

RICHLAND COUNTY
SPECIAL CALLED MEETING
AGENDA



TUESDAY NOVEMBER 14, 2023

6:00 PM

COUNCIL CHAMBERS

Richland County Council 2023



Deirek Pugh
District 2



Jason Branham
District 1



Gretchen Barron
District 7



Yvonne McBride
District 3



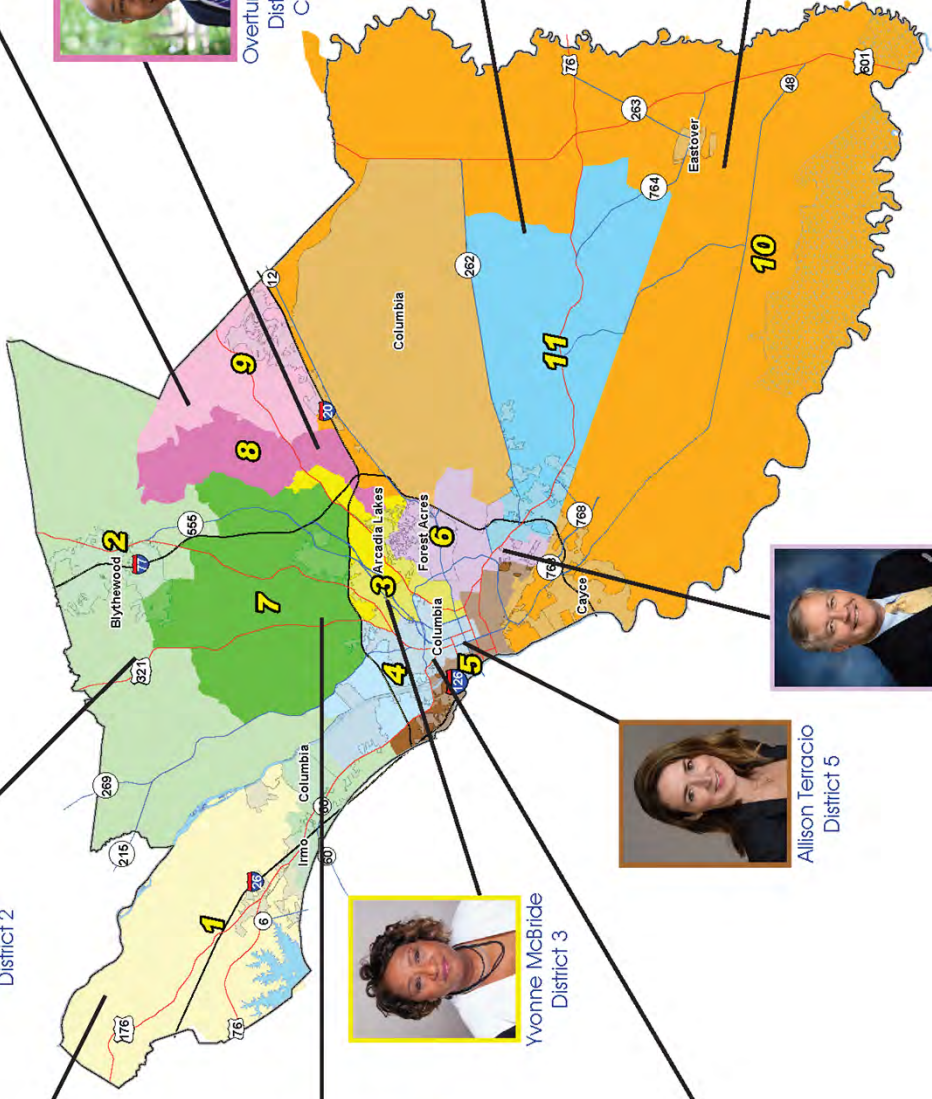
Paul Livingston
District 4



Allison Terracio
District 5



Don Weaver
District 6



Overture Walker
District 8
Chair



Chakisse Newton
District 11



Cheryl English
District 10



**Richland County
Special Called Meeting**

AGENDA

November 14, 2023 - 6:00 PM
2020 Hampton Street, Columbia, SC 29204

1. **CALL TO ORDER** The Honorable Overture Walker
 - a. **Roll Call**
2. **INVOCATION** The Honorable Jason Branham
3. **PLEDGE OF ALLEGIANCE** The Honorable Jason Branham
4. **APPROVAL OF MINUTES** The Honorable Overture Walker
 - a. Regular Session: November 7, 2023 **[PAGES 9-18]**
5. **ADOPTION OF AGENDA** The Honorable Overture Walker
6. **REPORT OF ATTORNEY FOR EXECUTIVE SESSION ITEMS** Patrick Wright,
County Attorney

After Council returns to open session, council may take action on any item, including any subsection of any section, listed on an executive session agenda or discussed in an executive session during a properly noticed meeting.

 - a. Finding that the Richland-Lexington Riverbanks Parks District may issue not exceeding \$80,000,000 principal amount General Obligation Bonds; to authorize the Richland-Lexington Riverbanks Parks District to issue such bonds and to provide for the publication of notice of the said finding and authorization
 - b. Alvin S. Glenn Detention Center [Pursuant to S.C. Code Sect. 30-4-70(a)(2)]
7. **CITIZEN'S INPUT** The Honorable Overture Walker
 - a. For Items on the Agenda Not Requiring a Public Hearing
8. **CITIZEN'S INPUT** The Honorable Overture Walker
 - a. Must Pertain to Richland County Matters Not on the Agenda (Items for which a public hearing is required or a public hearing has been scheduled cannot be addressed at this time.)

9. REPORT OF THE COUNTY ADMINISTRATOR

Leonardo Brown,
County Administrator

- a. Updates for Consideration:
 - a. Ethics Training [\[PAGE 19\]](#)
 - b. Employee Recognition [\[PAGES 19-20\]](#)

10. REPORT OF THE CLERK OF COUNCIL

Anette Kirylo,
Clerk to Council

11. REPORT OF THE CHAIR

The Honorable Overture Walker

12. APPROVAL OF CONSENT ITEMS

The Honorable Overture Walker

- a. Case # 23-030MA
Fan Disharoon
OI to RS-LD (0.37 Acres)
1528 Legrand Road
TMS # R19100-07-01 [THIRD READING]
[\[PAGES 21-22\]](#)
- b. Case # 23-037MA
Ernesto Martinez
GC to RM-MD (0.46 Acres)
226 Jamaica Street
TMS # R19813-03-04 [THIRD READING]
[\[PAGES 23-24\]](#)

13. THIRD READING ITEMS

The Honorable Overture Walker

- a. An Ordinance to adopt the text amendment recommendations of the Richland County Planning Commission to the 2021 Land Development Code, which will regulate development in the unincorporated areas of Richland County [\[PAGES 25-208\]](#)
- b. Case # 23-039MA
Alonza Haynes, Jr.
RU to OI (2.69 Acres)
1849 Willowby Street
TMS # R19707-01-06 [\[PAGES 209-210\]](#)

14. FIRST READING ITEMS

The Honorable Overture Walker

- a. Finding that the Richland-Lexington Riverbanks Parks District may issue not exceeding \$80,000,000 principal

amount General Obligation Bonds; to authorize the Richland-Lexington Riverbanks Parks District to issue such bonds and to provide for the publication of notice of the said finding and authorization [PAGES 211-216]

15. REPORT OF THE ECONOMIC DEVELOPMENT COMMITTEE

The Honorable Paul Livingston

- a. A Resolution consenting to the assignment by Kemira Chemicals, Inc. to Kemira Water Solutions, Inc. of the fee agreements by and between Kemira Chemicals, Inc. and Richland County, South Carolina; and other related matters [PAGES 217-219]
- b. A Resolution approving a sponsor affiliate to join in the fee agreement between Intertape Polymer Corp. and Richland County, South Carolina; and other matters related thereto [PAGES 220-224]

16. REPORT OF THE RULES AND APPOINTMENTS COMMITTEE

The Honorable Gretchen Barron

a. NOTIFICATION OF APPOINTMENTS

- I. East Richland Public Service District - 1 East Richland Public Service District - One (1) Vacancy [PAGE 225]
 - a. Lisa Kelly Stewart (Incumbent)
- II. Central Midlands Council of Governments - 1 Central Midlands Council of Governments - One (1) Vacancy [PAGE 226]
 - a. Lakesha McKelvey
 - b. Brenson Ravenell
 - c. Joseph "Scott" Jaillette
 - d. Clyde "Chuck" Fallaw, III
- III. Transportation Penny Advisory Committee - 3 Transportation Penny Advisory Committee - Three (3) Vacancies [PAGE 227]
 - a. Algeron Williams (Interviewed on September 19, 2023) (Applicant also applied for the Richland Memorial Hospital Board)
 - b. Kamal Shlon
 - c. Shirley Robinson

IV. Richland Memorial Hospital Board - 5 Richland Memorial Hospital Board - Five (5) Vacancies [PAGE 228]

a. Algeron Williams (Interviewed on September 19, 2023) (Applicant also applied for the Transportation Penny Advisory Committee)

b. Frances Ashe-Goins

b. NOTIFICATION OF VACANCIES [PAGES 229-233]

1. Accommodations Tax Committee - Four (4) Vacancies (ONE applicant must have a background in the Lodging Industry, TWO applicants must have a background in the Hospitality Industry, and ONE applicant must have a Cultural background)

2. Building Codes Board of Appeals - Eight (8) Vacancies (ONE applicant must be from the Architectural Industry, ONE applicant must be from the Gas Industry, ONE applicant must be from the Building Industry, ONE applicant must be from the Contracting Industry, ONE applicant must be from the Plumbing Industry, ONE applicant must be from the Electrical Industry, and TWO applicants must be from the Fire Industry as alternates)

3. Business Service Center Appeals Board - Three (3) Vacancies (ONE applicant must be from the Business Industry and TWO applicants must be CPAs)

4. Central Midlands Regional Transit Authority - One (1) Vacancy

5. Hospitality Tax Committee - Three (3) Vacancies (TWO applicants must be from the Restaurant Industry and ONE is an at-large position)

6. Richland Memorial Hospital Board - Four (4) Vacancies

17. OTHER ITEMS

- a. A Resolution calling for a public hearing to be held upon the question of the issuance of not exceeding \$80,000,000 of General Obligation Bonds of Richland-Lexington Riverbanks Parks District, South Carolina and to provide for the publication of the notice of such hearing [PAGES 234-241]

18. EXECUTIVE SESSION

Patrick Wright,
County Attorney

After Council returns to open session, council may take action on any item, including any subsection of any section, listed on an executive session agenda or discussed in an executive session during a properly noticed meeting.

19. MOTION PERIOD

20. ADJOURNMENT

The Honorable Overture Walker



Special Accommodations and Interpreter Services Citizens may be present during any of the County's meetings. If requested, the agenda and backup materials will be made available in alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), as amended and the federal rules and regulations adopted in implementation thereof. Any person who requires a disability-related modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting may request such modification, accommodation, aid or service by contacting the Clerk of Council's office either in person at 2020 Hampton Street, Columbia, SC, by telephone at (803) 576-2061, or TDD at 803-576-2045 no later than 24 hours prior to the scheduled meeting.



Richland County Council
Regular Session
MINUTES
November 7, 2023 – 6:00 PM
Council Chambers
2020 Hampton Street, Columbia, SC 29204

COUNCIL MEMBERS PRESENT: Overture Walker, Chair; Jessica Mackey, Vice-Chair; Jason Branham, Derrek Pugh, Yvonne McBride, Paul Livingston, Allison Terracio, Don Weaver, Gretchen Barron, Cheryl English, and Chakisse Newton (via Zoom)

OTHERS PRESENT: Michelle Onley, Aric Jensen, Patrick Wright, Leonardo Brown, Anette Kirylo, Chelsea Bennett, Lori Thomas, Stacey Hamm, Thomas Gilbert, Susan O’Cain, Dale Welch, Ashiya Myers, Kyle Holsclaw, Angela Weathersby, Andrew Haworth, Michael Maloney, Abhijit Deshpande, Dante Roberts, Jennifer Wladischkin, Tamar Black, Geo Price, Hayden Davis, Crayman Harvey, Shirani Fuller, Sarah Harris, Sandra Haynes, Jeff Ruble, and Venyke Harley

1. **CALL TO ORDER** – Chairman Overture Walker called the meeting to order at approximately 6:00 PM.

Mr. Walker acknowledged that Ms. Newton will participate virtually in tonight’s meeting.

Mr. Walker noted that Solicitor Bryon Gipson, Chief Magistrate Stroman, former City of Columbia Mayor Bob Coble, and former Councilman Bill Malinowski were in the audience.

2. **INVOCATION** – The Invocation was led by Rabbi Jonathan Case on behalf of the Honorable Jason Branham.
3. **PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance was led by the Honorable Jason Branham.

4. **PRESENTATION OF RESOLUTIONS**

- a. A Resolution recognizing the Richland County Public Works Department’s Solid Waste & Recycling Division – Ms. Barron moved to adopt the resolution recognizing the Richland County Public Works Department’s Solid Waste & Recycling Division, seconded by Mr. Pugh.

In Favor: Branham, Pugh, McBride, Livingston, Terracio, Weaver, Barron, Walker, Mackey, English, and Newton

The vote in favor was unanimous.

Ms. Mackey presented the resolution to the Richland County Public Works Department’s Solid Waste & Recycling Division.

5. **PRESENTATION OF PROCLAMATIONS**

- a. A Proclamation recognizing Keep the Midlands Beautiful and declaring November 15, 2023, as America Recycles Day in Richland County – Ms. Newton read the proclamation recognizing Keep the Midlands Beautiful and declaring November 15, 2023 as American Recycles Day in Richland County into the record.
- b. A Proclamation recognizing Family Court Awareness Month – Ms. Mackey presented the proclamation recognizing November as Family Court Awareness Month.
- c. A Proclamation recognizing Share Operations Care – Ms. English presented the proclamation recognizing Share Operations Care.

6. **APPROVAL OF MINUTES**

- a. Regular Session: October 17, 2023 – Mr. Livingston moved to approve the minutes as distributed, seconded by Mr. Weaver.

In Favor: Branham, Pugh, McBride, Livingston, Terracio, Weaver, Barron, Walker, Mackey, English, and Newton

The vote in favor was unanimous.

b. Special Called Meeting: October 24, 2023

c. Zoning Public Hearing: October 24, 2023 – Ms. Newton moved to approve the Special Called Meeting and Zoning Public Hearing minutes of October 24, 2023, as distributed, seconded by Ms. Barron.

In Favor: Branham, Pugh, McBride, Livingston, Terracio, Weaver, Barron, Walker, Mackey, English, and Newton

The vote in favor was unanimous.

7. **ADOPTION OF AGENDA** – Ms. McBride moved to adopt the agenda as published, seconded by Ms. Barron.

In Favor: Branham, Pugh, McBride, Livingston, Terracio, Weaver, Barron, Walker, Mackey, and English

The vote in favor was unanimous.

8. **REPORT OF THE ATTORNEY FOR EXECUTIVE SESSION (Pursuant to SC Code 30-4-70)** – Mr. Wright indicated the following items qualify for Executive Session under South Carolina Code section 30-4-70:

a. Blythewood Property Retention Ponds [Pursuant to S.C. Code Sect. 30-4-70(a)(2) and (5)]

b. Personnel Matter: Grievance Reviews and Recommendations

c. Personnel Matter: Discussion and legal advice concerning duties of the County Administrator regarding Richland County Code Sec. 2-79 and Sec. 2-80

d. Alvin S. Glenn Detention Center

e. Letter of support for the University of South Carolina purchase of real property from the Development Foundation, Richland County Tax Map Number R11201-02-10, R11100-01-04, R11100-01-15, and R11100-01-10

f. Public-Private Partnership

Ms. Terracio moved to go into Executive Session to discuss Items 8(a) and 8(f), seconded by Mr. Weaver.

In Favor: Branham, Pugh, McBride, Livingston, Terracio, Weaver, Barron, Walker, Mackey, English, and Newton

The vote in favor was unanimous.

***Council went into Executive Session at approximately 6:35 PM
and came out at approximately 7:16 PM***

Mr. Livingston moved to come out of Executive Session, seconded by Ms. Barron.

In Favor: Branham, Pugh, McBride, Livingston, Terracio, Weaver, Barron, Walker, Mackey, English, and Newton

The vote in favor was unanimous.

Mr. Walker indicated no action was taken in Executive Session.

a. Blythewood Property Retention Ponds – Ms. Mackey moved to authorize the County Administrator to move forward with the Blythewood Property retention ponds, seconded by Mr. Weaver.

In Favor: Branham, Pugh, McBride, Livingston, Terracio, Weaver, Barron, Walker, Mackey, and English

Abstain: Newton

The vote in favor was unanimous.

9. **CITIZENS' INPUT**

a. For Items on the Agenda Not Requiring a Public Hearing

1. Kim Murphy, 154 Old Laurel Lane, Chapin, SC 29036 – Dirt Road Package “O”
2. John Zeigler, 103 Roundtree Road, Blythewood, SC 29016 – Stonington Subdivision
3. Edith Taylor, 1099 Motley Road, Hopkins, SC 29061 – Property Zoning
4. Jason Jaco, 931 Texas Street, Columbia, SC 29201 – Olympia Mill Village
5. Margaret Marcuso, 817 Ohio Street, Columbia, SC 29201 – Olympia Mill Village
6. Vi Hendley, 104 Alabama Street, Columbia, SC 29201 – Olympia Mill Village
7. Sherry Jaco, 1166 Olympia Avenue, Columbia, SC 29201 – Olympia Mill Village

10. **CITIZENS' INPUT**

- a. Must Pertain to Richland County Matters Not on the Agenda (Items for which a public hearing is required or a public hearing has been scheduled cannot be addressed at this time.) – No one signed up to speak.

11. **REPORT OF THE COUNTY ADMINISTRATOR**

a. Updates for Consideration:

1. *Operation Green Light* – The County Administrator, Leonardo Brown, stated this Veteran's Day, the National Association of Counties (NACo) and the National Association of County Veteran Service Officers (NACVSO) invite the nation's 3,069 counties, parishes, and borough to join Operation Green Light. Operation Green Light is an opportunity to show support for veterans by lighting our buildings green from November 6 to November 12. By shining a green light, county governments and our residents will let veterans know they are seen, appreciated, and supported. He presented slides of the County's Judicial Center, the Administration building, the Central Magistrate Court, and the Sheriff's Department Annex participating in Operation Green Light.
2. *Personnel Matters:*
 - a. Grievance Reviews and Recommendations – This item was taken up in Executive Session.
 - b. Discussion and legal advice concerning duties of the County Administrator regarding Richland County Code Sec. 2-79 and Sec. 2-80 – This item was taken up in Executive Session.

b. Administrator's Nomination: Items in this section require action that may prejudice the County's interest in a discernable way (i.e., time-sensitive, exigent, or of immediate importance)

1. *Human Resources Department – Compensation Study Recommendation Implementation* – Mr. Brown stated this is a huge opportunity for the County to take a step forward with our compensation study recommendations. He noted the County entered into an agreement with Evergreen Solutions, LLC, in 2022 to conduct a compensation study and analysis. As a result of the findings, Evergreen has recommended the County adjust county employee salaries to better reflect the market. During the summer of 2023, Richland County Council approved a motion allowing staff to evaluate the salary recommendations proposed by Evergreen Solutions to develop a new compensation structure and classification system for the County. Evergreen is a national multidisciplinary, public-sector management consulting firm, which specializes in working with public-sector organizations. The recommendations from Evergreen have been carefully developed to address the pressing needs of the County's workforce, ensure competitive compensation, and yield numerous benefits for the county as a whole. The implementation of the salary increases aligns with the County's strategic plan to "establish competitive salaries." County employees play a pivotal role in maintaining the essential services and programs that benefit the community. However, employees have faced the challenges of rising living costs and increased workloads. In light of these concerns, the formulated compensation plan aims to:
 - a. Determine and place all employees into a grade classification and step to compensate for the skills used to perform their job and for the years of service in that position with the County;
 - b. Attract and Retain Top Talent;
 - c. Boost Morale and Job Satisfaction;
 - d. Enhance Productivity and Efficiency;
 - e. Reduce Employee Turnover;
 - f. Reflect the Cost of Living;
 - g. Maintain a Competitive Edge; and
 - h. Demonstrate Employee Appreciation.

In summary, approving this compensation plan is an investment in Richland County's future. It will empower employees to perform at their best, improve service quality, and maintain a competitive position within the labor market. Furthermore, it demonstrates the County's commitment to the well-being of those who serve Richland County tirelessly. The recommendation is to approve the implementation of this study on December 21, 2023. He noted that all appointed and elected officials and department heads have been met with.

The Solicitor, Byron Gipson, spoke in favor of implementing the study recommendations.

Mr. Weaver inquired when this item would be before Council for approval.

Mr. Brown replied it is before Council tonight for approval. He noted Council authorized staff to meet with the elected and appointed officials and department heads before coming back to Council with the results in order to implement the study. Staff has now met with all the officials and put together an implementation plan, and we are ready to move forward.

Mr. Weaver inquired if the County generated \$17M in new revenue.

Mr. Abhijit Deshpande, Budget Director, responded the County generated approximately \$17M.

Ms. Mackey moved to approve the Administrator's recommendation to implement the compensation study, with an implementation date of December 21, 2023, seconded by Ms. Barron.

Mr. Branham acknowledged that this study implementation equates to more than half of the increase in revenue to the County. He also recognized there is a 24% turnover rate among the employees of the

County. In addition, he acknowledged the employees received a 4% cost of living increase earlier this year, but before that, there had not been an increase in compensation for three years. He noted he supports the implementation of the study because he is here to invest in the core functions of governments. We are investing in capital projects, and it is important to invest in the personnel providing quality services.

Ms. Barron indicated this is critical for us to attract young people to live and work here.

Mr. Livingston stated this item received three readings and a public hearing during the process, and the funds are available.

Ms. Mackey thanked staff for all of their hard work on this plan. In the Strategic Plan, the Council agreed to put County employees first to ensure this is where they want to work. Additionally, to recruit the younger generation to work in government and be proud of where they work.

In Favor: Branham, Pugh, McBride, Livingston, Terracio, Barron, Walker, Mackey, English, and Newton

Opposed: Weaver

The vote was in favor.

Ms. Barron moved to reconsider this item, seconded by Ms. English.

In Favor: Weaver

Opposed: Branham, Pugh, McBride, Livingston, Terracio, Barron, Walker, Mackey, English, and Newton

The motion for reconsideration failed.

2. *County Administration – Acceptance of South Carolina Department of Veterans’ Affairs Grant Awards* – Mr. Brown indicated this item has been before the body. The request is to accept the grant awards for McEntire Air Force Base’s firefighter temporary housing and Fort Jackson’s Centennial Park.

Mr. Livingston moved to approve this item, seconded by Ms. Barron.

Mr. Branham noted on p. 22 that there seemed to be a typo on the Fort Jackson Centennial Park funding amount.

ACA Jensen responded the amount should read: \$ \$1,145,466.53

In Favor: Branham, Pugh, McBride, Livingston, Terracio, Weaver, Barron, Walker, Mackey, English, and Newton

The vote in favor was unanimous.

Ms. Barron moved to reconsider Items 8(a) and 11(b)(2), seconded by Ms. English.

Opposed: Branham, Pugh, McBride, Livingston, Terracio, Weaver, Barron, Walker, Mackey, English, and Newton

The motion for reconsideration failed.

12. **REPORT OF THE CLERK OF COUNCIL**

- a. Proposed 2024 Council Meeting Schedule – Ms. Mackey moved to adopt the 2024 Council meeting schedule, seconded by Ms. Barron.

In Favor: Branham, Pugh, McBride, Livingston, Terracio, Weaver, Barron, Walker, Mackey, English, and Newton

The vote in favor was unanimous.

13. **REPORT OF THE CHAIR** – No report was given.

14. **OPEN/CLOSE PUBLIC HEARINGS**

- a. An Ordinance to adopt the text amendment recommendations of the Richland County Planning Commission to the 2021 Land Development Code, which will regulate development in the unincorporated areas of Richland County – Mr. Pugh moved to suspend the rules to allow the citizens signed up for this item an opportunity to speak, seconded by Ms. Terracio.

In Favor: Branham, Pugh, McBride, Livingston, Terracio, Weaver, Barron, Walker, Mackey, and English

Not Present: Newton (technical difficulties)

The vote in favor was unanimous.

The following citizens spoke in favor of this item:

1. Steven Boyer, 320 Ballentine Estates Road, Irmo, SC 29063
2. Terry Rowell, 3635 Kennerly Road, Irmo, SC 29063
3. Michael Watts, 359 Adams Road, Blythewood, SC 29016
4. Henry Martin, 124 Winding Road, Irmo, SC 29063
5. Pam Selkinghaus, 1944 Marina Road, Irmo, SC 29063
6. Mark Hershberger, 15 Sweet Bay Drive, Columbia, SC 29209
7. Brad Everhart, 10 Morningstar Court, Irmo, SC 29063
8. Heather Bailey, 1937 Marina Road, Irmo, SC 29063
9. George Brower, 4 Sundance Court, Irmo, SC 29063
10. Lisa Borden, 116 Rideoutte Point, Irmo, SC 29063
11. Elaine Johnson, 109 Cardinal Cove, Irmo, SC 29063
12. Marc Rankin, 9 Crystal View Court, Irmo, SC 29063
13. Cora Lee Swink, 1812 Leesburg Road, Columbia, SC 29036
14. Elaine DuBose, 7262 Sunview Drive, Columbia, SC 29209
15. Elaine Cooper, 3105 Dalloz Road, Columbia, SC 29204
16. Marty Crouch, 218 Derrick Drive, Irmo, SC 29036
17. Tom Bryant, 1325 South Carolina Road, Eastover, SC 29044
18. Carol Vanderheide, 1904 Marina Road, Irmo, SC 29063
19. Kim Murphy, 154 Old Laurel Lane, Chapin, SC 29036
20. Dena Crapps, 316 Nature Road, Blythewood, SC 29016
21. Carol Sloop, 292 Old Farm Road, Irmo, SC 29063
22. Susan Crouch, 218 Derrick Drive, Irmo, SC 29063
23. Les Tweed, 111 Saratoga Road, Irmo, SC 29063
24. Jason Pittman, 1212 Canterfield Road, Chapin, 29036

The following citizens spoke in opposition to this item:

1. Lady June Cole, 309 North Trenholm Road, Columbia, SC 29206
2. John Grego, 830 Old Woodlands Road, Columbia, SC 29209
3. Edwin Johnson, 109 Cardinal Cove, Irmo, SC 29063
4. Bill Malinowski, 11824 Broad River Road, Chapin, SC 29036
5. Mike Sloan, 1430 Wonder Drive, Chapin, SC 29036
6. Quentin Gaddy, 630 Canalside Street, Columbia, SC 29201
7. Kevin Stillman, 120 Harborside Circle, Columbia, SC 29229
8. Tombo Milliken, 18 Tombee Court, Columbia, 29209
9. Ben Wilcenski, 187 Garden Brooke Road, Irmo, SC 29063
10. Pamela Greenlawn, 1314 Lincoln Street, Columbia, SC 29201
11. Ivery Jackson, 2178 Congaree Road, Eastover, SC 29044
12. Donna Cole, 209 Amenity Road, Chapin, SC 29036

Mr. Wright indicated the motion(s) by the former Councilmember were received after their term had expired. Current council members made those motion(s), and they were either sent to committee or disposed of by Council action.

- b. Authorizing the issuance of General Obligation Bonds in one or more series, tax-exempt, or taxable, in an amount not to exceed Ninety-Three Million Dollars (\$93,000,000), to fund the acquisition, construction, equipping, rehabilitation, and improvement of certain capital projects and to refund all or a portion of certain of the County's outstanding General Obligation Bonds; authorizing the County Administrator to prescribe the details of the issuance and sale of the bonds and the form and details of the bonds; providing for the disposition of the proceeds of the bonds and the payment of the bonds; and other related matters – No one signed up to speak.
- c. Authorizing the execution and delivery of a fee-in-lieu of ad valorem taxes and incentive agreement by and between Richland County, South Carolina and Annett Holdings, Inc., previously identified as Project Truck, to provide for payment of a fee-in-lieu of taxes; authorizing certain infrastructure credits; and other related matters – No one signed up to speak.

15. **APPROVAL OF CONSENT ITEMS**

- a. Case #23-030MA, Fan Disharoon, OI to RS-LD (0.37 Acres), 1528 Legrand Road, TMS # R19100-07-01 [SECOND READING]
- b. Case #23-037MA, Ernesto Martinez, GC to RM-MD (0.46 Acres), 226 Jamaica Street, TMS # r19813-03-04 [SECOND READING]
- c. Department of Public Works – Engineering Division – Briarsgate Circle

Mr. Pugh moved to approve Items 15(a)-15(c), seconded by Ms. Terracio.

In Favor: Branham, Pugh, McBride, Livingston, Terracio, Weaver, Barron, Walker, Mackey, English, and Newton

The vote in favor was unanimous.

Ms. Mackey moved to reconsider Item 15(c), seconded by Ms. English.

Opposed: Branham, Pugh, McBride, Livingston, Terracio, Weaver, Barron, Walker, Mackey, English, and Newton

The motion for reconsideration failed.

16. **THIRD READING ITEM**

- a. Authorizing the issuance of General Obligation Bonds in one or more series, tax-exempt or taxable, in an amount not to exceed Ninety-Three Million Dollars (\$93,000,000), to fund the acquisition, construction, equipping, rehabilitation, and improvement of certain capital projects and to refund all or a portion of certain of the County's outstanding General Obligation Bonds; authorizing the County Administrator to prescribe the details of the issuance and sale of the bonds and the form, and details of the bonds; providing for the disposition of the proceeds of the bonds and the payment of the bonds; and other related matters – Ms. McBride moved to approve this item, seconded by Mr. Livingston.

Mr. Weaver inquired if this is the issuance of bonds for the Detention Center and the DSS facility. He was under the impression the bond was for \$88M.

Mr. Walker stated the issuance is up to \$93M. The intent is only to use \$71M. He stated for clarification, we are using debt millage to pay for this bond. Based on the value of the mill, we would be utilizing 2.5 mills. It is also his understanding if we do not use the millage, we will lose it.

Mr. Brown responded in the affirmative.

In Favor: Branham, Pugh, McBride, Livingston, Terracio, Weaver, Barron, Walker, Mackey, English, and Newton

The vote in favor was unanimous.

Ms. McBride moved to reconsider this item, seconded by Ms. Barron.

Opposed: Branham, Pugh, McBride, Livingston, Terracio, Weaver, Barron, Walker, Mackey, English, and Newton

The motion for reconsideration failed.

- b. Authorizing the execution and delivery of a fee-in-lieu of ad valorem taxes and incentive agreement by and between Richland County, South Carolina and Annett Holdings, Inc., previously identified as Project Truck, to provide for payment of a fee-in-lieu of taxes; authorizing certain infrastructure credits; and other related matters – Mr. Livingston moved to approve this item, seconded by Ms. English.

In Favor: Branham, Pugh, McBride, Livingston, Terracio, Weaver, Barron, Walker, Mackey, English, and Newton

The vote in favor was unanimous.

Mr. Livingston moved to reconsider this item, seconded by Ms. Barron.

Opposed: Branham, Pugh, McBride, Livingston, Terracio, Weaver, Barron, Walker, Mackey, English, and Newton

The motion for reconsideration failed.

