

RICHLAND COUNTY
PLANNING COMMISSION



JANUARY 7, 2008

RICHLAND COUNTY PLANNING COMMISSION

Monday, January 7, 2008

Agenda

1:00 PM

2020 Hampton Street

2nd Floor, Council Chambers

STAFF Joseph Kocy, AICP Planning Director
Anna Almeida, AICP Development Services Manager
Jennie Sherry-Linder Land Development Administrator
Amelia R. Linder, Esq. Assistant County Attorney

I. PUBLIC MEETING CALL TO ORDER Weston Furgess, Chairman

II. ELECTION OF COMMISSION OFFICERS FOR 2008

III. PUBLIC NOTICE ANNOUNCEMENT

IV. PRESENTATION OF MINUTES FOR APPROVAL

a. Consideration of the December Minutes

V. AGENDA AMENDMENTS

VI. OLD BUSINESS

a. Steeplechase Appeal UpdatePage 3

VI. TEXT AMENDMENT

A. DIGITAL BILLBOARDS. 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 DEVICESPage 5

B. AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 26, LAND DEVELOPMENT; ARTICLE V, ZONING DISTRICTS AND DISTRICT STANDARDS; SECTION 26-141, TABLE OF PERMITTED USES WITH SPECIAL REQUIREMENTS, AND SPECIAL EXCEPTIONS; "RESIDENTIAL USES" OF TABLE 20-V-2.; AND ARTICLE VI, SUPPLEMENTAL USE STANDARDS;

SECTION 26-151, PERMITTED USES WITH SPECIAL REQUIREMENTS; SO AS TO LIMIT MULTI-FAMILY USE IN THE GC GENERAL COMMERCIAL DISTRICTPage 45

VII. COMPREHENSIVE PLAN

a. Housing Element

VIII. ROAD NAME APPROVALS.....Page 97

IX. ADJOURNMENT

Planning Commission workshop to begin directly after scheduled meeting

- A. DECKER BLVD. REDEVELOPMENT OVERLAY ZONE**
- B. DIGITAL BILLBOARDS**

Memo

To: Planning Commissioners
From: Anna Almeida, Development Services Manager
CC: Joseph Kocy, Planning Director
Date: 28-Dec-07
Re: Appeal – Steeplechase Subdivision

Update:

Staff contacted Tony Magwood, Resident Maintenance Engineer SCDOT regarding the possibility of access onto Trotter Road which is state maintained. To date SCDOT has not rendered a decision. On December 27, 2007 staff e-mailed and sent a hard copy of the traffic study to SCDOT.

I would like to highlight the following:

Sec. 26-54 (3) Major Subdivision Review d. Sketch Plan Appeals

- *“Appeals shall only be filed by the applicant, a contiguous landowner, or an adjacent landowner, and must be filed within fifteen (15) days of the date the decision is received by the applicant for land development permit.”*

Mr. Jerome Prezzy, Mr. Carl McIntosh and Ms. Anne Vickers are adjacent landowners and have submitted appeals. However, the HOA, according to the code of ordinances, can not be party to the appeal.

Sec. 26-181 Road Standards (2) Connectivity.

- Extension of existing roads. *“The arrangement of roads in a subdivision shall provide for the alignment and continuation or extension of existing roads in adjoining areas in compliance with the standards set forth in this section.”*
- (b) Access to undeveloped property. *“Where it is deemed necessary to the development of a logical road pattern and transportation network, roads and rights-of-way shall be extended to the boundary of adjoining property.”*

The Richland County Code of ordinances encourages connectivity for better vehicular and emergency access. The Planning Department supports Steeplechase subdivision as approved. While we support additional access onto Trotter Road, we do not support removing approved road connections.

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ___-08HR

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.

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; is hereby amended to create a new section to read as follows:

- (p) *Changeable copy signs.* A sign that can be changed at intervals by electronic or mechanical process, or a sign using light emitting diodes (LED) shall only be permitted with the following restrictions.
 - (1) The message must not change displays over a period of not less than ten (10) seconds, with all moving parts or illumination moving or changing simultaneously; and the sign cannot display any illumination that moves, appears to move or changes in intensity during the static display period. No auditory message or mechanical sounds may be emitted from the sign. Further, any such sign shall contain a default design that will freeze the sign in one position if a malfunction occurs.
 - (2) Such sign shall only be allowed within the GC, M-1, LI and HI zoning districts.
 - (3) Each outdoor advertising structure shall have no more than one (1) digital display per direction with a maximum of two (2) signs per structure. Further, no cut outs shall be permitted. Images shall be confined to the digital sign face.
 - (4) All digital signs shall be modulated so that from dusk to dawn, the brightness shall not be more than 1,000 NITS (candles per square meter).
 - (5) New locations for signs under this subsection (as opposed to conversions of existing signs) shall not be permitted within two hundred (200) feet of a residential zone. Conversion of existing signs to a sign permitted under this subsection shall not be permitted within seventy-five (75) feet of a residential zone. No two such signs shall be closer than five thousand (5,000) feet distance apart measured in all directions regardless of the zoning jurisdiction in which the sign is located.

- (6) Such signs shall be permitted only along four-lane or more arterial roadways as defined in Section 26-22.
- (7) Such signs shall not be permitted inside the boundaries of any Historic District as defined by the National Historic Register.
- (8) Evidence must be presented to show that the applicant had already removed three (3) existing legal nonconforming off-premise signs since July 1, 2005.

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 _____, 2008.

RICHLAND COUNTY COUNCIL

BY: _____
Joseph McEachern, Chair

ATTEST THIS THE ____ DAY
OF _____, 2008

Michielle R. Cannon-Finch
Clerk of Council

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

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SECTION I. 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 section to read as follows:

- (p) *Changeable copy signs.* A legal nonconforming off-premise sign in a Commercial, Manufacturing, and/or Industrial district may be replaced in whole or in part by surface area changeable static images controlled by electronic communications (hereinafter digital), as provided by this subsection.
 - (1) A permit to replace legal nonconforming off-premise sign display surface area with digital surface area shall first be obtained as provided in Section 26-180(a)(2).
 - (2) A digital sign, as provided by this subsection, shall not be considered flashing or blinking for the purposes of this subsection 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.
 - (3) Digital signs shall not include animated, continuous, moving, rolling, or scrolling messages or video displays.
 - (4) Digital signs shall have an automatic dimmer and a photo 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, a digital sign shall not exceed a maximum illumination of seven thousand five hundred (7,500) nits (candelas per square meter) during daylight hours and a maximum illumination of five hundred (500) nits between dusk and 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 district towards which the sign is oriented.
 - (5) The digital sign permissibility allowed pursuant to this subsection 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 a digital sign.

- (6) 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 (50%) percent of the appraised replacement cost of the sign structure, exclusive of the value of any digital display device.
- (7) There shall be one thousand (1,000) feet spacing between digital signs on the same side of the road; there shall also be one thousand (1,000) feet spacing between digital signs on the opposite side of the road if the digital signs are facing the same direction.
- (8) Digital signs shall only be allowed on arterial streets, as defined in Section 26-22.

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 _____, 2008.

RICHLAND COUNTY COUNCIL

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Joseph McEachern, Chair

ATTEST THIS THE ____ DAY
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Michielle R. Cannon-Finch
Clerk of Council

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

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COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ____-08HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 26, LAND DEVELOPMENT; ARTICLE V, ZONING DISTRICTS AND DISTRICT STANDARDS; SECTION 26-141, TABLE OF PERMITTED USES WITH SPECIAL REQUIREMENTS, AND SPECIAL EXCEPTIONS; “MANUFACTURING, MINING, AND INDUSTRIAL USES” OF TABLE 26-V-2.; AND ARTICLE VI, SUPPLEMENTAL USE STANDARDS; SECTION 26-152, SPECIAL EXCEPTIONS; SO AS TO PERMIT A LIMITED NUMBER OF DIGITAL BILLBOARDS IN THE GC, M-1, LI, HI ZONING DISTRICTS AS SPECIAL EXCEPTIONS.

