoning jurisdiction of Richland County, South Carolina, is hereby divided into the following general use zoning districts:

<u>PR</u>	<u>Parks and Recreation District</u>
TROS	Traditional Recreation Open Space District
RU	Rural District
RR	Rural Residential District
RS-E	Residential, Single-Family – Estate District
RS-LD	Residential, Single-Family - Low Density District
RS-MD	Residential, Single-Family - Medium Density District
RS-HD	Residential, Single-Family - High Density District
MH	Manufactured Home District
RM-MD	Residential, Multi-Family - Medium Density District
RM-HD	Residential, Multi-Family - High Density District
OI	Office and Institutional District
NC	Neighborhood Commercial District
RC	Rural Commercial District
GC	General Commercial District
M-1	Light Industrial District
LI	Light Industrial District
HI	Heavy Industrial District

SECTION II. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-84. TROS Traditional Recreation Open Space District” is hereby amended to read as follows:

Sec. 26-8485. TROS Traditional Recreation Open Space District.

SECTION III. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-85. RU Rural District” is hereby amended to read as follows:

Sec. 26-~~85~~86. RU Rural District.

SECTION IV. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-86. RR Rural Residential District” is hereby amended to read as follows:

Sec. 26-~~86~~87. RR Rural Residential District.

SECTION V. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-87. RS-E Residential, Single-Family Estate District” is hereby amended to read as follows:

Sec. 26-~~87~~88. RS-E Residential, Single-Family Estate District.

SECTION VI. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-88. RS-LD Residential, Single-Family Low Density District” is hereby amended to read as follows:

Sec. 26-~~88~~89. RS-LD Residential, Single-Family Low Density District.

SECTION VII. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-89. RS-MD Residential, Single-Family Medium Density District” is hereby amended to read as follows:

Sec. 26-~~89~~90. RS-MD Residential, Single-Family Medium Density District.

SECTION VIII. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-90. RS-HD Residential, Single-Family High Density District” is hereby amended to read as follows:

Sec. 26-~~90~~91. RS-HD Residential, Single-Family High Density District.

SECTION IX. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-91. MH Manufactured Home Residential District” is hereby amended to read as follows:

Sec. 26-~~91~~92. MH Manufactured Home Residential District.

SECTION X. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-92. RM-MD Residential, Multi-Family Medium Density District” is hereby amended to read as follows:

Sec. 26-~~92~~93. RM-MD Residential, Multi-Family Medium Density District.

SECTION XI. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-93. RM-HD Residential, Multi-Family High Density District” is hereby amended to read as follows:

Sec. 26-~~93~~94. RM-HD Residential, Multi-Family High Density District.

SECTION XII. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-94. OI Office and Institutional District” is hereby amended to read as follows:

Sec. 26-~~94~~95. OI Office and Institutional District.

SECTION XIII. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-95. NC Neighborhood Commercial District” is hereby amended to read as follows:

Sec. 26-~~95~~96. NC Neighborhood Commercial District.

SECTION XIV. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-96. RC Rural Commercial District” is hereby amended to read as follows:

Sec. 26-~~96~~97. RC Rural Commercial District.

SECTION XV. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-97. GC General Commercial District” is hereby amended to read as follows:

Sec. 26-~~97~~98. GC General Commercial District.

SECTION XVI. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-98. M-1 Light Industrial District” is hereby amended to read as follows:

Sec. 26-~~98~~99. M-1 Light Industrial District.

SECTION XVII. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-99. LI Light Industrial District” is hereby amended to read as follows:

Sec. 26-~~99~~100. LI Light Industrial District.

SECTION XVIII. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-100. HI Heavy Industrial District” is hereby amended to read as follows:

Sec. 26-~~100~~101. HI Heavy Industrial District.

SECTION XIX. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-101. PDD Planned Development District” is hereby amended to read as follows:

Sec. 26-~~101~~102. PDD Planned Development District.

SECTION XX. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-102. TC Town and Country District” is hereby amended to read as follows:

Sec. 26-~~102~~103. TC Town and Country District.

SECTION XXI. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-103. AP Airport Height Restrictive Overlay District” is hereby amended to read as follows:

Sec. 26-~~103~~104. AP Airport Height Restrictive Overlay District.

SECTION XXII. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-104. C Conservation Overlay District” is hereby amended to read as follows:

Sec. 26-~~104~~105. C Conservation Overlay District.

SECTION XXIII. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-105. FP Floodplain Overlay District” is hereby amended to read as follows:

Sec. 26-~~105~~106. FP Floodplain Overlay District.

SECTION XXIV. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-106. RD Redevelopment Overlay District” is hereby amended to read as follows:

Sec. 26-~~106~~107. RD Redevelopment Overlay District.

SECTION XXV. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-107. CRD Corridor Redevelopment Overlay District” is hereby amended to read as follows:

Sec. 26-107108. ~~CRD Corridor Redevelopment Overlay District.~~ Reserved.