17. **SECOND READING ITEMS**

- a. An Ordinance to adopt the text amendment recommendations of the Richland County Planning Commission to the 2021 Land Development Code, which will regulate development in the unincorporated areas of Richland County – Mr. Pugh moved to approve this item, seconded by Mr. Branham.

Ms. Mackey stated during the work session on this item, she had additional questions related to electric vehicle charging stations. She noted on p. 228, staff worked with the consultant to address edits to the proposed text that addressed her questions and added clarity and specificity.

Ms. Terracio made a substitute motion to approve this item, including the modifications regarding electric vehicle charging stations, seconded by Mr. Pugh.

In Favor: Branham, Pugh, McEntire, Livingston, Terracio, Barron, Walker, Mackey, English, and Newton

Opposed: Weaver

The vote was in favor.

- b. Authorizing the expansion of the boundaries of the I-77 Corridor Regional Industrial Park jointly developed with Fairfield County to include certain property located in Richland County, the execution and delivery of a public infrastructure credit agreement to provide for public infrastructure credits to a company identified for the time being as Project Orei; and other related matters – Mr. Livingston moved to approve this item, seconded by Ms. English.

In Favor: Branham, Pugh, McBride, Livingston, Terracio, Weaver, Barron, Walker, and English

Recuse: Mackey (due to her parent company representing the applicant)

Not Present: Newton

The vote in favor was unanimous.

- c. Case #23-039MA, Alonza Haynes, Jr., RU to OI (2.69 Acres), 1849 Willowby Street, TMS # R19707-01-06 – Ms. English moved to approve this item, seconded by Mr. Walker.

In Favor: Branham, Pugh, McBride, Livingston, Terracio, Weaver, Barron, Walker, and English

Not Present: Newton

The vote in favor was unanimous.

18. **REPORT OF THE ECONOMIC DEVELOPMENT COMMITTEE**

- a. A Resolution requiring certain accountability practices concerning Economic Development Projects in Richland County – Mr. Livingston stated the committee recommended approval of this item with the inclusion of age, gender, and county of residence.

In Favor: Pugh, McBride, Livingston, Terracio, Weaver, Barron, Walker, and English

Opposed: Branham

Not Present: Newton

The vote was in favor.

19. **REPORT OF THE DETENTION CENTER AD HOC COMMITTEE**

- a. Detainee Food Service Provider – Mr. Pugh stated the committee recommended awarding the contract for detainee food service to Trinity Services Group, Inc.

In Favor: Branham, Pugh, McBride, Livingston, Terracio, Weaver, Barron, Walker, Mackey, and English

Not Present: Newton

The vote in favor was unanimous.

- b. Alvin S. Glenn Visitation Center Conversion Project Contract Award – Mr. Pugh stated the committee recommended awarding the contract for Alvin S. Glenn Detention Center’s Attorney Visitor Center to JM Cope.

In Favor: Branham, Pugh, McBride, Livingston, Terracio, Weaver, Barron, Walker, Mackey, and English

Not Present: Newton

The vote in favor was unanimous.

20. **REPORT OF THE TRANSPORTATION AD HOC COMMITTEE**

- a. Award of Construction – Dirt Road Package O – Mr. Walker stated the committee recommended awarding the construction contract to Cherokee, Inc. for \$1,359,494.45 and to include a 10% construction contingency. Dirt Road Package “O” is comprised of Howard Coogler Road (District 1), Sara Mathews Road (District 7), Nathan Ridge Lane (District 10), and Jackson Road (District 10).

In Favor: Branham, Pugh, McBride, Livingston, Terracio, Weaver, Barron, Walker, Mackey, and English

Not Present: Newton

The vote in favor was unanimous.

Ms. Barron moved to reconsider Items 19(a), 19(b), and 20(a), seconded by Ms. Terracio.

Opposed: Branham, Pugh, McBride, Livingston, Terracio, Weaver, Barron, Walker, Mackey, and English

Not Present: Newton

The motion for reconsideration failed.

21. **OTHER ITEMS**

- a. FY24 – District 5 Hospitality Tax Allocations (Greater Rosewood Merchants Association - \$12,000)
- b. FY24 – District 7 Hospitality Tax Allocations (The Big Red Barn Retreat - \$10,000 and Junior League of Columbia - \$20,000)
- c. A Resolution to appoint and commission John Ladavid Charity, III as a Code Enforcement Officer for the proper security, general welfare, and convenience of Richland County
- d. A Resolution to appoint and commission Epiphany Nefertarie Henley as a Code Enforcement Officer for the proper security, general welfare, and convenience of Richland County

- e. A Resolution to appoint and commission Jacqueline Sakil as a Code Enforcement Officer for the proper security, general welfare, and convenience of Richland County

Mr. Pugh moved to approve Items 21(a)-21(e), seconded by Ms. Terracio.

In Favor: Branham, Pugh, McBride, Livingston, Terracio, Weaver, Barron, Walker, Mackey, and English

Not Present: Newton

The vote in favor was unanimous.

Ms. McBride moved to reconsider Items 21(a)-21(b), seconded by Ms. Terracio.

Opposed: Branham, Pugh, McBride, Livingston, Terracio, Weaver, Barron, Walker, Mackey, and English

Not Present: Newton

The motion for reconsideration failed.

22. **EXECUTIVE SESSION**

Ms. Terracio moved to go into Executive Session to discuss Items 8(b), 8(c), 8(d), and 8(e), seconded by Mr. Pugh.

In Favor: Branham, Pugh, McBride, Livingston, Terracio, Barron, Walker, Mackey, and English

Opposed: Weaver

Not Present: Newton

The vote in favor was unanimous.

***Council went into Executive Session at approximately 9:17 PM
and came out at approximately 9:43 PM***

Ms. Terracio moved to come out of Executive Session, seconded by Ms. Mackey.

In Favor: Branham, Pugh, McBride, Livingston, Terracio, Weaver, Barron, Walker, Mackey, and English

Not Present: Newton

The vote in favor was unanimous.

Mr. Walker indicated no action was taken in Executive Session.

- a. Personnel Matter: Grievance Reviews and Recommendations – Mr. Weaver moved to uphold the Grievance Committee and Administrator’s recommendations, seconded by Ms. Barron.

In Favor: Branham, Pugh, McBride, Livingston, Terracio, Weaver, Barron, Walker, Mackey, and English

Not Present: Newton

The vote in favor was unanimous.

Ms. Barron moved to reconsider this item, seconded by Ms. Mackey.

Opposed: Branham, Pugh, McBride, Livingston, Terracio, Weaver, Barron, Walker, Mackey, and English

Not Present: Newton

The motion for reconsideration failed.

- b. Personnel Matter: Discussion and legal advice concerning duties of the County Administrator regarding Richland County Code Sec. 2-79 and Sec. 2-80 – No action was taken.

- c. Alvin S. Glenn Detention Center – No action was taken.

- d. Letter of support for the University of South Carolina purchase of real property from the Development Foundation, Richland County Tax Map Number R11201-02-10, R11100-01-04, R11100-01-15, and R11100-01-10 – Mr. Livingston moved to authorize the Administrator to move forward with the letter of support, seconded by Mr. Weaver.

In Favor: Branham, Pugh, Livingston, Weaver, Barron, Walker, Mackey, and English

Opposed: McBride and Terracio

Not Present: Newton

The vote in favor was unanimous.

Mr. Livingston moved to reconsider this item, seconded by Ms. English.

In Favor: McBride and Terracio

Opposed: Branham, Pugh, Livingston, Weaver, Barron, Walker, Mackey, and English

Not Present: Newton

The motion for reconsideration failed.

23. **MOTION PERIOD**

- a. I move to rename the Hopkins Magistrate office located at 5425 Lower Richland Boulevard after the late Judge Clemon L. Stocker [ENGLISH] – Ms. English moved to take action on this item, seconded by Ms. Barron.

Ms. Mackey inquired if we have any rules or processes that require us to follow a particular path to rename buildings.

Mr. Wright replied that a part of the County Code states how it is to be done, and this item falls within those guidelines.

Ms. English stated that she had spoken with Chief Magistrate Stroman to ensure that she did not have a problem with renaming the Hopkins Magistrate's Office.

In Favor: Branham, Pugh, McBride, Livingston, Terracio, Weaver, Barron, Walker, Mackey, and English

Not Present: Newton

The vote in favor was unanimous.

Ms. English moved to rename the Hopkins Magistrate office located at 5425 Lower Richland Boulevard after the late Judge Clemon L. Stocker.

In Favor: Branham, Pugh, McBride, Livingston, Terracio, Weaver, Barron, Walker, Mackey, and English

Not Present: Newton

The vote in favor was unanimous.

Ms. Barron moved to reconsider this item, seconded by Ms. English.

Opposed: Branham, Pugh, McBride, Livingston, Terracio, Weaver, Barron, Walker, Mackey, and English

Not Present: Newton

The motion for reconsideration failed.

- b. I move that Council establishes written guidelines regarding the number of proclamations and acknowledgement resolutions that can be presented at County Council meetings [WEAVER and TERRACIO] – Mr. Weaver moved to take action on this item, seconded by Ms. McBride.

In Favor: Branham, Livingston, Weaver, and English

Opposed: Pugh, McBride, Terracio, Barron, Walker, and Mackey

Not Present: Newton

The motion failed.

Mr. Walker referred this item to the Rules and Appointments Committee.

24. **ADJOURNMENT** – Ms. Mackey moved to adjourn the meeting, seconded by Ms. English.

In Favor: Branham, Pugh, McBride, Livingston, Terracio, Weaver, Barron, Mackey, and English

Opposed: Walker

Not Present: Newton

The vote in favor was unanimous.

The meeting adjourned at approximately 9:52 PM.



Richland County Council

STATEMENT OF RECUSAL

In accordance with Section 8-13-700(B) [provides in part that no public official, public member or public employee may make, participate in making, or in any way attempt to use their official office, membership or employment to influence a governmental decision in which they, a member of their immediate family, an individual with whom they are associated, or a business with which they are associated has an economic interest.], I hereby recuse myself from all votes, deliberations and other action on the following matter(s):

(Please add agenda item number and description):

17(b) Project Orei

REASONS FOR DISQUALIFICATION:

Parent Company represents the applicant

Jessica Mackey / Jessica Mackey
Print and sign your name

Anette King
Print and sign your name

11-7-2023
Date

11/7/2023
Date received by Clerk Dept.



Report of the County Administrator

Special Called - November 14, 2023

UPDATES FOR CONSIDERATION:

Ethics Training

The South Carolina Ethics Commission will offer ethics training for all Richland County employees, elected, and appointed officials. The training will offer an in-depth explanation of the Ethics Act as it applies to all public employees and public officials.

Training Date & Location:

Thursday, January 11, 2024

3:00 p.m. to 4:00 p.m.

Council Chambers

Employee Recognitions

Bill Davis, Director, Richland County Utilities



On September 20, 2023, Bill Davis, Director of Utilities, became Speaker-Elect of The House of Delegates for the Water Environment Federation (WEF).

The Water Environment Federation (WEF) is a not-for-profit technical and educational organization of more than 30,000 individual members and 75 affiliated Member Associations (MAs) representing water quality professionals around the world. WEF's diverse membership includes scientists, engineers, regulators, academics, utility managers, plant operators, and other professionals. WEF uses this collective knowledge to further a shared goal of improving water quality around the world.

The House of Delegates is the deliberative and representational body of WEF. It advises the Board on matters of strategic direction and public policy development and has the authority to elect and remove Trustees only to the extent provided for in the Constitution and Bylaws.

Crayman Harvey, Director, Alvin S. Glenn Detention Center

On October 24, 2023, Crayman Harvey, Director of the Alvin S. Glenn Detention Center, completed the jail manager certification program and became a Certified Jail Manager.

The certification is granted upon completion of a rigid experiential background application and an intensive four-hour examination jointly prepared by the American Jail Association and the Jail Manager Certification Commission. Receiving this certification demonstrates competency and professionalism in the field, indicates a strong level of knowledge in the specialty, and recognizes continuing education and growth.



Jennifer Wladischkin, Director of Procurement, Leadership in Procurement

On September 14, 2023, Jennifer Wladischkin, Director of Procurement, was nationally recognized by Euna Solutions for her leadership in public procurement. According to the presenter, "This award was presented to individuals who help drive electronic procurement adoption; these are the ones who guide the team forward."

Director Wladischkin was recognized for implementing eProcurement to what was then a skeleton staff and to end users by becoming a subject matter expert first, then educating her staff, County staff, and vendors while maintaining procurement for the County in a volatile market. She saw the benefits of eProcurement and its ability to reduce the time for solicitations and projects which help the County and its citizens receive goods and services in a timelier manner.

Richland County Council Request for Action

Subject:

Case # 23-030MA
Fan Disharoon
OI to RS-LD (0.37 Acres)
1528 Legrand Road
TMS # R19100-07-01

Notes:

First Reading: October 24, 2023
Second Reading: November 7, 2023
Third Reading:
Public Hearing: October 24, 2023

STATE OF SOUTH CAROLINA
COUNTY COUNCIL OF RICHLAND COUNTY
ORDINANCE NO. ____-23HR

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED AS TMS # R19100-07-01 FROM OFFICE AND INSTITUTIONAL DISTRICT (OI) TO RESIDENTIAL SINGLE-FAMILY LOW DENSITY DISTRICT (RS-LD); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the real property described as TMS # 19100-07-01 from Office and Institutional District (OI) to Residential Single-Family Low Density District (RS-LD).

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

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

Section IV. Effective Date. This ordinance shall be effective from and after _____, 2023.

RICHLAND COUNTY COUNCIL

By: _____
Overture Walker, Chair

Attest this _____ day of
_____, 2023

Anette A. Kirylo
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

Public Hearing: October 24, 2023
First Reading: October 24, 2023
Second Reading: November 7, 2023
Third Reading: November 14, 2023

Richland County Council Request for Action

Subject:

Case # 23-037MA
Ernesto Martinez
GC to RM-MD (0.46 Acres)
226 Jamaica Street
TMS # R19813-03-04

Notes:

First Reading: October 24, 2023
Second Reading: November 7, 2023
Third Reading:
Public Hearing: October 24, 2023

STATE OF SOUTH CAROLINA
COUNTY COUNCIL OF RICHLAND COUNTY
ORDINANCE NO. ____-23HR

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED AS TMS # R19813-03-04 FROM GENERAL COMMERCIAL DISTRICT (GC) TO RESIDENTIAL MULTI-FAMILY MEDIUM DENSITY DISTRICT (RM-MD); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the real property described as TMS # 19813-03-04 from General Commercial District (GC) to Residential Multi-Family Medium Density District (RM-MD).

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

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

Section IV. Effective Date. This ordinance shall be effective from and after _____, 2023.

RICHLAND COUNTY COUNCIL

By: _____
Overture Walker, Chair

Attest this _____ day of
_____, 2023

Anette A. Kirylo
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

Public Hearing: October 24, 2023
First Reading: October 24, 2023
Second Reading: November 7, 2023
Third Reading: November 14, 2023

Richland County Council Request for Action

Subject:

An Ordinance to adopt the text amendment recommendations of the Richland County Planning Commission to the 2021 Land Development Code, which will regulate development in the unincorporated areas of Richland County

Notes:

First Reading: October 3, 2023

Second Reading: November 7, 2023

Third Reading:

Public Hearing: November 7, 2023



Informational Agenda Briefing

Prepared by:	Aric Jensen, AICP	Title:	Assistant County Administrator
Department:	Administration	Division:	
Date Prepared:	November 8, 2023	Meeting Date:	November 14, 2023
Approved for consideration:	County Administrator	Leonardo Brown, MBA, CPM	
Meeting/Committee	Regular Session		
Subject:	Third Reading – ORDINANCE NO. ____-23HR AN ORDINANCE TO ADOPT THE TEXT AMENDMENT RECOMMENDATIONS OF THE RICHLAND COUNTY PLANNING COMMISSION TO THE 2021 LAND DEVELOPMENT CODE WHICH WILL REGULATE DEVELOPMENT IN THE UNINCORPORATED AREAS OF RICHLAND.		

On October 3rd, 2023, Council gave first reading by name only to Ordinance No. ____-23HR, which would enact the Planning Commission's proposed text amendments to the 2021 Land Development Code.

On October 24th, 2023, Council held a work session and discussed the text amendments proposed by the Planning Commission. At that meeting, Vice Chair Mackey requested alternative language to the Green Incentives for EV Parking be prepared. No other amendments were requested.

On November 07, 2023, the Council held a public hearing and approved 2nd Reading with an amendment to the Green Incentives for EV Station as drafted in the agenda briefing packet. Councilmember Livingston expressed an interest in proposing additional amendments; however, none were provided in time for inclusion in the agenda briefing packet.

There are several housekeeping items included in the ordinance, which are as follows:

1. The effective date of the Ordinance appears in multiple locations within the LDC text body and must be updated dependent on the effective date of this Ordinance.
2. Within the LDC body there are "trigger dates" based on the effective date of this Ordinance. Those dates will also need to be updated based on the effective date of this Ordinance.
3. Lastly, page numbers, table numbers, reference links, and other non-substantive clerical corrections will need to be performed on the final document after adoption.

ATTACHMENTS:

Draft Ordinance;
Excerpts from the adopted Land Development Code showing proposed amendments as redlines.

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ____-23HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, LAND DEVELOPMENT, AS FOLLOWS: 1) ARTICLE 26-4, SECTION 26-4.2 (B), PRINCIPAL USE TABLE; 2) ARTICLE 26-3, ZONING DISTRICTS, SECTION 26-3.2, SPECIAL PURPOSE BASE DISTRICTS, (D), AG: AGRICULTURAL DISTRICT; 3) ARTICLE 26-3, ZONING DISTRICTS, SECTION 26-3.2, SPECIAL PURPOSE BASE DISTRICTS, (E), HM: HOMESTEAD DISTRICT; 4) ARTICLE 26-3, ZONING DISTRICTS, SECTION 26-3.3, RESIDENTIAL BASE DISTRICTS (C), RT: RESIDENTIAL TRANSITION DISTRICT; 5) ARTICLE 26-3, ZONING DISTRICTS, SECTION 26-3.3, RESIDENTIAL BASE DISTRICTS, (D), R1: RESIDENTIAL 1 DISTRICT; 6) ARTICLE 26-3, ZONING DISTRICTS, SECTION 26-3.3, RESIDENTIAL BASE DISTRICTS, (D), R2: RESIDENTIAL 2 DISTRICT; 7) ARTICLE 26-3, ZONING DISTRICTS, SECTION 26-3.3, RESIDENTIAL BASE DISTRICTS, (D), R3: RESIDENTIAL 3 DISTRICT; 8) ARTICLE 26-3, ZONING DISTRICTS, SECTION 26-3.4, RESIDENTIAL BASE DISTRICTS, (G), R4: RESIDENTIAL 4 DISTRICT; 9) ARTICLE 26-3, ZONING DISTRICTS, SECTION 26-3.4, RESIDENTIAL BASE DISTRICTS, (H), R5: RESIDENTIAL 5 DISTRICT; 10) ARTICLE 26-3, ZONING DISTRICTS, SECTION 26-3.4, RESIDENTIAL BASE DISTRICTS, (I), R6: RESIDENTIAL 6 DISTRICT; 11) ARTICLE 26-3, ZONING DISTRICTS, SECTION 26-3.4, NONRESIDENTIAL AND MIXED-USE BASE DISTRICTS, (C), RC: RURAL CROSSROADS DISTRICT; 12) ARTICLE 26-3, ZONING DISTRICTS, SECTION 26-3.4, NONRESIDENTIAL AND MIXED-USE BASE DISTRICTS, (E), MU1: NEIGHBORHOOD MIXED-USE DISTRICT; 13) ARTICLE 26-3, ZONING DISTRICTS, SECTION 26-3.4, NONRESIDENTIAL AND MIXED-USE BASE DISTRICTS, (E), MU2: CORRIDOR MIXED-USE DISTRICT; 14) ARTICLE 26-3, ZONING DISTRICTS, SECTION 26-3.4, NONRESIDENTIAL AND MIXED-USE BASE DISTRICTS, (F), MU3: COMMUNITY CROSSROADS DISTRICT; 15) ARTICLE 26-3, ZONING DISTRICTS, SECTION 26-3.4, NONRESIDENTIAL AND MIXED-USE BASE DISTRICTS, (G), GC: GENERAL COMMERCIAL DISTRICT; 16) ARTICLE 26-3, ZONING DISTRICTS, SECTION 26-3.4, NONRESIDENTIAL AND MIXED-USE BASE DISTRICTS, (H), EMP: EMPLOYMENT DISTRICT; 17) ARTICLE 26-3, ZONING DISTRICTS, SECTION 26-3.4, NONRESIDENTIAL AND MIXED-USE BASE DISTRICTS, (I), INS: INSTITUTIONAL DISTRICT; 18) ARTICLE 26-3, ZONING DISTRICTS, SECTION 26-3.4, NONRESIDENTIAL AND MIXED-USE BASE DISTRICTS, (J), LI: LIGHT INDUSTRIAL DISTRICT; 19) ARTICLE 26-3, ZONING DISTRICTS, SECTION 26-3.4, NONRESIDENTIAL AND MIXED-USE BASE DISTRICTS, (K), HI: HEAVY DISTRICT; 20) ARTICLE 26-3, ZONING DISTRICTS, SECTION 26-3.4, NEIGHBORHOOD MASTER PLAN BASE DISTRICTS, (C), CC: CRANE CREEK NEIGHBORHOOD DISTRICT; 21) ARTICLE 26-5, GENERAL DEVELOPMENT STANDARDS, SECTION 26-5.4, OPEN SPACE SET-ASIDES, (G), ADDITIONAL REQUIREMENTS FOR NATURAL FEATURES PRESERVED AS OPEN SPACE SET-ASIDES, (3), OTHER PROVISIONS; 22) ARTICLE 26-6, LAND DEVELOPMENT (SUBDIVISION) STANDARDS, SECTION 26-6.3, MINIMUM DESIGN STANDARDS, (A), GENERAL, (1), DEVELOPMENT STANDARDS; 23) ARTICLE 26-3, ZONING DISTRICTS, SECTION 26-3.1 (F), SUPERSEDING DIMENSIONAL STANDARDS, (4) ZERO LOT LINE DEVELOPMENT; 24) ARTICLE 26-3, ZONING DISTRICTS, SECTION 26-3.1 (F), SUPERSEDING DIMENSIONAL STANDARDS, (5) CLUSTER DEVELOPMENT; 25) ARTICLE 26-5.13, GREEN DEVELOPMENT INCENTIVES, (C), INCENTIVES; 26) ARTICLE 26-5.13, GREEN DEVELOPMENT INCENTIVES, (E), MENU OF GREEN BUILDING FEATURES; 27) ARTICLE 26-3, ZONING DISTRICTS, SECTION 26-3.4, NONRESIDENTIAL AND MIXED-USE BASE DISTRICTS, (K), IS AMENDED TO INSERT M-1: LIGHT INDUSTRIAL DISTRICT; SO AS TO ADOPT THE TEXT AMENDMENT RECOMMENDATIONS OF THE RICHLAND COUNTY PLANNING COMMISSION TO THE 2021 LAND DEVELOPMENT

CODE WHICH WILL REGULATE DEVELOPMENT IN THE UNINCORPORATED AREAS OF RICHLAND.

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

SECTION I. The Richland County Code of Ordinances, Chapter 26, Land Development; Article 26-4. Section 26-4.2 (B), Principal Use Table; is hereby amended to read as follows:

Use Classification, Category, Type	OS	AG	HM	RT	R1	R2	R3	R4	R5	R6	RC	MU1	MU3	MU2	GC	EMP	INS	LI	HI	CC-1	CC-2	CC-3	CC-4	PD	PD-EC	PD-TND	Use-Specific Standards Sec. 26-4.2	
Residential																												
Household Living																												
Dwelling, Live-Work		SR									SR	SR	SR	SR	SR						P	P	P		A	A	A	(d)(2)a.1
Dwelling, Four-family						P	P	P	P	P											P	P	P		A	A	A	
Dwelling, Multi-family										P	P											P	P		A	A	A	
Dwelling, Single-family detached		P	P	P	P	P	P	P													P	P	P		A	A	A	
Dwelling, Three-family						P	P	P	P												P	P	P		A	A	A	
Dwelling, Townhouse									SR	SR	SR						SE				P	P	P		A	A	A	(d)(2)a.2
Dwelling, Two-family						SR	SR	SR	SR	SR												P	P		A	A	A	(d)(2)a.3
Group home, Family		SR	SR	SR	SR	SR	SR	SR	SR	SR		SR	SR	SR	SR	SE					SR	SR	SR		A	A	A	(d)(2)a.4
Manufactured home		SR	SR	SR	SR	SR																						(d)(2)a.5
Manufactured home park			SR	SR						SR																		(d)(2)a.6

Use Classification, Category, Type	OS	AG	HM	RT	R1	R2	R3	R4	R5	R6	RC	MU1	MU3	MU2	GC	EMP	INS	LI	HI	CC-1	CC-2	CC-3	CC-4	PD	PD-EC	PD-TND	Use-Specific Standards Sec. 26-4.2	
Public, Civic, and Institutional																												
Community Service																												
Animal shelter		SR	SR													SR		P	SR					P	A		A	(d)(3)a.1
Community food services											P	P	P	P	P		P	P				P	P	P	A	A	A	
Community recreation center	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	P	P	P	SR	P	SE		SR	P	P			A	A	A	(d)(3)a.2
Correctional facility																	P	SE	SE									

Use Classification, Category, Type	OS	AG	HM	RT	R1	R2	R3	R4	R5	R6	RC	MU1	MU3	MU2	GC	EMP	INS	LI	HI	CC-1	CC-2	CC-3	CC-4	PD	PD-EC	PD-TND	Use-Specific Standards Sec. 26-4.2	
Commercial																												
Animal Services																												
Kennel		SR	SR	SR							SR	SR	SR	SR	SR			SR						SR	A		A	(d)(4)a.1
Pet grooming											SR	SR	SR	SR	P	SR	SR	P			SR	P			A	A	A	(d)(4)a.2
Veterinary hospital or clinic		SR	SR	SR							SR	SR	SR	SR	SR		SR	P			SR	SR			A		A	(d)(4)a.3

SECTION II. The Richland County Code of Ordinances, Chapter 26, Land Development; Article 26-3, Zoning Districts, Section 26-3.2, Special Purpose Base Districts, (d), AG: Agricultural District; is hereby amended to read as follows:

Density and Dimensional Standards

Standard ^[1]	All Uses
Contiguous Area, min. (ac) ^[2]	35
Density, max. (du/acre)	0.45 33
<u>Gross Average Lot Area (sf)</u>	<u>130,680</u>
<u>Lot Area, min (sf)</u>	<u>98,000</u>
Lot Width, min. (ft)	240
Front Yard Setback, min. (ft)	50
Side Yard Setback, min. (ft)	20
Rear Yard Setback, min. (ft)	50
Building Height, max. (ft)	45 ^[3-2]

NOTES:

~~[1] Unless modified in accordance with Sec. 26-3.1(f)(5), Cluster Development.~~

[2-1] Lands rezoned to the AG district must, together with any contiguous lands zoned AG or HM, total 35 acres.

~~[3-2] Does not apply to silos, barns, windmills, or other similar structures used for agricultural purpose.~~

~~²Gross average lot area standard and minimum lot area standards are new; reductions in standards for cluster development are no longer available and those refers are removed.~~

Reference to Other Standards

Use Regulations	Sec. 26-5.8	Agricultural Compatibility
Access, Mobility, and Connectivity	Sec. 26-5.9	Fences and Walls
Off-Street Parking and Loading	Sec. 26-5.10	Signs
Landscaping	Sec. 26-5.11	Exterior Lighting
Open Space Set-Asides	Sec. 26-5.13	Green Development Incentives
Cluster Development	Sec. 26-5.14	General Performance Standards
Design and Form Standards	Article 26-6	Land Development (Subdivision) Standards
Neighborhood Compatibility		

SECTION III. The Richland County Code of Ordinances, Chapter 26, Land Development; Article 26-3, Zoning Districts, Section 26-3.2, Special Purpose Base Districts, (e), HM: Homestead District; is hereby amended to read as follows:

Density and Dimensional Standards

Standard ^[1]	All Uses
Density, max. (du/acre)	0.33 66
<u>Gross Average Lot Size (sf)</u>	<u>66,211</u>
<u>Lot Area, min. (sf)</u>	<u>50,000</u>
1 Lot Width, min. (ft)	150
2 Front Yard Setback, min. (ft)	50
3 Side Yard Setback, min. (ft)	20
4 Rear Yard Setback, min. (ft)	50
5 Building Height, max. (ft)	45 ^[2-1]

NOTES:

~~[1] Unless modified in accordance with Sec. 26-3.1(f)(5), Cluster Development.~~

~~[2-1] Does not apply to silos, barns, windmills, or other similar structures used for agricultural purpose.~~

Reference to Other Standards

Article 26-4	Use Regulations	Sec. 26-5.8	Agricultural Compatibility
Sec. 26-5.1	Access, Mobility, and Connectivity	Sec. 26-5.9	Fences and Walls
Sec. 26-5.2	Off-Street Parking and Loading	Sec. 26-5.10	Signs
Sec. 26-5.3	Landscaping	Sec. 26-5.11	Exterior Lighting
Sec. 26-5.4	Open Space Set-Asides	Sec. 26-5.13	Green Development Incentives

Sec. 26-5-5	Cluster Development	Sec. 26-5.14	General Performance Standards
Sec. 26-5.6	Design and Form Standards	Article 26-6	Land Development (Subdivision) Standards
Sec. 26-5.7	Neighborhood Compatibility		

~~³Gross average lot area standard and minimum lot area standards are new; reductions in standards for cluster development are no longer available and those refers are removed.~~

SECTION IV. The Richland County Code of Ordinances, Chapter 26, Land Development; Article 26-3, Zoning Districts, Section 26-3.3, Residential Base Districts (c), RT: Residential Transition District; is hereby amended to read as follows:

Density and Dimensional Standards	
Standard ^[1]	All Uses
Density, max. (du/acre)	0.67 ¹
<u>Gross Average Lot Size (sf)</u>	<u>43,560</u>
<u>Lot Area, min. (sf)</u>	<u>32,670</u>
1 Lot Width, min. (ft)	120
2 Front Yard Setback, min. (ft)	40
3 Side Yard Setback, min. (ft)	20
4 Rear Yard Setback, min. (ft)	50
5 Building Height, max. (ft)	45 ^[2 1]

NOTES:

~~[1] Unless modified in accordance with Sec. 26-3.1(f)(5), Cluster Development.~~

[2 1] Does not apply to silos, barns, windmills, or other similar structures used for agricultural purpose.