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 26-141, Table of Permitted Uses, Permitted Uses with Special Requirements, and Special Exceptions; “Manufacturing, Mining, and Industrial 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-I	LI	HI
<u>Manufacturing, Mining, and Industrial Uses</u>																	
Animal Food																	P
Animal Slaughtering and Processing																	P
Apparel															P	P	P
Bakeries, Manufacturing														P	P	P	P
Beverage, Other Than Soft Drink and Water, and Tobacco																	P
Beverage, Soft Drink and Water															P	P	P
Borrow Pits		SE	SE												SE	SE	P
Cement and Concrete Products																	P
Chemicals, Basic																	P
Chemical Products, Not Otherwise Listed																	P
Clay Products																	P
Computer, Appliance, and Electronic Products														P	P	P	P
Dairy Products															P	P	P
Dolls, Toys, and Games															P	P	P
Fabricated Metal Products															P	SE	P
Food Manufacturing, Not Otherwise Listed															P	P	P
Furniture and Related Products															P	P	P
Glass and Glass Products															P	SE	P
Jewelry and Silverware															P	P	P
Leather and Allied Products (No Tanning)															P	P	P
Leather and Hide Tanning and Finishing																	P
Lime and Gypsum Products																	P
Machinery																	P
Manufacturing, Not Otherwise Listed															P	SE	P
Medical Equipment and Supplies															P	SE	P
Mining/Extraction Industries														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
Office Supplies (Not Paper)															P	P	P
Paint, Coating, and Adhesives																	P
Paper Products (Coating and Laminating)																	P
Paper Products (No Coating and Laminating)															P	P	P
Petroleum and Coal Products Manufacturing																	SR
Primary Metal Manufacturing																	P
Printing and Publishing														P	P	P	P
Pulp, Paper, and Paperboard Mills																	P
Rubber and Plastic Products																	P
Seafood Product Preparation and Packaging																	P
Signs, On-premise non-digital														P	P	P	P
Signs, Off-premise Digital														SE	SE	SE	SE
Soap, Cleaning Compounds, and Toilet Preparations															P	P	
Sporting and Athletic Goods															P	P	
Textile Mills																	
Textile Product Mills																	SE
Transportation Equipment															P	SE	
Wood Products, Chip Mills																	SE
Wood Products, Excluding Chip Mills															P	P	P

SECTION II. The Richland County Code of Ordinances; Chapter 26, Land Development; Article VI, Supplemental Use Standards; Section 26-152, Special Exceptions; Subsection (c), Special Exceptions Listed by Zoning District; is hereby amended to read as follows:

- (1) Athletic Fields - (RU, RR, RS-E, RS-LD, RS-MD, RS-HD, MH, RM-MD, RM-HD)
- (2) Bars and Other Drinking Places - (OI, NC)
- (3) Borrow Pits - (RU, RR, M-1, LI)
- (4) Buildings, High-Rise, Six (6) or More Stories - (RM-HD, GC)
- (5) Continued Care Retirement Communities - (RU, RR)
- (6) Correctional Institutions – (RU, LI, HI)
- (7) Country Clubs with Golf Courses - (RR, RS-E, RS-LD, RS-MD, RS-HD, MH, RM-MD, RM-HD)
- (8) Day Care, Adult, Home Occupation (6 or Less) – (RU, RR, RS-E, RS-LD, RS-HD, MH, RM-MD, RM-HD)
- (9) Day Care, Child, Family Day Care, Home Occupation (5 or less) - (RU, RR, RS-E, RS-LD, RS-MD, RS-HD, MH, RM-MD, RM-HD)
- (10) Day Care, Child, Group Day Care, Home Occupation (6 to 12) – (RU, RR, RS-E, RS-LD, RS-MD, RS-HD, MH, RM-MD, RM-HD)
- (11) Dormitories - (OI, GC)
- (12) Dwellings, Single Family, Zero Lot Line, Common – (RS-MD, RS-HD)
- (13) Dwellings, Manufactured Homes on Individual Lots – (M-1)
- (14) Fabricated Metal Products - (LI)
- (15) Glass and Glass Products – (LI)
- (16) Group Homes (10 or more) – (RM-HD, OI, NC, RC, GC)
- (17) Landfills, Sanitary and Inert Dump Sites - (RU, HI)
- (18) Machinery – (LI)

- (19) Manufacturing, Not Otherwise Listed – (LI)
- (20) Nursing and Convalescent Homes – (RU, RR)
- (21) Orphanages - (RU, RR, RM-MD, RM-HD)
- (22) Places of Worship – (RS-E, RS-LD, RS-MD, RS-HD, MH)
- (23) Race Tracks and Drag Strips – (HI)
- (24) Radio, Television, and Telecommunications and other Transmitting Towers – (RU, OI, NC, RC, GC, LI, HI)
- (25) Rooming and Boarding Houses – (RM-HD, OI, NC, RC)
- (26) Scrap and Recyclable Materials – (M-1, LI, HI)
- (27) Shooting Ranges, Outdoor - (RU, HI)
- (28) Signs, Digital - (GC, M-1, LI, HI)
- (2829) Special Congregate Facilities - (OI, GC)
- (2930) Swimming and Tennis Clubs - (RU, RR, RS-E, RS-LD, RS-MD, RS-HD, MH, RM-MD, RM-HD, OI, NC, RC, LI)
- (3031) Tattoo Facilities – (GC)
- (3132) Textile Product Mills – (LI)
- (3233) Theaters, Motion Picture, Drive-Ins - (RC, GC, LI)
- (3334) Theaters, Motion Picture, Other Than Drive-Ins - (NC)
- (3435) Transportation Equipment - (LI)
- (3536) Waste Collection, Hazardous - (HI)
- (3637) Waste Treatment and Disposal, Hazardous – (HI)
- (3738) Zoos and Botanical Gardens – (RU, OI, RC)

SECTION III. The Richland County Code of Ordinances; Chapter 26, Land Development; Article VI, Supplemental Use Standards; Section 26-152, Special Exceptions; Subsection (d), Standards; is hereby amended to read as follows:

(d) *Standards.*

(1) *Athletic fields.*

- 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. Parking lots for athletic fields shall have primary access to collector or thoroughfare roads.
- c. Lights shall be positioned 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.

(2) *Bars and other drinking places.*

- a. Use districts: Office Institutional; Neighborhood Commercial.
- b. Lots used for bars or drinking places shall be located no closer than four hundred (400) feet from any other lot used as a bar or 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. A minimum six (6) foot high opaque fence or wall shall be erected adjacent to the property line of any abutting residences.
- d. Parking areas related to the establishment shall be located no closer than thirty (30) feet to the property lines of any abutting residences.

(3) *Borrow pits.*

- a. Use districts: Rural; Rural Residential; M-1 and LI Light Industrial.
- b. Proposals for borrow pits will only be permitted where:
 1. There are overriding environmental or other planning benefits compared to obtaining materials from alternative sources;

2. Alternative materials of the required specification are unavailable in sufficient quantities;
 3. They are contiguous with or close to the projects they are intended to serve;
 4. They are time-limited to the life of the project and material is to be used only for the specified project;
 5. Proposals include appropriate reclamation measures that make full use of surplus spoil from the project;
 6. The site can be restored to its original levels or an alternative acceptable landform only utilizing materials from the construction project;
 7. Any impacts on the environment or local communities can be controlled to acceptable levels; and
 8. The project area is less than ten (10) acres.
- c. All borrow pits subject to this subsection shall comply with the following requirements:
1. The average slope of any cut bank measured from a point located ten (10) feet from the boundary of any abutting property to the bottom of the cut bank in the pit shall not exceed a horizontal to vertical ratio of 2:1. The owner of the borrow pit is responsible for maintaining this condition;
 2. The top of the cut bank of the borrow pit shall, at no time, be closer than ten (10) feet from the property boundary of any abutting landowner;
 3. The depth of the borrow pit is limited to a maximum of twelve feet below the average seasonal high water table or three feet above a confining or semi-confining unit, whichever is shallower;
 4. No excavation shall occur within two hundred (200) feet of a wetland or other surface water;
 5. Best management practices shall be used to control erosion and sediment transport during and after the excavation activities;

6. The borrow pit slopes shall be stabilized with native vegetation within six months following completion of the excavation;
7. Upon completion of the excavation area, side slopes shall be no steeper than 4 (horizontal):1 (vertical) out to a depth of two feet below the average water elevation;
8. No on-site grading or sorting of materials shall occur; and
9. The active excavation, processing, and transportation of fill material shall only occur between 8:00 a.m. and 8:00 p.m.

(4) *Buildings, high-rise, six (6) or more 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 subsections e. and f.1. above.

- 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 of this chapter. No parking lots shall be permitted within any required setback.
- i. High-rise buildings over fifteen (15) stories in height are only permitted on lots located at the intersection of major thoroughfares or interstate highway interchanges.
- j. In the Office and Institutional District the maximum height for a high rise shall be seventy-five (75) feet.

(5) *Continued care retirement communities.*

- a. Use districts: Rural; Rural Residential.
- b. The minimum lot size to establish a continued care retirement community shall be one (1) acre.
- c. No parking space or drive aisle 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 as set forth for the district.
- e. All facilities shall be solely for the use of the residents and their guests.

(6) *Correctional institutions.*

- a. Use districts: Rural; LI Light Industrial; Heavy Industrial.
- b. Off-street parking requirements shall be as listed in Section 26-173 of this chapter.

(7) *Country clubs with golf courses.*

- a. Use districts: 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. 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 properties.

(8) *Day care, adult, home occupation (six 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. An adult day care, home occupation, with six (6) 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. Parking shall not be located in the front yard.
- e. All other state and federal regulations shall be met.