SECTION XXVI. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-108. Reserved.” is hereby amended to read as follows:

Sec. 26-108109. ~~Reserved.~~ **CRD Corridor Redevelopment Overlay District.**

SECTION XXVII. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Section 26-109. DBWP Decker Boulevard/Woodfield Park Neighborhood Redevelopment Overlay District.” is hereby amended to read as follows:

Sec. 26-109110. **DBWP Decker Boulevard/Woodfield Park Neighborhood Redevelopment Overlay District.**

SECTION XXVIII. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; section heading “Sections 26-110 – 26-130. Reserved.” is hereby amended to read as follows:

Secs. 26-110111 – 26-130. **Reserved.**

SECTION XXIX. The Richland County Code of Ordinances, Chapter 26, Land Development; Article V, Zoning Districts and District Standards; is hereby amended by the creation of a new section, to read as follows:

Sec. 26-84. **PR Parks and Recreation District.**

- (a) Purpose. In order to ensure the preservation of substantial green areas devoted to passive and/or active recreational uses.
- (b) Permitted uses. The following passive and/or active recreational uses are permitted within the “PR” Parks and Recreation zoning classification:
 - (1) Golf courses, driving ranges, and appurtenances.
 - (2) Indoor and/or outdoor recreational courts and appurtenances, including, but not limited to, those devoted to tennis, volleyball, basketball, or bocce.
 - (3) Recreational fields and appurtenances, including, but not limited to, those devoted to football, soccer, baseball, or lacrosse, and to include sports lighting systems.
 - (3) Clubhouses, gyms, fitness centers, and meeting rooms.
 - (4) Community meeting and security sub station space, including Sheriff Department satellite locations.

- (5) Recreational, health, and educational classes.
 - (4) Swimming, wading, splash pools, and appurtenances.
 - (5) Picnic areas, trails, tracks, amphitheaters, and appurtenances.
 - (6) Playgrounds.
 - (7) Museums and historic displays.
 - (8) Any other recreational or community service use substantially similar to those specifically listed above.
 - (9) A State Park and all facilities associated with the operation and maintenance of the park to provide public recreation.
- (c) *Accessory uses.* The following accessory uses are permitted in association with the “permitted uses” listed above:
- (1) Pavilions.
 - (2) Restroom facilities.
 - (3) Parking areas.
 - (4) Bleachers and other seating areas intended for public viewing of recreational activities.
 - (5) Concession stands, press boxes, dugouts, and associated athletic facility support structures.
 - (6) Batting cages, and athletic field and security fencing.
 - (7) Administrative and park operation offices and storage buildings.
 - (8) Any other accessory use substantially similar to those specifically listed above.
- (d) *Development standards.* See also Article V., Section 26-131. Table of Area, Yard, and Height Requirements.
- (1) *Minimum lot area/maximum density:* Minimum lot area: no minimum lot area except as required by DHEC. Maximum density standard: no maximum density standard.

- (2) Minimum lot width: None.
- (3) Structure size standards: None.
- (4) Setback standards: The following minimum setbacks shall be required for principal uses in the PR District:
- a. Front: 25 feet.
 - b. Side: 20 feet.
 - c. Rear: 20 feet.
- The minimum side and rear setback requirement for accessory buildings/structures, such as club houses, rest room and locker facilities, snack bars, and parking areas, in the PR District is ten (10) feet.
- The landscape and bufferyard standards of Section 26-176 may require setback distances; if so, the most restrictive requirements shall apply.
- (5) Height standards: The maximum height of structures in the PR District shall be 45 feet.
- (6) Landscaping/bufferyard standards: Landscaping and bufferyards shall be provided in accordance with Section 26-176 of this chapter; provided, however, there shall be no landscaping requirements for “golf courses” and “golf course with country clubs”.
- (7) Parking/loading standards: Parking and loading facilities shall be provided as required by Section 26-173 and Section 26-174 of this chapter. No parking lots shall be permitted within any required setback.
- (8) Sidewalk and pedestrian amenities: Sidewalks and other pedestrian amenities shall be provided as required by Section 26-179 of this chapter; provided, however, there shall be no sidewalk or pedestrian amenities required for “golf courses” and “golf course with country clubs”.
- (9) Signs: Signs shall be regulated by the requirements of Section 26-180 of this chapter.
- (10) Recreation/open space standards: None.
- (11) Design and operation standards: None.

SECTION XXX. Severability. If any section, subsection, or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

SECTION XXXI. Conflicting Ordinances Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION XXXII. Effective Date. This ordinance shall be effective from and after _____, 2009.

RICHLAND COUNTY COUNCIL

BY: _____
Paul Livingston, Chair

ATTEST THIS THE ____ DAY

OF _____, 2009

Michielle R. Cannon-Finch
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

Approved As To LEGAL Form Only
No Opinion Rendered As To Content

First Reading:
Public Hearing:
Second Reading:
Third Reading:

Staff Recommendation: Denial

Planning Commission Recommendation: Approval

EXPLANATION OF ORDINANCE ALLOWING BILLBOARDS TO BE REPLACED WITH
DIGITAL SIGNS

Title:

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, LAND DEVELOPMENT; SECTION 26-180, SIGNS; SO AS TO ALLOW LEGAL NONCONFORMING OFF-PREMISES SIGNS IN COMMERCIAL, MANUFACTURING, AND INDUSTRIAL ZONING DISTRICTS TO BE REPLACED BY SURFACE AREA DIGITAL SIGNS.

Background:

This ordinance is being initiated by Richland County Council, based on a motion made by the Honorable Jim Manning and Gwendolyn Kennedy on April 21, 2009. The Development and Services Committee met on May 26, 2009, and recommended approval. The County Council gave this ordinance first reading on June 2, 2009 and sent it to the Planning Commission for their review and recommendation.