Reference to Other Standards			
Article 26-4	Use Regulations	Sec. 26-5.8	Agricultural Compatibility
Sec. 26-5.1	Access, Mobility, and Connectivity	Sec. 26-5.9	Fences and Walls
Sec. 26-5.2	Off-Street Parking and Loading	Sec. 26-5.10	Signs
Sec. 26-5.3	Landscaping	Sec. 26-5.11	Exterior Lighting
Sec. 26-5.4	Open Space Set-Asides	Sec. 26-5.13	Green Development Incentives
Sec. 26-5-5	Cluster Development	Sec. 26-5.14	General Performance Standards
Sec. 26-5.6	Design and Form Standards	Sec. 26-5.15	Road Naming and Addressing
Sec. 26-5.7	Neighborhood Compatibility	Article 26-6	Land Development (Subdivision) Standards

~~⁴Gross average lot area standard and minimum lot area standards are new; reductions in standards for cluster development are no longer available and those refers are removed.~~

SECTION V. The Richland County Code of Ordinances, Chapter 26, Land Development; Article 26-3, Zoning Districts, Section 26-3.3, Residential Base Districts, (d), R1: Residential 1 District; is hereby amended to read as follows:

Density and Dimensional Standards	
Standard ^[1]	All Uses
Density, max. (du/acre)	1.33
<u>Gross Average Lot Size (sf)</u>	<u>32,750</u>
<u>Lot Area, min. (sf)</u>	<u>24,500 40,000 ⁽¹⁾</u>
1 Lot Width, min. (ft)	50 ^[2]
2 Front Yard Setback, min. (ft)	40
3 Side Yard Setback, min. (ft)	20
4 Rear Yard Setback, min. (ft)	50
5 Building Height, max. (ft)	45 ^[3]

NOTES:

~~[1] Unless modified in accordance with Sec. 26-3.1(f)(5), Cluster Development.~~

- [1] Lot area ranges applies only to property subdivided following the effective date of this Ordinance. See Sec. 26-6.3 (c), Lots.
- [2] There is no minimum lot width if vehicular access is provided to the rear of the lot from an abutting alley.
- [3] Does not apply to silos, barns, windmills, or other similar structures used for agricultural purpose.

Reference to Other Standards

Article 26-4	Use Regulations	Sec. 26-5.8	Agricultural Compatibility
Sec. 26-5.1	Access, Mobility, and Connectivity	Sec. 26-5.9	Fences and Walls
Sec. 26-5.2	Off-Street Parking and Loading	Sec. 26-5.10	Signs
Sec. 26-5.3	Landscaping	Sec. 26-5.11	Exterior Lighting
Sec. 26-5.4	Open Space Set-Asides	Sec. 26-5.13	Green Development Incentives
Sec. 26-5.5	Cluster Development	Sec. 26-5.14	General Performance Standards
Sec. 26-5.6	Design and Form Standards	Sec. 26-5.15	Road Naming and Addressing
Sec. 26-5.7	Neighborhood Compatibility	Article 26-6	Land Development (Subdivision) Standards

³Gross average lot area standard and minimum lot area standards are new; reductions in standards for cluster development are no longer available and those refers are removed.

SECTION VI. The Richland County Code of Ordinances, Chapter 26, Land Development; Article 26-3, Zoning Districts, Section 26-3.3, Residential Base Districts, (e), R2: Residential 2 District; is hereby amended to read as follows:

Density and Dimensional Standards

Standard	All Uses
Density, max. (du/acre)	3
<u>Gross Average Lot Size (sf)</u>	<u>14,500</u>
<u>Lot Area, min. (sf)</u>	<u>11,000 18,000⁽¹⁾</u>
1 Lot Width, min. (ft)	50 ^[2]
2 Front Yard Setback, min. (ft)	35
3 Side Yard Setback, min. (ft)	10 ^[2]
4 Rear Yard Setback, min. (ft)	30
5 Building Height, max. (ft)	45

NOTES:

- [1] Lot area ranges applies only to property subdivided following the effective date of this Ordinance. See Sec. 26-6.3 (c), Lots.
- [~~1~~ 2] There is no minimum lot width if vehicular access is provided to the rear of the lot from an abutting alley; ~~or if modified in accordance with Sec. 26-3.1(f)(5), Cluster Development.~~
- ~~[2] Unless modified in accordance with Sec. 26-3.1(f)(4), Zero Lot Line Development.~~

Reference to Other Standards

Article 26-4	Use Regulations	Sec. 26-5.8	Agricultural Compatibility
Sec. 26-5.1	Access, Mobility, and Connectivity	Sec. 26-5.9	Fences and Walls
Sec. 26-5.2	Off-Street Parking and Loading	Sec. 26-5.10	Signs
Sec. 26-5.3	Landscaping	Sec. 26-5.11	Exterior Lighting
Sec. 26-5.4	Open Space Set-Asides	Sec. 26-5.13	Green Development Incentives
Sec. 26-5.5	Cluster Development	Sec. 26-5.14	General Performance Standards
Sec. 26-5.6	Design and Form Standards	Sec. 26-5.15	Road Naming and Addressing
Sec. 26-5.7	Neighborhood Compatibility	Article 26-6	Land Development (Subdivision) Standards

³Gross average lot area standard and minimum lot area standards are new; reductions in standards for cluster development are no longer available and those refers are removed.

SECTION VII. The Richland County Code of Ordinances, Chapter 26, Land Development; Article 26-3, Zoning Districts, Section 26-3.3, Residential Base Districts, (f), R3: Residential 3 District; is hereby amended to read as follows:

Density and Dimensional Standards	
Standard	All Uses
Density, max. (du/acre)	6
Gross Average Lot Size (sf)	7,260
Lot Area, min. (sf)	5,500 9,000^[1]
1 Lot Width, min. (ft)	50 ^[2]
2 Front Yard Setback, min. (ft)	20
3 Side Yard Setback, per side combined, min. (ft)	4 13 ^[2]
4 Rear Yard Setback, min. (ft)	20
5 Building Height, max. (ft)	45 ^[3]

NOTES:

~~[1] Lot area ranges applies only to property subdivided following the effective date of this Ordinance. See Sec. 26-6.3 (c) Lots.~~

~~[2] There is no minimum lot width if vehicular access is provided to the rear of the lot from an abutting alley; or if modified in accordance with Sec. 26-3.1(f)(5), Cluster Development.~~

~~[3] Unless modified in accordance with Sec. 26-3.1(f)(4), Zero Lot Line Development.~~

Reference to Other Standards			
Article 26-4	Use Regulations	Sec. 26-5.8	Agricultural Compatibility
Sec. 26-5.1	Access, Mobility, and Connectivity	Sec. 26-5.9	Fences and Walls
Sec. 26-5.2	Off-Street Parking and Loading	Sec. 26-5.10	Signs
Sec. 26-5.3	Landscaping	Sec. 26-5.11	Exterior Lighting
Sec. 26-5.4	Open Space Set-Asides	Sec. 26-5.13	Green Development Incentives
Sec. 26-5.5	Cluster Development	Sec. 26-5.14	General Performance Standards
Sec. 26-5.6	Design and Form Standards	Sec. 26-5.15	Road Naming and Addressing
Sec. 26-5.7	Neighborhood Compatibility	Article 26-6	Land Development (Subdivision) Standards

~~³Gross average lot area standard and minimum lot area standards are new; reductions in standards for cluster development are no longer available and those refers are removed.~~

SECTION VIII. The Richland County Code of Ordinances, Chapter 26, Land Development; Article 26-3, Zoning Districts, Section 26-3.4, Residential Base Districts, (g), R4: Residential 4 District; is hereby amended to read as follows:

Density and Dimensional Standards	
Standard	All Uses
Density, max. (du/acre)	9
1 Lot Width, min. (ft)	50 ^[1]
2 Front Yard Setback, min. (ft)	20
3 Side Yard Setback, per side combined, min. (ft)	4 13 ^[2]
4 Rear Yard Setback, min. (ft)	15
5 Building Height, max. (ft)	45

NOTES:

[1] There is no minimum lot width if vehicular access is provided to the rear of the lot from an abutting alley; or if modified in accordance with Sec. 26-3.1(f)(5), Cluster Development

[2] Unless modified in accordance with Sec. 26-3.1(f)(4), Zero Lot Line Development.

Reference to Other Standards

Article 26-4	Use Regulations	Sec. 26-5.8	Agricultural Compatibility
Sec. 26-5.1	Access, Mobility, and Connectivity	Sec. 26-5.9	Fences and Walls
Sec. 26-5.2	Off-Street Parking and Loading	Sec. 26-5.10	Signs
Sec. 26-5.3	Landscaping	Sec. 26-5.11	Exterior Lighting
Sec. 26-5.4	Open Space Set-Asides	Sec. 26-5.13	Green Development Incentives
Sec. 26-5.5	Cluster Development	Sec. 26-5.14	General Performance Standards
Sec. 26-5.6	Design and Form Standards	Sec. 26-5.15	Road Naming and Addressing
Sec. 26-5.7	Neighborhood Compatibility	Article 26-6	Land Development (Subdivision) Standards

SECTION IX. The Richland County Code of Ordinances, Chapter 26, Land Development; Article 26-3, Zoning Districts, Section 26-3.4, Residential Base Districts, (h), R5: Residential 5 District; is hereby amended to read as follows:

Density and Dimensional Standards

Standard	All Uses
Density, max. (du/acre)	12
1 Lot Width, min. (ft)	50 ^[1]
2 Front Yard Setback, min. (ft)	25
3 Side Yard Setback, per side combined, min. (ft)	7 14 ^[2]
4 Rear Yard Setback, min. (ft)	20
5 Building Height, max. (ft)	45

NOTES:

- [1] There is no minimum lot width if vehicular access is provided to the rear of the lot from an abutting alley; ~~or if modified in accordance with Sec. 26-3.1(f)(5), Cluster Development~~
- ~~[2] Unless modified in accordance with Sec. 26-3.1(f)(4), Zero Lot Line Development.~~

Reference to Other Standards

Article 26-4	Use Regulations	Sec. 26-5.8	Agricultural Compatibility
Sec. 26-5.1	Access, Mobility, and Connectivity	Sec. 26-5.9	Fences and Walls
Sec. 26-5.2	Off-Street Parking and Loading	Sec. 26-5.10	Signs
Sec. 26-5.3	Landscaping	Sec. 26-5.11	Exterior Lighting
Sec. 26-5.4	Open Space Set-Asides	Sec. 26-5.13	Green Development Incentives
Sec. 26-5.5	Cluster Development	Sec. 26-5.14	General Performance Standards
Sec. 26-5.6	Design and Form Standards	Sec. 26-5.15	Road Naming and Addressing
Sec. 26-5.7	Neighborhood Compatibility	Article 26-6	Land Development (Subdivision) Standards

SECTION X. The Richland County Code of Ordinances, Chapter 26, Land Development; Article 26-3, Zoning Districts, Section 26-3.4, Residential Base Districts, (i), R6: Residential 6 District; is hereby amended to read as follows:

Density and Dimensional Standards

Standard	All Uses
Density, max. (du/acre)	18
1 Lot Width, min. (ft)	50 ^[1]
2 Front Yard Setback, min. (ft)	25
3 Side Yard Setback, per side combined, min. (ft)	7 14 ^[2]
4 Rear Yard Setback, min. (ft)	20
5 Building Height, max. (ft)	Taller of 3 stories or 45 feet / 5 stories / 6 stories ^[3, 2]

NOTES:

- [1] There is no minimum lot width if vehicular access is provided to the rear of the lot from an abutting alley; ~~or if modified in accordance with Sec. 26-3.1(f)(5), Cluster Development~~

~~[2] Unless modified in accordance with Sec. 26-3.1(f)(4), Zero Lot Line Development. —~~

[3 2] A building height of up five stories is allowed as a permitted use with special requirements, and a building height of six stories is allowed upon approval of a special exception permit, if 1) the building is located on a lot having a minimum area of one acre and a minimum width of 150 feet, 2) the building is set back at least 25 feet from all property lines, 3) the building does not project through imaginary planes leaning inward over the lot from the exterior lot lines of the parcel at angles at a slope of two feet vertical for each one foot horizontal, and 4) the building does not occupy more than 35 percent of the area of the lot upon which it is located, except the building may occupy up to 45 percent of the lot area if equivalent area over 35 percent is provided in the form of landscaped roof gardens, solariums, recreational spaces, and similar spaces.

Reference to Other Standards

Article 26-4	Use Regulations	Sec. 26-5.8	Agricultural Compatibility
Sec. 26-5.1	Access, Mobility, and Connectivity	Sec. 26-5.9	Fences and Walls
Sec. 26-5.2	Off-Street Parking and Loading	Sec. 26-5.10	Signs
Sec. 26-5.3	Landscaping	Sec. 26-5.11	Exterior Lighting
Sec. 26-5.4	Open Space Set-Asides	Sec. 26-5.13	Green Development Incentives
Sec. 26-5.5	Cluster Development	Sec. 26-5.14	General Performance Standards
Sec. 26-5.6	Design and Form Standards	Sec. 26-5.15	Road Naming and Addressing
Sec. 26-5.7	Neighborhood Compatibility	Article 26-6	Land Development (Subdivision) Standards

SECTION XI. The Richland County Code of Ordinances, Chapter 26, Land Development; Article 26-3, Zoning Districts, Section 26-3.4, Nonresidential and Mixed-Use Base Districts, (c), RC: Rural Crossroads District; is hereby amended to read as follows:

Reference to Other Standards

Article 26-4	Use Regulations	Sec. 26-5.8	Agricultural Compatibility
Sec. 26-5.1	Access, Mobility, and Connectivity	Sec. 26-5.9	Fences and Walls
Sec. 26-5.2	Off-Street Parking and Loading	Sec. 26-5.10	Signs
Sec. 26-5.3	Landscaping	Sec. 26-5.11	Exterior Lighting
Sec. 26-5.4	Open Space Set-Asides	Sec. 26-5.13	Green Development Incentives
Sec. 26-5.5	Cluster Development	Sec. 26-5.14	General Performance Standards
Sec. 26-5.6	Design and Form Standards	Sec. 26-5.15	Road Naming and Addressing
Sec. 26-5.7	Neighborhood Compatibility	Article 26-6	Land Development (Subdivision) Standards

SECTION XII. The Richland County Code of Ordinances, Chapter 26, Land Development; Article 26-3, Zoning Districts, Section 26-3.4, Nonresidential and Mixed-Use Base Districts, (d), MU1: Neighborhood Mixed-Use District; is hereby amended to read as follows:

Reference to Other Standards

Article 26-4	Use Regulations	Sec. 26-5.8	Agricultural Compatibility
Sec. 26-5.1	Access, Mobility, and Connectivity	Sec. 26-5.9	Fences and Walls
Sec. 26-5.2	Off-Street Parking and Loading	Sec. 26-5.10	Signs
Sec. 26-5.3	Landscaping	Sec. 26-5.11	Exterior Lighting
Sec. 26-5.4	Open Space Set-Asides	Sec. 26-5.13	Green Development Incentives
Sec. 26-5.5	Cluster Development	Sec. 26-5.14	General Performance Standards
Sec. 26-5.6	Design and Form Standards	Sec. 26-5.15	Road Naming and Addressing
Sec. 26-5.7	Neighborhood Compatibility	Article 26-6	Land Development (Subdivision) Standards

SECTION XIII. The Richland County Code of Ordinances, Chapter 26, Land Development; Article 26-3, Zoning Districts, Section 26-3.4, Nonresidential and Mixed-Use Base Districts, (e), MU2: Corridor Mixed-Use District; is hereby amended to read as follows:

Reference to Other Standards

Article 26-4	Use Regulations	Sec. 26-5.8	Agricultural Compatibility
Sec. 26-5.1	Access, Mobility, and Connectivity	Sec. 26-5.9	Fences and Walls

Sec. 26-5.2	Off-Street Parking and Loading	Sec. 26-5.10	Signs
Sec. 26-5.3	Landscaping	Sec. 26-5.11	Exterior Lighting
Sec. 26-5.4	Open Space Set-Asides	Sec. 26-5.13	Green Development Incentives
Sec. 26-5.5	Cluster Development	Sec. 26-5.14	General Performance Standards
Sec. 26-5.6	Design and Form Standards	Sec. 26-5.15	Road Naming and Addressing
Sec. 26-5.7	Neighborhood Compatibility	Article 26-6	Land Development (Subdivision) Standards

SECTION XIV. The Richland County Code of Ordinances, Chapter 26, Land Development; Article 26-3, Zoning Districts, Section 26-3.4, Nonresidential and Mixed-Use Base Districts, (f), MU3: Community Crossroads District; is hereby amended to read as follows:

Reference to Other Standards

Article 26-4	Use Regulations	Sec. 26-5.8	Agricultural Compatibility
Sec. 26-5.1	Access, Mobility, and Connectivity	Sec. 26-5.9	Fences and Walls
Sec. 26-5.2	Off-Street Parking and Loading	Sec. 26-5.10	Signs
Sec. 26-5.3	Landscaping	Sec. 26-5.11	Exterior Lighting
Sec. 26-5.4	Open Space Set-Asides	Sec. 26-5.13	Green Development Incentives
Sec. 26-5.5	Cluster Development	Sec. 26-5.14	General Performance Standards
Sec. 26-5.6	Design and Form Standards	Sec. 26-5.15	Road Naming and Addressing
Sec. 26-5.7	Neighborhood Compatibility	Article 26-6	Land Development (Subdivision) Standards

SECTION XV. The Richland County Code of Ordinances, Chapter 26, Land Development; Article 26-3, Zoning Districts, Section 26-3.4, Nonresidential and Mixed-Use Base Districts, (g), GC: General Commercial District; is hereby amended to read as follows:

Reference to Other Standards

Article 26-4	Use Regulations	Sec. 26-5.8	Agricultural Compatibility
Sec. 26-5.1	Access, Mobility, and Connectivity	Sec. 26-5.9	Fences and Walls
Sec. 26-5.2	Off-Street Parking and Loading	Sec. 26-5.10	Signs
Sec. 26-5.3	Landscaping	Sec. 26-5.11	Exterior Lighting
Sec. 26-5.4	Open Space Set-Asides	Sec. 26-5.13	Green Development Incentives
Sec. 26-5.5	Cluster Development	Sec. 26-5.14	General Performance Standards
Sec. 26-5.6	Design and Form Standards	Sec. 26-5.15	Road Naming and Addressing
Sec. 26-5.7	Neighborhood Compatibility	Article 26-6	Land Development (Subdivision) Standards

SECTION XVI. The Richland County Code of Ordinances, Chapter 26, Land Development; Article 26-3, Zoning Districts, Section 26-3.4, Nonresidential and Mixed-Use Base Districts, (h), EMP: Employment District; is hereby amended to read as follows:

Reference to Other Standards

Article 26-4	Use Regulations	Sec. 26-5.8	Agricultural Compatibility
Sec. 26-5.1	Access, Mobility, and Connectivity	Sec. 26-5.9	Fences and Walls
Sec. 26-5.2	Off-Street Parking and Loading	Sec. 26-5.10	Signs
Sec. 26-5.3	Landscaping	Sec. 26-5.11	Exterior Lighting
Sec. 26-5.4	Open Space Set-Asides	Sec. 26-5.13	Green Development Incentives
Sec. 26-5.5	Cluster Development	Sec. 26-5.14	General Performance Standards
Sec. 26-5.6	Design and Form Standards	Sec. 26-5.15	Road Naming and Addressing
Sec. 26-5.7	Neighborhood Compatibility	Article 26-6	Land Development (Subdivision) Standards

SECTION XVII. The Richland County Code of Ordinances, Chapter 26, Land Development; Article 26-3, Zoning Districts, Section 26-3.4, Nonresidential and Mixed-Use Base Districts, (i), INS: Institutional District; is hereby amended to read as follows:

Reference to Other Standards

Article 26-4	Use Regulations	Sec. 26-5.8	Agricultural Compatibility
Sec. 26-5.1	Access, Mobility, and Connectivity	Sec. 26-5.9	Fences and Walls
Sec. 26-5.2	Off-Street Parking and Loading	Sec. 26-5.10	Signs
Sec. 26-5.3	Landscaping	Sec. 26-5.11	Exterior Lighting
Sec. 26-5.4	Open Space Set-Asides	Sec. 26-5.13	Green Development Incentives
Sec. 26-5.5	Cluster Development	Sec. 26-5.14	General Performance Standards
Sec. 26-5.6	Design and Form Standards	Sec. 26-5.15	Road Naming and Addressing
Sec. 26-5.7	Neighborhood Compatibility	Article 26-6	Land Development (Subdivision) Standards

SECTION XVIII. The Richland County Code of Ordinances, Chapter 26, Land Development; Article 26-3, Zoning Districts, Section 26-3.4, Nonresidential and Mixed-Use Base Districts, (j), LI: Light Industrial District; is hereby amended to read as follows:

Reference to Other Standards

Article 26-4	Use Regulations	Sec. 26-5.8	Agricultural Compatibility
Sec. 26-5.1	Access, Mobility, and Connectivity	Sec. 26-5.9	Fences and Walls
Sec. 26-5.2	Off-Street Parking and Loading	Sec. 26-5.10	Signs
Sec. 26-5.3	Landscaping	Sec. 26-5.11	Exterior Lighting
Sec. 26-5.4	Open Space Set-Asides	Sec. 26-5.13	Green Development Incentives
Sec. 26-5.5	Cluster Development	Sec. 26-5.14	General Performance Standards
Sec. 26-5.6	Design and Form Standards	Sec. 26-5.15	Road Naming and Addressing
Sec. 26-5.7	Neighborhood Compatibility	Article 26-6	Land Development (Subdivision) Standards

SECTION XIX. The Richland County Code of Ordinances, Chapter 26, Land Development; Article 26-3, Zoning Districts, Section 26-3.4, Nonresidential and Mixed-Use Base Districts, (k), HI: Heavy District; is hereby amended to read as follows:

Reference to Other Standards

Article 26-4	Use Regulations	Sec. 26-5.8	Agricultural Compatibility
Sec. 26-5.1	Access, Mobility, and Connectivity	Sec. 26-5.9	Fences and Walls
Sec. 26-5.2	Off-Street Parking and Loading	Sec. 26-5.10	Signs
Sec. 26-5.3	Landscaping	Sec. 26-5.11	Exterior Lighting
Sec. 26-5.4	Open Space Set-Asides	Sec. 26-5.13	Green Development Incentives
Sec. 26-5.5	Cluster Development	Sec. 26-5.14	General Performance Standards
Sec. 26-5.6	Design and Form Standards	Sec. 26-5.15	Road Naming and Addressing
Sec. 26-5.7	Neighborhood Compatibility	Article 26-6	Land Development (Subdivision) Standards

SECTION XX. The Richland County Code of Ordinances, Chapter 26, Land Development; Article 26-3, Zoning Districts, Section 26-3.4, Neighborhood Master Plan Base Districts, (c), CC: Crane Creek Neighborhood District; is hereby amended to read as follows:

Table 26-3.5(c)(7): Reference to Other Standards

Article 26-4	Use Regulations	Sec. 26-5.8	Agricultural Compatibility
Sec. 26-5.1	Access, Mobility, and Connectivity	Sec. 26-5.9	Fences and Walls
Sec. 26-5.2	Off-Street Parking and Loading	Sec. 26-5.10	Signs
Sec. 26-5.3	Landscaping	Sec. 26-5.11	Exterior Lighting
Sec. 26-5.4	Open Space Set-Asides	Sec. 26-5.13	Green Development Incentives
Sec. 26-5.5	Cluster Development	Sec. 26-5.14	General Performance Standards
Sec. 26-5.6	Design and Form Standards	Sec. 26-5.15	Road Naming and Addressing
Sec. 26-5.7	Neighborhood Compatibility	Article 26-6	Land Development (Subdivision) Standards

SECTION XXI. The Richland County Code of Ordinances, Chapter 26, Land Development; Article 26-5, General Development Standards, Section 26-5.4, Open Space Set-Asides, (g), Additional

Requirements for Natural Features Preserved as Open Space Set-Asides, (3), Other Provisions; is hereby amended to read as follows:

~~(3) Other Provisions~~

~~For an area that is classified as Natural Feature and qualifies as a conservation area in accordance with the standards of Sec. 26-5.5, Cluster Development, the standards of both this section and Sec. 26-5.5, Cluster Development, apply. In case of conflict, the more restrictive standards apply.~~

SECTION XXII. The Richland County Code of Ordinances, Chapter 26, Land Development; Article 26-6, Land Development (Subdivision) Standards, Section 26-6.3, Minimum Design Standards, (a), General, (1), Development Standards; is hereby amended to read as follows:

(1) Development Standards

A subdivision shall comply with all applicable standards in this section, Article 26-3: Zoning Districts, and Article 26-5: General Development Standards including, without limitation, Sec. 26-5.1, Access, Mobility, and Connectivity; Sec. 26-5.4, Open Space Set-Asides; ~~Sec. 26-5.5, Cluster Development~~; Sec. 26-5.7, Neighborhood Compatibility; and Sec. 26-5.12, Water Quality, except as provided in (i) below.

(c) Lots

Lots in a subdivision shall comply with the following standards:

(1) Zoning District Standards

a. All subdivision lots shall comply with the applicable standards for the zoning district in which they are located, including maximum density standards, in accordance with Article 26-3: Zoning Districts, ~~or Sec. 26-5.5, Cluster Development, as applicable.~~

b. If a septic or well system is to be used and the requirements of the South Carolina Department of Health and Environmental Control require that a lot be larger than is required by the zoning district regulations where the lot is located, the DHEC standards shall control.

SECTION XXIII. The Richland County Code of Ordinances, Chapter 26, Land Development; Article 26-3, Zoning Districts, Section 26-3.1 (F), Superseding Dimensional Standards, (4) Zero Lot Line Development; is hereby amended to read as follows:

~~(4) Zero Lot Line Development~~

~~Where indicated in this article, the dimensional standards for single family detached dwellings may be modified for zero lot line development in accordance with the standards in this section.~~

~~a. 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 c below must be provided as part of this agreement and deed restriction.~~

~~b. 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 if:~~

~~1. The atrium or court is enclosed by two walls of the dwelling unit; and~~

~~2.—A solid wall that is a minimum of six feet in height and is constructed of the same materials as the dwelling unit is provided on the zero lot line extending to the front and/or rear of the dwelling unit.~~

~~c.—A perpetual maintenance easement having a minimum width of five feet 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 24 inches if the roof is designed to control water runoff from the dwelling placed on the lot line by gutters or other approved methods.~~

SECTION XXIV. The Richland County Code of Ordinances, Chapter 26, Land Development; Article 26-3, Zoning Districts, Section 26-3.1 (F), Superseding Dimensional Standards, (4) Cluster Development; is hereby amended to read as follows:

~~(4) Cluster Development~~

~~Sec. 26-5.5, Cluster Development, establishes the need to group lots together within a development into one or more groupings surrounded by open space. Where indicated in this article, the dimensional standards for residential development may be modified for cluster development in accordance with the standards in this section.~~

~~a.—In the AG, HM, RT, and R1 districts:~~

~~Residential lots created as part of a cluster development are eligible for a reduction of 75% of the dimensional standards of that district, whereas no lot width shall be less than 30 feet, front setback no less than 20 feet, side setback no less than 7 feet, and rear setback no less than 15 feet.~~

~~b.—In the R2, R3, R4, R5, and R6 districts:~~

~~Residential lots created as part of a cluster development are eligible for the removal of the lot width standard.~~

SECTION XXV. The Richland County Code of Ordinances, Chapter 26, Land Development; Article 26-5.13, Green Development Incentives, (C), Incentives; is hereby amended to read as follows:

(c) Incentives

(1) Development integrating green development features in accordance with this section shall be eligible for the following incentives:

~~A~~ For nonresidential or mixed use structures, an increase in the maximum allowable height beyond the maximum allowed in the base zoning district, ~~as follows:~~

~~1.—For residential structures, an additional one story or 15 feet.~~

~~b. a~~ For nonresidential or mixed use structures, an additional Of one story or 18 feet.

~~e. b.~~ For residential or mixed-use structures in the R2, R3, R4, R5, R6, MU1, MU2, MU3, and GC, an increase in the maximum allowable residential density by 25-40 percent; and for residential structures in the AG, HM, RT, and R1 districts an increase in the allowable residential density by ~~30~~ 15 percent.

~~d. c.~~ For nonresidential or mixed-use structures, a decrease in the required lot area by 10 percent.

~~e. d.~~ A reduction of 15 percent in the minimum off-street parking otherwise required by

Sec. 26-5.2, Off-Street Parking and Loading.

~~f. e.~~ A reduction of the minimum front setback by eight or 15 feet; a reduction of the minimum side setback by one or three feet; and a reduction in the minimum rear setback by three or eight feet.

SECTION XXVI. The Richland County Code of Ordinances, Chapter 26, Land Development; Article 26-5.13, Green Development Incentives, (E), Menu of Green Building Features; is hereby amended to read as follows:

(e) Menu of Green Building Features

One or more of the green building features in Table 26-5.13(e): Green Building Features, may be offered by an applicant for proposed development in accordance with Table 26-5.13(d): Green Building Incentives. The entry in the left-most column of Table 26-5.13(e): Green Building Features includes the number of Schedule A or Schedule B green building practices that can be counted towards an incentive. (For example, an entry of “BBB” means that the green building feature is credited as three green building practices from Schedule B.)