(9) *Day Care, Child, Family Day Care, Home Occupation (5 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. A child group 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. Parking shall not be located in the front yard.
- f. All other state and federal regulations shall be met.

(10) *Day Care, Child, Group Day Care, Home Occupation (6 to 12).*

- 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. A child group 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. Parking shall not be located in the required front yard.
- f. All other state and federal regulations shall be met.

(11) *Dormitories.*

- a. Use districts: Office and Institutional; General Commercial.
- b. The property on which the use is located shall be within a one-half (½) mile radius of property developed as the primary campus of the representing college or university.

(12) *Dwellings, single-family, zero lot line, common.*

- a. Use districts: Residential, Single-Family, Medium Density; Residential, Single-Family, High Density.
- b. The lot proposed for zero lot line development must be under the same ownership at the time of initial construction or the owner of adjacent properties must record an agreement or deed restriction in writing to the development of zero setback. The maintenance and drainage easement required in e. below must be provided as part of this agreement and deed restriction.
- c. One (1) dwelling unit shall be placed on one interior side property line with a zero (0) 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 e. below.

- d. The wall of a dwelling located on the lot line shall have no windows, doors, air conditioning units, or any other types 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.

(13) *Dwellings, Manufactured Homes on Individual Lots.*

- a. Use districts: M-1 Light Industrial.
- 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.

(14) *Fabricated metal products.*

- a. Use districts: LI Light Industrial.

- b. Any building used for the manufacture of fabricated metal products shall be no greater than thirty thousand (30,000) square feet in gross floor area.
- c. Operations standards set forth in Section 26-178 of this chapter shall be examined in detail during the special exception review process.

(15) *Glass and glass products.*

- a. Use districts: LI Light Industrial.
- b. Any building used for the manufacture of glass and glass products shall be no greater than thirty thousand (30,000) square feet in gross floor area.
- c. Operations standards set forth in Section 26-178 of this chapter shall be examined in detail during the special exception review process.

(16) *Group homes (10 or more).*

- a. Use districts: Residential, Multi-Family, High Density; Office and Institutional; Neighborhood Commercial; Rural Commercial; General Commercial.
- b. Parking shall not be located in the required front yard, except in the General Commercial District.

(17) *Landfill, sanitary and inert dump sites.*

- a. Use districts: Rural; Heavy Industrial.
- b. All required local, state, and federal permits must be obtained.
- c. Ingress and egress to the site must be from a thoroughfare or collector road.

(18) *Machinery.*

- a. Use districts: LI Light Industrial.
- b. Any building used for the manufacture of machinery shall be no greater than thirty thousand (30,000) square feet in gross floor area.

- c. Operations standards set forth in Section 26-178 of this chapter shall be examined in detail during the special exception review process.

(19) *Manufacturing, not otherwise listed.*

- a. Use districts: LI Light Industrial.
- b. Any building used for manufacturing processes fitting in this classification shall be no greater than thirty thousand (30,000) square feet in gross floor area.
- c. Operations standards set forth in Section 26-178 of this chapter shall be examined in detail during the special exception review process.

(20) *Nursing and convalescent homes.*

- a. Use districts: Rural; Rural Residential.
- b. Minimum lot size to establish a nursing and/or a convalescent home shall be one (1) acre.
- c. The front setback shall be the same as permitted in the applicable zoning district. Side and rear setbacks shall be twenty-five (25) feet from property lines.
- d. No parking space or drive shall be located closer than twenty (20) feet from any road line or property line. No parking shall be permitted in the front yard.

(21) *Orphanages.*

- a. Use districts: Rural; Rural Residential; Residential, Multi-Family, Medium Density; Residential, Multi-Family, High Density.
- b. Minimum lot size to establish an orphanage shall be one (1) acre.
- c. The front setback shall be the same as permitted in the applicable zoning district. Side and rear setbacks shall be twenty-five (25) feet from property lines.
- d. No parking space or drive shall be located closer than twenty (20) feet from any road line or property line. No parking shall be permitted in the front yard.

(22) *Places of worship.*

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

(23) *Racetracks and drag strips.*

- a. Use districts: Heavy Industrial.
- b. All racetracks and drag strips shall be fully secured by fencing.
- c. All outside edges of any racing surface or principal building that is part of the operation of a racetrack or drag strip shall be at least one thousand five hundred (1,500) feet from any part of the property line. No development, including (but not limited to) parking areas, accessory buildings, or drives, may be located in the buffer, except for permissible entryways and exits.
- d. No racing event may be conducted during the hours of 11:00 p.m. and 9:00 a.m. Racing events may be conducted for a maximum of three consecutive days, a maximum of five (5) days in a calendar week, and a maximum of six (6) hours per day.
- e. A traffic plan, noise mitigation plan, fire protection plan, and lighting plan shall be provided and reviewed as part of the special exception process. Adequate outdoor lighting shall be provided, however, all outdoor lighting fixtures shall be installed and operated in such a manner as to protect the roads and neighboring properties from direct glare or hazardous interference of any kind.

(24) *Radio, television and telecommunications and other transmitting towers.*

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

(25) *Rooming and boarding houses.*

- a. Use districts: Residential, Multi-Family, High Density; Office Institutional; Neighborhood Commercial; Rural Commercial.
- b. The owner or the manager of the boarding house shall reside on the premises.
- c. Not over fifty percent (50%) of the heated floor area of the rooming or boarding house shall be used for sleeping quarters.
- d. Parking shall be provided as required in Section 26-173 of this chapter. Parking shall be located on the same lot on which the boardinghouse is located, at the rear of the lot and screened from the adjacent properties with vegetation.

(26) *Scrap and recyclable materials.*

- a. Use district: M-1 and LI Light Industrial; Heavy Industrial.
- b. Stocks and supplies shall be either stored inside enclosed structures or screened by solid walls, opaque fences, dense evergreen shrubbery or the like so that they are not visible from any public road or from the ground level of adjacent property used for residential or office purposes.
- c. Any required front or secondary front yard shall not be used for storage.
- d. The side yard setback for storage areas and buildings adjacent to residential or office uses shall be at least twenty-five (25) feet.

- e. The wholesale business shall be conducted in such a manner as to prevent tracking and spillage of debris onto adjacent properties or roads.

(27) *Shooting ranges, outdoor.*

- a. Use districts: Rural; Heavy Industrial.
- b. Adequate provision shall be made for the safety of surrounding property owners.
- c. Setback requirements shall be at least 200 yards from adjacent property lines.
- d. Hours of operation shall be limited to 9:00 a.m. to 10:00 p.m.

(28) Signs, Off-Premise Digital. - (GC, M-1, LI, HI)

- a. Use districts: General Commercial, M-1 Light Industrial, LI Light Industrial, Heavy Industrial.
- b. There shall be a limit of one (1) off-premise digital sign per Richland County Council District.
- c. Evidence must be presented to show that the applicant had already removed an existing legal nonconforming off-premise sign since July 1, 2005.
- d. The proposed off-premise digital sign must replace an existing legal nonconforming off-premise sign (for a total of two (2) signs removed).
- e. An off-premise digital sign must be located at least two (2) miles from any other off-premise digital sign.
- f. The copy of an off-premise digital sign 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
- g. An off-premise digital sign shall not include animated, continuous, moving, rolling, or scrolling messages or video displays.
- h. Off-premise digital signs shall have an automatic dimmer and a photo 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, a digital sign shall not exceed a maximum illumination of seven thousand five hundred (7,500) nits (candelas per square meter) during daylight hours and a maximum illumination of five hundred (500) nits between dusk and 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 district towards which the sign is oriented

i. Off-premise digital signs shall only be allowed on arterial streets, as defined in Section 26-22. If the sign is proposed along a county owned road, the digital sign shall be located at least twenty-five (25) feet away from such road.

(2829) *Special congregate facilities.*

- a. Use districts: Office and Institutional; General Commercial.
- b. The facility shall be operated and contained within the building of and operated by a governmental agency or a nonprofit organization.
- c. The facility operator(s) shall provide continuous on-site supervision by an employee(s) and/or a volunteer(s) during the hours of operations.
- d. No such facility shall be located within one quarter (1/4) mile of an existing congregate facility. The Board of Zoning Appeals may, however, in reviewing a special exception application, permit the clustering of special congregate facilities if it is determined that the location of such uses will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

(2930) *Swim and tennis clubs.*

- 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, L-I 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. Lights shall be positioned so as not to shine onto adjacent properties.
- d. 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.

(3031) *Tattoo 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.

(3132) *Textile product mills.*

- a. Use districts: LI Light Industrial.
- b. Any building used for the manufacture of textile products shall be no greater than thirty thousand (30,000) square feet in gross floor area.
- c. Operations standards set forth in Section 26-178 of this chapter shall be examined in detail during the special exception review process.