What this ordinance will do:

This ordinance will allow legal nonconforming off-premise signs in Commercial, Manufacturing, and Industrial Zoning Districts to be replaced in whole or in part by surface area displaying changeable static images controlled by electronic communications (hereinafter digital), with certain conditions as follows:

- A permit shall be obtained.
- The copy shall remain fixed for a period of at least six (6) seconds between changes. The interval between copy changes shall be no longer than one (1) second.
- Digital shall not include animated, continuous, moving, rolling, or scrolling messages or video displays.
- Digital shall have an automatic dimmer and a photo cell sensor to adjust the illumination intensity or brilliance of the sign. In addition, digital shall not exceed a maximum illumination of 7,500 nits (candelas per square meter) during daylight hours and a maximum illumination of 500 nits between dusk to dawn as measured from the sign's face at maximum brightness. Digital shall not be

permitted within three hundred (300) feet of any residential district towards which the sign is oriented.

- A digital sign may be reestablished after damage or destruction by an act of God, where the estimated expense of reconstruction does not exceed fifty percent (50%) of the appraised replacement cost of the sign structure, exclusive of the value of any digital display device.
- There shall be one thousand (1,000) feet spacing of digital on same side of the road; there shall also be one thousand (1,000) feet spacing of digital on opposite side of the road for digital if facing the same direction.
- Digital shall be allowed only on 'arterial' streets as defined in Section 26-22.

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___- 09 HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, LAND DEVELOPMENT; SECTION 26-180, SIGNS; SO AS TO ALLOW LEGAL NONCONFORMING OFF-PREMISES SIGNS IN COMMERCIAL, MANUFACTURING, AND INDUSTRIAL ZONING DISTRICTS TO BE REPLACED BY SURFACE AREA DIGITAL SIGNS.

Pursuant to the authority granted by the Constitution and the General Assembly of the State of South Carolina, BE IT ENACTED BY THE RICHLAND COUNTY COUNCIL:

SECTION I. The Richland County Code of Ordinances, Chapter 26, “Land Development”; Article VII, “General Development, Site, and Performance Standards”; Section 26-180, “Signs”; Subsection (o), Nonconforming Signs; is hereby amended to read as follows:

- (o) *Nonconforming signs.* All legal nonconforming signs in existence as of the effective date of this chapter may be continued and shall be maintained in good condition. ~~However, a nonconforming sign shall not be:~~

(1) Unless allowed in paragraph (2), below, a nonconforming sign shall not be:

- a. Changed to another type or shape of nonconforming sign; provided, however, the copy, content, or message of the sign may be changed so long as the shape or size of the sign is not altered.
- b. Structurally altered so as to prolong the life of the sign.
- c. Expanded.
- d. Reestablished after discontinuance for sixty (60) or more successive days.
- e. Reestablished after damage or destruction, where the estimated expense of reconstruction exceeds fifty percent (50%) of the appraised replacement cost of the sign in its entirety.

(2) *Changeable copy signs.* Legal nonconforming off-premise signs in Commercial, Manufacturing, and Industrial Zoning Districts may be replaced in whole or in part by surface area displaying

changeable static images controlled by electronic communications (hereinafter digital) as provided by this paragraph.

- a. A permit to replace legal nonconforming off-premise sign display surface area with digital surface area shall first be obtained as provided in Sec. 26-180 (a) (2).
- b. A digital sign as provided by this section shall not be considered flashing or blinking for the purposes of this paragraph when the copy shall remain fixed for a period of at least six (6) seconds between changes. The interval between copy changes shall be no longer than one (1) second.
- c. Digital shall not include animated, continuous, moving, rolling, or scrolling messages or video displays.
- d. Digital shall have an automatic dimmer and a photo cell sensor to adjust the illumination intensity or brilliance of the sign so that it shall not cause glare or impair the vision of motorists, and shall not interfere with any driver's operation of a motor vehicle. In addition, digital shall not exceed a maximum illumination of 7,500 nits (candelas per square meter) during daylight hours and a maximum illumination of 500 nits between dusk to dawn as measured from the sign's face at maximum brightness. Digital shall not be permitted within three hundred (300) feet of any residential district towards which the sign is oriented.
- e. This permissibility does not include the replacement of, or some other substantial alteration to, the sign support structure, except that existing metal sign support structures may be replaced with new metal sign support structures pursuant to a permit to erect digital.
- f. A digital sign may be reestablished after damage or destruction by an act of God, where the estimated expense of reconstruction does not exceed fifty percent (50%) of the appraised replacement cost of the sign structure, exclusive of the value of any digital display device.
- g. There shall be one thousand (1,000) feet spacing of digital on same side of the road; there shall also be one thousand (1,000) feet spacing of digital on opposite side of the road for digital if facing the same direction.

h. Digital shall be allowed only on 'arterial' streets as defined in Section 26-22.

SECTION XV. Severability. If any section, subsection, or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

SECTION XVI. Conflicting Ordinances Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION XVII. Effective Date. This ordinance shall be effective from and after _____, 2009.

RICHLAND COUNTY COUNCIL

BY: _____
Paul Livingston, Chair

ATTEST THIS THE ____ DAY
OF _____, 2009

Michielle R. Cannon-Finch
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

Approved As To LEGAL Form Only
No Opinion Rendered As To Content

First Reading: June 2, 2009
Public Hearing: September 22, 2009 (tentative)
Second Reading: September 22, 2009 (tentative)
Third Reading:

Staff Recommendation:

First choice: Denial

Second choice: Recommend approval of this ordinance rather than the other version.