TABLE 26-5.13(e): Green Building Features	
Schedule	Green Building Feature
Energy Conservation	
A	Install a “cool roof” for at least 50 percent of the total roof area of the primary buildings in a multi-building development. Cool roofs shall have a Solar Reflectance Index of 78 for flat roofs or 29 for roofs with a slope greater than 2:12
A	Use central air conditioners that are Energy Star qualified with a SEER rating of 17 or greater.
A	Use only solar or tankless water heating systems throughout the structure.
B	Provide skylights sufficient to ensure natural lighting is provided to at least 20 percent of the habitable rooms in the structure
B	Construct roof eaves or overhangs of three feet or more on southern or western elevations
B	Provide shade, open-grid pervious pavement, or solar-reflective paving on 50 percent of the total area of roads, sidewalks, and parking areas in the development
B	Use a structure design that can accommodate the installation and operation of solar photovoltaic panels or solar thermal heating devices (including appropriate wiring and water transport systems)
B	Use vegetation or vegetated structures to shade HVAC units for non-residential structures
B	Install mini-split unit air conditioner that meets Building Code requirements
B	Install airsource water heater
Alternative Energy	
AA	Generate a minimum of 50 percent of energy on-site by alternative energy (e.g., solar wind, geothermal)
A	Generate a minimum of 25 percent of energy on-site by alternative energy (e.g., solar wind, geothermal)
A	Pre-wire a minimum of 75 percent of residential dwelling units in the development for solar panels
B	Pre-wire a minimum of 50 percent of residential dwelling units in the development for solar panels
Green Building Certification Standards	
AAA	Construct the principal building(s) to meet or exceed LEED® Platinum, Certified High Performance Home (CHiP) Emerald, or comparable certification standards
AA	Construct the principal building(s) to meet or exceed LEED® Gold, Certified High Performance Home (CHiP) Gold, or comparable certification standards
BB	Construct the principal building(s) to meet or exceed LEED® Silver, Certified High Performance Home (CHiP) Silver, or comparable certification standards

TABLE 26-5.13(e): Green Building Features

Schedule	Green Building Feature
Water Conservation and Water Quality	
AAA	Install a green vegetated roof on the primary building(s), or at least 50 percent of the primary buildings in a multi-building complex; green or vegetated roofs shall include vegetation on at least 50 percent of the roof area (25 percent for renovated buildings) and shall use only plant materials permitted by this Ordinance
A	Provide rain gardens, street-side swales, or other appropriate storm water infiltration system(s) that captures a minimum of 25 percent of site stormwater runoff
A	Use pervious pavement on a minimum of 50 percent of parking lot and driveway area in development
A	Include rain water capture and re-use devices such as cisterns, rain filters, and underground storage basins with a minimum storage capacity of 500 gallons for every two residential units
A	Provide rain gardens, vegetated strips, infiltration strips, or other appropriate storm water infiltration system(s) that accommodate a minimum of 25 percent of runoff
	Install a system for the reuse of non-potable water (greywater) designed to collect and reuse at least 75 percent of the total wastewater discharge from all of the following that are present on the site: bathtubs, showers, lavatories, clothes washers, laundry trays, and air conditioners (condensate)
Conservation Set-Asides	
	Setting aside as open space set-asides, subject to all design, maintenance, and ownership requirements in Sec. 26-5.4, Open Space Set-Asides, the percentage specified below of the total land area on the site that includes any of the following: <ul style="list-style-type: none"> • Important historic sites, not currently determined eligible for or listed in the National Register of Historic Places; • Existing healthy, mature forests of at least one contiguous acre. For purposes of this section, any stand of trees having at least eight healthy trees that have reached maturity shall be considered a healthy, mature forest, and the area of the forest shall be the area defined by the outer-most driplines of the trees in the stand; • Contiguous areas surrounding groupings of grand trees, consisting of the smallest contiguous area extending at least 15 feet beyond the outer-most driplines of the trees in the grouping; • Scenic view sheds of natural or historic features; • Rock outcroppings that are at least three feet tall and at least five feet wide, measured as the horizontal land area covered by the exposed rock that includes the outcropping; • Contiguous lands of at least one acre having prime agricultural soils, defined as Marlboro or Dothan loamy sands, or that are in productive agricultural use; • Existing trails, and any abutting landscaping or wooded corridors, that connect the tract to neighboring areas; • The land within a 30-foot extension of the required water quality buffer; • Community gardens of at least 0.25 acres in size; • Lands within ten feet of intermittent or perennial streams; and • Restored ponds, including a buffer area extending ten feet from the edge of the pond.
ABB	100 percent or more
BB	At least 75 percent, but less than 100 percent
AB	At least 50 percent but less than 75 percent
B	At least 25 percent but less than 50 percent
A	At least 5 percent but less than 25 percent
Vegetation	
AB	Retain a minimum of 50 percent of existing pre-development natural vegetation
A	Retain a minimum of 25 percent of existing pre-development natural vegetation
A	Remove all lawn or turf in favor of ground cover consisting of plant material or mulch
B	Limit turf grass to no more than 40 percent of the landscaped area
Urban Agriculture	
A	Provide a fenced, centrally located community garden space (which may be located as a rooftop garden) for residents and for urban gardening purposes at a ratio of 50 square feet per dwelling unit

TABLE 26-5.13(e): Green Building Features

Schedule	Green Building Feature
B	Provide a fenced, community garden space for employees at an office, for gardening purposes at a ratio of 15 square feet per employee
B	Provide a minimum of one on-site composting station for every 25 residential dwelling units
Building Materials	
AA	Source a minimum of 25 percent, by cost, of construction materials from recycled products or products manufactured, extracted, harvested, or recovered within 250 miles of the site
Transportation	
A	Provide a minimum of four <u>quantity of functional</u> electric vehicle (EV) level 3 charging stations <u>equal to at least two percent of all parking spaces, with a minimum of two stations, in locations accessible to all persons in the development</u> that are made available in a parking structure or off-street parking lot to those using the building
B	<u>Provide a quantity of functional electric vehicle (EV) level 2 charging stations equal to at least two percent of all parking spaces, with a minimum of two stations, in locations accessible to all persons in the development</u> Provide a minimum of four electric vehicle (EV) level 2 charging stations that are made available in a parking structure or off-street parking lot to those using the building
B	Provide more bicycle parking than required by Sec. 26-5.2(i)(1), Minimum Bicycle Parking Required while ensuring that all other bicycle parking standards required in Sec. 26-5.2, Off-Street Parking and Loading are met
Resiliency to Natural Hazards	
B	Equip the project with at least one alternative, independent source of electricity supply so that the project is capable of operating if a primary source of power experiences an interruption
A	If the project involves a critical facility that is intended to remain operational in the event of a flood, or whose function is critical for post-flood recovery, design the facility to be protected and operable at the water levels represented by an 0.2 percent annual chance (500-year) flood
A	Elevate new and/or existing structures more than three feet above Base Flood Elevation
B	Install operable windows to allow for natural ventilation in the event of power failures
NOTES:	
[1] "AAA" means credited as provision of three Schedule A features, "BB" means credited as provision of two Schedule B features, and so on.	
[2] LEED Certification is managed by the U.S. Green Building Council. Equivalent criteria include the International Code Council Green Construction Code, the National Green Building Standards, or other programs as determined by the Zoning Administrator.	

SECTION XXVII. The Richland County Code of Ordinances, Chapter 26, Land Development; Article 26-3, Zoning Districts, Section 26-3.4, Nonresidential and Mixed-Use Base Districts, (J) L-1: Light Industrial District and (K) H-1: Heavy Industrial District are hereby amended to read as follows:

Density and Dimensional Standards

Standard ^[1]	All Uses
Density, max. (du/acre)	<u>None</u>
<u>Gross Average Lot Size (sf)</u>	<u>None</u>
<u>Lot Area, min. (sf)</u>	<u>None</u>
1 Lot Width, min. (ft)	<u>None</u>
2 Front Yard Setback, min. (ft)	<u>25</u>
3 Side Yard Setback, min. (ft)	<u>None</u>
4 Rear Yard Setback, min. (ft)	<u>10</u>
5 Building Height, max. (ft)	<u>None</u>

Reference to Other Standards

Article 26-4	Use Regulations	Sec. 26-5.8	Agricultural Compatibility
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Sec. 26-5.1	Access, Mobility, and Connectivity	Sec. 26-5.9	Fences and Walls
Sec. 26-5.2	Off-Street Parking and Loading	Sec. 26-5.10	Signs
Sec. 26-5.3	Landscaping	Sec. 26-5.11	Exterior Lighting
Sec. 26-5.4	Open Space Set-Asides	Sec. 26-5.13	Green Development Incentives
Sec. 26-5.6	Design and Form Standards	Sec. 26-5.14	General Performance Standards
Sec. 26-5.7	Neighborhood Compatibility	Sec. 26-5.15	Road Naming and Addressing
Article 26-6	Land Development (Subdivision) Standards		

SECTION XXVIII. The Richland County Code of Ordinances, Chapter 26, Land Development; Article 26-3.6 Legacy District, is hereby added as follows:

Sec. 26-3.6. Legacy District

(a) General Purpose of Legacy District

The purpose and intent of the legacy district is to preserve a district that encompasses areas with certain longstanding uses that are desired to be protected and retained, while not allowing a legacy district to be assigned to additional lands.

(b) Established Legacy District

The legacy district established by this Ordinance is identified in Table 36-3.6(b): Established Legacy District.

Table 26-3.6(b): Established Legacy District

M-1: Legacy Light Industrial

(c) Legacy District Regulations

All dimensional and intensity standards, permitted uses, and development standards that apply to the legacy district are identified in Appendix 26-B: Legacy District.

Section XXIX. Appendix 26-B: Legacy District is hereby added as attached.

Section XXX. All references to the adoption or effective date of the Richland County Code of Ordinances, Chapter 26, Land Development, are hereby amended to conform with the adoption and effective dates contained herein, and any other dates dependent on the adoption or effective date are hereby amended correspondingly.

Section XXXI. Attached and referenced herein, and hereby enacted, is a conforming copy of all amendments to the Richland County Code of Ordinances, Chapter 26, Land Development. If any section, subsection, or clause of this Ordinance is found to be in conflict, the attached amendments shall govern.

Section XXXII. 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 XXXIII. Conflicting Ordinances Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section XXXIV. Effective Date. This ordinance shall be effective from and after _____, 2024.

RICHLAND COUNTY COUNCIL

By: _____
Overture Walker, Chair

Attest this _____ day of
_____, 2023

Anette A. Kirylo
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

Public Hearing: November 7, 2023
First Reading: October 3, 2023
Second Reading: November 7, 2023
Third Reading: November 14, 2023

Land Development Code Rewrite

RICHLAND COUNTY

310 Reading



3rd Reading

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- (2) To the extent a prior-approved application proposes development that does not comply with this Ordinance, the subsequent development, although permitted, shall be nonconforming and subject to the provisions of Article 26-7: Nonconformities.

(d) New Applications

Any application that is submitted or accepted as complete after **May 2nd, 2022** is subject to the requirements and standards in this Ordinance.

(e) Transitional Provision for Properties Zoned RU Under the Prior Zoning Ordinance

This subsection (e) expires one year from [effective date of this Ordinance and updated Zoning Map] and only applies to property assigned to the RU district under the prior Zoning Ordinance which was assigned to the RT, HM, or AG districts upon adoption of this Ordinance:

- (1) An application for a zoning map amendment in accordance with Sec. 26-2.5(b), Zoning Map Amendment, that requests amendment to the RT, HM, or AG districts shall not be required to include any required application fees (see Sec. 26-2.4(d)(4), Required Application Fees), and the application shall be deemed complete in accordance with Sec. 26-2.4(e), Completeness Determination, notwithstanding the failure to pay the application fee.
- (2) All other provisions of Sec. 26-2.5(b), Zoning Map Amendment, apply to requests for a zoning map amendment in accordance with this subsection (e).

(e)(f) Zoning Districts

Table 26-1.9(e): Zoning District Equivalencies provides equivalencies between the 2005 Land Development Code Zoning Districts and those within this code. The equivalent zoning districts are the districts that are the most similar between the codes in relation to intent, development type, and overall character. The table is for reference purposes only and should not be relied upon after the effective date of this Ordinance.

TABLE 26-1.9(e): Zoning District Equivalencies	
Former Zoning District	New Zoning District
PR: Parks & Recreation	OS: Open Space
TROS: Traditional Recreation Open Space	OS: Open Space
RU: Rural	AG: Agricultural
	HM: Homestead
RR: Rural Residential	HM: Homestead
	RT: Residential Transition
RS-E: Residential Single-family Estate	R1: Residential 1
RS-LD: Residential Single-family Low-Density	R2: Residential 2
RS-MD: Residential Single-family Medium-Density	R3: Residential 3
RS-HD: Residential Single-family High-Density	R4: Residential 4
MH: Manufactured Home	N/A
RM-MD: Residential Multi-family Medium-Density	R5: Residential 5
RM-HD: Residential Multi-family High-Density	R6: Residential 6

TABLE 26-1.9(e): Zoning District Equivalencies	
Former Zoning District	New Zoning District
OI: Office & Institutional	EMP: Employment
	INS: Institutional
NC: Neighborhood Commercial	MU1: Neighborhood Mixed-Use
RC: Rural Commercial	RC: Rural Crossroads
GC: General Commercial	GC: General Commercial
M-1: Light Industrial	M-1: Legacy Light Industrial EMP: Employment
LI: Light Industrial	LI: Light Industrial
HI: Heavy Industrial	HI: Heavy Industrial
CC: Crane Creek	CC: Crane Creek
PDD: Planned Development	PD: Planned Development
TC: Town & Country	N/A
AP: Airport Height Restrictive Overlay	AHR-O: Airport Height Restrictive Overlay
C: Conservation	WR-O: Water Resources Overlay
EP: Environmental Protection Overlay	WR-O: Water Resources Overlay
FP: Floodplain Overlay	FP-O: Floodplain Overlay
RD: Redevelopment Overlay	N/A
CRD: Corridor Redevelopment Overlay	NC-O: Neighborhood Character Overlay
DBWP: Decker Boulevard/Woodfield Park Neighborhood Redevelopment Overlay	NC-O: Neighborhood Character Overlay
New Zoning District	Former Zoning District
OS: Open Space	PR: Parks & Recreation
	TROS: Traditional Recreation Open Space
AG: Agricultural	RU: Rural
HM: Homestead	RU: Rural
	RR: Rural Residential
RT: Residential Transition	RR: Rural Residential
R1: Residential 1	RS-E: Residential Single-family Estate
R2: Residential 2	RS-LD: Residential Single-family Low-Density
R3: Residential 3	RS-MD: Residential Single-family Medium-Density
R4: Residential 4	RS-HD: Residential Single-family High-Density
R5: Residential 5	RM-MD: Residential Multi-family Medium-Density
R6: Residential 6	RM-HD: Residential Multi-family High-Density
RC: Rural Crossroads	RC: Rural Commercial
MU1: Neighborhood Mixed-Use	NC: Neighborhood Commercial
MU2: Corridor Mixed-Use	N/A
MU3: Community Mixed-Use	N/A
GC: General Commercial	GC: General Commercial
EMP: Employment	OI: Office & Institutional
M-1: Legacy Light Industrial	M-1: Light Industrial
INS: Institutional	OI: Office & Institutional
LI: Light Industrial	LI: Light Industrial
HI: Heavy Industrial	HI: Heavy Industrial
CC: Crane Creek	CC: Crane Creek
PD: Planned Development	PDD: Planned Development
PD-EC: Planned Development Employment Campus	N/A

TABLE 26-1.9(e): Zoning District Equivalencies	
Former Zoning District	New Zoning District
PD-TND: Planned Development Traditional Neighborhood Design	N/A
AHR-O: Airport Height Restrictive Overlay	AP: Airport Height Restrictive Overlay
FP-O: Floodplain Overlay	FP: Floodplain Overlay
WR-O: Water Resources Overlay	C: Conservation Overlay
NC-O: Neighborhood Character Overlay	EP: Environmental Protection Overlay
	CRD: Corridor Redevelopment Overlay
MI-O: Military Installation Overlay	DBWP: Decker Boulevard/Woodfield Park Neighborhood Redevelopment Overlay
	N/A

NOTES:

[1] The equivalencies noted in this table are for reference purposes only and are not binding. Where a district is noted as equivalent between the previous code and this code, constitutes they are the most similar not the same.

Sec. 26-1.10. Severability

It is the legislative intent of the County Council in adopting this Ordinance that all provisions shall be liberally construed to be in accordance with the County’s Comprehensive Plan and guide development in accordance with the existing and future needs of the County as established in the Comprehensive Plan and this Ordinance, and to promote the public health, safety, morals, convenience, order, appearance, prosperity, and general welfare of the land owners and residents of the County. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held by a court of competent jurisdiction to be invalid, such decision shall not affect the validity and continued enforcement of any other section, subsection, sentence, clause, or phrase of this Ordinance. The County Council hereby declares that it would have passed this Ordinance and any section, subsection, sentence, clause, and phrase, thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid by a court of competent jurisdiction.

Sec. 26-1.11. Repeal of Preexisting Regulations

This Ordinance repeals and replaces Articles I through XII of Chapter 26 of the Code of Ordinances.

Table 26-2.2: Summary of Development Review Responsibilities
 A=Appeal D= Decision R=Recommendation S=Staff Review C=Pre-application Conference
 <> = Public Hearing * = Additional Appeal to Circuit Court

Application Type	County Engineer	Flood Coordinator	County Administrator	Development Review Team	Zoning Administrator	Planning Director	Board of Zoning Appeals	Planning Commission	County Council
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NOTES:
 [1] The Planning Commission hears appeals from administrative decisions pertaining land development permit and subdivision review. The Board of Zoning Appeals hears appeals from administrative decisions from all other administrative decisions, other than those pertaining to floodplain development permits and land disturbance permits.
 [2] The County Engineer interprets all stormwater management and erosion and sediment control provisions in Sec. 26-5.11+2, Water Quality. The Flood Coordinator determines the exact location of boundaries of special flood hazard areas. The Zoning Administrator makes all other interpretations of provisions of this Ordinance.

Sec. 26-2.3. Review and Decision Making Bodies

(a) County Council

Without limiting any authority granted to the County Council in accordance with State law, the County Council shall have the following powers and duties under this Ordinance:

- (1) To review and decide the following:
 - a. Text Amendments (Sec. 26-2.5(a));
 - b. Zoning Map Amendments (Sec. 26-2.5(a)(1)); and
 - c. Planned Developments (Sec. 26-2.5(c));
- (2) To enter into development agreements in accordance with S.C. Code §§ 6-31-10 et seq.;
- (3) To establish fees for permits and approvals related to the administration of this Ordinance; and
- (4) Such additional powers and duties as may be set forth elsewhere in this Ordinance and in other related State law and regulations.

(b) Planning Commission

(1) Powers and Duties

The Planning Commission shall have the following powers and duties under this Ordinance:

- a. To review and make recommendations to the County Council on the following:
 1. Text Amendments (Sec. 26-2.5(a));
 2. Zoning Map Amendments (Sec. 26-2.5(b)); and
 3. Planned Developments (Sec. 26-2.5(c));
- b. To hear and decide appeals from decisions of the Planning Director, Zoning Administrator, or Development Review Team, as applicable, on the following:
 1. Minor Land Development (Sec. 26-2.5(e)(3));

- h. To annually mail a notice to owners or occupants of structures within or touched by the regulatory floodplain areas, to provide information as to the status of the flood hazard for each property; and
- i. To serve notices of violation, issue stop work orders, revoke or suspend permits, and take corrective actions for violations of Sec. 26-2.5(k), Floodplain Development Permit.

(4) County Engineer

The County Engineer shall have the following powers and duties under this Ordinance:

- a. To review and decide the following:
 - 1. Land Disturbance Permits and plans for stormwater management (Sec. 26-2.5(l)); and
 - 2. Water Quality Buffer Waivers (Sec. 26-2.5(q));
- b. To interpret and enforce all stormwater management and erosion and sediment control provisions in Sec. 26-5.1112, Water Quality; and
- c. To review and decide road design and development.

Sec. 26-2.4. Standard Review Procedures

(a) General

The provisions in this section apply generally to all application types. Sec. 26-2.2, Summary Table of Development Review Responsibilities, indicates in some cases whether specific provisions in this section apply to specific application types, such as when a public hearing is identified as required. Sec. 26-2.5, Application-Specific Procedures, identifies any modifications of or additions to the provisions in this section that apply to each application type.

(b) Pre-Application Neighborhood Meeting

(1) Purpose

The purpose of this section is to establish a procedure for optional pre-application neighborhood meetings. Pre-application neighborhood meetings are intended to educate owners and residents of nearby lands about a proposed application that is reviewed under this Ordinance, and to provide the applicant an opportunity to hear comments and concerns about the proposal and resolve conflicts and outstanding issues where possible, before an application is submitted.

(2) Applicability

- a. A pre-application neighborhood meeting may be held at the applicant’s option before the submission of any development application. Pre-application neighborhood meetings are particularly encouraged as opportunities for informal communication before the submission of any application requiring a public hearing in accordance with Sec. 26-2.2, Summary Table of Development Review Responsibilities.

b. County Council Review and Action

1. The County Council shall review and make a decision on the proposed text amendment in accordance with Sec. 26-2.5(a)(4), Decision Standards for Text Amendment. The County Council’s decision shall be one of the following:
 - (a) Adopt by ordinance the text amendment as proposed;
 - (b) Adopt by ordinance a revised text amendment, only if the revisions are first submitted to the Planning Commission for review and recommendation in accordance with State law; or
 - (c) Deny the proposed text amendment.

(4) Decision Standards for Text Amendment

- a. In determining whether to adopt or deny the proposed text amendment, the County Council may consider many factors, including but not limited to whether, and the extent to which, the proposed amendment:
 1. Is in accordance with the goals of the Comprehensive Plan and other applicable plans and planning documents adopted by the County;
 2. Is required by changed conditions;
 3. Addresses a demonstrated community need;
 4. Is consistent with the purpose and intent of the zoning districts in this Ordinance, or would improve compatibility among uses and ensure efficient development within the County;
 5. Is consistent with other related State and local laws and regulations;
 6. Would result in a logical and orderly development pattern; and
 7. Would avoid creating significantly adverse impacts on the natural environment, including but not limited to water, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment.

(b) Zoning Map Amendment

(1) Purpose

The purpose of this section is to establish a uniform mechanism for amending the Zoning Map in accordance with State law.

(2) When Required

Approval of a Zoning Map amendment in accordance with this section is required to change the zoning district designation of any land within the County that is subject to this Ordinance.

(3) Legacy Districts

An application to change the zoning district designation of any land within the County to the M-1 district shall not be accepted.

~~(3)~~(4) Zoning Map Amendment Procedure

A Zoning Map amendment shall be submitted, processed, reviewed, and decided on in accordance with Sec. 26-2.4, Standard Review Procedures, as modified in this section, and Sec. 26-2.2, Summary Table of Development Review Responsibilities. Figure 26-2.5(b):

8. A change of district for a parcel located within an adopted neighborhood master plan area which has a compatible neighborhood master plan base or overlay zoning district; or
9. A change of district where property is contiguous to a Neighborhood Master Plan base or overlay Zoning District.

b. Planning Commission Review and Recommendation

1. The Planning Commission shall submit its report and recommendation on the proposed Zoning Map amendment to the County Council, which shall be advisory only and shall not be binding on the County Council. The Planning Commission’s recommendation shall address:
 - (a) The extent to which the proposed amendment meets the factors identified in Sec. 26-2.5(b)(4), Decision Standards for Zoning Map Amendment; and
 - (b) The justification for the change.
2. Unless otherwise agreed to by the Planning Commission and the County Council, the Planning Commission shall submit its report and recommendation within 30 days of first considering the Zoning Map amendment. If the Planning Commission does not submit its report and recommendation within the prescribed time, the Planning Commission shall be deemed to have recommended adoption of the proposed amendment, and the County Council may proceed to act on the proposed amendment.

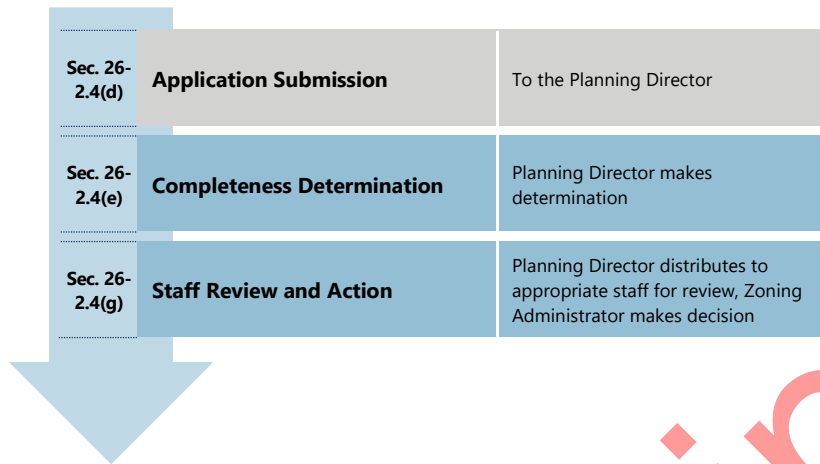
c. County Council Review and Action

1. The County Council shall review and make a decision on the proposed Zoning Map Amendment in accordance with Sec. 26-2.5(b)(4), Decision Standards for Zoning Map Amendment. The County Council’s decision shall be one of the following:
 - (a) Adopt by ordinance the proposed Zoning Map amendment;
 - (b) Adopt by ordinance a revised Zoning Map amendment, only if the revisions are first submitted to the Planning Commission for review and recommendation in accordance with State law; or
 - (c) Deny the proposed Zoning Map amendment.
2. If the County Council does not adopt or deny a proposed Zoning Map amendment within 180 days after the public hearing on the proposed amendment, the amendment is considered denied.

(4)(5) Decision Standards for Zoning Map Amendment

- a. In determining whether to adopt or deny a proposed zoning map amendment, the County Council may consider many factors, including but not limited to whether, and the extent to which, the proposed amendment:
 1. Is in accordance with the goals and policies of the Comprehensive Plan and other applicable plans and planning documents adopted by the County;
 2. Would allow a range of uses that are compatible with the uses allowed on other property in the immediate vicinity;
 3. Would avoid creating an inappropriately isolated district unrelated to adjacent and surrounding districts;

Figure 26-2.5(i): Basic Flowchart of Tree Removal Permit Procedure



a. Zoning Administrator Decision

The Zoning Administrator shall make a decision on the application in accordance with Sec. 26-2.5(i)(4), Decision Standards for Tree Removal Permit. The Zoning Administrator’s decision shall be one of the following:

1. Approve the application as submitted;
2. Approve the application subject to conditions of approval that the Zoning Administrator determines are necessary for the proposed use to comply with Sec. 26-2.5(i)(4), Decision Standards for Tree Removal Permit; or
3. Deny the application.

b. Appeal of Decision on Application

Appeals of the Zoning Administrator’s decision on the application shall be to the Board of Zoning Appeals in accordance with Sec. 26-2.5(r), Appeal of Administrative Decision.

(4) Decision Standards for Tree Removal Permit

The Zoning Administrator shall approve a tree removal permit application only on finding the proposed activity complies with all applicable standards in Sec. 26-5.3(i), Tree Protection.

(j) Sign Permit

(1) Purpose

The purpose of this section is to establish a uniform mechanism for ensuring that the erection and maintenance of signs complies with the standards in Sec. 26-5.9, Signs.

(2) When Required

Approval of a sign permit in accordance with this section is required prior to any erection, installation, or structural alteration of a sign, unless the sign is exempted in accordance with Sec. 26-5.910(b)(2), Exempt Signs, or Sec. 26-5.910(e), Signs that Do Not Require a Sign Permit.

7. Notice of Termination (NOT)

The owner/operator of a site may apply for a NOT when seventy percent (70%) of the site is stabilized. The County has the authority to grant or deny the request for a NOT at its discretion. Any recurring fees will continue to be applicable until the NOT is submitted to Richland County and approved by DHEC. Richland County will forward the request for NOT to DHEC.

(4) Decision Standards for Land Disturbance Permit and SWPPP Approval

- a. The County Engineer shall approve a proposed SWPPP on finding that it complies with the standards in Sec. 26-5.1112(b), Stormwater Management.
- b. The County Engineer shall issue a land disturbance permit only after DHEC issues a letter granting, or is deemed to have granted, a NPDES General Permit for Large and Small Construction Activities in accordance with Sec. 26-2.5(l)(3)b, County Engineer Decision and Department of Health and Environmental Control (DHEC) Review.

(m) Temporary Use Permit

(1) Purpose

The purpose of this section is to establish a uniform mechanism for ensuring that specified temporary uses comply with the standards in Sec. 26-4.4, Temporary Uses and Structures.

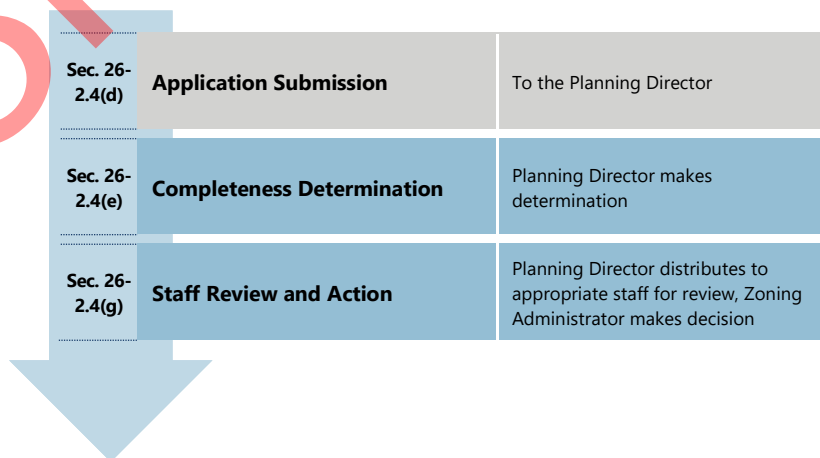
(2) When Required

Approval of a temporary use permit in accordance with this section is required prior to the establishment of any temporary use identified as requiring a temporary use permit in Sec. 26-4.4, Temporary Uses and Structures.

(3) Procedure for Temporary Use Permit

A temporary use permit application shall be submitted, processed, reviewed, and decided on in accordance with Sec. 26-2.4, Standard Review Procedures, as modified in this section, and Sec. 26-2.2, Summary Table of Development Review Responsibilities. Figure 26-2.5(m): Basic Flowchart of Temporary Use Permit Procedure, identifies key steps in the temporary use permit procedure.

Figure 26-2.5(m): Basic Flowchart of Temporary Use Permit Procedure



standards identified in Table 26-2.5(o)(2): Standards for which Administrative Adjustments Allowed.

Table 26-2.5(o)(2): Standards for which Administrative Adjustments Allowed	
Standard	
Minimum lot width	Sec. 26-5.2(h), Vehicle Stacking Spaces and Lanes
Minimum front yard setback	Sec. 26-5.2(i), Bicycle Parking Standards
Minimum side yard setback	Transitional buffer yard width in Sec. 26-5.3(d)(3), Dimensional and Planting Requirements
Minimum rear yard setback	Street protective yard width in Sec. 26-5.3(e)(4), Dimensional Requirements
Sec. 26-5.1(c)(2)d, Driveway Standards	Vehicular surface area screening width in Sec. 26-5.3(f)(3), Screening
Sec. 26-5.2(c)(8), Large Vehicular Surface Areas (300 or More Spaces)	Sec. 26-5.56(c)(3), Building Size
	Sec. 26-5.78(c)(1)a, Buffer Width
Sec. 26-5.2(f)(6), Valet and Tandem Parking	

(3) Procedure for Administrative Adjustment

An application for an administrative adjustment shall be submitted, processed, reviewed, and decided on in accordance with Sec. 26-2.4, Standard Review Procedures, as modified in this section, and Sec. 26-2.2, Summary Table of Development Review Responsibilities. Figure 26-2.5(o)(3): Basic Flowchart of Administrative Adjustment Procedure, identifies key steps in the administrative adjustment procedure.

Figure 26-2.5(o)(3): Basic Flowchart of Administrative Adjustment Procedure

Sec. 26-2.4(d)	Application Submission	To the Planning Director
Sec. 26-2.4(e)	Completeness Determination	Planning Director makes determination
Sec. 26-2.4(g)	Staff Review and Action	Zoning Administrator reviews application, makes decision

a. Zoning Administrator Decision

The Zoning Administrator shall make a decision on the application in accordance with Sec. 26-2.5(o)(4), Decision Standards for Administrative Adjustment, within 17 business days of the application being determined complete, unless this time requirement is waived by the applicant. The Zoning Administrator’s decision shall be one of the following:

1. Approve the application as submitted;

- c. The Board of Zoning Appeals shall not approve a variance application if the approval would have the effect of:
 1. Allowing the establishment of a use not otherwise permitted in a zoning district;
 2. Extending physically a nonconforming use of land;
 3. Changing the zoning district boundaries shown on the official zoning map;
 4. Decreasing the allowed minimum lot size or the minimum lot width, or in any other manner creating a nonconforming lot; or
 5. Permitting an increase in density allowing more units on a lot than permitted under this Ordinance.

(q) Water Quality Buffer Waiver

(1) Purpose

The purpose of this section is to establish a uniform mechanism for granting waivers from the water quality buffer requirements in Sec. 26-5.1112(a), Water Quality Buffers, when specific standards are met.

(2) Applicability

An applicant may request and the County Engineer may grant a waiver to alter a buffer required by Sec. 26-5.1112(a), Water Quality Buffers, in accordance with the procedure and standards set forth in this section.

(3) Procedure for Water Quality Buffer Waiver

An application for a water quality buffer waiver shall be submitted, processed, reviewed, and decided on in accordance with Sec. 26-2.4, Standard Review Procedures, as modified in this section, and Sec. 26-2.2, Summary Table of Development Review Responsibilities. Figure 26-2.5(q): Water Quality Buffer Waiver Procedure, identifies key steps in the water quality buffer waiver procedure.