(3233) *Theaters, motion picture, drive-ins.*

- a. Use districts: Rural Commercial; General Commercial; LI Light Industrial.
- b. Drive-in theaters shall be located a minimum of one hundred (100) feet from any property zoned or utilized for residential purposes.
- c. Access shall be provided from thoroughfare or collector roads.

(3334) *Theaters, motion picture, other than drive-ins.*

- a. Use districts: Neighborhood Commercial.
- b. Buildings shall have a maximum seating capacity of three hundred (300) seats.

(3435) *Transportation equipment.*

- a. Use districts: LI Light Industrial.
- b. Any building used for the manufacture of transportation equipment shall be no greater than thirty thousand (30,000) square feet in gross floor area.
- c. Operations standards set forth in Section 26-178 of this chapter shall be examined in detail during the special exception review process.

(3536) *Waste collection, hazardous.*

- a. Use districts: Heavy Industrial.
- b. Compliance with state and federal regulations is required.
- c. Access shall be provided only onto thoroughfare and collector roads.
- d. Operations shall be located no closer than one hundred (100) feet to any adjacent property line.

(3637) *Waste treatment and disposal, hazardous.*

- a. Use districts: Heavy Industrial.
- b. Compliance with state and federal regulations is required.
- c. Access shall be provided only onto thoroughfare and collector roads.
- d. Operations shall be located no closer than one hundred (100) feet to any adjacent property line.

(3738) *Zoos and Botanical Gardens.*

- a. Use districts: Rural District; Office and Institutional; Rural Commercial.
- 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 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 _____, 2008.

RICHLAND COUNTY COUNCIL

BY: _____

Joseph McEachern, Chair

ATTEST THIS THE ____ DAY

OF _____, 2008

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:
First Reading:
Second Reading:
Third Reading:

Memorandum

To: Richland County Planning Commission

From: Jos. Kocy,
Director, Planning and Development Services

Date: December 19, 2007

Re: Electronic Billboards

A 2006 National Highway Traffic Safety Administration study (The Impact of Driver Inattention On Near-Crash/Crash Risk) showed that anything that distracts drivers for more than two seconds significantly increases the chances of accidents. This study triggered the need for additional information on potential safety hazards of digital billboards.

The Federal Highway Administration (FHWA) contracted with the Turner-Fairbanks Research Center to conduct research into the safety issues associated with these digital signs. This study, scheduled for completion in 2009, will provide a better understanding of digital billboard's effect on motorists

Driver distraction is a concern to two (2) other transportation organizations.

- The American Association of State Highway and Transportation Officials (AASHTO) is undertaking a study of digital billboards and driver distraction. There is no timeline for the completion of this study.
- The Transportation Research Board (TRB) of the National Academies (a division of the National Research Council) is hosting a panel discussion on billboards and driver distraction at their January meeting. It is anticipated this panel discussion will lead to a TRB study of digital billboards and driver distraction.

I recommend you take no action on digital billboards until research is completed addressing driver distraction and safety issues.

Memo

To: J. Milton Pope, County Administrator
Joseph Kocy, Planning Director
Anna Almeida, Development Services Manager
Amelia Linder, Assistant County Attorney

From: Geonard H. Price, Zoning Administrator

Date: 17 December 2007

Re: Off-Premise Digital Signs



I have reviewed the proposed ordinance to allow off-premise digital signs.

It is my recommendation that the following items be addressed prior to the adoption of the proposed ordinance.

1. The proposed ordinance would limit the number of off-premise digital signs to one per Richland County Council District ((26-152 (d) (28) (b)). This condition does not take into account annexation or the redrawing of district lines?
2. The ordinance should require the applicant to obtain a Richland County demolition permit prior to the removal of any nonconforming off-premise sign. This would allow staff to accurately keep an inventory of off-premise signs.
3. The ordinance is void of any dimensional standards. The language of this proposed ordinance should specify that the replacement is based on a 1:1 ratio of the existing sign or the language should specify a maximum allowed square footage for an off-premise digital sign.
4. According to condition ((26-152 (d) (28) (d)), the removal of two (2) nonconforming off-premise signs is required before a proposed off-premise digital sign is allowed. Should it be required that the two (2) signs that will be removed be located in the unincorporated area of Richland County or will the removal of a sign that is located within the jurisdictional boundaries of an incorporated area (City of Columbia, Town of Eastover, Town of Blythewood, etc.) count toward the replacement?
5. According to condition 28 (i), if a off-premise digital sign is to be located along a county maintained road, the sign must be located at least twenty-five (25) feet away from such road. Should the word "road" be replaced by right-of-way? It could be argued that the "road" is only the portion that is used for the operation of vehicles. Including the right-of-way would require a setback from all portions that are publicly maintained.
6. Should the Richland County land Development Code, section 26-22, be amended so as to incorporate a definition for billboards? The term that is currently used, off-premise signs, includes not only signs that are commonly referred to as "billboards", but also any nonconforming sign that is used to advertise for a business that is not located on the same premise as the sign. The unincorporated area of Richland County has a number of "non-billboard off-premise signs". These signs, some may be as small as 2 x 4, could technically be counted as part of the replacement (condition 28 (d)).
7. Should the "conversion" of existing signs to digital billboards be restricted to monopole signs?



CDOT to look at digital billboard rules

[BY BOB BERWYN](#)

[summit daily news](#)

[Summit County, CO Colorado](#)

December 2, 2007

SUMMIT COUNTY - A study beginning next year will help determine whether the Federal Highway Administration (FHWA) will regulate digital billboards alongside interstates and other federal-aid roads.

Digital billboards generally take the form of large, changeable LED displays, similar to advertising signs in New York City's Times Square or along the Las Vegas strip.

"We like to joke that it's the first major innovation in billboards since paste," said Jeff Golimowski, communications director for the Outdoor Advertising Association of America (OAAA). "It's a revolution in the way we're able to put content on boards," Golimowski said.

Roadside signs have been a tried and true form of outdoor advertising since the Burma-Shave days. There are about 450,000 billboards across the country. The new LED signs account for only a small percentage of the total - about 700 to 800, according to Golimowski.

A highway watchdog group claims the new signs are a dangerous distraction to motorists and will lead to more accidents. There is already plentiful data showing driver distraction is a key factor in a significant percentage of highway wrecks. Simple common sense suggests that the LED billboards are even more distracting and will lead to more accidents, said Scenic America president Kevin Fry.

There's not a big chance that the digital signs will appear along I-70 in Summit County anytime soon, but the issue is on the radar screen for the Colorado Department of Transportation (CDOT), said spokesperson Stacey Stegman.

State law allows the digital displays. But CDOT would have to develop a set of rules to show that safety and aesthetic factors have been considered before any of the digital signs could be put up.

Stegman said local jurisdictions also have a significant say in whether digital billboards are permitted in a specific jurisdiction. That would include Summit County's towns with I-70 frontage, as well as the U.S. Forest Service.

Based on the growing popularity of digital billboards, CDOT will tackle the rule-making at some point in the foreseeable future, Stegman said.

"We would be very conservative, based on safety concerns," she said.

Golimowski said the OAAA is willing to work in partnership with the government to establish a reasonable policy for digital billboards. But the American Planning Association and the National

League of Cities have publicly accused the billboard industry of using aggressive legal tactics to fight against billboard regulations.

According to the New York Times, there were about 100 billboard-related cases heard in the federal court system in the past seven years, triple the amount between 1993 and 2000. Digital billboards could be the next big legal battleground, according to the American Planning Association.

Safety concerns

The question of whether digital billboards lead to more accidents was raised by a group called Scenic America in early October, after the FHWA circulated an internal memo nationwide.

The memo essentially green-lights the digital billboards, stating the federal government has no conclusive reason to forbid the new signs. Despite the claims by Scenic America, there's no evidence showing that digital billboards lead to more accidents, said FHWA spokesman Doug Hecox.

But there is enough concern and public awareness to justify a thorough study, he said.

"Government rules are always chasing the private sector," Hecox said.

Scenic America president Kevin Fry said it's simply a matter of common sense that flashier signs with changing messages will distract drivers more.

"This policy is backwards and extremely irresponsible. Why is the federal government allowing a potentially dangerous device to go up without knowing whether it poses a hazard to the American people," Fry said. "Obviously, there is some doubt about safety or the government wouldn't be spending money to study the issue," he said, referring to the upcoming FHWA study. "You'd think that, given the problems the government already has with the safety of our infrastructure they wouldn't be looking for ways to add dangerous distractions to our overcrowded and congested highways."

According to Scenic America, the signs are extraordinarily bright, especially at night, when they dominate a driver's field of vision and cause inadvertent and instinctual glances. The changing images cause many motorists to look at the signs long enough to see what comes up next in the rotation, the nonprofit group claims.

Fry said a 2006 study by the National Highway Traffic Safety Administration shows that anything that distracts drivers more than two seconds significantly increases the chance for wrecks.