Planning Commission Recommendation: Denial

EXPLANATION OF ALTERNATIVE ORDINANCE ALLOWING BILLBOARDS TO BE REPLACED WITH DIGITAL SIGNS

Title:

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, LAND DEVELOPMENT; SECTION 26-180, SIGNS; SO AS TO ALLOW LEGAL NONCONFORMING OFF-PREMISES SIGNS IN GENERAL COMMERCIAL, LIGHT INDUSTRIAL, AND HEAVY INDUSTRIAL ZONING DISTRICTS TO BE REPLACED BY SURFACE AREA DIGITAL SIGNS.

Background:

This ordinance is being initiated by the Planning Director, after discussion with the Honorable Joyce Dickerson and Kit Smith, as an alternative to the Manning/Kennedy motion. It is based on a Savannah, Georgia ordinance, and was one of the versions of an off-premises digital sign ordinance that was considered by County Council last year.

The distinctions of this ordinance from the other one:

- This ordinance will allow legal nonconforming off-premise signs (billboards) to be replaced with digital signs only in the GC, M-1, LI, and HI zoning districts, and clarifies that the shape and/or size of the surface area shall not change.
- It adds a fee of \$1,000.00, which shall be paid on or before Dec. 31 of each calendar year, and requires an applicant to submit construction plans for review, and pay appropriate fees Building and Inspections department.
- The signs shall have a permanent nameplate affixed certifying the maximum illumination capabilities (in nits) of the sign.
- The applicant must remove 6 sq. ft. of existing legal nonconforming off-premise signs for each 1 sq. ft. of digital sign proposed.
- A demolition permit must be obtained from the Building and Inspections Department prior to the removal of a legal nonconforming off-premise sign, and a fee of \$150.00 dollars must be paid.

- The copy shall remain fixed for a period of at least 10 seconds between changes, and copy changes shall be instantaneous.
- Digital signs shall not include animated, continuous, moving, rolling, scrolling, sequential, or interactive messages or video displays.
- Digital signs shall contain a default design that will freeze the sign in one position if a malfunction occurs.
- Digital signs shall not be permitted within three hundred (300) feet of any residential or institutional use or district towards which the sign is oriented.
- There shall be three thousand (3,000) feet spacing of digital signs on the same side of the road; there shall also be three thousand (3,000) feet spacing of digital signs on the opposite side of the road if the signs are facing in the same direction.
- Digital shall be allowed only on 'arterial' streets as defined in Section 26-22; provided, however, such signs shall not be located within one thousand (1,000) feet of a signalized intersection, or exit or entrance ramp.
- Digital signs shall not be permitted inside the boundaries of any Historic District as defined by the National Historic Register, nor shall they be permitted inside the boundaries of any Neighborhood Master Plan Overlay District.

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___- 09 HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, LAND DEVELOPMENT; SECTION 26-180, SIGNS; SO AS TO ALLOW LEGAL NONCONFORMING OFF-PREMISES SIGNS IN **GENERAL COMMERCIAL, LIGHT INDUSTRIAL, AND HEAVY INDUSTRIAL** ZONING DISTRICTS TO BE REPLACED BY SURFACE AREA DIGITAL SIGNS.

Pursuant to the authority granted by the Constitution and the General Assembly of the State of South Carolina, BE IT ENACTED BY THE RICHLAND COUNTY COUNCIL:

SECTION I. The Richland County Code of Ordinances, Chapter 26, “Land Development”; Article VII, “General Development, Site, and Performance Standards”; Section 26-180, “Signs”; Subsection (o), Nonconforming Signs; is hereby amended to read as follows:

- (o) *Nonconforming signs.* All legal nonconforming signs in existence as of the effective date of this chapter may be continued and shall be maintained in good condition. ~~However, a nonconforming sign shall not be:~~

(1) Unless allowed in paragraph (2), below, a nonconforming sign shall not be:

- a. Changed to another type or shape of nonconforming sign; provided, however, the copy, content, or message of the sign may be changed so long as the shape or size of the sign is not altered.
- b. Structurally altered so as to prolong the life of the sign.
- c. Expanded.
- d. Reestablished after discontinuance for sixty (60) or more successive days.
- e. Reestablished after damage or destruction, where the estimated expense of reconstruction exceeds fifty percent (50%) of the appraised replacement cost of the sign in its entirety.

(2) *Changeable copy signs.* Legal nonconforming off-premise signs in **GC, M-1, LI, and HI** Zoning Districts may be replaced in whole or in part by surface area displaying changeable static images controlled by electronic communications (hereinafter “digital

signs”) as provided by this paragraph. Provided, however, the shape and/or size of the surface area shall not change.