Figure 26-2.5(q): Water Quality Buffer Waiver Procedure

Sec. 26-2.4(d)	Application Submission	To the County Engineer
Sec. 26-2.4(e)	Completeness Determination	County Engineer makes determination
Sec. 26-2.4(g)	Staff Review and Action	County Engineer makes decision on application



a. Application Submission

The provisions in Sec. 26-2.4(d), Application Submission, apply, except a water quality buffer waiver application shall be submitted to the County Engineer instead of the Planning Director. The application shall include specific reasons justifying the waiver. The County Engineer may require an alternative analysis that clearly demonstrates that no other feasible alternative exists and that minimal impact will occur as a result of the project or development.

b. Completeness Determination

The provisions in Sec. 26-2.4(e), Completeness Determination, apply, except the County Engineer shall determine if the application is complete instead of the Planning Director.

c. County Engineer Decision

1. The County Engineer shall make a decision on the application in accordance with Sec. 26-2.5(q)(4), Decision Standards for Water Quality Buffer Waiver. The County Engineer’s decision shall be one of the following:
 - (a) Approve the application as submitted;
 - (b) Approve the application subject to conditions of approval; or
 - (c) Deny the application.
2. Conditions of approval may address site design, landscape planting, fencing, the placement of signs, and the establishment of water quality best management practices in order to reduce adverse impacts on water quality, streams, wetlands, and floodplains.

d. Appeal to Planning Commission

Any person having a substantial interest in the County Engineer’s decision on the application may appeal the decision to the Planning Commission within 30 days after the decision. Such appeal shall be in writing and shall state the basis or reason for the appeal. The Planning Commission shall make all final determinations and decisions on the application.

(4) Decision Standards for Water Quality Buffer Waiver

A waiver from the requirements in Sec. 26-5.1112(a), Water Quality Buffers, shall be granted only on determining the applicant demonstrates all of the following:

- a. A hardship exists and the requested relief meets the general purpose and intent of this section;
- b. If the buffer is located in a Water Quality Protection Area, alternative protection measures can be provided that exceed the protection afforded by the established buffer;
- c. The waiver will not result in a buffer required by Sec. 26-5.1112(a), Water Quality Buffers, being reduced to less than 25 feet from the jurisdictional line;
- d. The project will not add to an already established TMDL; and
- e. The requested waiver meets any of the following criteria:
 1. The project involves construction of one single-family home for residential use by the owner of the property, and the property has an unusual shape or

(2) Authority to Render Interpretation

- a. Except as provided in subsections b and c below, the Zoning Administrator is responsible for rendering interpretations, in accordance with the procedures and standards in this section, of all provisions of this Ordinance, including, but not limited to:
 - 1. Interpretations of the text, including standards;
 - 2. Interpretations of the zoning district boundaries;
 - 3. Interpretations of whether an unlisted use in the use tables in Article 26-4: Use Regulations, is comparable to a listed use or not, and should be allowed in a zoning district or prohibited in that district; and
 - 4. Interpretations of compliance with a condition of approval.
- b. The County Engineer is responsible for rendering interpretations, in accordance with the procedures and standards in this section, of all stormwater management and erosion and sediment control provisions in Sec. 26-5.1112, Water Quality.
- c. The Flood Coordinator is responsible for rendering interpretations, in accordance with the procedures and standards in this section, determining the exact location of boundaries of special flood hazard areas.

(3) Procedure for Interpretation

A request for an interpretation shall be submitted, processed, reviewed, and decided on in accordance with Sec. 26-2.4, Standard Review Procedures, as modified in this section, and Sec. 26-2.2, Summary Table of Development Review Responsibilities. Figure 26-2.5(s): Basic Flowchart of Interpretation Procedure, identifies key steps in the interpretation procedure.

Figure 26-2.5(s): Basic Flowchart of Interpretation Procedure

Sec. 26-2.4(d)	Application Submission	To the Planning Director
Sec. 26-2.4(e)	Completeness Determination	Planning Director makes determination
Sec. 26-2.4(g)	Staff Review and Action	Zoning Administrator, County Engineer, or Flood Coordinator renders interpretation

a. Decision on Interpretation Request

The Zoning Administrator, the County Engineer, or the Flood Coordinator, as appropriate, shall review the application, and render a formal written interpretation in accordance with Sec. 26-2.5(s)(4), Standards for Interpretation. The interpretation shall be in a form approved by the County Attorney and shall constitute the decision on the application.

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3rd Reading

3rd Reading

ARTICLE 26-3. ZONING DISTRICTS

Commentary

Article 26-3: Zoning Districts, establishes the basic standards for the various base, planned development, and overlay zoning districts. The structure includes a total of 28 zoning districts and reflects the policies for different types of development established in *Plan Richland County, the 2015 Comprehensive Plan*.

Section 26-3.1, Purpose and Organization of this Article, lays out the purpose of this article, states that compliance with district standards is required for all development, provides an overview of the organization of the zoning districts, and establishes the different zoning districts.

Section 26-3.2, Special Purpose Base Districts, establishes three special purpose base districts for preserving lands for conservation, recreation, and open space and for supporting agriculture.

Section 26-3.3, Residential Base Districts, establishes seven residential base districts for single-family and multi-family residential development.

Section 26-3.4, Nonresidential and Mixed-Use Base Districts, establishes nine districts for commercial, mixed-use, institutional, and industrial development.

Section 26-3.5, Neighborhood Master Plan Base Districts, establishes one neighborhood master plan base district: the Crane Creek Neighborhood District.

Section 26-3.6, Legacy District, [establishes a legacy district, the M-1 district, that was applied to land in the County upon the effective date of this Ordinance, but is not intended to be applied to any new lands in the future.](#)

Section 26-3.7, Planned Development Districts, establishes three planned development districts and lays out requirements for plans and agreements that must be approved as part of a planned development approval.

Section 26-3.8, Overlay Districts, establishes five overlay districts, which modify underlying base and planned development district standards.

Sec. 26-3.1. General Provisions

(a) Purpose

For the purpose of guiding development in accordance with existing and future needs and promoting the public health, safety, morals, convenience, order, appearance, prosperity and general welfare of the County, land within the County is hereby divided into districts as enumerated in this article.

(b) Boundaries of Zoning Districts

The boundaries of the zoning districts established by this article shall be shown on the Official Zoning Map in accordance with Sec. 26-1.8, Official Zoning Map.

(3) Overlay Districts

- a. Overlay zoning districts (see Table 26-3.1(c): Establishment of Zoning Districts), are established initially by the County’s adoption of this Ordinance, and subsequently by approval of a zoning map amendment (see Sec. 26-2.5(b), Zoning Map Amendment).
- b. Standards governing development in an overlay zoning district shall apply in addition to, or instead of, the standards governing development in the underlying base zoning district or planned development district, and may also provide a more flexible alternative to base zoning district standards. If the regulations governing an overlay district expressly conflict with those governing an underlying base or planned development zoning district, the regulations governing the overlay district shall control, unless expressly stated to the contrary. If land is classified into multiple overlay districts and the regulations governing one overlay district expressly conflict with those governing another overlay district, the more restrictive regulations shall control.

(4) Legacy District

The legacy district is established in Sec. 26-3.6, Legacy District. Lands assigned to a legacy district upon the adoption of this Ordinance may remain in the legacy district until they are assigned to another base zoning district in accordance with Sec. 26-2.5(b), Zoning Map Amendment, or a planned development district in accordance with Sec. 26-2.6(c) Planned Development. No lands classified as a different base zoning district or planned development district may be classified as a legacy district.

(e) Establishment of Zoning Districts

This Ordinance establishes the base, planned development and overlay zoning districts identified in Table 26-3.1(c): Establishment of Zoning Districts. The boundaries of each of the zoning districts are identified on the Official Zoning Map.

Table 26-3.1(c): Establishment of Zoning Districts	
Base Zoning Districts	
Special Purpose Districts	
	OS: Open Space District
	AG: Agricultural District
	HM: Homestead District
Residential Districts	
	RT: Residential Transition District
	R1: Residential 1 District
	R2: Residential 2 District
	R3: Residential 3 District
	R4: Residential 4 District
	R5: Residential 5 District
	R6: Residential 6 District
Nonresidential and Mixed-Use Districts	
	RC: Rural Crossroads District
	MU1: Neighborhood Mixed-Use District
	MU2: Corridor Mixed-Use District
	MU3: Community Mixed-Use District
	GC: General Commercial District

Table 26-3.1(c): Establishment of Zoning Districts	
EMP: Employment District	
INS: Institutional District	
LI: Light Industrial District	
HI: Heavy Industrial District	
Neighborhood Master Plan Base Districts	
CC: Crane Creek Neighborhood District	
Legacy District	
M-1: Legacy Light Industrial	
Planned Development Districts	
PD: Planned Development District	
PD-EC: Planned Development - Employment Campus District	
PD-TND: Planned Development - Traditional Neighborhood Design District	
Overlay Districts	
AHR-O: Airport Height Restrictive Overlay District	
FP-O: Floodplain Overlay District	
WR-O: Water Resources Overlay District	
NC-O Neighborhood Character Overlay District	
MI-O: Military Installation Overlay District	

(f) Superseding Dimensional Standards¹

Dimensional standards for each zoning district are in tabular format in this article. Notes within each table provide additional details where necessary, and rules for measuring dimensional standards are in Sec. 26-9.2, Rules of Measurement. The dimensional standards in the article apply generally, but may be superseded by other standards in this Ordinance (see Sec. 26-1.7(a), Conflicts with Provisions of Adopted Codes or Ordinances), including but not limited to the standards identified in this section below. Terms abbreviated in this article are defined in Sec. 26-9.4, Definitions.

(1) Neighborhood Compatibility Standards

Sec. 26-5.7, Neighborhood Compatibility, establishes height and setback requirements that apply to specific types of uses within a certain proximity to specific zoning districts and uses.

(2) Use-Specific Standards

Dimensional standards are established for some uses in Article 26-4: Use Regulations.

(3) DHEC Regulations

The South Carolina Department of Health and Environmental Control (DHEC) may require larger lot sizes than the minimum established in this article. In such cases, the minimum lot size shall be that required by DHEC.

¹The standards allowing for zero-lot-line development of detached single family dwellings, formerly subsection (4), and the standards allowing for reduction of lot sizes, lot widths, and other standards for cluster development, formerly subsection (5), have been removed, and references to this section have been removed from through this LDC.

(4) Zero-Lot-Line Development

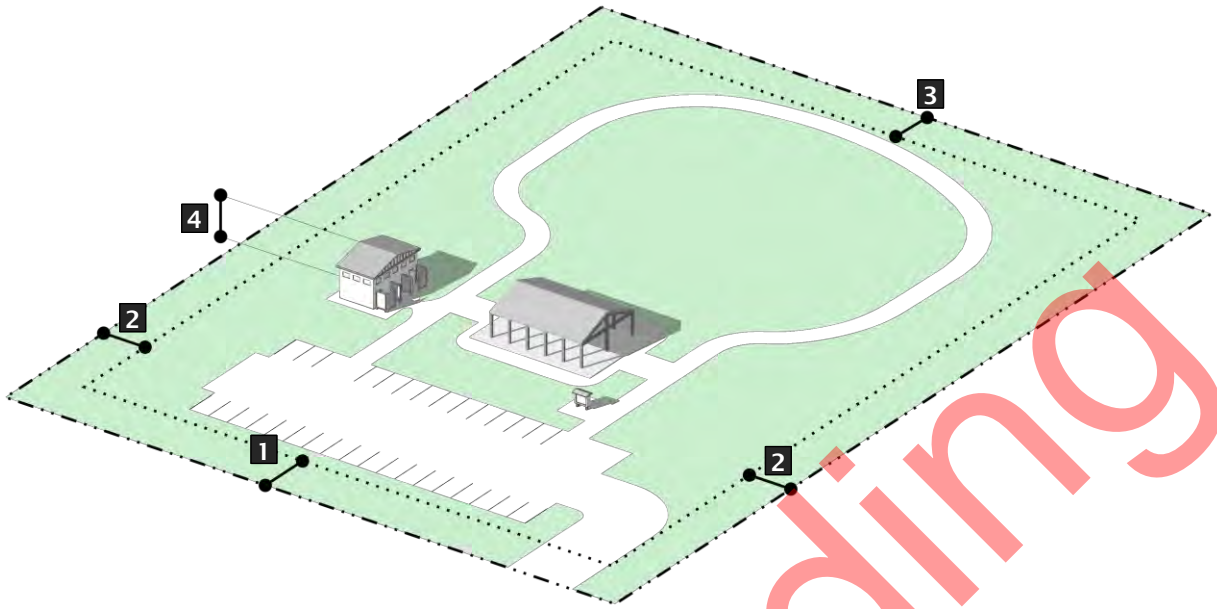
Where indicated in this article, the dimensional standards for single-family detached dwellings may be modified for zero-lot-line development in accordance with the standards in this section.

- a. 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 c below must be provided as part of this agreement and deed restriction.
- b. 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 if:
 - 1. The atrium or court is enclosed by two walls of the dwelling unit; and
 - 2. A solid wall that is a minimum of six feet in height and is constructed of the same materials as the dwelling unit is provided on the zero-lot-line extending to the front and/or rear of the dwelling unit.
- c. A perpetual maintenance easement having a minimum width of five feet 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 24 inches if the roof is designed to control water runoff from the dwelling placed on the lot line by gutters or other approved methods.

(5) Cluster Development

Sec. 26-5.5, Cluster Development, establishes the need to group lots together within a development into one or more groupings surrounded by open space. Where indicated in this article, the dimensional standards for residential development may be modified for cluster development in accordance with the standards in this section.

- a. In the AG, HM, RT, and R1 districts:
Residential lots created as part of a cluster development are eligible for a reduction of 75% of the dimensional standards of that district, whereas no lot width shall be less than 30 feet, front setback no less than 20 feet, side setback no less than 7 feet, and rear setback no less than 15 feet.
- b. In the R2, R3, R4, R5, and R6 districts:
Residential lots created as part of a cluster development are eligible for the removal of the lot width standard.



Reference to Other Standards

Article 26-4	Use Regulations	Sec. 26-5.8	Agricultural Compatibility <u>Fences and Walls</u>
Sec. 26-5.1	Access, Mobility, and Connectivity	Sec. 26-5.9	Fences and Walls <u>Signs</u>
Sec. 26-5.2	Off-Street Parking and Loading	Sec. 26-5.10	Signs <u>Exterior Lighting</u>
Sec. 26-5.3	Landscaping	Sec. 26-5.11	Exterior Lighting <u>Water Quality</u>
Sec. 26-5.4	Open Space Set-Asides	Sec. 26-5.12	Green Development Incentives
Sec. 26-5.5	Cluster Development <u>Design and Form Standards</u>	Sec. 26-5.13	General Performance Standards
Sec. 26-5.6	Design and Form Standards <u>Neighborhood Compatibility</u>	Article 26-6	Land Development (Subdivision) Standards <u>Road Naming and Addressing</u>
Sec. 26-5.7	Neighborhood Compatibility <u>Agricultural Compatibility</u>	Article 26-6	<u>Land Development (Subdivision) Standards</u>

(d) AG: Agricultural District

General Description

The AG: Agricultural District provides lands for agriculture and forestry, agriculture-supporting uses, and other working lands operations that enable the continuation and preservation of large-scale agricultural practices within the County. This district is intended for active working lands on large tracts of land that preserve a rural character. Residential development includes single-family detached homes and manufactured homes often as large single lots or family subdivisions with significant acreage in conjunction with an active agricultural operation.

Concept



Use Standards

Allowed uses and use-specific standards for principal, accessory, and temporary uses are established in Article 26-4: Use Regulations.

Density and Dimensional Standards²

Standard ^[1]	All Uses
Contiguous Area, min. (ac) ^[1a]	35
Density, max. (du/acre)	0.3315
Gross Average Lot Area (sf)	130,680
Lot Area, min. (sf)	98,000
1 Lot Width, min. (ft)	240
2 Front Yard Setback, min. (ft)	50
3 Side Yard Setback, min. (ft)	20
4 Rear Yard Setback, min. (ft)	50
5 Building Height, max. (ft)	45 ^[2a]

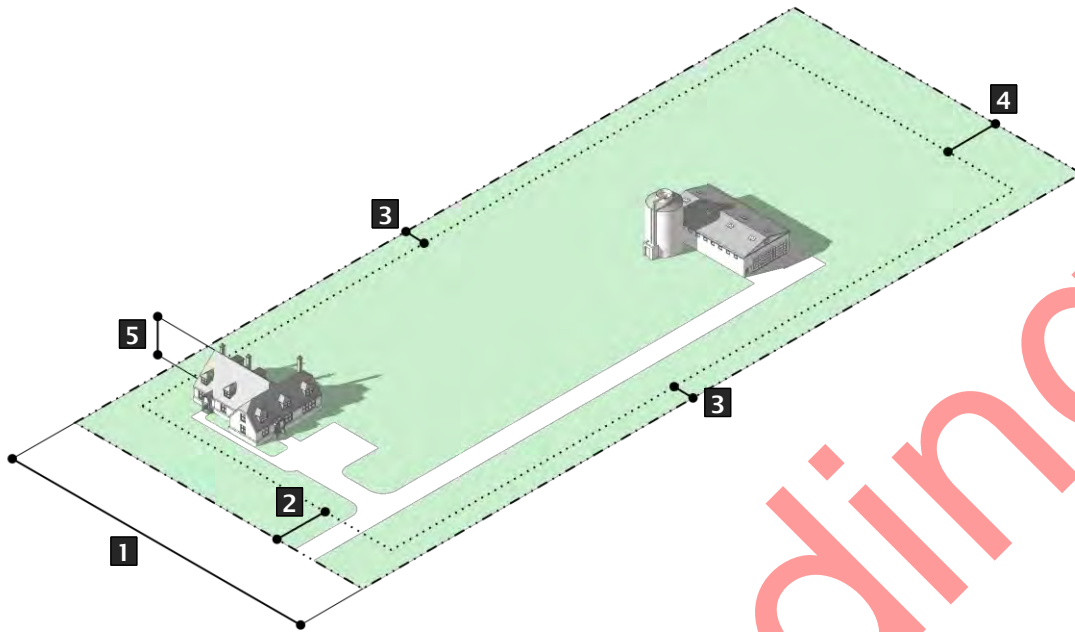
NOTES:

^[1] Unless modified in accordance with Sec. 26-3.1(f)(5), Cluster Development.

^[2] Lands rezoned to the AG district must, together with any contiguous lands zoned AG or HM, total 35 acres.

^[2a] Does not apply to silos, barns, windmills, or other similar structures used for agricultural purpose.

² Gross average lot area standard and minimum lot area standards are new; reductions in standards for cluster development are no longer available and those references are removed.



Reference to Other Standards

Article 26-4	Use Regulations	Sec. 26-5.8	Agricultural Compatibility <u>Fences and Walls</u>
Sec. 26-5.1	Access, Mobility, and Connectivity	Sec. 26-5.9	Fences and Walls <u>Signs</u>
Sec. 26-5.2	Off-Street Parking and Loading	Sec. 26-5.10	Signs <u>Exterior Lighting</u>
Sec. 26-5.3	Landscaping	Sec. 26-5.11	Exterior Lighting <u>Water Quality</u>
Sec. 26-5.4	Open Space Set-Asides	Sec. 26-5.12	Green Development Incentives
Sec. 26-5.5	Cluster Development Standards	Sec. 26-5.13	General Performance Standards
Sec. 26-5.6	Design and Form Standards	Article 26-6	Land Development (Subdivision) Standards
Sec. 26-5.7	Neighborhood Compatibility	Sec. 26-5.14	Road Naming and Addressing
Sec. 26-5.7	Neighborhood Compatibility	Article 26-6	<u>Land Development (Subdivision) Standards</u>
Sec. 26-5.7	Agricultural Compatibility		

(e) HM: Homestead District

Purpose

The HM: Homestead District provides lands for low-intensity agricultural and agricultural-supporting uses, such as hobby farms, along with very low-intensity residential development that preserves the rural and natural character of the district. Residential development includes single-family detached and manufactured home dwellings on large single lots or family subdivisions with significant acreage.

Concept



Use Standards

Allowed uses and use-specific standards for principal, accessory, and temporary uses are established in Article 26-4: Use Regulations.

Density and Dimensional Standards³

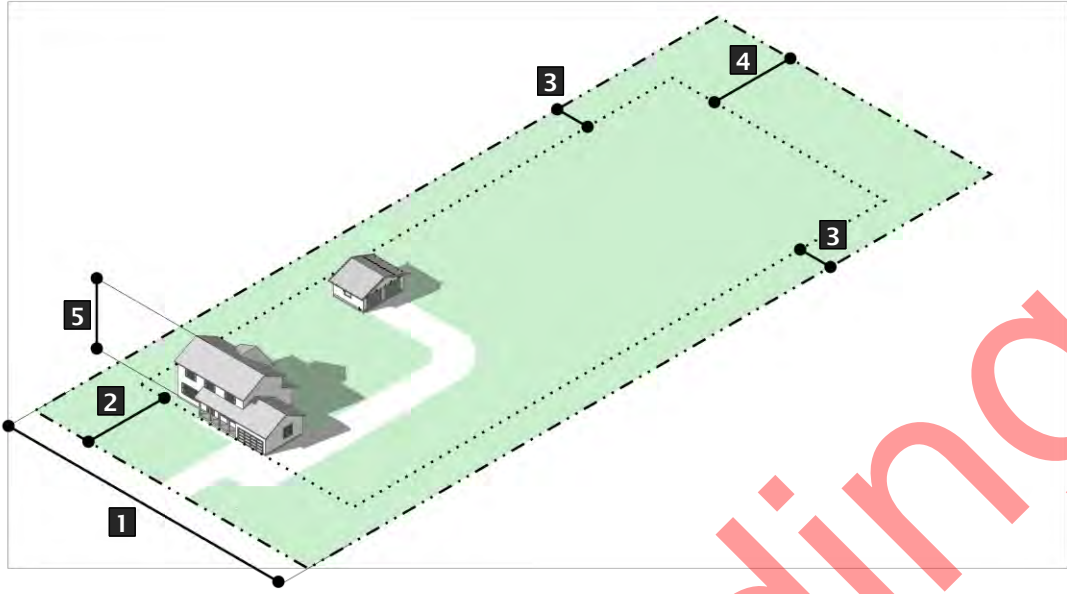
Standard ^[1]	All Uses
Density, max. (du/acre)	0.66 33
Gross Average Lot Area (sf)	66,211
Lot Area, min. (sf)	50,000
1 Lot Width, min. (ft)	150
2 Front Yard Setback, min. (ft)	50
3 Side Yard Setback, min. (ft)	20
4 Rear Yard Setback, min. (ft)	50
5 Building Height, max. (ft)	45 ^[2]

NOTES:

[1] ~~Unless modified in accordance with Sec. 26-3.1(f)(5), Cluster Development.~~

[2] Does not apply to silos, barns, windmills, or other similar structures used for agricultural purpose.

³ Gross average lot area standard and minimum lot area standards are new; reductions in standards for cluster development are no longer available and those references are removed.



Reference to Other Standards			
Article 26-4	Use Regulations	Sec. 26-5.8	Agricultural Compatibility Fences and Walls
Sec. 26-5.1	Access, Mobility, and Connectivity	Sec. 26-5.9	Fences and Walls Signs
Sec. 26-5.2	Off-Street Parking and Loading	Sec. 26-5.10	Signs Exterior Lighting
Sec. 26-5.3	Landscaping	Sec. 26-5.11	Exterior Lighting Water Quality
Sec. 26-5.4	Open Space Set-Asides	Sec. 26-5.12	Green Development Incentives
Sec. 26-5.5	Cluster Development Standards	Sec. 26-5.13	General Performance Standards
Sec. 26-5.6	Design and Form Standards Neighborhood Compatibility	Article 26-6 Sec. 26-5.14	Land Development (Subdivision) Standards Road Naming and Addressing
Sec. 26-5.7	Neighborhood Compatibility Agricultural Compatibility	Article 26-6	Land Development (Subdivision) Standards

(c) RT: Residential Transition District

General Description

The RT: Residential Transition District provides lands for low-intensity residential development outside urban and suburban settings. The district is intended to serve as a transition between very low intensity rural areas and suburban residential areas. Residential development is limited to manufactured homes and detached single-family dwellings, which may be located on large lots or on family subdivisions that respect the natural features of the land and are designed to conform to the suburban/rural fringe character of the district. Development in the district includes natural buffers between adjacent uses and roadway buffers to support road corridors that have a natural appearance and limit visibility into developed areas.

Concept



Use Standards

Allowed uses and use-specific standards for principal, accessory, and temporary uses are established in Article 26-4: Use Regulations.

Density and Dimensional Standards⁴

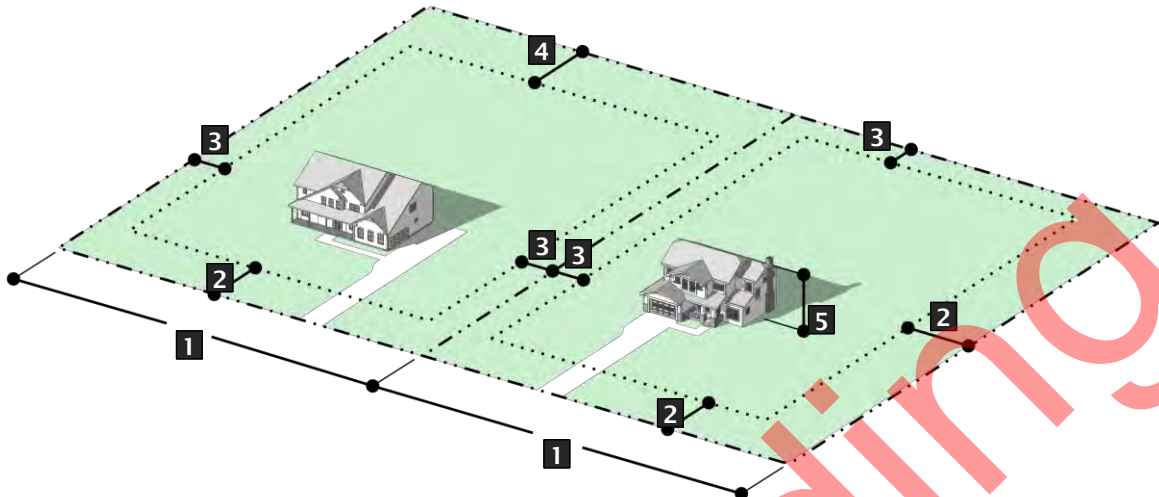
Standard ^[1]	All Uses
Density, max. (du/acre)	<u>1.0-67</u>
<u>Gross Average Lot Area (sf)</u>	<u>43,560</u>
<u>Lot Area, min. (sf)</u>	<u>32,670</u>
1 Lot Width, min. (ft)	120
2 Front Yard Setback, min. (ft)	40
3 Side Yard Setback, min. (ft)	20
4 Rear Yard Setback, min. (ft)	50
5 Building Height, max. (ft)	45 ^[2]

NOTES:

^[1] Unless modified in accordance with Sec. 26-3.1(f)(5), Cluster Development.

^[2] Does not apply to silos, barns, windmills, or other similar structures used for agricultural purpose.

⁴ Gross average lot area standard and minimum lot area standards are new; reductions in standards for cluster development are no longer available and those references are removed.



Reference to Other Standards			
Article 26-4	Use Regulations	Sec. 26-5.8	Agricultural Compatibility Fences and Walls
Sec. 26-5.1	Access, Mobility, and Connectivity	Sec. 26-5.9	Fences and Walls Signs
Sec. 26-5.2	Off-Street Parking and Loading	Sec. 26-5.10	Signs Exterior Lighting
Sec. 26-5.3	Landscaping	Sec. 26-5.11	Exterior Lighting Water Quality
Sec. 26-5.4	Open Space Set-Asides	Sec. 26-5.12	Green Development Incentives
Sec. 26-5.5	Cluster Development Standards	Sec. 26-5.13	General Performance Standards
Sec. 26-5.6	Design and Form Standards	Sec. 26-5.14	Road Naming and Addressing
Sec. 26-5.7	Neighborhood Compatibility	Article 26-6	Land Development (Subdivision) Standards
	Neighborhood Compatibility		Agricultural Compatibility

(d) R1: Residential 1 District

General Description

The R1: Residential 1 District provides lands primarily for low-intensity single-family residential development. Development allowed in this district includes single-family detached dwellings and manufactured homes, limited agricultural uses, and limited public, civic, and institutional uses that are consistent with the low-intensity residential character of the district.

Concept



Use Standards

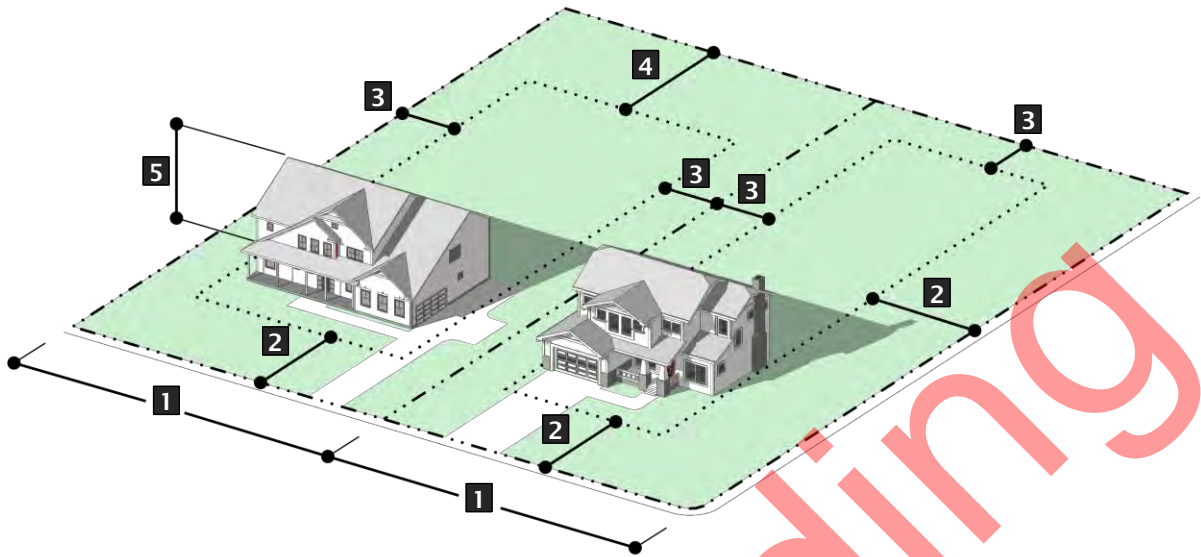
Allowed uses and use-specific standards for principal, accessory, and temporary uses are established in Article 26-4: Use Regulations.

Density and Dimensional Standards⁵

Standard ^[4]	All Uses
Density, max. (du/acre)	1.33
Gross Average Lot Area (sf)	32,750
Lot Area, min. max. (sf)	24,500 40,000 ^[1]
1 Lot Width, min. (ft)	50 ^[2]
2 Front Yard Setback, min. (ft)	40
3 Side Yard Setback, min. (ft)	20
4 Rear Yard Setback, min. (ft)	50
5 Building Height, max. (ft)	45 ^[3]

- NOTES:
- [1] Lot area range applies only to property subdivided following the effective date of this Ordinance. See Sec. 26-6.3(c), Lots.
 - [1] Unless modified in accordance with Sec. 26-3.1(f)(5), Cluster Development.
 - [2] There is no minimum lot width if vehicular access is provided to the rear of the lot from an abutting alley.
 - [3] Does not apply to silos, barns, windmills, or other similar structures used for agricultural purpose.

⁵ Gross average lot area standard and minimum/maximum lot area standards are new; reductions in standards for cluster development are no longer available and those references are removed.