"I have yet to get an explanation from anyone about how a digital billboard can simultaneously be safe for drivers and an effective advertising medium," Fry said. "The FHWA has completely abandoned the law, science, common sense and public sentiment and told American motorists that their safety is secondary to the interests of the giant media companies that dominate outdoor advertising."

Golimowski said there are a few specific studies showing that digital billboards are safety neutral. Those studies tracked traffic accidents in the vicinity of digital billboards, showing no increase in the number of accidents, he said.

But those studies were sponsored by the outdoor advertising group. An independent researcher who formerly headed an FHWA research lab said those industry backed studies are flawed and shouldn't be used as a basis for public policy.

Industry perspective

"There's a lot of money behind this," the FHWA's Hecox said, acknowledging that the outdoor advertising industry is very interested in working with the government to establish a regulatory framework that gives the industry some assurances for the future.

That's why the federal government is embarking on its study, with results due in 2009.

"We want to make some statement as to whether they are distracting or not," Hecox said. "We are officially looking into it."

According to the outdoor advertising industry, growth in the digital billboard sector has been slowed in part by the uncertain regulatory climate, and also by the high cost of the signs. Each one cost upward of a quarter million dollars, he said.

The digital billboards represent a great value to the ad industry. Each sign can be used by multiple advertisers, and messages can be designed to target different audiences at different times. He said Colorado's ski industry is an example of how advertisers can use the digital medium to tailor messages by offering instantaneous updates on snow conditions, for example.

Golimowski said there's no scientific basis for Scenic America's safety concerns, and that the group is using the safety issue as a tool to advance its fundamental anti-billboard agenda.

"They think all billboards are bad," Golimowski said.

Federal rules governing highway advertising haven't kept up with changing technology, he said. The planned FHA study could provide the information needed to update rules concerning flashing and intermittent signs, he explained.

Bob Berwyn can be reached at (970) 331-5996, or at berwyn@summitdaily.com.



METROPOLITAN PLANNING COMMISSION

"Planning the Future - Respecting the Past"

M E M O R A N D U M

DATE: OCTOBER 2, 2007
TO: THE MAYOR AND ALDERMEN OF THE CITY OF SAVANNAH
FROM METROPOLITAN PLANNING COMMISSION
SUBJECT: MPC ZONING RECOMMENDATION

PETITION REFERENCED:

Text Amendment to the Savannah Zoning Ordinance
Re: Amend Section 8-3112(c) --Restricted Signs
Harold Yellin, Agent
MPC File No. Z-070517-57005-2

MPC ACTION:

Approval of the petitioner's request to amend Section 8-3112(c) of the Zoning Ordinance to allow the use of digital billboard technology subject to said use meeting certain conditions and limitations.

MPC STAFF RECOMMENDATION:

Approval of the petitioner's request to amend Section 8-3112(c) of the Zoning Ordinance to allow the use of digital billboard technology subject to said use meeting certain conditions and limitations.

MEMBERS PRESENT: 10 + Chairman

Jon Todd, Chairman
Shedrick Coleman, Secretary
Russ Abolt
Ben Farmer
Adam Ragsdale
David Hoover

Robert L. Ray, Vice-Chairman
Michael Brown
Lacy Manigault
Douglas Bean
Stephen Lufburrow

FOR APPROVAL: 10

FOR DENIAL: 1

ABSTAINING: 0

Respectfully submitted,

Thomas L. Thomson
Executive Director

cbm

Enclosure

pc Dyanne C Reese, Clerk of Council
James B. Blackburn, Sr., City Attorney
Lester B. Johnson, Assistant City Attorney
Brenda Y. Price, Department of Inspection



C H A T H A M C O U N T Y - S A V A N N A H
METROPOLITAN PLANNING COMMISSION

"Planning the Future - Respecting the Past"

M E M O R A N D U M

DATE: October 2, 2007

TO: The Mayor and Aldermen of the City of Savannah

FROM: The Metropolitan Planning Commission

SUBJECT: Text Amendment to the Savannah Zoning Ordinance
Re: Amend Section 8-3112(c) – Restricted Signs
Harold Yellin, Agent for Lamar Outdoor Advertising
Jim Hansen, MPC Project Planner
MPC File No. Z-070517-57005-2

Issue:

It is proposed that an amendment to Section 8-3112(c) of the Zoning Ordinance be enacted to allow the use of digital billboard technology subject to said use meeting certain conditions and limitations.

Background:

Flashing, running light signs, illuminated signs with moving parts, and electronically controlled sign face and message boards are, with some exceptions, currently prohibited in the existing Ordinance. The exceptions include an announcement sign that displays time and temperature; signs at publicly owned civic centers, stadiums or arenas; an announcement sign designed to change images no more than once every 24 hours; and a marquee sign designed to announce an existing or future entertainment event.

Findings:

1. On August 23, 2007, a public meeting was held to present the proposed amendment and solicit community comment about the same. The meeting was advertised in the newspaper, public service announcements were provided to radio and television media, and notices were mailed to all registered home owner associations in the City of Savannah. Industry representatives, selective Board Members and MPC staff were present to answer questions

2. Outdoor advertising is evolving toward use of digital billboard technology as a means to improve business use while conveying useful information to motorists. Digital technology produces static images that are changed via a computer. The images do not scroll, flash, feature motion pictures or emit intermittent light.
3. Digital billboards are presently operating in communities large and small across the country. Nineteen such billboards are currently operating in Georgia in the communities of Macon, Albany, Brunswick, Augusta, Rome, Valdosta, and Atlanta. During preparation of the proposed amendment, staff reviewed pertinent sections of the aforementioned communities' ordinances as well as ordinances from Lincoln, Nebraska; Columbus, Ohio; Richland County, South Carolina; and Los Angeles, California to determine commonalities associated with the proposed use of digital billboards. Common provisions of sign ordinances pertaining specifically to digital billboards include: spacing standards (average of 5,000-6,000 feet); brightness (requiring sensors to adjust ambient light levels); time of image display (range of 6-10 seconds); spacing from residential uses(range from 300-500 feet); and most are only allowed in heavier commercial and industrial districts.
4. As the use of digital technology on billboards has increased, questions have been raised concerning safety and public nuisance. Issues of the latter have primarily centered on lighting, spacing, and noise standards. The petitioner has worked extensively with the City of Savannah to craft an amendment that would allow digital billboards to be located within the city limits subject to certain restrictions. The placement of such signs would, among other limitations, only be allowed within certain zoning districts, would be prohibited within the limits of any National Register Historic District, and would be subject to minimum spacing standards. Additionally, conditions of approval have been crafted regarding lighting and noise standards.
5. Any distraction can be potentially hazardous to the driving public. The distractions can be both internal, for example cell phone usage, adjusting the radio, or a disruptive passenger; and external, for example factors relating to weather, congestion, and the built environment, including the placement and use of billboards. At present, definitive research is lacking as to the potential safety issues that may be present from the use of digital billboard technology. In January, 2007, the Federal Highway Administration announced that it will initiate a study to examine the safety issues related to electronic signs. Details on the scope and timing of the research have not been released, but results are not expected until 2009 at the earliest.

The proposed amendment has been crafted to allow the City Manager to order modifications if it is demonstrated, through accident statistics and/or other reports, that there is a causal connection between increased accident levels and signs permitted under this section.

Alternatives:

1. Approve the petitioner's request to amend the Ordinance.
2. Deny the proposed text amendment.

Policy Analysis:

As technologies have evolved, more and more communities are allowing the use of digital imagery on billboards. Provided that certain limitations and conditions are made a part of the Ordinance requirements, these signs can be an effective means of communication for the traveling public and the community as well. The proposed amendment has such limitations and does not provide for additional signage above or beyond that presently allowed. The amendment allows for a new type of signage.

RECOMMENDATION: APPROVAL of the petitioner's request to amend Section 8-3112(c) of the Zoning Ordinance to allow the use of digital billboard technology subject to said use meeting certain conditions and limitations as follows:

Section 8-3112. Sign Permits - Required

(c) *Restricted Sign*

(5)

e. A sign that can be changed at intervals by electronic or mechanical process, or a sign using light emitting diodes (LED) shall only be permitted with the following restrictions:

1. The message must not change displays over a period of not less than ten (10) seconds, with all moving parts or illumination moving or changing simultaneously; and the sign cannot display any illumination that moves, appears to move or changes in intensity during the static display period. No auditory message or mechanical sounds may be emitted from the sign. Further, any such sign shall contain a default design that will freeze the sign in one position if a malfunction occurs.
2. Such sign shall only be allowed within the B-C, B-G, B-G-1, B-H, I-L, and I-H zoning districts.
3. Each outdoor advertising structure shall have no more than one (1) digital display per direction with a maximum of two (2) signs per structure. Further, no cut outs shall be permitted. Images shall be confined to the digital sign face.
4. All digital signs shall be modulated so that from dusk to dawn, the brightness shall not be more than 1,000 NITS (candles per square meter).
5. New locations for signs under this subsection (as opposed to conversions of existing signs) shall not be permitted within two hundred (200) feet of a residential zone. Conversion of existing signs to a sign permitted under this subsection shall not be permitted within seventy-five (75) feet of a residential zone. No two such signs shall be closer than five thousand (5,000) feet distance apart measured in all directions regardless of the zoning jurisdiction in which the sign is located.
6. Such signs shall be permitted only along four-lane or more arterial roadways as defined in Section 8-3112(I) herein.
7. Such signs shall not be permitted inside the boundaries of any Historic District as defined by the National Historic Register.