- a. A permit to replace legal nonconforming off-premise sign display surface area with digital surface area shall first be obtained as provided in Sec. 26-180 (a) (2). The annual digital sign fee shall be one thousand (\$1,000.00) dollars, which shall be paid on or before Dec. 31 of each calendar year.
- b. An applicant shall submit construction plans for review, and appropriate fees shall be paid to the Building and Inspections department prior to work commencing. Electrical contractors and sub-contractors shall be qualified and licensed, and obtain permits and pay fees as needed.
- c. Digital signs shall have a permanent nameplate affixed certifying the maximum illumination capabilities (in nits) of the sign.
- d. Evidence must be presented to show that the applicant had already removed six (6) square feet of existing legal nonconforming off-premise signs since _____, 2009 for each one (1) square foot of digital sign proposed.
- e. A demolition permit must be obtained from the Building and Inspections Department prior to the removal of a legal nonconforming off-premise sign, and a fee of one hundred fifty (\$150.00) dollars must be paid.
- f. A digital sign as provided by this section shall not be considered flashing or blinking for the purposes of this paragraph when the copy shall remain fixed for a period of at least ten (10) seconds between changes. Copy changes shall be instantaneous.
- g. Digital signs shall not include animated, continuous, moving, rolling, scrolling, sequential, or interactive messages or video displays.
- h. Digital signs shall contain a default design that will freeze the sign in one position if a malfunction occurs.
- i. Digital signs shall have an automatic dimmer and a photo cell sensor to adjust the illumination intensity or brilliance of the sign so that it shall not cause glare or impair the

vision of motorists, and shall not interfere with any driver's operation of a motor vehicle. In addition, digital signs shall not exceed a maximum illumination of 7,500 nits (candelas per square meter) during daylight hours and a maximum illumination of 500 nits between dusk to dawn as measured from the sign's face at maximum brightness. Digital signs shall not be permitted within three hundred (300) feet of any residential or institutional use or district towards which the sign is oriented.

- j. This permissibility does not include the replacement of, or some other substantial alteration to, the sign support structure, except that existing metal sign support structures may be replaced with new metal sign support structures pursuant to a permit to erect digital.
- k. A digital sign may be reestablished after damage or destruction by an act of God, where the estimated expense of reconstruction does not exceed fifty percent (50%) of the appraised replacement cost of the sign structure, exclusive of the value of any digital display device.
- l. There shall be three thousand (3,000) feet spacing of digital signs on the same side of the road; there shall also be three thousand (3,000) feet spacing of digital signs on the opposite side of the road if the signs are facing in the same direction.
- m. Digital signs shall be allowed only on 'arterial' streets as defined in Section 26-22; provided, however, such signs shall not be located within one thousand (1,000) feet of a signalized intersection, or exit or entrance ramp.
- n. Digital signs shall not be permitted inside the boundaries of any Historic District as defined by the National Historic Register, nor shall they be permitted inside the boundaries of any Neighborhood Master Plan Overlay District.

SECTION II. Severability. If any section, subsection, or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

SECTION III. Conflicting Ordinances Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION IV. Effective Date. This ordinance shall be effective from and after _____, 2009.

RICHLAND COUNTY COUNCIL

BY: _____
Paul Livingston, Chair

ATTEST THIS THE ____ DAY

OF _____, 2009

Michielle R. Cannon-Finch
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

Approved As To LEGAL Form Only
No Opinion Rendered As To Content

First Reading: June 2, 2009
Public Hearing: September 22, 2009 (tentative)
Second Reading: September 22, 2009 (tentative)
Third Reading:

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___-09HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, LAND DEVELOPMENT; ARTICLE VII, GENERAL DEVELOPMENT, SITE, AND PERFORMANCE STANDARDS; SECTION 26-180, SIGNS; SO AS TO CREATE A NEW SECTION THAT WOULD ALLOW DIGITAL DISPLAY DEVICES UNDER CERTAIN CONDITIONS.

Pursuant to the authority granted by the Constitution and the General Assembly of the State of South Carolina, BE IT ENACTED BY THE RICHLAND COUNTY COUNCIL:

SECTION I. The Richland County Code of Ordinances, Chapter 26, Land Development; Article II, Rules of Construction/Definitions; Section 26-22, Definitions; is hereby amended to include in the appropriate alphabetical order, the following definition:

Sign, electronic changeable copy. A sign or portion thereof that displays electronic, non-pictorial, text information in which each alphanumeric character, graphic, or symbol is defined by a small number of matrix elements using different combinations of light emitting diodes (LEDs), fiber optics, light bulbs, or other illumination devices within the display area. Electronic changeable copy signs include computer programmable, microprocessor controlled electronic displays.

Sign, electronic graphic display. A sign or portion thereof that displays electronic, static images, static graphics or static pictures, with or without text information, defined by a small number of matrix elements using different combinations of light emitting diodes (LEDs), fiber optics, light bulbs, or other illumination devices within the display area where the message change sequence is accomplished immediately or by means of fade, repixelization or dissolve modes. Electronic changeable copy signs include computer programmable, microprocessor controlled electronic or digital displays. Electronic graphic display signs include projected images or messages with these characteristics onto buildings or other objects.

Sign, multi-vision. Any sign composed in whole or in part of a series of vertical or horizontal slats or cylinders that are capable of being rotated at intervals so that partial rotation of the group of slats or cylinders produces a different image and when properly functioning allows on a single sign structure the display at any given time one of two or more images.

Sign, video display. A sign that changes its message or background in a manner or method of display characterized by motion or pictorial imagery, which may or may not include text and depicts action or a special effect to imitate movement, the presentation of pictorials or graphics displayed in a progression of frames that give the illusion of motion, including, but not limited to, the illusion of moving objects, moving patterns or bands of light, or expanding or contracting shapes, not including electronic changeable copy signs.

Video display signs include projected images or messages with these characteristics onto buildings or other objects.