Reference to Other Standards

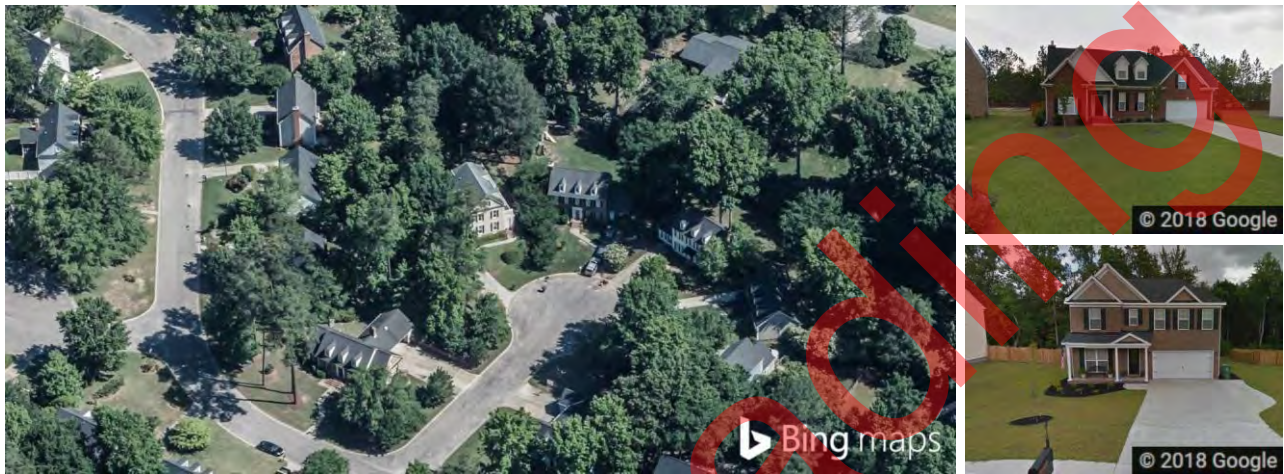
Article 26-4	Use Regulations	Sec. 26-5.8	Agricultural Compatibility <u>Fences and Walls</u>
Sec. 26-5.1	Access, Mobility, and Connectivity	Sec. 26-5.9	Fences and Walls <u>Signs</u>
Sec. 26-5.2	Off-Street Parking and Loading	Sec. 26-5.10	Signs <u>Exterior Lighting</u>
Sec. 26-5.3	Landscaping	Sec. 26-5.11	Exterior Lighting <u>Water Quality</u>
Sec. 26-5.4	Open Space Set-Asides	Sec. 26-5.12	Green Development Incentives
Sec. 26-5.5	Cluster Development <u>Design and Form Standards</u>	Sec. 26-5.13	General Performance Standards
Sec. 26-5.6	Design and Form Standards <u>Neighborhood Compatibility</u>	Sec. 26-5.14	Road Naming and Addressing
Sec. 26-5.7	Neighborhood Compatibility <u>Agricultural Compatibility</u>	Article 26-6	Land Development (Subdivision) Standards

(e) R2: Residential 2 District

General Description

The R2: Residential 2 District provides lands primarily for low- to moderate-intensity residential development. Development allowed in this district includes residential dwellings, manufactured homes, and limited public, civic, and institutional uses that support residential development.

Concept



Use Standards

Allowed uses and use-specific standards for principal, accessory, and temporary uses are established in Article 26-4: Use Regulations.

Density and Dimensional Standards

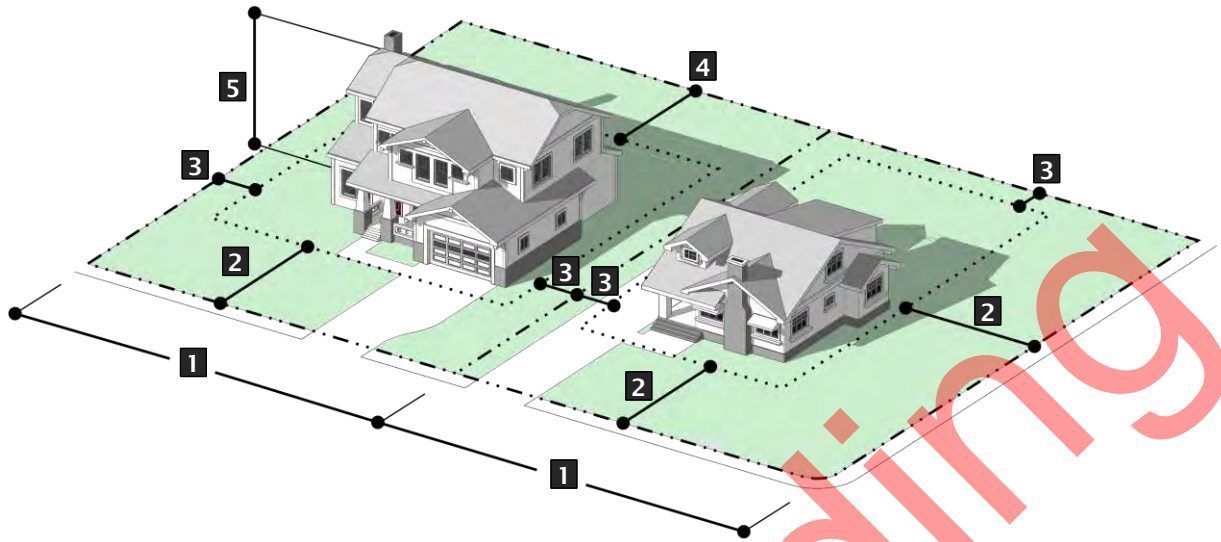
Standard	All Uses
Density, max. (du/acre)	3
Gross Average Lot Area (sf)	14,500
Lot Area, min. max. (sf)	11,000 18,000 ^[1]
1 Lot Width, min. (ft)	50 ^[2]
2 Front Yard Setback, min. (ft)	35
3 Side Yard Setback, min. (ft)	10 ^[2]
4 Rear Yard Setback, min. (ft)	30
5 Building Height, max. (ft)	45

NOTES:

[1] [Lot area range applies only to property subdivided following the effective date of this Ordinance. See Sec. 26-6.3\(c\), Lots.](#)

[2] ~~[1]~~—There is no minimum lot width if vehicular access is provided to the rear of the lot from an abutting alley, ~~or if modified in accordance with Sec. 26-3.1(f)(5), Cluster Development.~~

~~[2]~~—Unless modified in accordance with Sec. 26-3.1(f)(4), Zero Lot Line Development.



Reference to Other Standards

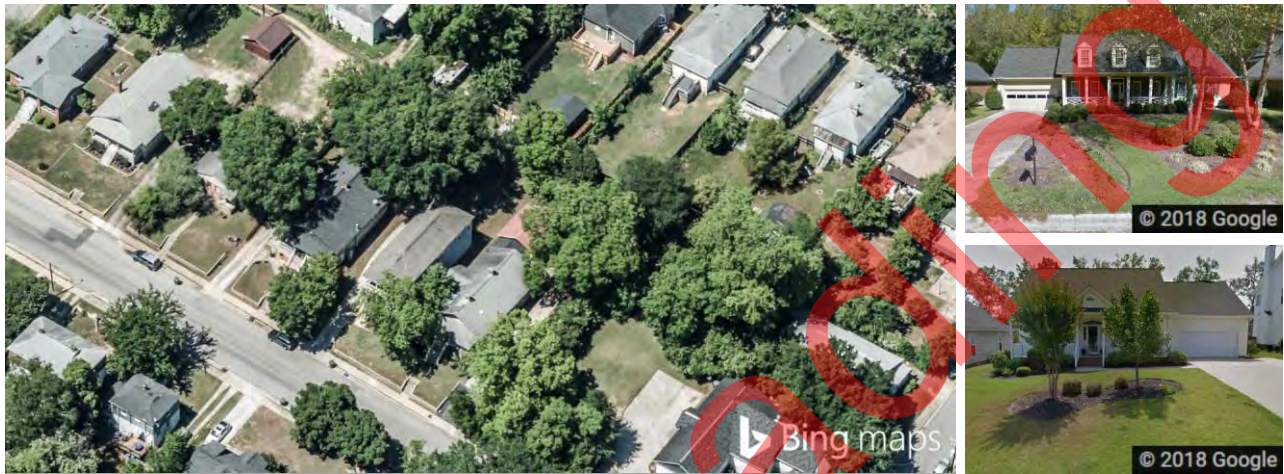
Article 26-4	Use Regulations	Sec. 26-5.8	Agricultural Compatibility <u>Fences and Walls</u>
Sec. 26-5.1	Access, Mobility, and Connectivity	Sec. 26-5.9	Fences and Walls <u>Signs</u>
Sec. 26-5.2	Off-Street Parking and Loading	Sec. 26-5.10	Signs <u>Exterior Lighting</u>
Sec. 26-5.3	Landscaping	Sec. 26-5.11	Exterior Lighting <u>Water Quality</u>
Sec. 26-5.4	Open Space Set-Asides	Sec. 26-5.12	Green Development Incentives
Sec. 26-5.5	Cluster Development <u>Design and Form Standards</u>	Sec. 26-5.13	General Performance Standards
Sec. 26-5.6	Design and Form Standards <u>Neighborhood Compatibility</u>	Sec. 26-5.14	Road Naming and Addressing
Sec. 26-5.7	Neighborhood Compatibility <u>Agricultural Compatibility</u>	Article 26-6	Land Development (Subdivision) Standards

(f) R3: Residential 3 District

General Description

The R3: Residential 3 District provides lands primarily for moderate-intensity residential development, located within walkable neighborhoods that are well-connected by a mostly gridded street system. Development allowed in this district includes residential dwellings and public, civic, and institutional uses that support various residential development types.

Concept



Use Standards

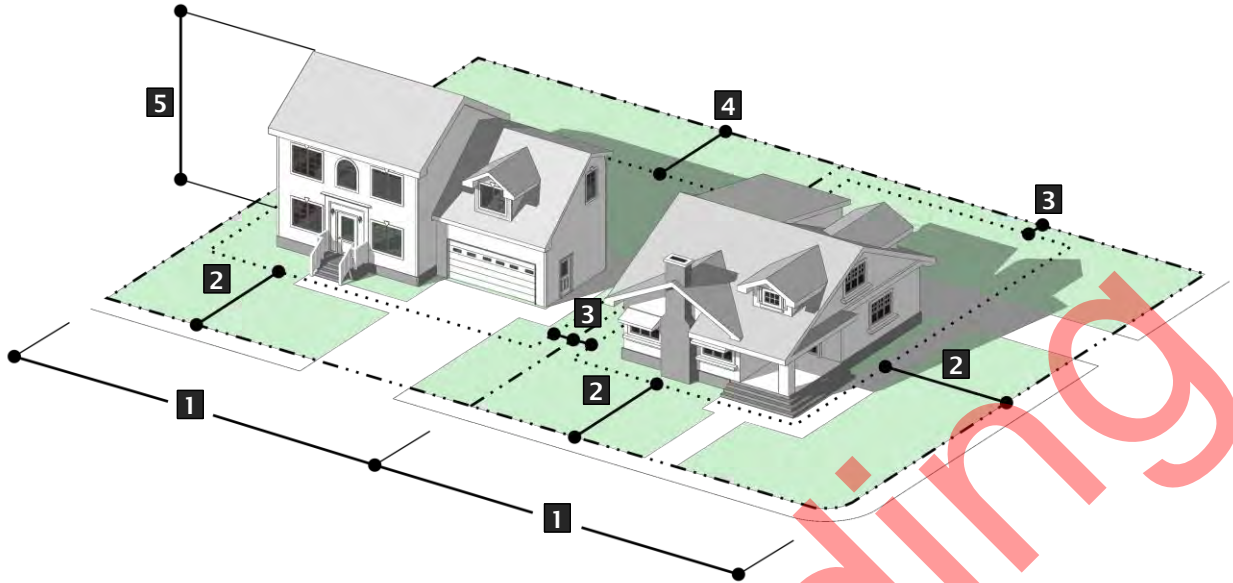
Allowed uses and use-specific standards for principal, accessory, and temporary uses are established in Article 26-4: Use Regulations.

Density and Dimensional Standards

Standard	All Uses
Density, max. (du/acre)	6
Gross Average Lot Area (sf)	7,260
Lot Area, min. max. (sf)	5,500 9,000 ^[1]
1 Lot Width, min. (ft)	50 ^[2]
2 Front Yard Setback, min. (ft)	20
3 Side Yard Setback, per side combined, min. (ft)	4 13- ^[2]
4 Rear Yard Setback, min. (ft)	20
5 Building Height, max. (ft)	45

NOTES:

- [1] Lot area range applies only to property subdivided following the effective date of this Ordinance. See Sec. 26-6.3(c), Lots.
- [2] There is no minimum lot width if vehicular access is provided to the rear of the lot from an abutting alley, or if modified in accordance with Sec. 26-3.1(f)(5), Cluster Development
- [2] Unless modified in accordance with Sec. 26-3.1(f)(4), Zero-Lot-Line Development.



Reference to Other Standards

Article 26-4	Use Regulations	Sec. 26-5.8	Agricultural Compatibility <u>Fences and Walls</u>
Sec. 26-5.1	Access, Mobility, and Connectivity	Sec. 26-5.9	Fences and Walls <u>Signs</u>
Sec. 26-5.2	Off-Street Parking and Loading	Sec. 26-5.10	Signs <u>Exterior Lighting</u>
Sec. 26-5.3	Landscaping	Sec. 26-5.11	Exterior Lighting <u>Water Quality</u>
Sec. 26-5.4	Open Space Set-Asides	Sec. 26-5.12	Green Development Incentives
Sec. 26-5.5	Cluster Development <u>Design and Form Standards</u>	Sec. 26-5.13	General Performance Standards
Sec. 26-5.6	Design and Form Standards <u>Neighborhood Compatibility</u>	Sec. 26-5.14	Road Naming and Addressing
Sec. 26-5.7	Neighborhood Compatibility <u>Agricultural Compatibility</u>	Article 26-6	Land Development (Subdivision) Standards

(g) R4: Residential 4 District

General Description

The R4: Residential 4 District provides lands primarily for moderate- to high-intensity single-family residential development, located within walkable, well connected neighborhoods. Development allowed in this district includes residential dwellings and public, civic, and institutional uses that support various residential development types.

Concept



Use Standards

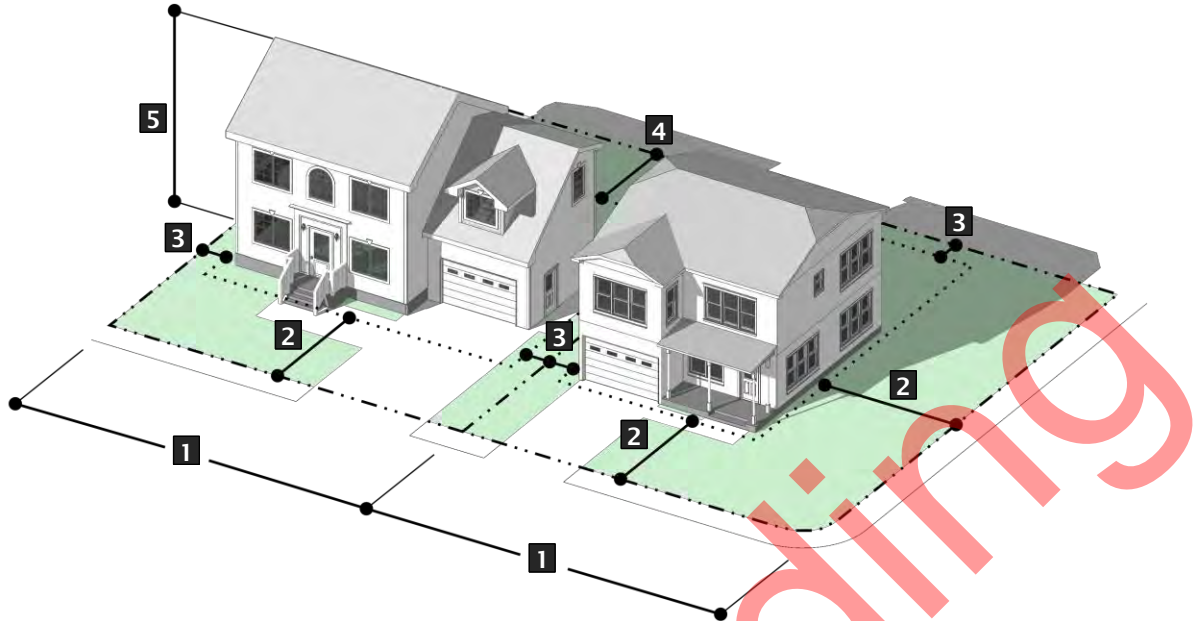
Allowed uses and use-specific standards for principal, accessory, and temporary uses are established in Article 26-4: Use Regulations.

Density and Dimensional Standards

Standard	All Uses
Density, max. (du/acre)	9
1 Lot Width, min. (ft)	50 ^[1]
2 Front Yard Setback, min. (ft)	20
3 Side Yard Setback, per side combined, min. (ft)	4 13 ^[2]
4 Rear Yard Setback, min. (ft)	15
5 Building Height, max. (ft)	45

NOTES:

- [1] There is no minimum lot width if vehicular access is provided to the rear of the lot from an abutting alley, ~~or if modified in accordance with Sec. 26-3.1(f)(5), Cluster Development~~
- [2] ~~Unless modified in accordance with Sec. 26-3.1(f)(4), Zero Lot Line Development.~~



Reference to Other Standards

Article 26-4	Use Regulations	Sec. 26-5.8	Agricultural Compatibility Fences and Walls
Sec. 26-5.1	Access, Mobility, and Connectivity	Sec. 26-5.9	Fences and Walls Signs
Sec. 26-5.2	Off-Street Parking and Loading	Sec. 26-5.10	Signs Exterior Lighting
Sec. 26-5.3	Landscaping	Sec. 26-5.11	Exterior Lighting Water Quality
Sec. 26-5.4	Open Space Set-Asides	Sec. 26-5.12	Green Development Incentives
Sec. 26-5.5	Cluster Development Standards	Sec. 26-5.13	General Performance Standards
Sec. 26-5.6	Design and Form Standards	Sec. 26-5.14	Road Naming and Addressing
Sec. 26-5.7	Neighborhood Compatibility Agricultural Compatibility	Article 26-6	Land Development (Subdivision) Standards

(h) R5: Residential 5 District

General Description

The R5: Residential 5 District provides lands for a broad range of high-intensity residential housing options, with good access and connectivity for vehicles, bicycles, and pedestrians. Development allowed in this district includes multi-family and attached dwellings, such as apartments, condos, and townhouse dwellings, as well as public, civic, and institutional uses that support surrounding residential development.

Concept



Use Standards

Allowed uses and use-specific standards for principal, accessory, and temporary uses are established in Article 26-4: Use Regulations.

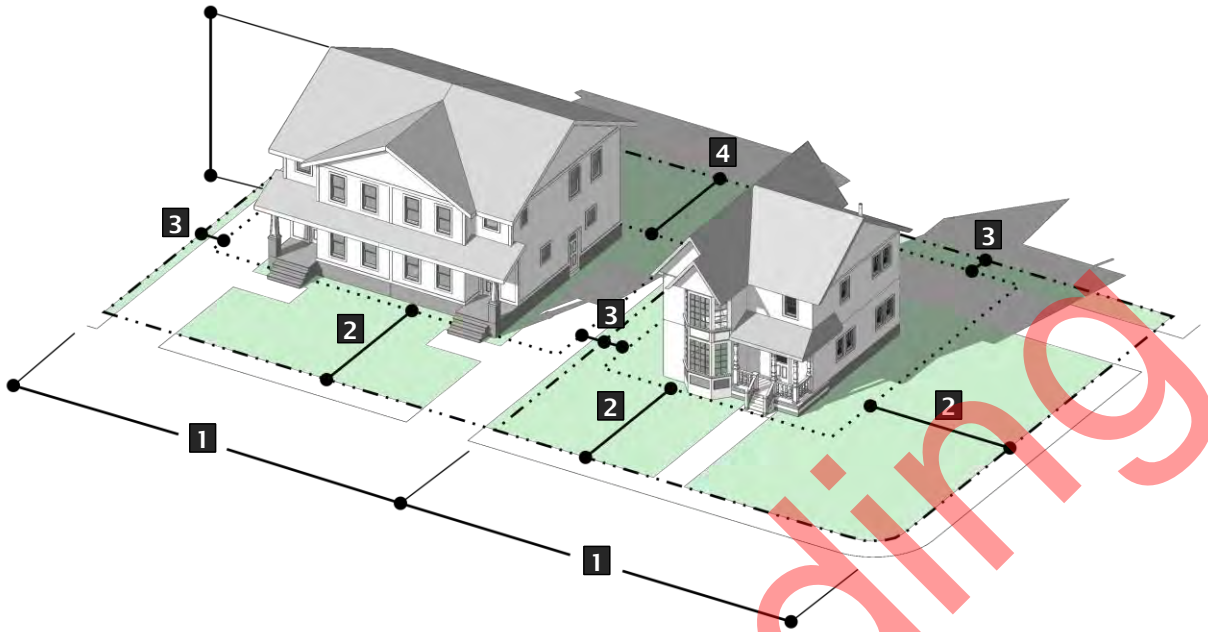
Density and Dimensional Standards

Standard	All Uses
Density, max. (du/acre)	12
1 Lot Width, min. (ft)	50 ^[1]
2 Front Yard Setback, min. (ft)	25
3 Side Yard Setback, per side combined, min. (ft)	7 14 ^[2]
4 Rear Yard Setback, min. (ft)	20
5 Building Height, max. (ft)	45

NOTES:

[1] There is no minimum lot width if vehicular access is provided to the rear of the lot from an abutting alley, or if modified in accordance with Sec. 26-3.1(f)(5), Cluster Development

[2] Unless modified in accordance with Sec. 26-3.1(f)(4), Zero Lot Line Development.



Reference to Other Standards

Article 26-4	Use Regulations	Sec. 26-5.8	Agricultural Compatibility <u>Fences and Walls</u>
Sec. 26-5.1	Access, Mobility, and Connectivity	Sec. 26-5.9	Fences and Walls <u>Signs</u>
Sec. 26-5.2	Off-Street Parking and Loading	Sec. 26-5.10	Signs <u>Exterior Lighting</u>
Sec. 26-5.3	Landscaping	Sec. 26-5.11	Exterior Lighting <u>Water Quality</u>
Sec. 26-5.4	Open Space Set-Asides	Sec. 26-5.12	Green Development Incentives
Sec. 26-5.5	Cluster Development <u>Design and Form Standards</u>	Sec. 26-5.13	General Performance Standards
Sec. 26-5.6	Design and Form Standards <u>Neighborhood Compatibility</u>	Sec. 26-5.14	Road Naming and Addressing
Sec. 26-5.7	Neighborhood Compatibility <u>Agricultural Compatibility</u>	Article 26-6	Land Development (Subdivision) Standards

(i) R6: Residential 6 District

General Description

The R6: Residential 6 District provides lands for a broad range of high-intensity housing options in locations where adequate supporting public facilities are available. This district is intended to provide good access and connectivity for vehicles, bicycles, and pedestrians. Development allowed includes multi-family dwellings as well as limited public, civic, and institutional uses that support surrounding residential development and servicing commercial.

Concept



Use Standards

Allowed uses and use-specific standards for principal, accessory, and temporary uses are established in Article 26-4: Use Regulations.

Density and Dimensional Standards

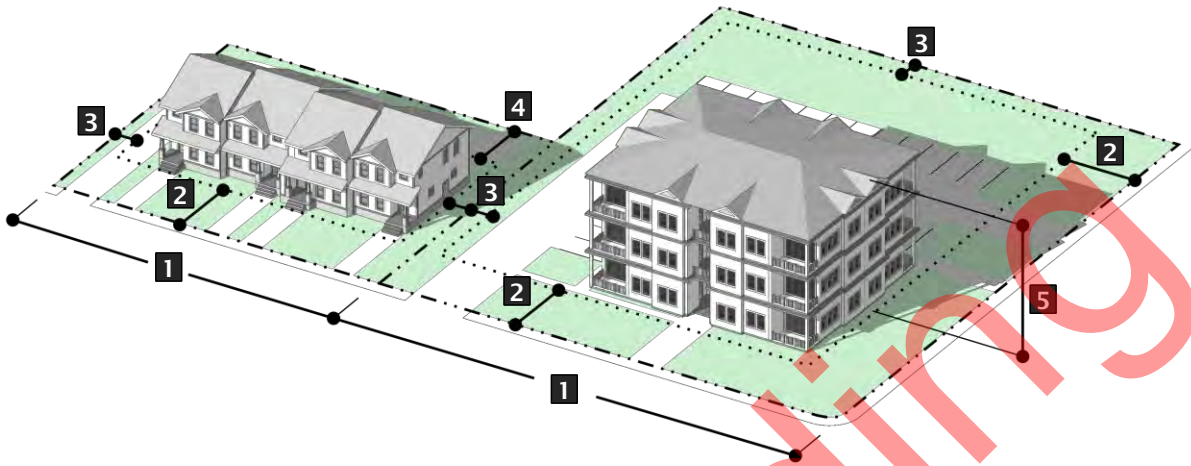
Standard	All Uses
Density, max. (du/acre)	18
1 Lot Width, min. (ft)	50 ^[1]
2 Front Yard Setback, min. (ft)	25
3 Side Yard Setback, per side combined, min. (ft)	7 14 ^[2]
4 Rear Yard Setback, min. (ft)	20
5 Building Height, max. (ft)	Taller of 3 stories or 45 feet / 5 stories / 6 stories ^[2,3]

NOTES:

[1] There is no minimum lot width if vehicular access is provided to the rear of the lot from an abutting alley, or if modified in accordance with Sec. 26-3.1(f)(5), Cluster Development

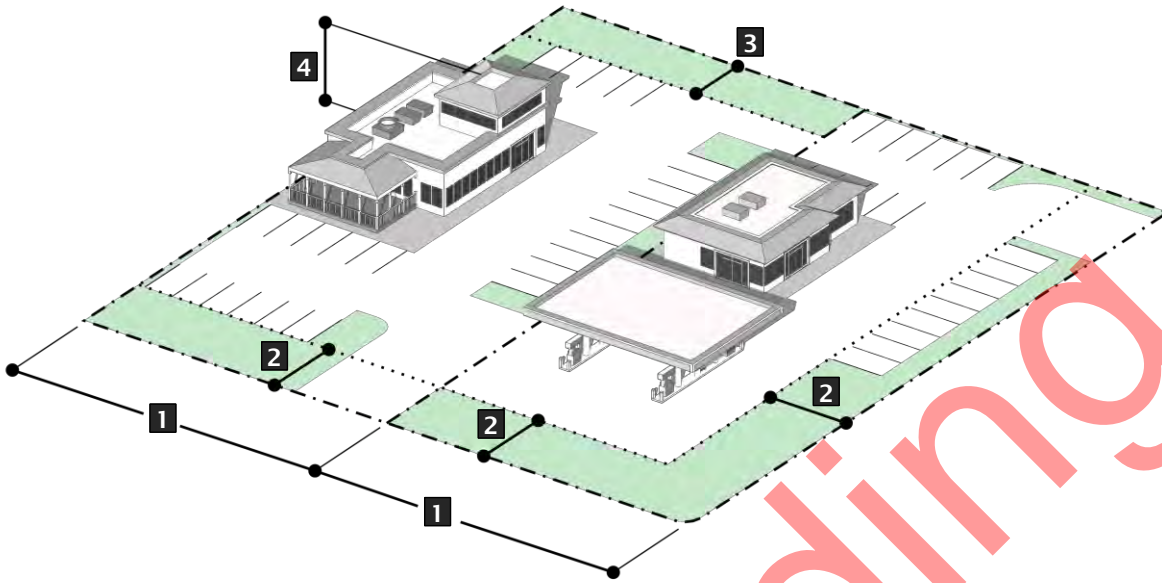
[2] Unless modified in accordance with Sec. 26-3.1(f)(4), Zero Lot Line Development.

[3] A building height of up five stories is allowed as a permitted use with special requirements, and a building height of six stories is allowed upon approval of a special exception permit, if 1) the building is located on a lot having a minimum area of one acre and a minimum width of 150 feet, 2) the building is set back at least 25 feet from all property lines, 3) the building does not project through imaginary planes leaning inward over the lot from the exterior lot lines of the parcel at angles at a slope of two feet vertical for each one foot horizontal, and 4) the building does not occupy more than 35 percent of the area of the lot upon which it is located, except the building may occupy up to 45 percent of the lot area if equivalent area over 35 percent is provided in the form of landscaped roof gardens, solariums, recreational spaces, and similar spaces.



Reference to Other Standards

Article 26-4	Use Regulations	Sec. 26-5.8	Agricultural Compatibility <u>Fences and Walls</u>
Sec. 26-5.1	Access, Mobility, and Connectivity	Sec. 26-5.9	Fences and Walls <u>Signs</u>
Sec. 26-5.2	Off-Street Parking and Loading	Sec. 26-5.10	Signs <u>Exterior Lighting</u>
Sec. 26-5.3	Landscaping	Sec. 26-5.11	Exterior Lighting <u>Water Quality</u>
Sec. 26-5.4	Open Space Set-Asides	Sec. 26-5.12	Green Development Incentives
Sec. 26-5.5	Cluster Development <u>Design and Form Standards</u>	Sec. 26-5.13	General Performance Standards
Sec. 26-5.6	Design and Form Standards <u>Neighborhood Compatibility</u>	Sec. 26-5.14	Road Naming and Addressing
Sec. 26-5.7	Neighborhood Compatibility <u>Agricultural Compatibility</u>	Article 26-6	Land Development (Subdivision) Standards



Reference to Other Standards

Article 26-4	Use Regulations	Sec. 26-5.8	Agricultural Compatibility <u>Fences and Walls</u>
Sec. 26-5.1	Access, Mobility, and Connectivity	Sec. 26-5.9	Fences and Walls <u>Signs</u>
Sec. 26-5.2	Off-Street Parking and Loading	Sec. 26-5.10	Signs <u>Exterior Lighting</u>
Sec. 26-5.3	Landscaping	Sec. 26-5.11	Exterior Lighting <u>Water Quality</u>
Sec. 26-5.4	Open Space Set-Asides	Sec. 26-5.12	Green Development Incentives
Sec. 26-5.5	Cluster Development <u>Design and Form Standards</u>	Sec. 26-5.13	General Performance Standards
Sec. 26-5.6	Design and Form Standards <u>Neighborhood Compatibility</u>	Sec. 26-5.14	Road Naming and Addressing
Sec. 26-5.7	Neighborhood Compatibility <u>Agricultural Compatibility</u>	Article 26-6	Land Development (Subdivision) Standards

3. The Zoning Administrator may waive or modify the requirement for cross-access on determining that such cross-access is impractical or infeasible due to safety concerns about through traffic or the presence of any of the following at the point(s) where through connections would otherwise be required: topographic conditions, natural features, visual obstructions or parking space locations that create traffic hazards, or the existence of mature or protected landscaping or protected trees.

e. Building Façades

1. At least 20 percent of each pedestrian level building façade adjoining a street frontage, pedestrian way, or open space set-aside shall be transparent.