8. Such signs shall not be permitted inside the boundaries of any urban redevelopment areas as defined by the City of Savannah Department of Community Affairs.
9. Such signs may be ordered modified by the City Manager or his designee based solely on accident statistics and/or reports which demonstrate a causal connection between increased accident levels and signs permitted under this section.

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STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ____-08HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 26, LAND DEVELOPMENT; ARTICLE V, ZONING DISTRICTS AND DISTRICT STANDARDS; SECTION 26-141, TABLE OF PERMITTED USES WITH SPECIAL REQUIREMENTS, AND SPECIAL EXCEPTIONS; “RESIDENTIAL USES” OF TABLE 20-V-2.; AND ARTICLE VI, SUPPLEMENTAL USE STANDARDS; SECTION 26-151, PERMITTED USES WITH SPECIAL REQUIREMENTS; SO AS TO LIMIT MULTI-FAMILY USE IN THE GC GENERAL COMMERCIAL 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 26-141, Table of Permitted Uses, Permitted Uses with Special Requirements, and Special Exceptions; “Residential Uses” of Table 26-V-2.; is hereby amended to read as follows:

(ORDINANCE CONTINUES ON NEXT PAGE)

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USE TYPES	TROS	RU	RR	RS-E	RS-LD	RS-MD	RS-HD	MH	RM-MD	RM-HD	OI	NC	RC	GC	M-1	LJ	HI
Residential Uses																	
Accessory Dwellings		SR	SR	SR	SR	SR	SR		P	P					SR		
Common Area Recreation and Service Facilities		P	P	P	P	P	P	P	P	P	P	P	P	P			
Continued Care Retirement Communities		SE	SE						SR	SR	SR		SR	SR			
Dormitories										P	SE			SE			
Dwellings, Conventional or Modular																	
Multi-Family, Not Otherwise Listed									P	P	P			P SR			
Single-Family, Detached		P	P	P	P	P	P	P	P	P							
Single-Family, Zero Lot Line, Common						SE	SE		SR	SR	SR			SR			
Single-Family, Zero Lot Line, Parallel				SR	SR	SR	SR		SR	SR	SR						
Two-Family									P	P							
Dwellings, Manufactured Homes on Individual Lots		SR	SR	SR				SR							SE		
Fraternity and Sorority Houses									P	P	P			P			
Group Homes (9 or Less)		SR	SR	SR	SR	SR	SR	SR	SR	SR							
Group Homes (10 or More)										SE	SE	SE	SE	SE			
Manufactured Home Parks								SR									
Rooming and Boarding Houses										SE	SE	SE	SE	P			
Special Congregate Facilities											SE			SE			

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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:

- (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, GC)
- (14) Car and Light Truck Washes- (RC)
- (15) Cemeteries and Mausoleums - (OI, NC, RC, GC, M-1, LI, HI)
- (16) Clubs or Lodges – (RU)
- (17) Continued Care Retirement Communities - (RM-MD, RM-HD, OI, RC, GC)
- (18) Construction, Building, General Contracting, with Outside Storage - (M-1, LI)
- (19) Construction, Building, Heavy, with Outside Storage - (M-1, LI)

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- (20) Construction, Special Trades, with Outside Storage - (M-1, LI)
- (21) Country Clubs with Golf Courses - (TROS, RU, GC, M-1, LI)
- (22) Day Care, Adult, Home Occupation (6 or Less) – (OI, NC, RC, GC)
- (23) Day Care Centers, Adult - (OI, NC, RC, GC)
- (24) Day Care, Child, Family Day Care, Home Occupation (5 or less) - (OI, NC, RC, GC)
- (25) Day Care, Child, Group Day Care, Home Occupation (6 to 12) – (OI, NC, RC, GC)
- (26) Day Care Centers, Child, Licensed Centers - (OI, NC, RC, GC, M-1, LI)
- (27) Drugs and Druggists' Sundries – (GC)
- (28) Durable Goods, Not Otherwise Listed – (GC)
- (29) Dwellings, Manufactured Homes on Individual Lots - (RU, MH)
- (30) Dwellings, Manufactured Homes on Individual Lots - (RR, RS-E)
- (31) Dwellings, Multi-Family, Not Otherwise Listed – (GC)**
- (3132)** 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)
- (3233)** Electrical Goods – (GC)
- (3334)** Fuel Oil Sales (Non-Automotive) - (M-1, HI)
- (3435)** Furniture and Home Furnishings – (GC)
- (3536)** Golf Courses - (TROS, GC, M-1, LI)
- (3637)** Golf Driving Ranges (Freestanding) - (TROS, RC, GC, M-1, LI)
- (3738)** Go-Cart, Motorcycle, and Similar Small Vehicle Tracks - (GC)
- (3839)** Group Homes (9 or Less) - (RU, RR, RS-E, RS-LD, RS-MD, RS-HD, MH, RM-MD, RM-HD)

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- (3940) Home Occupations - (RU, RR, RS-E, RS-LD, RS-MD, RS-HD, MH, RM-MD, RM-HD, OI, NC, RC, GC)
- (4041) Kennels - (RU, OI, RC, GC, M-1, LI)
- (4142) Libraries – (RU, RR, RS-E, RS-LD, RS-MD, RS-HD, MH, RM-MD, RM-HD)
- (4243) Lumber and Other Construction Materials – (GC)
- (4344) Machinery, Equipment and Supplies – (GC)
- (4445) Manufactured Home Sales – (GC, M-1)
- (4546) Manufactured Home Parks – (MH, M-1)
- (4647) Market Showrooms - (GC)
- (4748) Motor Vehicles, New Parts and Supplies – (GC)
- (4849) Motor Vehicles, Tires and Tubes – (GC)
- (4950) Nondurable Goods, Not Otherwise Listed – (GC)
- (5051) Paints and Varnishes – (GC)
- (5152) Pet Care Services – (NC, RC)
- (5253) Petroleum and Coal Products Manufacturing - (HI)
- (5354) Petroleum and Petroleum Products - (M-1, HI)
- (5455) Places of Worship – (RU, RR, RM-MD, RM-HD, RC)
- (5556) Plumbing and Heating Equipment and Supplies – (GC)
- (5657) Poultry Farms – (RU)
- (5758) Produce Stands – (RU)
- (5859) Public or Private Parks- (All Districts)
- (5960) Public Recreation Facilities- (All Districts)
- (6061) Radio, Television, and Other Similar Transmitting Towers – (M-1)

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- (~~6162~~) Recreational Vehicle Parks and Recreation Camps – (RU)
- (~~6263~~) Rental Centers, With Outside Storage – (GC)
- (~~6364~~) Repair and Maintenance Service, Appliance and Electronics - (RC, GC, M-1, LI)
- (~~6465~~) Research and Development Services – (OI)
- (~~6566~~) 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)
- (~~6667~~) Sexually Oriented Businesses - (GC)
- (~~6768~~) Sporting Firearms and Ammunition – (GC)
- (~~6869~~) Swim and Tennis Clubs – (TROS)
- (~~6970~~) Swimming Pools - (TROS, RU, RR, RS-E, RS-LD, RS-MD, RS-HD, MH, RM-MD, RM-HD, OI, NC, RC, GC)
- (~~7071~~) Tobacco and Tobacco Products – (GC)
- (~~7172~~) Utility Substations - (All Districts)
- (~~7273~~) Veterinary Services (Non-Livestock, May Include Totally Enclosed Kennels Operated in Connection with Veterinary Services) - (OI, NC)
- (~~7374~~) 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)
- (~~7475~~) Warehouses (Self Storage) - (RC, GC, M-1, LI)
- (~~7576~~) Yard Sales - (RU, RR, RS-E, RS-LD, RS-MD, RS-HD, MH, RM-MD, RM-HD, OI, NC, RC, GC)
- (~~7677~~) 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

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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.

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(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.

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- (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.

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- 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

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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.

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(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) *Car and light truck washes.*

- a. Use districts: Rural Commercial.

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- 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.

(15) *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) *Clubs or lodges.*

- a. Use districts: Rural.
- b. A club or lodge may not be used after 12:00 midnight, Sunday through Thursday, and after 1:00 a.m. on Fridays and Saturdays.
- c. Sexually oriented businesses are not permitted in a club or lodge.