SECTION II. The Richland County Code of Ordinances, Chapter 26, Land Development; Article VII, General development, Site, and Performance Standards; Section 26-180, Signs; Subsection (e); is hereby amended to read as follows:

- (e) *Prohibited signs.* The following signs are prohibited in the unincorporated areas of Richland County:
- (1) *Off-premises signs.* All off-premises signs, unless specifically allowed elsewhere in this chapter.
 - (2) *Roof signs.* Roof signs; provided, however, that signs on the surfaces of a mansard roof or on parapets shall not be prohibited if the signs do not extend above the mansard roof or parapet to which they are attached.
 - (3) *Animated/flushing signs and signs of illusion.* Signs displaying blinking, flashing, or intermittent lights, or animation, moving parts, or signs giving the illusion of movement, unless specifically allowed elsewhere in this chapter.
 - (4) *Signs resembling traffic signals.* Signs that approximate official highway signs, warning signs, or regulatory devices.
 - (5) *Signs on roadside appurtenances.* Signs attached to or painted on utility poles, trees, parking meters, bridges, overpasses, rocks, other signs, benches, refuse containers, etc., unless specifically allowed elsewhere in this chapter.
 - (6) *Abandoned signs and sign structures.* Signs that advertise an activity or business that is no longer conducted on the property on which the sign is located. Such signs or sign structures must be removed within thirty (30) days of becoming an abandoned sign or sign structure.
 - (7) *Pennants, streamers, balloons, etc.* Signs containing or consisting of pennants, ribbons, streamers, balloons, or spinners.
 - (8) *Signs obstructing access.* Signs that obstruct free ingress or egress from a driveway, or a required door, window, fire escape, or other required exitway.
 - (9) *Signs located in the right-of-way.* All signs located in the right-of-way, unless specifically allowed elsewhere in this chapter.
 - (10) *Inflatable signs or balloons.*

(11) Electronic graphic display signs.

(12) Multi-vision signs.

(13) Video display signs.

SECTION III. The Richland County Code of Ordinances, Chapter 26, Land Development; Article VII, General development, Site, and Performance Standards; Section 26-180, Signs; is hereby amended to create a new subsection to read as follows:

(p) Electronic changeable copy signs. Electronic changeable on-premise copy signs are permitted in all zoning districts.

(1) Time and temperature displays are allowed, but must not exceed twenty (20) square feet of the sign face.

(2) All other changeable copy signs shall only be permitted with the following restrictions:

a. Such signs shall remain static at all times – scrolling and/or movement of any kind is prohibited.

b. The electronic area shall not exceed (20) square feet of the allowed/permitted sign face.

c. The message must not change more than once every five (5) minutes.

d. Illumination should be no greater than 5,000 nits during daylight hours and no greater than 500 nits during evening hours.

e. Signs shall not display flashing lights.

f. Audio speakers or any form of pyrotechnics are prohibited in association with an electronic changeable copy sign.

g. The bottom of the sign shall be at least ten (10) feet from the ground.

h. The leading edge of the sign must be a minimum distance of one hundred (100) feet from an abutting residential district boundary.

i. Signs shall only be used or displayed between the hours of 6:00 a.m and 11:00 p.m.

SECTION IV. Severability. If any section, subsection, or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

SECTION V. Conflicting Ordinances Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION VI. Effective Date. This ordinance shall be enforced from and after _____, 2009.

RICHLAND COUNTY COUNCIL

BY: _____
Paul Livingston, Chair

ATTEST THIS THE ____ DAY

OF _____, 2009

Michielle R. Cannon-Finch
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

Approved As To LEGAL Form Only
No Opinion Rendered As To Content

Public Hearing: September 22, 2009 (tentative)
First Reading: September 22, 2009 (tentative)
Second Reading:
Third Reading:

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___-09HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, LAND DEVELOPMENT; ARTICLE VII, GENERAL DEVELOPMENT, SITE, AND PERFORMANCE STANDARDS; SECTION 26-180, SIGNS; SO AS TO CREATE A NEW SECTION THAT WOULD ALLOW DIGITAL DISPLAY DEVICES UNDER CERTAIN CONDITIONS.

Pursuant to the authority granted by the Constitution and the General Assembly of the State of South Carolina, BE IT ENACTED BY THE RICHLAND COUNTY COUNCIL:

SECTION I. The Richland County Code of Ordinances, Chapter 26, Land Development; Article II, Rules of Construction/Definitions; Section 26-22, Definitions; is hereby amended to include in the appropriate alphabetical order, the following definition:

Sign, electronic changeable copy. A sign or portion thereof that displays electronic, non-pictorial, text information in which each alphanumeric character, graphic, or symbol is defined by a small number of matrix elements using different combinations of light emitting diodes (LEDs), fiber optics, light bulbs, or other illumination devices within the display area. Electronic changeable copy signs include computer programmable, microprocessor controlled electronic displays.

Sign, electronic graphic display. A sign or portion thereof that displays electronic, static images, static graphics or static pictures, with or without text information, defined by a small number of matrix elements using different combinations of light emitting diodes (LEDs), fiber optics, light bulbs, or other illumination devices within the display area where the message change sequence is accomplished immediately or by means of fade, repixelization or dissolve modes. Electronic changeable copy signs include computer programmable, microprocessor controlled electronic or digital displays. Electronic graphic display signs include projected images or messages with these characteristics onto buildings or other objects.