Reference to Other Standards			
Article 26-4	Use Regulations	Sec. 26-5.8 Sec. 26-5.8	Agricultural Compatibility Fences and Walls
Sec. 26-5.1	Access, Mobility, and Connectivity	Sec. 26-5.9 Sec. 26-5.9	Fences and Walls Signs
Sec. 26-5.2	Off-Street Parking and Loading	Sec. 26-5.10 Sec. 26-5.10	Signs Exterior Lighting
Sec. 26-5.3	Landscaping	Sec. 26-5.11 Sec. 26-5.11	Exterior Lighting Water Quality
Sec. 26-5.4	Open Space Set-Asides	Sec. 26-5.12 13	Green Development Incentives
Sec. 26-5.5 Sec. 26-5.5	Cluster Development Design and Form Standards	Sec. 26-5.13 14	General Performance Standards
Sec. 26-5.6 Sec. 26-5.6	Design and Form Standards Neighborhood Compatibility	Sec. 26-5.14 15	Road Naming and Addressing
Sec. 26-5.7 Sec. 26-5.7	Neighborhood Compatibility Agricultural Compatibility	Article 26-6	Land Development (Subdivision) Standards

c. Connectivity

1. The internal vehicular, bicycle, and pedestrian circulation systems of development shall be designed to allow vehicular, bicycle, and pedestrian cross-access between the internal system and any internal vehicular, bicycle, and pedestrian circulation systems of existing or allowable future development on adjoining lots.
2. Easements allowing vehicular, bicycle, or pedestrian cross-access between adjoining lots, along with agreements defining maintenance responsibilities of the property owners, shall be recorded with the Register of Deeds.
3. The Zoning Administrator may waive or modify the requirement for cross-access on determining that such cross-access is impractical or infeasible due to safety concerns about through traffic routes complicating law enforcement or the presence any of the following at the point(s) where through connections would otherwise be required: topographic conditions, natural features, visual obstructions or parking space locations that create traffic hazards, or the existence of mature or protected landscaping.

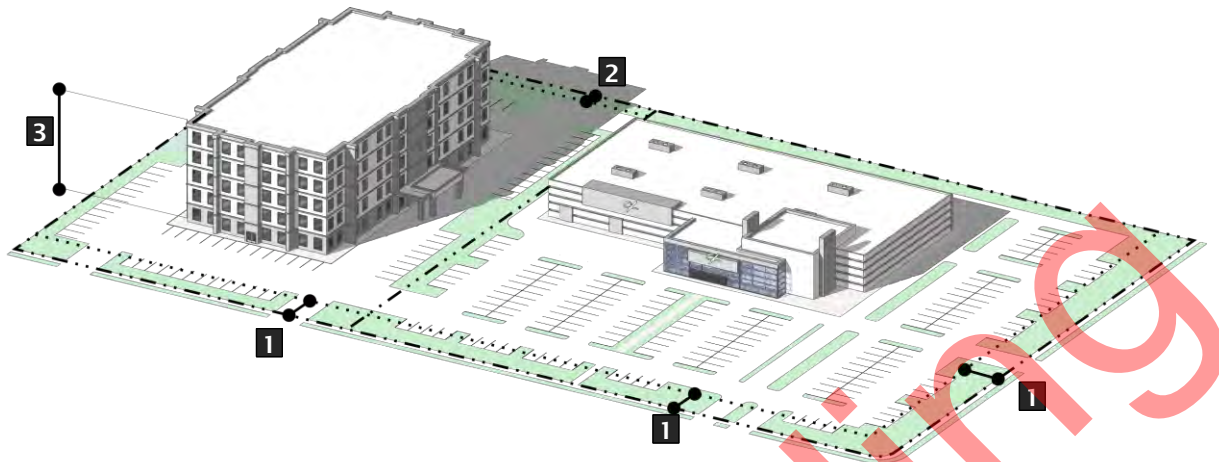
Reference to Other Standards			
Article 26-4	Use Regulations	Sec. 26-5.8	Agricultural Compatibility Fences and Walls
Sec. 26-5.1	Access, Mobility, and Connectivity	Sec. 26-5.9	Fences and Walls Signs
Sec. 26-5.2	Off-Street Parking and Loading	Sec. 26-5.10	Signs Exterior Lighting
Sec. 26-5.3	Landscaping	Sec. 26-5.11	Exterior Lighting Water Quality
Sec. 26-5.4	Open Space Set-Asides	Sec. 26-5.12	Green Development Incentives
Sec. 26-5.5	Cluster Development Standards Design and Form	Sec. 26-5.13	General Performance Standards
Sec. 26-5.6	Design and Form Standards Neighborhood Compatibility	Sec. 26-5.14	Road Naming and Addressing
Sec. 26-5.7	Neighborhood Compatibility Agricultural Compatibility	Article 26-6	Land Development (Subdivision) Standards

f. Building Façades

At least 30 percent of each pedestrian level building façade adjoining a street frontage, pedestrian way, or open space set-aside shall be transparent.

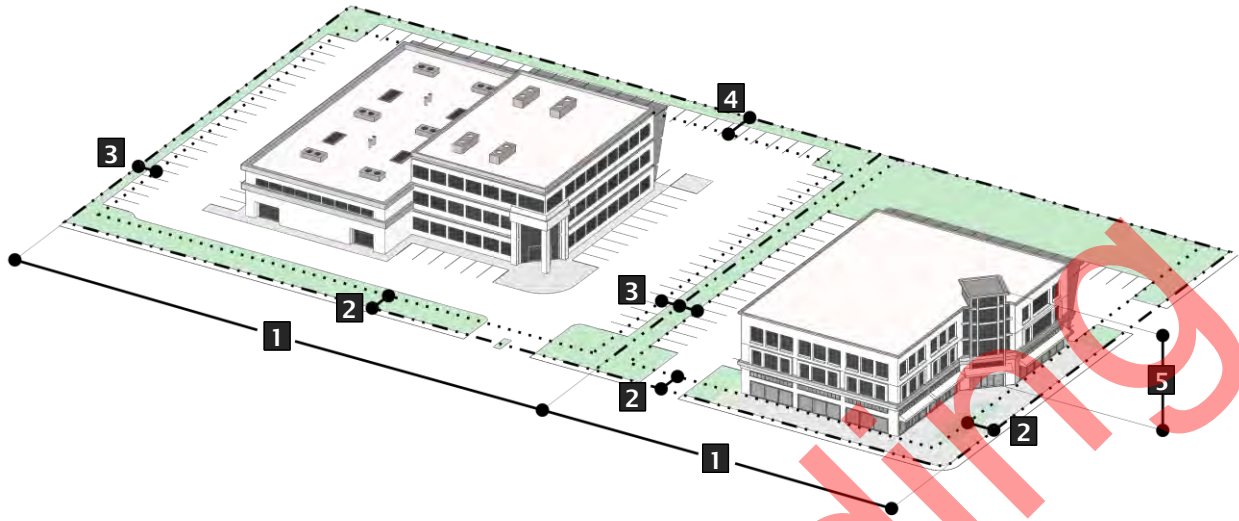
Reference to Other Standards			
Article 26-4	Use Regulations	Sec. 26-5.8	Agricultural Compatibility Fences and Walls
Sec. 26-5.1	Access, Mobility, and Connectivity	Sec. 26-5.9	Fences and Walls Signs
Sec. 26-5.2	Off-Street Parking and Loading	Sec. 26-5.10	Signs Exterior Lighting
Sec. 26-5.3	Landscaping	Sec. 26-5.11	Exterior Lighting Water Quality
Sec. 26-5.4	Open Space Set-Asides	Sec. 26-5.12	Green Development Incentives
Sec. 26-5.5	Cluster Development Design and Form Standards	Sec. 26-5.13	General Performance Standards
Sec. 26-5.6	Design and Form Standards Neighborhood Compatibility	Sec. 26-5.14	Road Naming and Addressing
Sec. 26-5.7	Neighborhood Compatibility Agricultural Compatibility	Article 26-6	Land Development (Subdivision) Standards





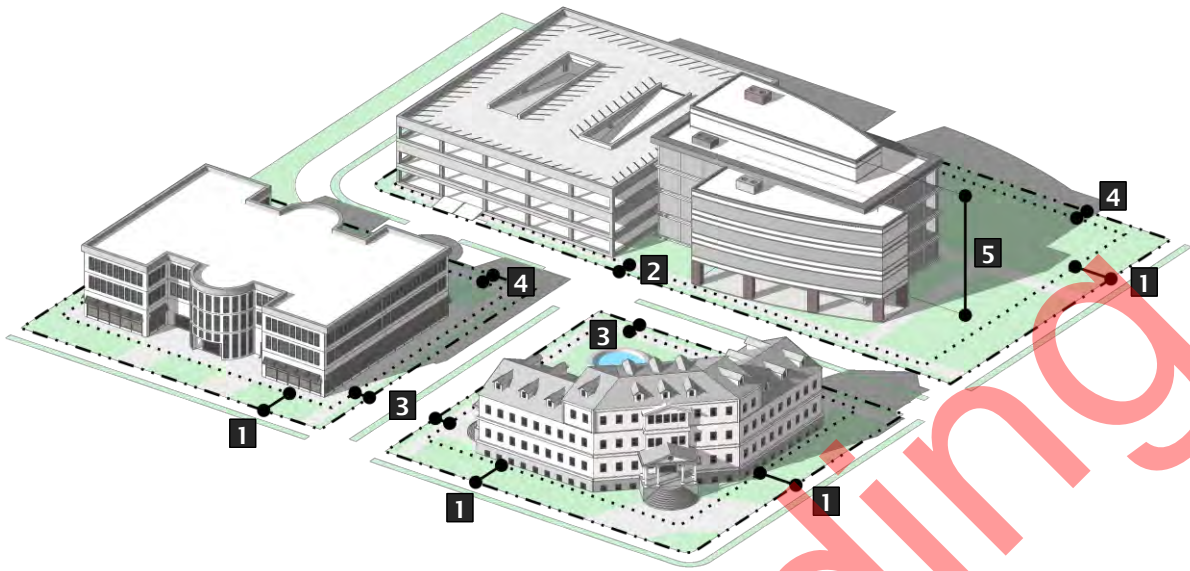
Reference to Other Standards

Article 26-4	Use Regulations	Sec. 26-5.8	Agricultural Compatibility Fences and Walls
Sec. 26-5.1	Access, Mobility, and Connectivity	Sec. 26-5.9	Fences and Walls Signs
Sec. 26-5.2	Off-Street Parking and Loading	Sec. 26-5.10	Signs Exterior Lighting
Sec. 26-5.3	Landscaping	Sec. 26-5.11	Exterior Lighting Water Quality
Sec. 26-5.4	Open Space Set-Asides	Sec. 26-5.12	Green Development Incentives
Sec. 26-5.5	Cluster Development Standards	Sec. 26-5.13	General Performance Standards
Sec. 26-5.6	Design and Form Standards	Sec. 26-5.14	Road Naming and Addressing
Sec. 26-5.7	Neighborhood Compatibility	Article 26-6	Land Development (Subdivision) Standards
	Neighborhood Compatibility		
	Agricultural Compatibility		



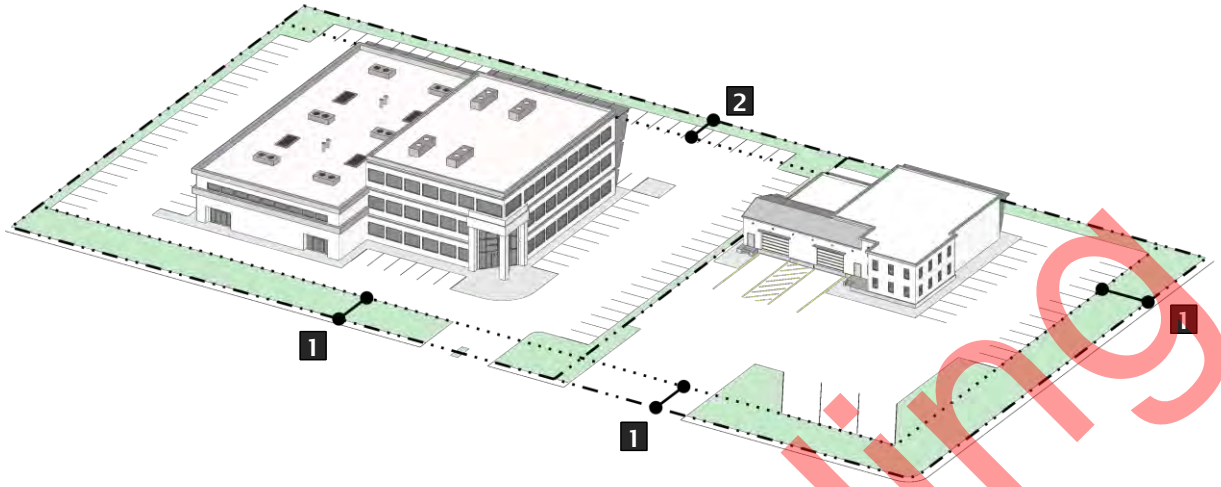
Reference to Other Standards

Article 26-4	Use Regulations	Sec. 26-5.8	Agricultural Compatibility Fences and Walls
Sec. 26-5.1	Access, Mobility, and Connectivity	Sec. 26-5.9	Fences and Walls Signs
Sec. 26-5.2	Off-Street Parking and Loading	Sec. 26-5.10	Signs Exterior Lighting
Sec. 26-5.3	Landscaping	Sec. 26-5.11	Exterior Lighting Water Quality
Sec. 26-5.4	Open Space Set-Asides	Sec. 26-5.12	Green Development Incentives
Sec. 26-5.5	Cluster Development Standards	Sec. 26-5.13	General Performance Standards
Sec. 26-5.6	Design and Form Standards	Sec. 26-5.14	Road Naming and Addressing
Sec. 26-5.7	Neighborhood Compatibility	Article 26-6	Land Development (Subdivision) Standards



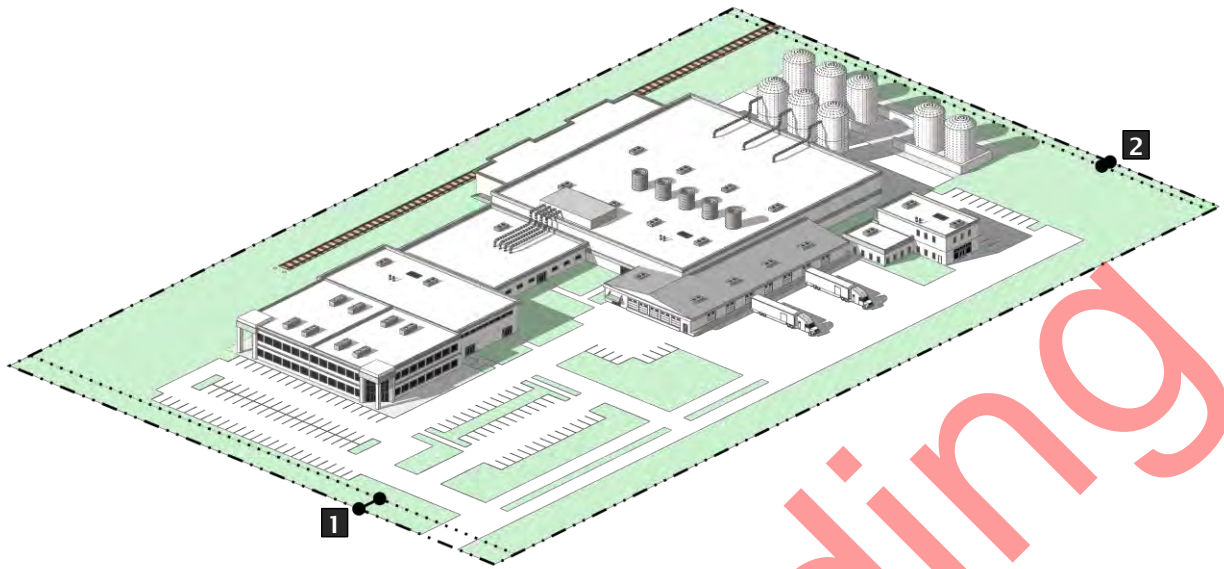
Reference to Other Standards

Article 26-4	Use Regulations	Sec. 26-5.8	Agricultural Compatibility Fences and Walls
Sec. 26-5.1	Access, Mobility, and Connectivity	Sec. 26-5.9	Fences and Walls Signs
Sec. 26-5.2	Off-Street Parking and Loading	Sec. 26-5.10	Signs Exterior Lighting
Sec. 26-5.3	Landscaping	Sec. 26-5.11	Exterior Lighting Water Quality
Sec. 26-5.4	Open Space Set-Asides	Sec. 26-5.12	Green Development Incentives
Sec. 26-5.5	Cluster Development Standards	Sec. 26-5.13	General Performance Standards
Sec. 26-5.6	Design and Form Standards	Sec. 26-5.14	Road Naming and Addressing
Sec. 26-5.7	Neighborhood Compatibility	Article 26-6	Land Development (Subdivision) Standards



Reference to Other Standards

Article 26-4	Use Regulations	Sec. 26-5.8	Agricultural Compatibility Fences and Walls
Sec. 26-5.1	Access, Mobility, and Connectivity	Sec. 26-5.9	Fences and Walls Signs
Sec. 26-5.2	Off-Street Parking and Loading	Sec. 26-5.10	Signs Exterior Lighting
Sec. 26-5.3	Landscaping	Sec. 26-5.11	Exterior Lighting Water Quality
Sec. 26-5.4	Open Space Set-Asides	Sec. 26-5.12	Green Development Incentives
Sec. 26-5.5	Cluster Development Standards	Sec. 26-5.13	General Performance Standards
Sec. 26-5.6	Design and Form Standards	Sec. 26-5.14	Road Naming and Addressing
Sec. 26-5.7	Neighborhood Compatibility	Article 26-6	Land Development (Subdivision) Standards
			Neighborhood Compatibility Agricultural Compatibility



Reference to Other Standards

Article 26-4	Use Regulations	Sec. 26-5.8	Agricultural Compatibility Fences and Walls
Sec. 26-5.1	Access, Mobility, and Connectivity	Sec. 26-5.9	Fences and Walls Signs
Sec. 26-5.2	Off-Street Parking and Loading	Sec. 26-5.10	Signs Exterior Lighting
Sec. 26-5.3	Landscaping	Sec. 26-5.11	Exterior Lighting Water Quality
Sec. 26-5.4	Open Space Set-Asides	Sec. 26-5.12	Green Development Incentives
Sec. 26-5.5	Cluster Development Standards	Sec. 26-5.13	General Performance Standards
Sec. 26-5.6	Design and Form Standards	Sec. 26-5.14	Road Naming and Addressing
Sec. 26-5.7	Neighborhood Compatibility	Article 26-6	Land Development (Subdivision) Standards
	Neighborhood Compatibility		Agricultural Compatibility

building type in Table 26-3.5(c)(6), in accordance with Table 26-3.5(c)(7): Bonus Density Allowed.

Table 26-3.5(c)(7): Bonus Density Allowed	
Site Feature	Bonus Density Allowed
Provision of multi-use trail that is consistent with the Proposed Circulation Plan in the Crane Creek Master Plan ^[1]	One dwelling unit or 1,000 square feet of commercial space for each 100 yards of trail
Preservation of open space in excess of minimum required open space set-asides ^[1]	One dwelling unit for each acre of open space set-asides
Dedication of land for public facilities other than roads and required open spaces, such as a school, fire station, library, senior center, park, or other use approved by the Planning Commission	Additional four dwelling units or 5,000 square feet of commercial space for each acre of dedicated land
NOTES:	
[1] A density bonus for a multi-use trail is allowed as either provision of multi-use trail or preservation of open space, but not both.	

(8) Other Development Standards

- a. All lots shall face or be oriented toward a street, square, or open space.
- b. Principal building entrances shall be oriented toward public streets.
- c. Sidewalks having a minimum width of five feet shall be provided on both sides of each street.
- d. Unless modified by this section (Sec. 26-3.5(c)), the standards in Table 26-3.5(c)(7): Reference to Other Standards, apply within the CC District.

Table 26-3.5(c)(7): Reference to Other Standards			
Article 26-4	Use Regulations	Sec. 26-5.8	Agricultural Compatibility <u>Fences and Walls</u>
Sec. 26-5.1	Access, Mobility, and Connectivity	Sec. 26-5.9	Fences and Walls <u>Signs</u>
Sec. 26-5.2	Off-Street Parking and Loading	Sec. 26-5.10	Signs <u>Exterior Lighting</u>
Sec. 26-5.3	Landscaping	Sec. 26-5.11	Exterior Lighting <u>Water Quality</u>
Sec. 26-5.4	Open Space Set-Asides	Sec. 26-5.12	Green Development Incentives
Sec. 26-5.5	Cluster Development Standards	Sec. 26-5.13	General Performance Standards
Sec. 26-5.6	Design and Form Standards	Sec. 26-5.14	Road Naming and Addressing
Sec. 26-5.7	Neighborhood Compatibility	Sec. 26-5.15	Land Development (Subdivision) Standards

Sec. 26-3.6. Legacy District

(a) General Purpose of Legacy District

The purpose and intent of the legacy district is to preserve a district that encompasses areas with certain longstanding uses that are desired to be protected and retained, while not allowing a legacy district to be assigned to additional lands.

(b) Established Legacy District

The legacy district established by this Ordinance is identified in Table 36-3.6(b): Established Legacy District.

Table 26-3.6(b): Established Legacy District

M-1: Legacy Light Industrial

(c) Legacy District Regulations

All dimensional and intensity standards, permitted uses, and development standards that apply to the legacy district are identified in Appendix 26-B: Legacy District.

3rd Reading

~~Sec. 26-3.6.~~ **Sec. 26-3.7. Planned Development Districts**

(a) General Purpose of Planned Development Districts

The purpose of planned development districts is to encourage innovative and efficient land planning and physical design concepts. Planned development districts are intended to:

- (1)** Support a high quality of life and achieve a high quality of development, environmental sensitivity, energy efficiency, and provision of public services;
- (2)** Reduce the inflexibility of zoning district standards that sometimes results from strict application of the base district regulations, and development standards established in this Ordinance;
- (3)** Allow greater freedom and flexibility in selecting:
 - a. The form and design of development;
 - b. The ways by which pedestrians and traffic circulate;
 - c. How the development will be located and designed to respect the natural features of the land and protect the environment;
 - d. How design amenities are to be applied; and
 - e. The location and integration of open space and civic space into the development.
- (4)** Preserve natural and scenic features;
- (5)** Encourage a greater mix of land uses within the same development, including a mix of nonresidential development, residential development, lot sizes, and densities and intensities;
- (6)** Allow more efficient use of land, with smaller networks of streets and utilities;
- (7)** Provide pedestrian connections within the site, and to the public right-of-way;
- (8)** Encourage the provision of centrally-located open space amenities on the site;
- (9)** Promote development forms and patterns that respect the character of established surrounding neighborhoods and/or other types of land uses; and
- (10)** Promote development form that respects and takes advantage of a site’s natural and man-made features, such as rivers, lakes, wetlands, floodplains, trees, and historic features.

(b) Established Planned Development Districts

Planned development districts established by this Ordinance are identified in Table 26-3.6(a): Established Planned Development Districts.

Table 26-3.6(b): Established Planned Development Districts

PD: Planned Development District (Sec. 26-3.7(c)(1))
PD-EC: Planned Development - Employment Campus District (Sec. 26-3.7(d))
PD-TND: Planned Development - Traditional Neighborhood Design District (Sec. 26-3.7(e))

- (b) Off-Street Parking and Loading, including Bicycle Parking;
- (c) Landscaping;
- (d) Open Space;
- (e) Design and Form Standards;
- (f) Neighborhood Compatibility
- (g) Fences and Walls;
- (h) Signs; and
- (i) External Lighting.

b. Development Standards

1. Development in a planned development district shall comply with the standards in Article 26-5: General Development Standards, unless they are modified as allowed by Table 26-3.6(c)(4)b: Development Standards Subject to Modification.

TABLE 26-3.6(c)(4)b: Development Standards Subject to Modification		
Standard		Means to Modify
Sec. 26-5.1	Access, Mobility, and Connectivity	PD Plan
Sec. 26-5.2	Off-Street Parking and Loading	PD Plan
Sec. 26-5.3	Landscaping	PD Plan
Sec. 26-5.4	Open Space Set-Asides	Modifications prohibited
Sec. 26-5.5	Conservation Development	Modifications prohibited
Sec. 26-5.5 Sec. 26-5.6	Design and Form Standards	PD Plan
Sec. 26-5.6 7	Neighborhood Compatibility	PD Plan
Sec. 26-5.7 Sec. 26-5.8	Fences and Walls	PD Plan
Sec. 26-5.8 Sec. 26-5.9	Signs	PD Plan
Sec. 26-5.9 Sec. 26-5.10	Exterior Lighting	PD Plan
Sec. 26-5.10 Sec. 26-5.11	Water Quality	Modifications prohibited
Sec. 26-5.12 13	Green Development Incentives	PD Plan
Sec. 26-5.13 14	General Performance Standards	Modifications prohibited
Sec. 26-5.14 15	Road Naming and Addressing	Modifications prohibited
Article 26-6	Land Development (Subdivision) Standards	PD Plan

2. Modifications to development standards, as allowed in Table 26-3.6(c)(4)b: Development Standards Subject to Modification, shall be:

- (a) Consistent with the purpose the planned development district;

~~Sec. 26-3.7~~ **Sec. 26-3.8. Overlay Districts**

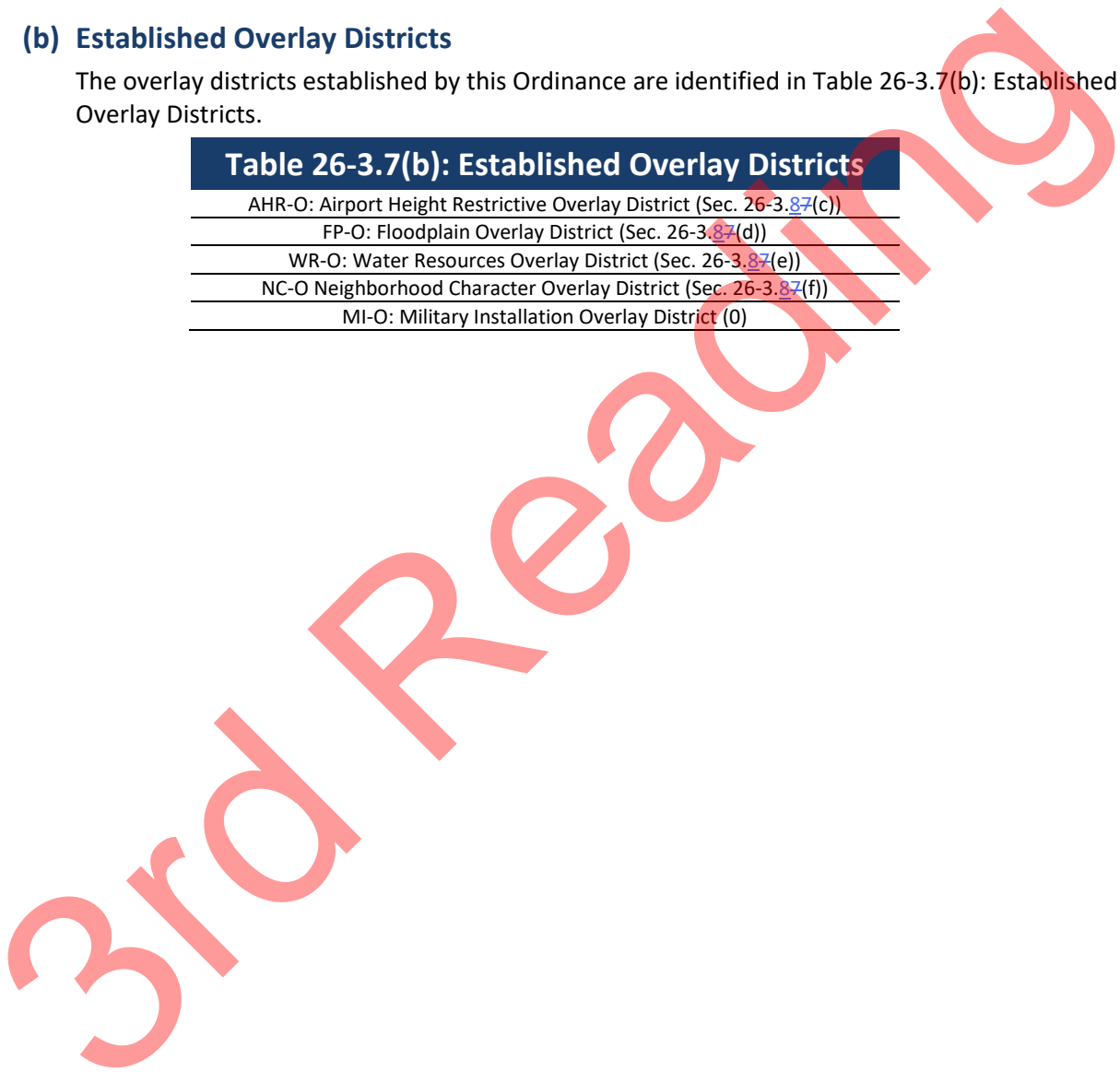
(a) General Purpose of Overlay Districts

The purpose of overlay districts is to provide supplemental standards with respect to special areas, land uses, or environmental features that superseded the standards of the underlying base and planned development districts.

(b) Established Overlay Districts

The overlay districts established by this Ordinance are identified in Table 26-3.7(b): Established Overlay Districts.

Table 26-3.7(b): Established Overlay Districts	
AHR-O:	Airport Height Restrictive Overlay District (Sec. 26-3.87(c))
FP-O:	Floodplain Overlay District (Sec. 26-3.87(d))
WR-O:	Water Resources Overlay District (Sec. 26-3.87(e))
NC-O:	Neighborhood Character Overlay District (Sec. 26-3.87(f))
MI-O:	Military Installation Overlay District (O)



to Sec. 26-4.2(d), Standards for Specific Principal Uses. Special Requirements uses are subject to all other applicable regulations of this Ordinance, including, but not limited to, those set forth in Article 26-3: Zoning Districts, Article 26-5: General Development Standards, and Article 26-6: Land Development (Subdivision) Standards.

c. Special Exception Uses

An “SE” in a cell of Table 26-4.2(b) indicates that the use in that row is allowed in the zoning district at the head of that column only if the Board of Zoning Appeals approves a special exception permit for the use in accordance with Sec. 26-2.5(d), Special Exception, and subject to any use-specific standards referenced in the right-most column of Table 26-4.2(b). Special Exception uses are subject to all other applicable regulations of this Ordinance, including, but not limited to, those set forth in Article 26-3: Zoning Districts, Article 26-5: General Development Standards, and Article 26-6: Land Development (Subdivision) Standards.

d. Uses Allowed Subject to Approved PD Plan and PD Agreement

An “A” in a cell of Table 26-4.2(b) indicates that the use type in that row is allowed in the planned development district at the head of that column provided the use is set out as a possible use type in an approved PD Plan and PD Agreement. Unless stated otherwise in the approved PD Plan and PD Agreement, the use shall be subject to any use-specific standards referenced in the right-most column of Table 26-4.2(b). Allowed uses are subject to the PD Plan, PD Agreement, and the other applicable regulations in this Ordinance, including, but not limited to, those set forth in Article 26-3: Zoning Districts, Article 26-5: General Development Standards, and Article 26-6: Land Development (Subdivision) Standards.

e. Prohibited Uses

A blank cell in Table 26-4.2(b) indicates that the use type in that row is prohibited in the zoning district at the head of that column.

(3) Unlisted Principal Uses

The Zoning Administrator shall determine whether or not an unlisted use is part of an existing use category or use type as defined in Sec. 26-4.2(c), Classification of Principal Uses, and Sec. 26-9.3, Definitions, or is substantially similar to an already defined use type, in accordance with the procedure and standards in Sec. 26-2.5(s), Interpretation.

(4) Overlay District Use Regulations

Sec. 26-3.87, Overlay Districts, sets forth any regulations of specific uses within an overlay district that apply in addition to, or instead of, use regulations in the underlying base zoning district or planned development district.