(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.

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- e. All facilities shall be solely for the use of the residents and their guests.
- (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.
- (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.
- (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.
- (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..
- (22) *Day care, adult, home occupation (six or less).*
- a. Use districts: Office and Institutional; Neighborhood Commercial; Rural Commercial; General Commercial.
 - b. An adult day care, home occupation, with six (6) 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. Parking shall not be located in the front yard.

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e. All other state and federal regulations shall be met.

(23) *Day care centers, adult.*

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

(24) *Day care, child, family day care, home occupation (five or less).*

- a. Use districts: Office and Institutional; Neighborhood Commercial; Rural Commercial; General Commercial.
- 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. Parking shall not be located in the required front yard.
- e. All other state and federal regulations shall be met.

(25) *Day care, child, group day care, home occupation (6 to 12).*

- a. Use districts: Office and Institutional; Neighborhood Commercial; Rural Commercial; General Commercial.
- b. A child group 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. Parking shall not be located in the required front yard.
- f. All other state and federal regulations shall be met.

(26) *Day care centers, child, licensed centers.*

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

(27) *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.

(28) *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.

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- 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.

(29) *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.

(30) *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

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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.

(31) Dwellings, Multi-Family, Not Otherwise Listed.

a. Use districts: General Commercial.

b. Multi-family dwellings in a GC General Commercial zoning district shall comply with one (1) of the following requirements:

1. No more than twenty-five (25%) percent of the entire parcel may be used for multi-family dwellings and related uses (such as recreational amenities, garages, storage sheds, and parking spaces); or

2. Multi-family dwellings and related uses (such as recreational amenities, garages, storage sheds, and parking spaces) may be developed on the parcel as a whole, provided that the entire first level (or floor) of such dwelling(s) must be used solely for general commercial purposes.

(3132) Dwellings, single family, zero lot line, common and parallel.

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- 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.

(3233) *Electrical Goods.*

- a. Use districts: General Commercial.

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- 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.

(3334) *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.

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- f. All other federal, state, and local laws shall be met.

(3435) *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.

(3536) *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.

(3637) *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.

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- d. Operations shall not begin before 9:00 a.m. nor continue after 10:00 p.m.

(3738) *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.

(3839) *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.

(3940) *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

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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.

4041) *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.

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(4142) *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.

(4243) *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*.

(4344) *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.

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- 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.

(4445) *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.

(4546) *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.

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- 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.

(4647) *Market showrooms.*

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

(4748) *Motor Vehicles, New Parts and Supplies.*

- a. Use districts: General Commercial.

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- 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.

4849) *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.

4950) *Nondurable Goods, Not Otherwise Listed.*

- a. Use districts: General Commercial.

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- 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.

5051) *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.

5152) *Pet Care Services.*

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

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(5253) *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.

(5354) *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

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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.

(5455) *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.

(5556) *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.

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- 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.

(5657) *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.

(5758) *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.

(5859) *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.

(5960) *Public recreation facilities.*

- a. Use districts: All Districts.

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- 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.

6061) 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.

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- 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.

(6162) *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.

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- 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.

6263) *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.

6364) *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.

6465) *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.

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(6566) *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.

(6667) *Sexually oriented businesses.*

- a. Use districts: General Commercial.
- b. It is the purpose of this subsection to regulate sexually oriented businesses to promote the health, safety, morals, and general welfare of the citizens of Richland County. Furthermore, the purpose of these regulations is to establish reasonable and uniform regulations to prevent the continued deleterious location and concentration of sexually oriented businesses within the county. The provisions of this subsection have neither the purpose nor the effect of imposing a limitation or restriction on the content of any communicative materials, including sexually oriented materials. Similarly, it is not the intent or effect of these regulations to restrict or deny access by adults to sexually oriented materials protected by the First Amendment, or to deny access by the distributors and exhibitors of sexually oriented entertainment to their intended market. Neither is it the intent or effect of this subsection to condone or legitimize the distribution of obscene material.
- c. *Classification.* Sexually oriented businesses are classified as follows:
 1. Adult arcades;
 2. Adult bookstores or adult video stores;
 3. Adult cabarets;

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4. Adult motels;
 5. Adult motion picture theaters;
 6. Adult theaters;
 7. Escort agencies;
 8. Nude model studios; and
 9. Sexual encounter centers.
- d. *Permit and/or license required:*
1. A person commits a misdemeanor if he or she operates a sexually oriented business without a valid permit and/or license, issued by the county for the particular type of business.
 2. An application for a permit and/or license must be made on a form provided by the Richland County Planning Department. The application must be accompanied by a sketch or diagram showing the configuration of the premises, including a statement of total floor space occupied by the business. The sketch or diagram need not be professionally prepared, but must be drawn to a designated scale or drawn with marked dimensions of the interior of the premises to an accuracy of plus or minus six (6) inches.
 3. The applicant must be qualified according to the provisions of this section, and the premises must be inspected and found to be in compliance with the law by the health department, fire department, and building official. The health department, fire department, and building official shall complete their inspections and certify same to the zoning administrator within twenty-one (21) days of receipt of the application by said zoning administrator.
 4. If a person who wishes to operate a sexually oriented business is an individual, he or she must sign the application for a permit and/or license as applicant. If a person who wishes to operate a sexually oriented business is other than an individual, each individual who has a ten percent (10%) or greater interest in the business must sign the application for a permit and/or license as applicant. If a

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corporation is listed as owner of a sexually oriented business or as the entity that wishes to operate such a business, each individual having a ten percent (10%) or greater interest in the corporation must sign the application for a permit and/or license as applicant.

5. The fact that a person possesses other types of state or county permits and/or licenses does not exempt him or her from the requirement of obtaining a sexually oriented business permit and/or license.
- e. *Issuance of permit and/or license.* The zoning administrator shall approve the issuance of a permit and/or license to an applicant within thirty (30) days after receipt of an application unless he or she finds one or more of the following to be true:
1. An applicant is under eighteen (18) years of age.
 2. An applicant or applicant's spouse is overdue in his payment to the county of taxes, fees fines, or penalties assessed against him or imposed upon him in relation to a sexually oriented business.
 3. An applicant has failed to provide information reasonably necessary for issuance of the permit and/or license or has falsely answered a question or request for information on the applicant form.
 4. An applicant is residing with a person who has been denied a permit and/or license by the county to operate a sexually oriented business within the preceding twelve (12) months, or residing with a person whose license to operate a sexually oriented business has been revoked within the preceding twelve (12) months.
 5. The premises to be used for the sexually oriented business have not been approved by the health department, fire department, and the building official as being in compliance with applicable laws and ordinances.
 6. The permit and/or license fee required by this ordinance has not been paid.
 7. An applicant of the proposed establishment is in violation of or is not in compliance with any of the provisions of this section.

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8. The permit and/or license, if granted, shall state on its face the name of the person or persons to whom it is granted, the expiration date, and the address of the sexually oriented business. The permit and/or license shall be posted in a conspicuous place at or near the entrance to the sexually oriented business so that it may be easily read at any time.
- f. *Fees.* The annual fee for a sexually oriented business permit and/or license is five hundred (\$500.00) dollars.
- g. *Inspection.*
 1. An applicant or permittee and/or licensee shall permit representatives of the sheriff's department, health department, fire department, planning department, or other county departments or agencies to inspect the premises of a sexually oriented business for the purpose of ensuring compliance with the law, at any time it is occupied or open for business.
 2. A person who operated a sexually oriented business, or his/her agent or employee, commits a misdemeanor if he or she refuses to permit such lawful inspection of the premises at any time it is occupied or open for business.
- h. *Expiration of permit and/or license.*
 1. Each permit and/or license shall expire one year from the date of issuance and may be renewed only by making application as provided in subsection e. above. Application for renewal should be made at least thirty (30) days before the expiration date, and when made less than thirty (30) days before the expiration date, the expiration of the permit and/or license will not be affected.
 2. When the zoning administrator denies renewal of a license, the applicant shall not be issued a permit and/or license for one (1) year from the date of denial. If, subsequent to denial, the zoning administrator finds that the basis for denial of the renewal permit and/or license has been corrected or abated, the applicant may be granted a permit and/or license, if at least ninety (90) days have elapsed since the date denial became final.

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- i. *Suspension.* The zoning administrator shall suspend a permit and/or license for a period not to exceed thirty (30) days if he or she determines that a permittee and/or licensee or an employee of a permittee and/or licensee has:
 1. Violated or is not in compliance with any provision of this section;
 2. Engaged in excessive use of alcoholic beverages while on the sexually oriented business premises;
 3. Refused to allow an inspection of the sexually oriented business premises as authorized by this section; or
 4. Knowingly permitted gambling by an person on the sexually oriented business premises.