Sign, multi-vision. Any sign composed in whole or in part of a series of vertical or horizontal slats or cylinders that are capable of being rotated at intervals so that partial rotation of the group of slats or cylinders produces a different image and when properly functioning allows on a single sign structure the display at any given time one of two or more images.

Sign, video display. A sign that changes its message or background in a manner or method of display characterized by motion or pictorial imagery, which may or may not include text and depicts action or a special effect to imitate movement, the presentation of pictorials or graphics displayed in a progression of frames that give the illusion of motion, including, but not limited to, the illusion of moving objects, moving patterns or bands of light, or expanding or contracting shapes, not including electronic changeable copy signs.

Video display signs include projected images or messages with these characteristics onto buildings or other objects.

SECTION II. The Richland County Code of Ordinances, Chapter 26, Land Development; Article VII, General development, Site, and Performance Standards; Section 26-180, Signs; Subsection (e); is hereby amended to read as follows:

- (e) *Prohibited signs.* The following signs are prohibited in the unincorporated areas of Richland County:
- (1) *Off-premises signs.* All off-premises signs, unless specifically allowed elsewhere in this chapter.
 - (2) *Roof signs.* Roof signs; provided, however, that signs on the surfaces of a mansard roof or on parapets shall not be prohibited if the signs do not extend above the mansard roof or parapet to which they are attached.
 - (3) *Animated/flushing signs and signs of illusion.* Signs displaying blinking, flashing, or intermittent lights, or animation, moving parts, or signs giving the illusion of movement, unless specifically allowed elsewhere in this chapter.
 - (4) *Signs resembling traffic signals.* Signs that approximate official highway signs, warning signs, or regulatory devices.
 - (5) *Signs on roadside appurtenances.* Signs attached to or painted on utility poles, trees, parking meters, bridges, overpasses, rocks, other signs, benches, refuse containers, etc., unless specifically allowed elsewhere in this chapter.
 - (6) *Abandoned signs and sign structures.* Signs that advertise an activity or business that is no longer conducted on the property on which the sign is located. Such signs or sign structures must be removed within thirty (30) days of becoming an abandoned sign or sign structure.
 - (7) *Pennants, streamers, balloons, etc.* Signs containing or consisting of pennants, ribbons, streamers, balloons, or spinners.
 - (8) *Signs obstructing access.* Signs that obstruct free ingress or egress from a driveway, or a required door, window, fire escape, or other required exitway.
 - (9) *Signs located in the right-of-way.* All signs located in the right-of-way, unless specifically allowed elsewhere in this chapter.
 - (10) *Inflatable signs or balloons.*

(11) Electronic graphic display signs.

(12) Multi-vision signs.

(13) Video display signs.

SECTION III. The Richland County Code of Ordinances, Chapter 26, Land Development; Article VII, General development, Site, and Performance Standards; Section 26-180, Signs; is hereby amended to create a new subsection to read as follows:

(p) Electronic changeable copy signs. Electronic changeable on-premise copy signs are permitted in all zoning districts.

(1) Time and temperature displays are allowed, but must not exceed twenty (20) square feet of the sign face.

(2) All other changeable copy signs shall only be permitted with the following restrictions:

a. Such signs shall remain static at all times – scrolling and/or movement of any kind is prohibited.

b. The electronic area shall not exceed forty percent (40%) of the allowed/permitted sign face, but in no case shall it exceed a maximum of forty (40) square feet.

c. The message must not change more than once every six (6) seconds.

d. Illumination should be no greater than 7,500 nits during daylight hours and no greater than 500 nits during evening hours.

e. Signs shall not display flashing lights.

f. Audio speakers or any form of pyrotechnics are prohibited in association with an electronic changeable copy sign.

g. The bottom of the sign shall be at least ten (10) feet from the ground in those zoning districts that allow such height; otherwise the electronic changeable portion of the sign shall be limited to the upper twenty-five percent (25%) of the sign face.

h. The leading edge of the sign must be a minimum distance of one hundred (100) feet from an abutting residential district boundary.

i. Signs shall only be used or displayed between the hours of 6:00 a.m and 11:00 p.m. or during the hours that the business remains open to the public, whichever is greater.

j. Subparagraphs b., g. and h. do not apply to any digital sign that is legally in existence as of *October 20, 2009*; provided, however, all electronic changeable on-premise copy signs shall be in compliance with the requirements of this subsection by *October 20, 2021*.

SECTION IV. Severability. If any section, subsection, or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

SECTION V. Conflicting Ordinances Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION VI. Effective Date. This ordinance shall be enforced from and after _____, 2009.

RICHLAND COUNTY COUNCIL

BY: _____
Paul Livingston, Chair

ATTEST THIS THE ____ DAY

OF _____, 2009

Michielle R. Cannon-Finch
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

Approved As To LEGAL Form Only
No Opinion Rendered As To Content

Public Hearing: September 22, 2009 (tentative)
First Reading: September 22, 2009 (tentative)
Second Reading:
Third Reading:

Staff Recommendation: Approval

EXPLANATION OF “ROAD SIGNS/TRAFFIC CONTROL DEVICES” ORDINANCE

Title:

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, LAND DEVELOPMENT; ARTICLE VII, GENERAL DEVELOPMENT, SITE, AND PERFORMANCE STANDARDS; SECTION 26-181, ROAD STANDARDS; SUBSECTION (B), DESIGN STANDARDS FOR PUBLIC OR PRIVATE ROADS; PARAGRAPH (6), OTHER DESIGN STANDARDS; SUBPARAGRAPH K, ROAD SIGNS/TRAFFIC CONTROL DEVICES; SO AS TO CONFORM TO THE FEDERAL HIGHWAY ADMINISTRATION’S *MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES 2003 EDITION WITH REVISIONS 1 AND 2 INCORPORATED*.

Background:

This ordinance is being initiated by the Director of Public Works, David Hoops, in order to have the County’s standards regarding road signs/traffic control devices conform to the Federal Highway Administration’s *Manual on Uniform Traffic Control Devices 2003 Edition with Revisions 1 and 2 Incorporated*.

What this ordinance will do:

This ordinance will require developers to install road signs within new developments and traffic control devices according to the Federal Highway Administration’s *Manual on Uniform Traffic Control Devices 2003 Edition with Revisions 1 and 2 Incorporated*. Further, it will specify the design of road signs.

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ____-09HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, LAND DEVELOPMENT; ARTICLE VII, GENERAL DEVELOPMENT, SITE, AND PERFORMANCE STANDARDS; SECTION 26-181, ROAD STANDARDS; SUBSECTION (B), DESIGN STANDARDS FOR PUBLIC OR PRIVATE ROADS; PARAGRAPH (6), OTHER DESIGN STANDARDS; SUBPARAGRAPH K, ROAD SIGNS/TRAFFIC CONTROL DEVICES; SO AS TO CONFORM TO THE FEDERAL HIGHWAY ADMINISTRATION'S *MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES 2003 EDITION WITH REVISIONS 1 AND 2 INCORPORATED*.

NOW, THEREFORE, pursuant to the authority granted by the Constitution and the General Assembly of the State of South Carolina, BE IT ENACTED BY THE RICHLAND COUNTY COUNCIL:

SECTION I. The Richland County Code of Ordinances, Chapter 26, Land Development; Article VII, General Development, Site, and Performance Standards; Section 26-181, Road Standards; Subsection (b), Design Standards for Public or Private Roads; Paragraph (6), Other Design Standards; Subparagraph k., Road Signs/Traffic Control Devices; is hereby amended to read as follows:

k. *Road signs/traffic control devices.*

[1] Road signs, in conformance with the requirements of the Federal Highway Administration's *Manual on Uniform Traffic Control Devices 2003 Edition with Revisions 1 and 2 incorporated* and with the addressing coordinating specialist, shall be located at all intersections in a manner approved by the county engineer. Any sign within a new development shall be installed by the developer at his/her own expense. Signs will be aluminum blanks on metal posts fabricated and mounted in a standard design established by the director of public works. Such signs shall have white reflective lettering a minimum of six (6) inches in height on a reflective background. Signs located on multi-lane roads with a speed limit of 40 mph or greater shall have lettering a minimum of eight (8) inches in height. A green background shall denote a public road and a blue background shall denote a private road.

[2] All traffic control devices required by the Federal Highway Administration's *Manual on Uniform Traffic Control Devices 2003 Edition with Revisions 1 and 2 incorporated* ~~*SC Manual on Uniform Traffic Control Devices for Roads and Highways*~~ may shall be installed by the developer at his/her own ~~the developer's~~ expense. ~~If the county purchases such devices on behalf of the developer, all costs shall be paid in full prior to approval of the final plat of a subdivision or a certificate of~~

~~zoning compliance for other developments.~~ All devices shall conform to the required size and reflectivity found in the *Manual on Uniform Traffic Control Devices 2003 Edition with Revisions 1 and 2 incorporated.*

SECTION II. Severability. If any section, subsection, or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

SECTION III. Conflicting Ordinances Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION IV. Effective Date. This ordinance shall be effective from and after _____, 2009.

RICHLAND COUNTY COUNCIL

BY: _____
Paul Livingston, Chair

ATTEST THIS THE _____ DAY

OF _____, 2009.

Michielle R. Cannon-Finch
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

Approved As To LEGAL Form Only
No Opinion Rendered As To Content

First Reading: September 22, 2009 (tentative)
Public Hearing: September 22, 2009 (tentative)
Second Reading:
Third Reading:

PROCEDURES FOR SENDING REZONING MATTERS ‘BACK’ TO THE PLANNING COMMISSION

PLANNING COMMISSION	PLANNING COMMISSION RECOMMENDATION	COUNTY COUNCIL ACTION AT THE ZONING PUBLIC HEARING	Goes back to PC and is reviewed	Goes back to PC and starts over	Does not go back to PC
Zoning District X to Zoning District Y	APPROVE	APPROVE			X
Zoning District X to Zoning District Y	DENY	APPROVE			X
Zoning District X to Zoning District Y	APPROVE	DENY			X
Zoning District X to Zoning District Y	DENY	DENY			X
Zoning District X to Zoning District Y	APPROVE	Zoning District X to Zoning District Z		X	
Zoning District X to Zoning District Y	DENY	Zoning District X to Zoning District Z		X	
Zoning District X to PDD	APPROVE	Zoning District X to PDD with less restrictions	X		
Zoning District X to PDD	APPROVE	Zoning District X to PDD with more restrictions			X
Zoning District X to PDD	DENY	Zoning District X to PDD with less restrictions	X		
Zoning District X to PDD	DENY	Zoning District X to PDD with more restrictions			X