- j. *Revocation.*
 1. The zoning administrator shall revoke a permit and/or license if a cause of suspension in subsection i. above occurs and the permit and/or license has been suspended within the preceding twelve (12) months.
 2. The zoning administrator shall revoke a permit and/or license if he or she determines that:
 - (a) A permittee and/or licensee gave false or misleading information in the material submitted to the planning department during the application process;
 - (b) A permittee and/or licensee or an employee has knowingly allowed possession, use, or sale of controlled substances on the premises;
 - (c) A permittee or licensee or an employee has knowingly allowed prostitution on the premises;
 - (d) A permittee and/or licensee or an employee knowingly operated the sexually oriented business during a period of time when the permittee's and/or licensee's permit and/or license was suspended;
 - (e) A permittee and/or licensee or an employee has knowingly allowed any act of sexual intercourse,

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sodomy, oral copulation, masturbation, or other sexual conduct to occur in or on the permitted and/or licensed premises;

- (f) A permittee and/or licensee is delinquent in payment to the county or state for any taxes or fees past due
3. When the zoning administrator revokes a permit and/or license, the revocation shall continue for one (1) year, and the permittee and/or licensee shall not be issued a sexually oriented permit and/or license for one (1) year from the date revocation became effective. If, subsequent to revocation, the zoning administrator finds that the basis for the revocation has been corrected or abated, the applicant may be granted a permit and/or license if at least ninety (90) days have elapsed since the date the revocation became effective.
- k. *Transfer of permit and/or license.* A permittee and/or licensee shall not transfer his/her permit and/or license to another, nor shall a permittee and/or licensee operate a sexually oriented business under the authority of a permit and/or license, at any place other than the address designated in the application.
1. *Location of Sexually Oriented Businesses:*
- 1. A person commits a misdemeanor if he or she operates or causes to be operated a sexually oriented business outside of a designated GC General Commercial District. All sexually oriented businesses shall be located within a GC General Commercial District.
 - 2. A person commits a misdemeanor if he or she operates or causes to be operated a sexually oriented business within one thousand (1,000) feet of any place of worship, a public or private elementary or secondary school, a child daycare center or a pre-school, a boundary of any residential district, a public park adjacent to any residential district, or the property line of a lot devoted to residential use.
 - 3. A person commits a misdemeanor if he or she causes or permits the operation, establishment, substantial enlargement, or transfer of ownership or control of a sexually oriented business within one thousand (1,000) feet of another sexually oriented business.

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4. A person commits a misdemeanor if he or she causes or permits the operation, establishment, or maintenance of more than one (1) sexually oriented business 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.
5. For the purpose of this Section 26-151(c)(53), measurement shall be made in a straight line, without regard to intervening structures or objects, from the nearest portion of the building or structure used as a part 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, or to the nearest boundary of an affected public park, residential zoning district, or a residential lot.
6. For the purpose of subsection 3. 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 closest exterior wall of the structure in which the businesses are located.
7. Any sexually oriented business lawfully operating on August 1, 1987 that is in violation of subsections 1. through 6. above shall be deemed a nonconforming use. The nonconforming use will be permitted to continue for a period not to exceed two (2) years, unless sooner terminated for any reason or voluntarily discontinued for a period of thirty (30) days or more. Such nonconforming uses shall not be increased, enlarged, extended, or altered except that the use may be changed to a conforming use. If two (2) or more sexually oriented businesses are within one thousand (1,000) feet of one another and otherwise in a permissible location, the sexually oriented business which was first established and continually operating at a particular location is the conforming use and the later-established business(es) is nonconforming.
7. A sexually oriented business lawfully operating as a conforming use is not rendered a nonconforming use by the location, subsequent to the grant or renewal of the sexually oriented business permit and/or license, of a place of worship, public or private elementary or secondary school,

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public park, residential district, or residential lot within one thousand (1,000) feet of the sexually oriented business. This provision applies only to the renewal of a valid permit and/or license, and does not apply when an application for a permit and/or license is submitted after a permit and/or license has expired or has been revoked.

m. *Additional regulations for adult motels.*

1. Evidence that a sleeping room in a hotel, motel, or a similar commercial establishment has been rented and vacated two (2) or more times in a period of time that is less than ten (10) hours creates a rebuttable presumption that the establishment is an adult motel as that term is defined in this chapter.
2. A person commits a misdemeanor, if, as the person in control of a sleeping room in a hotel, motel, or similar commercial establishment that does not have a sexually oriented permit and/or license, he/she rents or sub-rents a sleeping room to a person and, within ten (10) hours from the time the room is rented, he/she rents or sub-rents the same sleeping room again.
3. For purposes of subsection 2. above, the terms “rent” or “sub-rent” mean the act of permitting a room to be occupied for any form of consideration.

n. *Regulations pertaining to exhibition of sexually explicit films or videos.*

1. 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, a film, video cassette, or other video reproduction that depicts specified sexual activities or specified anatomical areas, shall comply with the following requirements:
 - (a) Upon application for a sexually oriented permit and/or license, the application shall be accompanied by 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. A manager’s

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station may not exceed thirty-two (32) square feet of floor area. The diagram shall also designate the place at which the permit will be conspicuously posted, if granted. 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. The zoning administrator may waive the foregoing diagram for renewal applications if the applicant adopts a diagram that was previously submitted and certifies that the configuration of the premises has not been altered since it was prepared.

- (b) The application shall be sworn to be true and correct by the applicant.
- (c) No alteration in the configuration or location of a manager's station may be made without the prior approval of the zoning administrator.
- (d) 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.
- (e) 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 subsection must be by direct line of sight from the manager's station.

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- (f) 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 subsection (e) 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 application filed pursuant to subsection (a) above.
 - (g) No viewing room may be occupied by more than one (1) person at any time.
 - (h) The premises shall be equipped with overhead lighting fixtures of sufficient intensity to illuminate every place to which patrons are permitted access at an illumination of not less than one (1) foot-candle as measured at the floor level.
 - (i) 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.
2. A person having a duty under subsection (a) through (i) of subsection 1. above commits a misdemeanor if he or she knowingly fails to fulfill that duty.
- o. *Exemptions.* It is a defense to prosecution under subsections (53)e. and (53)l. above that a person appearing in a state of nudity did so in a modeling class operated:
- 1. By a proprietary school licensed by the State of South Carolina; or by a college, junior college, or university supported entirely or partly by taxation; or
 - 2. By a private college or university that maintains and operates educational programs in which credits are transferable to a college, junior college, or university supported entirely or partly by taxation; or
 - 3. In a structure:

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- (a) Which has no sign visible from the exterior of the structure and no other advertising that indicates a nude person is available for viewing; and
- (b) Where, in order to participate in a class a student must enroll at least three (3) days in advance of the class; and
- (c) Where no more than one (1) nude model is present at any one (1) time.

6768) *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.

6869) *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.

6970) *Swimming pools.*

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- 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.

(7071) *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.

(7172) *Utility substations.*

- a. Use districts: All Districts.

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- 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).

(7273) *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.

(7374) *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.

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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.

(7475) *Warehouses (self-storage.)*

- a. Use districts: Rural Commercial, General Commercial, M-1 and LI Light Industrial.
- b. Fencing or walls shall be required around the perimeter of the development. The fence or wall shall be a minimum of six (6) feet in height.
- c. 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.
- d. 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.
- e. 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.
- f. Retail and wholesale uses, and the storage of hazardous materials, shall be prohibited in self storage warehouses. Notice of such

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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.

- g. 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 d. above.
- h. 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.

(7576) *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.

(7677) *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 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.

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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 _____, 2008.

RICHLAND COUNTY COUNCIL

BY: _____
_____, Chair

ATTEST THIS THE ____ DAY

OF _____, 2008

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:

**RICHLAND COUNTY, SOUTH CAROLINA
PLANNING & DEVELOPMENT SERVICES DEPARTMENT**

TO: Planning Commission Members: Interested Parties
FROM: Alfreda W. Tindal, E9-1-1 Addressing Coordinator
DATE: December 21, 2007
RE: Subdivision and Street Name Approval

Pursuant Section 6-29-1200 (A), SC Code of Laws requires the Planning Commission to approve street names. Specifically, states "...A local planning commission created under the provisions of this chapter shall, by proper certificate, approve and authorize the name of a street or road laid out within the territory over which the commission has jurisdiction..."

The proposed street/road/subdivision names listed below have been given preliminary approval as related to the Emergency 9-1-1 system requirements. **The proposed subdivision/commercial names are included for your information only.**

Action Requested

The Addressing Office recommends the Commission give **final** approval of the street/road names listed below. **Unless specifically stated, the street name suffixes are added after receipt of the subdivision lot layout.**

APP'D SUBDIVISION NAMES	GENERAL LOCATION
N/A	

PROPOSED STREET NAMES	GENERAL LOCATION
Sophia Ct	Proposed The Vilalge @ River Edge



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