(b) Principal Use Table

Table 26-4.2(b): Principal Use Table																													
P = Permitted by right SR = Permitted by right, subject to special requirements blank cell = not allowed SE = Permitted, subject to approval of special exception permit A = Allowed, subject to approved PD Plan and PD Agreement																													
Use Classification, Category, Type	OS	AG	HM	RT	R1	R2	R3	R4	R5	R6	RC	MU1	MU3	MU2	GC	EMP	INS	LI	HI	CC-1	CC-2	CC-3	CC-4	PD	PD-EC	PD-TND	Use-Specific Standards Sec. 26-4.2		
Agricultural																													
Agriculture and Forestry																													
Agriculture	P	P	P	P												P		P	P							A	A		
Community garden		SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SE	SE	SE	SE	SE	SE		SR	SR	SR				A	A	A	(d)(1)a.1
Forestry	P	P	P	P														P	P										
Poultry farm		SR																											(d)(1)a.2
Swine farm		SE																	SE										
Agriculture and Forestry Related																													
Agriculture research facility		P	P													P	P	P	P							A	A	A	
Agritourism	SR	P	P	SR							P					P		P	P							A	A		
Equestrian center		SR	SR	SR																						A			(d)(1)b.1
Farm distribution hub		P	P								P					P		P	P							P			
Farm supply and machinery sales and service		P									P	P	P	P				P	P		P	P	P						
Farm winery		SR	SR	SR																						A			(d)(1)b.2
Produce stand		P	P	SR							P	P	P	P	P											A	A		(d)(1)b.3
Riding or boarding stable		P	P	P																			P						
Rural retreat	SR	SR	SR	SE												SR	SR									A			(d)(1)b.4
Veterinary services (livestock)		P	P								P																		
Residential																													
Household Living																													
Dwelling, Live-Work		SR									SR	SR	SR	SR	SR					P	P	P				A	A	A	(d)(2)a.1
Dwelling, Four-family					P	P	P	P	P											P	P	P				A	A	A	
Dwelling, Multi-family									P	P		P	P	P	P	SE					P	P				A	A	A	
Dwelling, Single-family detached	P	P	P	P	P	P	P														P	P	P			A	A		
Dwelling, Three-family					P	P	P	P	P												P	P	P			A	A		
Dwelling, Townhouse							SR	SR	SR							SE				P	P	P				A	A	A	(d)(2)a.2
Dwelling, Two-family					SR	SR	SR	SR	SR												P	P				A	A		(d)(2)a.3
Group home, Family		SR	SR	SR	SR	SR	SR	SR	SR	SR		SR	SR	SR	SR	SE					SR	SR	SR			A	A	A	(d)(2)a.4
Manufactured home		SR	SR	SR	SR	SR																							(d)(2)a.5
Manufactured home park			SR	SR					SR																				(d)(2)a.6
Group Living																													
Children's residential care home			SR	SE	SE				SE	SE	P	P					P									A	A		(d)(2)b.1
Continuing care community			SE	SE	SE				SR	SR		SR	SR	SR						P	P	P				A	A		(d)(2)b.2
Dormitory									SR								SR									A	A		(d)(2)b.3
Fraternity or sorority house									P	P								SE								A	A		
Group home, Large			SE	SE					SE	SE	SE	SE										P				A	A		(d)(2)b.4
Rooming or boarding house		SE	SR	SR					SE	SE	SE	SE	SE	SE	P	SE	SE					P	P			A	A	A	(d)(2)b.5
Public, Civic, and Institutional																													
Community Service																													
Animal shelter		SR	SR													SR	P	SR						P	A	A	A		(d)(3)a.1
Community food services											P	P	P	P	P		P	P			P	P	P			A	A	A	
Community recreation center	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	P	P	P	SR	P	SE			SR	P	P			A	A	A	(d)(3)a.2
Correctional facility																	P	SE	SE										

Table 26-4.2(b): Principal Use Table

P = Permitted by right SR = Permitted by right, subject to special requirements *blank cell* = not allowed
 SE = Permitted, subject to approval of special exception permit A = Allowed, subject to approved PD Plan and PD Agreement

Use Classification, Category, Type	OS	AG	HM	RT	R1	R2	R3	R4	R5	R6	RC	MU1	MU3	MU2	GC	EMP	INS	LI	HI	CC-1	CC-2	CC-3	CC-4	PD	PD-EC	PD-TND	Use-Specific Standards Sec. 26-4.2	
Cultural facility											P	P	P	P	P		P					P		A	A	A		
Day care facility				SR							SR	SR	SR	SR	SR	SR	SR				SR	SR			A	A	A	(d)(3)a.3
Government office											P	P	P	P	P	P	P	P			P	P	P	A	A	A		
Hospital											P		P		P		P						P	A				
Library		SR	SR	SR	SR	SR	SR	SR	SR	SR	P	P	P	P	P		P			P	P	P		A	A	A	(d)(3)a.4	
Membership organization facility		SE	SE	SE							P	P	P	P	P		P					P		A	A	A	(d)(3)a.5	
Nursing care facility				SE	SE				P	P	P	P	P	P	P		P				P	P		A	A	A	(d)(3)a.6	
Place of worship		SR	SR	SR	SR	SE	SE	SE	SR	SR	SR	P	P	P	P		P	P		SR	P	P		A	A	A	(d)(3)a.7	
Public recreation facility	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	P	SR		SR	SR	SR	SR	A	A	A	(d)(3)a.8	
Public safety facility		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	A	A	A		
Short-term or transitional housing												SE	SE	SE	SE	SE	SE							A	A		(d)(3)a.9	
Education																												
College or university											P	P	P	P	P	P	P	P					SR	P		A	A	A
Elementary, middle, or high school		SR	SR	SR	SR	SR	SR	SR	SR	SR	P	P	SR	SR	P		P			SR	P	P			A		A	(d)(3)b.1
School, business or trade											SR	SR	SR	SR	P	P	P	P	SR			SR	SR	SR	A	A	A	(d)(3)b.2
Funeral and Mortuary Services																												
Cemetery	SR	SR	SR	SR							SR	SR	SR	SR	SR		P	SR	SR					SR	A	A	A	(d)(3)c.1
Funeral home or mortuary											P	P	P	P	P		P	P						A	A	A		
Parks and Open Space																												
Arboretum or botanical garden	SE	SE	SE	SE							P	P	P	P	P		P			SR	SR	SR	P	A	A	A	(d)(3)d.1	
Park or greenway	SR	SE	SE	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	P	SR	SR	SR	SR	SR	SR		A	A	A	(d)(3)d.2
Zoo		SR													SR								SR	A			(d)(3)d.3	
Transportation																												
Airport																		P	P									
Transit stop	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR		A	A	A	(d)(3)e.1
Fleet terminal											P				P	P	P	P						P	A	A		
Passenger terminal, surface transportation											P	SE	P	P	P	P	P	P						P	A	A	A	
Utilities and Communication																												
Antenna		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		A	A	A	
Broadcasting studio											P		P	P	P	P	P							P	A	A		
Communication tower		SE	SE	SE							SE	SE	SE	SE	SE	SR	SR	SR	SR					P	A	A	(d)(3)f.1	
Power generation facility																	P	P					P		A			
Solar energy conversion system, Large scale		SR	SR	SR														SR	P	P					A	A	(d)(3)f.2	
Utility, major																		SR	P					SR	A	A	(d)(3)f.3	
Utility, minor	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR		A	A	A	(d)(3)f.4
Wind energy conversion system, Large scale		SE	SE														SE	SE	SR						A	A	(d)(3)f.5	
Commercial																												
Animal Services																												
Kennel		SR	SR	SR							SR	SR	SR	SR	SR			SR						SR	A	A	(d)(4)a.1	
Pet grooming											SR	SR	SR	SR	P	SR	SR	P			SR	P			A	A	(d)(4)a.2	
Veterinary hospital or clinic		SR	SR	SR							SR	SR	SR	SR	SR		SR	P			SR	SR			A	A	(d)(4)a.3	
Commercial services																												
Artist studio											P	P	P	P	P	P	P	P						P	P	P	A	A

facilities, truck fleets, fueling facilities, limited retail sales and wholesale sales, and security and caretaker’s quarters.

e. Waste and Recycling Facilities Uses

The Waste and Recycling Facilities Uses category includes use types receiving solid or liquid wastes from others for on-site disposal, storage, processing, recycling, reuse, or transfer to another location for the same. Use types include: construction and inert debris landfill; hazardous waste collection, storage, and disposal; non-hazardous waste collection, storage, and disposal; recycling collection stations; recycling sorting facilities; and scrapyards.

(d) Standards for Specific Principal Uses

(1) Agricultural Uses

a. Agriculture and Forestry Use Category

1. Community Garden

- (a)** Accessory buildings shall be limited to sheds for the storage of tools, greenhouses, and seasonal farm stands. The combined area of all buildings and other structures shall not exceed 15 percent of the area of the parcel.
- (b)** Areas used for communal composting shall be limited to ten percent of the area of the parcel.
- (c)** Perimeter fences, including trellises, are allowed in community gardens, subject to the standards in Sec. 26-5.89, Fences and Walls.
- (d)** Before issuance of a permit for a community garden, it shall have an established set of operating rules addressing the governance structure of the garden, hours of operation, assignment of garden plots, and maintenance and security requirements and responsibilities.

2. Poultry Farm

- (a)** The number of poultry kept shall be limited to the following maximum number for every 1,000 square feet of lot area:
 - (1)** Five laying hens;
 - (2)** Ten turkeys; or
 - (3)** 17 chickens.
- (b)** Where multiple types of poultry are kept, the maximum number shall be determined by substituting at a ratio determined by subsection (a) above. (For example, a five thousand square foot lot could contain 20 laying hens and ten turkeys, with turkeys substituted for hens at a rate of 2 to 1).
- (c)** Where poultry other than the types listed in subsection (a) above, are proposed, the director shall determine the maximum number allowed based on the most similar poultry type in subsection (a) above, taking into consideration size and waste generation.
- (d)** All areas where poultry are kept shall be a minimum of 150 feet from residential zoning districts and lots containing a residential use.

- (1) In the RC and GC districts, 12,000 square feet;
- (2) In the MU1 District, 2,000 square feet;
- (3) In the MU3 and MU2 Districts, 6,000 square feet.
- (c) Market showrooms are allowed as an accessory use and shall count toward the maximum aggregate gross floor areas in subsection (b) above.
- ~~(d)~~ In the RC, MU1, MU3, and MU2 districts, ~~the following standards apply~~ in addition to the standards in subsections (a) through (c) above, ~~the~~:

~~(1)~~

~~(2)~~(1) _____ storage of hazardous materials or waste as determined by any agency of the federal, state, or local government is prohibited:

2. Timber and Timber Products Wholesale Sales

In the AG District, the following standards shall apply:

- (a) Timber and timber products wholesale sale shall be limited to timber and products sourced from the same site.
- (b) Access shall be provided from a road having a collector or higher functional classification.
- (c) All storage and sales areas shall be completely screened from adjacent lots containing residential uses and land located in Residential districts.

c. Industrial Services Use Category

1. Contractor's Yard

All outside storage shall be completely screened from adjacent roads, lots containing Residential uses, and land located in Residential districts.

2. Fuel Sales (Non-Vehicular)

- (a) Gravel or paved roadways shall be provided to all storage tanks.
- (b) Security fencing, a minimum of six feet in height, shall be provided along the entire boundary of the facility.
- (c) 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 120 feet. Storage tanks not equipped as indicated above shall not be located closer to an exterior property line than a distance equal to 1.5 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 175 feet. Storage tanks and loading facilities shall be located a minimum of 500 feet from any existing dwelling or Residential zoning district.

- (d) All storage facilities shall comply with the latest regulations of the National Fire Protection Association.
- (e) The facility shall comply with all applicable federal, state, and local laws.

d. Production of Goods Use Category

1. Artisan Goods Production

- (a) In the RC and MU1 districts, the maximum gross floor area shall be 6,000 square feet.
- (b) In the MU3, MU2, and GC districts, the maximum gross floor area shall be 10,000 square feet.
- (c) The establishment must include accessory retail sales, instruction, or another accessory component that provides direct interaction with the public.

2. Manufacturing, Assembly, and Fabrication, Light

In the AG District, the maximum gross floor area shall be 7,500 square feet.

3. Manufacturing, Assembly, and Fabrication, General

- (a) In LI District, the maximum gross floor area shall be 30,000 square feet.
- (b) In the AG District, the maximum gross floor area shall be 15,000 square feet.
- (c) Operations standards set forth in Sec. 26-5.1314, General Performance Standards, shall be examined in detail during the special exception review process.

4. Manufacturing, Assembly, and Fabrication, Intensive

- (a) In the AG, RC, EMP, and LI Districts, only game processing is allowed under this use type.
- (b) Storage of manufactured petroleum and coal products shall comply with the following standards:
 - (1) Gravel or paved roadways shall be provided to all storage tanks.
 - (2) Security fencing, a minimum of six feet in height, shall be provided along the entire boundary of the facility.
 - (3) 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 120 feet. Storage tanks not equipped as indicated above shall not be located closer to an exterior property line than a distance equal to 1.5 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 175 feet. Storage tanks and loading facilities shall be

(6) Home-based Business

- a. The home-based business shall be conducted entirely within the principal dwelling or an accessory structure. The home-based business 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.
- b. A home-based business shall not be conducted with in an accessory structure unless the accessory structure complies with all setback requirements for a principal structure in the district in which it is located.
- c. An area equal to not more than 25 percent of the floor area of the principal dwelling may be utilized for the home-based business. If the home-based business is housed in an accessory structure, the accessory structure can have a floor area no larger than 25 percent of the gross floor area of the principal dwelling.
- d. Only persons residing on the premises may be employed by the home-based business.
- e. The home-based business 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 outdoor storage shall be allowed in connection with any home-based business.
- g. A maximum of four customers or clients of the home-based business may visit the premises at any one time.
- h. The home-based business shall not generate traffic in greater volumes than would normally be expected in a residential neighborhood.
- i. Sufficient off-street parking shall be provided on the premises to accommodate all parking demand generated by the home-based business. Such off-street parking shall not be located in the front yard.
- j. Signage for the home-based business shall comply with Sec. 26-5.910, Signs.

(7) Home-based Day Care

- a. A home-based day care shall be operated only in an occupied residence.
- b. A home-based day care shall provide daycare services to a maximum of five individuals.
- c. Client pick-up and drop-off shall not obstruct traffic flow on adjacent public roads.
- d. Any outdoor children’s 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.
- e. A daycare facility shall comply with all applicable state and federal regulations.

(8) Home-based Lodging, Hosted

Hosted home-based lodging is allowed as an accessory use to a dwelling, subject to the following standards:

- a. The primary residence of the operator of the hosted home-based lodging shall be the dwelling where hosted home-based lodging is housed.
- b. The number of lodgers per night shall not exceed six adults or the number of occupants allowed by the building code, whichever is less.

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ARTICLE 26-5. GENERAL DEVELOPMENT STANDARDS

Commentary

Article 26-5: General Development Standards, organizes all the development standards related to the physical layout of development, except for the subdivision standards. It includes 15 sections.

Section 26-5.1, Access, Mobility, and Connectivity, includes access and driveway standards, requirements for internal and external connectivity for new development, cross-access requirements between adjoining developments, Traffic Impact Assessment requirements, and standards for roads, sidewalks, bicycle facilities, and transit facilities.

Section 26-5.2, Off-Street Parking and Loading Standards, establishes standards for parking areas for automobiles, bicycle parking, and loading areas.

Section 26-5.3, Landscaping, sets out standards for landscaping and tree protection.

Section 26-5.4, Open Space Set-Asides, establishes a comprehensive set of standards for open space to be set aside for the occupants and users of new developments. The standards apply to all new development (residential, mixed-use, and nonresidential).

~~**Section 26-5.5, Cluster Development**, includes a set of optional standards for new single-family detached and manufactured home development in certain districts, providing more flexible dimensional standards where a minimum amount of conservation areas and features are preserved.~~

~~**Section 26-5.6, Design and Form Standards**, includes standards to ensure that new multi-family, mixed-use, commercial, and light industrial development contributes to greater livability and sustainability, and achieves a minimum development quality.~~

Section 26-5.67, Neighborhood Compatibility, includes standards to protect the character of established single-family neighborhoods from impacts of new nonresidential, mixed-use, and multi-family development.

Section 26-5.78, Agricultural Compatibility, establishes standards to address compatibility issues between existing agricultural uses and activities in the AG District and new adjacent development.

Section 26-5.89, Fences and Walls, includes basic standards for fence and wall location, height, materials, and other aspects that impact appearance and safety.

Section 26-5.910, Signs, establishes standards for signage.

Section 26-5.1011, Exterior Lighting, establishes a comprehensive set of exterior lighting standards to minimize light pollution in the night sky, reduce glare, and improve safety.

Section 26-5.1112, Water Quality, consolidates and carries forward provisions pertaining to water quality buffer requirements, stormwater management and SWPPPs, and the NPDES Municipal Separate Storm Sewer System (MS4) program.

Section 26-5.1213, Green Development Incentives, provides incentives for developers to include green building elements in new development and major expansions of existing development.

Section 26-5.1314, General Performance Standards, carries forward general standards for the generation of noise, odors, etc.

Section 26-5.1415, Road Naming and Addressing, sets forth provisions related to naming roads and posting addresses.

~~(3)~~ **Other Provisions**

~~For an area that is classified as Natural Feature and qualifies as a conservation area in accordance with the standards of Sec. 26-5.5, Cluster Development, the standards of both this section and Sec. 26-5.5, Cluster Development, apply. In case of conflict, the more restrictive standards apply.~~

~~(4)~~**(3) Requirements**

a. Protection During Construction

The following steps shall be taken during the site plan and site construction process to protect Natural Feature areas:

1. Natural Feature areas shall be clearly identified on all plan submittals and construction drawings and marked with the statement “Natural Feature Area. Do Not Disturb or Encroach.”
2. Natural Feature areas cannot be encroached upon or disturbed at any time, unless in accordance with Sec. 26-5.1112(a)(2)c, Exemptions, or Sec. 26-5.1112(a)(2)d, Waiver, or following approval from the County.
3. Natural Feature areas must be clearly marked with a warning barrier prior to any construction activities. The marking(s) shall be maintained until completion of all construction activities. All contractors and others working on the construction site must be made aware of the existence of the open space areas and the restrictions on disturbing these areas.
4. All Natural Feature areas must be left in their existing condition upon completion of construction activities. Should any activities during construction, including encroachment, cause damage or degradation to any of the Natural Feature areas, these areas must be restored based upon preexisting conditions or to conditions acceptable through a Richland County-approved restoration plan.
5. If any trees are allowed to be removed from a Natural Feature area, the tree location shall be shown and a note shall be provided stating that the tree must be hand cleared.
6. Where stormwater is concentrated into a Natural Feature area, best management practices must be used to protect the Natural Feature area, as approved by the County.

b. Open Space Baseline Surveys

The applicant shall conduct a baseline survey of each Natural Feature area prior to any earth-moving, tree clearing, infrastructure installation, or home construction on the site, in accordance with these requirements:

1. The baseline survey shall use sufficient photos to adequately document the condition of the entire open space prior to the activities listed in subsection a above. Each photo shall be geocoded to indicate the location and bearing of the photograph.
2. The survey shall be submitted to the Zoning Administrator. Each original digital photographic file shall be submitted to the Zoning Administrator electronically in a high-resolution format which includes geocoding data.

- (f) Use contrasting, highly-visible lettering and background colors (e.g., black lettering on a white or yellow background).

e. Plat Requirements

All preliminary plans and bonded and final plats prepared for recording and all right-of-way plats submitted under this section shall clearly:

1. Delineate and label all Natural Feature areas;
2. Provide a note to state: "All Natural Feature areas shown on the plat shall remain permanently protected as open space and managed and maintained as is without prior approval from the Community Planning and Development Department. There shall be no clearing, grading, disturbance or construction, or construction runoff impacts to the Natural Feature areas except as allowed by the County Engineer.";
3. Provide a note indicating ownership of the Natural Feature areas, and
4. Show the location of all permanent Natural Feature boundary marker signs.

Sec. 26-5.5. Cluster Development

(a) Purpose and Intent

The purpose of these cluster development standards is to ensure that new residential development in certain rural and lower density residential districts:

- (1) Protects the character of rural lands in the County;
- (2) Preserves contiguous areas of green space;
- (3) Reduces impervious cover;
- (4) Reduces soil erosion and sediment delivery by reducing the amount of clearing and grading on a site while increasing overall infiltration;
- (5) Reduces stormwater pollutant loads to streams, receiving streams, and bodies of water;
- (6) Reduces the capital and long-run maintenance costs of development; and
- (7) Reduces the cost and improves the efficiency of public services needed by the development.

(b) Applicability

~~(1) The following shall comply with the standards in this section:~~

~~a. In the AG, HD, RT, and R1 districts:~~

~~1. All new residential major and minor subdivisions; and~~

~~2. All new development that includes three or more dwelling units for which a land development permit (major or minor) is required.~~

~~b. Any development type within any other Residential district may apply under the standards of this section.~~

(c) Cluster Development Standards

~~For development subject to the requirements of this section, areas located outside of required open space set-asides (see Sec. 26-5.4, Open Space Set-Asides) ("developed areas") shall comply with following standards:~~

(1) Buffer Transition Yards

~~A minimum 25-foot-wide Type B buffer transition yard (see Sec. 26-5.3(d), Transitional Buffer Yards) is required along any lot line that abuts a lot outside of the proposed development having an existing residential use or for which a development approval or permit for residential development has been approved by the County, except where streets or pedestrianways are proposed to provide connectivity between adjoining developments.~~

(2) Required Screening

~~All development shall be screened from view from all roadways external to the development that have a functional classification of collector or higher. The screening shall be by a street protective yard that complies with the minimum dimensional standards and planting requirements in Sec. 26-5.3(e), Street Protective Yards, and with Sec. 26-5.3(c), General Landscaping Standards.~~

(3) Configuration of Developed Area

~~a. Residential lots shall be clustered into one or multiple groupings surrounded by open space set-asides to minimize the amount of road, utility, and other infrastructure needed to serve the development, and to maximize the contiguity of open space.~~

~~b. Where practical, the development shall be oriented to provide views into open space set-aside areas from developed areas.~~

Sec. 26-5.6. Sec. 26-5.5. Design and Form Standards**(a) Purpose**

The purpose of the form and design standards in this section is to:

- (1)** Establish a minimum level of development quality for multi-family, mixed-use, commercial, and light industrial development within the County's mixed-use corridors and activity centers as identified within Plan Richland County and this LDC;

- (2) Provide improved pedestrian friendliness in key areas within the County; and
- (3) Improve development quality by providing landowners, developers, architects, builders, business owners and others clear parameters to guide development design.

(b) Applicability

(1) General

- a. The standards of this section apply to all new multi-family residential (including townhome and other attached residential), mixed-use, commercial, and light industrial development in the MU1, MU3, and MU2 districts, and in PD districts on parcels adjacent to the MU1, MU3, or MU2 district.
- b. The standards in this section do not apply to development that is an expansion of an existing building.

(2) Timing of Review

Review for compliance with the standards of this section shall occur during review of an application for a planned development (see Sec. 26-2.5(c)), special exception (see Sec. 26-2.5(d)), land development permit (major or minor) (see Sec. 26-2.5(e)), subdivision (major or minor) (see Sec. 26-2.5(f)), permitted use with special requirements (see Sec. 26-2.5(h)), or certificate of zoning compliance (see Sec. 26-2.5(m)), as applicable.

(3) Relation to Other Standards

The development standards in this section supplement the general development standards in the remainder of Article 26-5. In the case of conflict between the standards in this section and the standards in the remainder of Article 26-5, the more restrictive standards apply.

(c) Multi-Family Design and Form Standards

Multi-family residential development subject to this section shall comply with the following standards:

(1) Building Orientation and Configuration

a. Single Building Development

For developments that comprise a single building, the primary entrance to the building shall face a street or a courtyard, plaza, or similar open space accessible from a street.

b. Multiple Building Development

For developments with multiple buildings, the primary building entrances shall be oriented towards external streets, internal streets, courtyards, plazas, or similar open space (see Figure 26-5.56(c)(1)b: Multi-family Building Orientation).

Figure 26-5.56(c)(1)b: Multi-family Building Orientation



(2) Building Façades

- a. For building façades that face a street, the building shall incorporate wall offsets with a minimum depth of two feet, spaced no more than 50 feet apart.
- b. The front façade of a building shall provide a minimum of two of the following design features (see Figure 26-5.56(c)(2): Multi-Family Building Façade Features).
 - 1. A recessed entrance;
 - 2. A covered porch;
 - 3. Pillars, posts, or columns next to the doorway/entrance;
 - 4. One or more bay windows projecting at least twelve inches from the façade plane;
 - 5. Eaves projecting at least six inches from the façade plane; and
 - 6. Integrated planters that incorporate landscaped areas or places for sitting.

Figure 26-5.56(c)(2): Multi-Family Building Façade Features



(3) Building Size

a. Building Length

The maximum length of any multi-family structure shall be 185 linear feet, regardless of the number of units (see Sec. 26-9.2(a)(109)c, Building Length).

b. Building Footprint

Individual building footprints shall not exceed a maximum of 28,000 square feet.

(4) Roofs

a. Pitch

All multi-family structures shall incorporate roof pitches between 3:12 and 12:12; however, alternative roof forms or pitches may be allowed for small roof sections over porches, entryways, or similar features.

b. Screening

All roof-based mechanical equipment, as well as roof vents, pipes, antennas, satellite dishes, and other roof penetrations and equipment (except chimneys) shall be screened from view from streets to the maximum extent practicable.

c. Flat Roofs

Flat roofs shall be shielded from view by parapet walls with a decorative three-dimensional cornice.

(5) Detached Garages

Freestanding garages or carports (not including multistory parking structures) that are visible from public streets outside the development shall:

- a. Be oriented perpendicular to the street; or

- b. Have a street-facing façade that complies with the required wall offsets and façade design features in Sec. 26-5.56(c)(2), Building Façade, above.

(d) Mixed-use, Commercial, and Light Industrial Design and Form Standards

Mixed-use, commercial, and light industrial development subject to this section shall comply with the following standards:

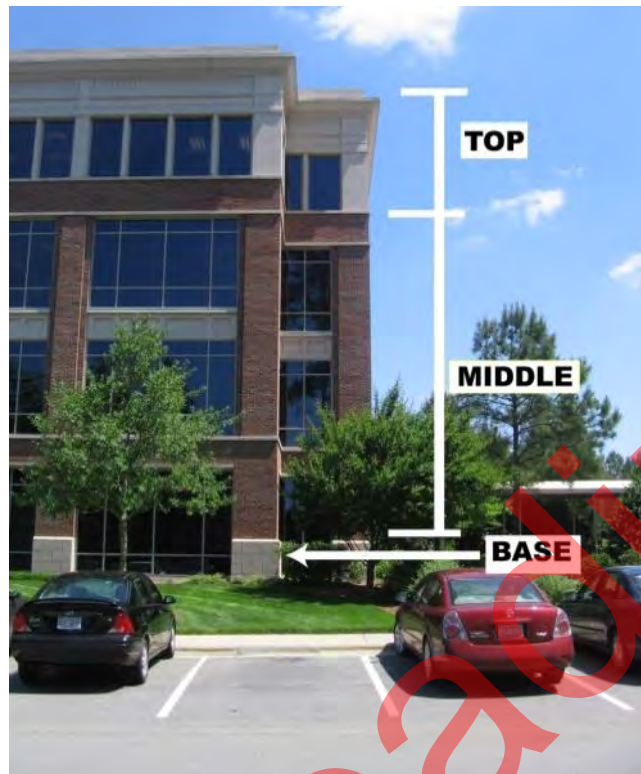
(1) Building Orientation and Configuration

- a. The front façade of all buildings, as defined by the primary entrance, shall be oriented on and front a street. The primary entrance may be oriented towards open-space areas, courtyards, or plazas accessible from the street.
- b. Developments comprised of multiple buildings that comprise in total more than 120,000 square feet of floor area shall be configured to:
 - 1. Break up the site into a series of smaller “blocks” through use of on-site streets, vehicle access ways, pedestrian ways, multi-use paths, or other circulation routes;
 - 2. Frame the corner of an adjacent street intersection or entry point to the development; and
 - 3. Frame and enclose a "main street" pedestrian or vehicle access corridor within the development site.
- c. Open spaces between buildings on outparcels shall be configured with small-scale site amenities such as seating areas, gathering spaces, and pedestrian connections.

(2) Building Façades

- a. Buildings of three or more stories shall include a clearly-recognizable and distinct base, middle, and top (see Figure 26-5.56(d)(2)a: Building Façades).

Figure 26-5.56(d)(2)a: Building Façades



b. Building Bases

The bases of buildings with three or more stories shall incorporate one or more of the following features:

1. Thicker walls, ledges, or sills;
2. Integrally-textured materials such as stone or other masonry;
3. Integrally-colored and patterned materials such as smooth-finished stone or tile;
or
4. Lighter or darker colored materials, mullions, or panels.

c. Building Tops

The tops of buildings with three or more stories shall include two or more of the following features:

1. Three-dimensional cornice treatments with integrally-textured materials such as stone or other masonry or differently colored materials;
2. Sloping roof with overhangs and brackets;
3. Stepped parapets; or
4. Aligned openings and articulations.

d. Front Façades

For building façades that face a street, the façade shall incorporate wall offsets with a minimum depth of two feet, at least ten feet wide, spaced no more than 50 feet apart.

e. Side Façades

Street-facing side façades shall be articulated with the same façade details as provided on the building's front façade.

f. Outbuildings

Outbuildings located in front of other buildings within the same development shall include a consistent level of architectural detail on all four sides of the building as well as exterior materials and colors that are compatible with the primary building in the development.

(3) Transparency/Fenestration

At least 40 percent of the street-facing façade area of the ground-level floor (as measured from the grade to the underside of the eave, top of the parapet, or the story line denoting the second floor) shall be occupied by windows or doorways. All ground-level windows shall be visually permeable.

(4) Roofs

- a. Sloped roofs on principal buildings over 100 feet in length shall include two or more different sloping roof planes, each with a minimum pitch between 3:12 and 12:12.
- b. Flat roofs on principal buildings shall be concealed by parapet walls that extend at least three feet above the roof level and have three-dimensional cornice treatments that project at least eight inches outward from the parapet façade plane.
- c. All roof-based mechanical equipment, as well as roof vents, pipes, antennas, satellite dishes, and other roof penetrations and equipment (except chimneys) shall be screened from view from streets to the maximum extent practicable.

(5) Storage and Service Areas

- a. Storage buildings, garbage and recycling facilities, and other service areas shall be screened from view off-site, to the maximum extent practicable.
- b. Outdoor storage areas shall be fully screened from adjacent streets and single-family development.
- c. Loading, service, and equipment areas that are associated with an outparcel building shall be screened through the use of structural elements and similar materials attached to and integrated with the building.

Sec. 26-5.7. Sec. 26-5.6. Neighborhood Compatibility

(a) Purpose and Intent

The purpose of these neighborhood compatibility standards is to provide a proper transition from and ensure compatibility between single-family detached dwellings in the residential single-family zoning districts and more intense forms of development. More specifically, it is the intent of these standards to:

- (1)** Protect the character of existing neighborhoods consisting of primarily single-family detached dwellings from potentially adverse impacts resulting from more intense and incompatible adjacent forms of development;

1. Use materials and material configurations that are consistent with those commonly used on adjacent single-family detached or two-family dwellings;
2. Not include plywood, concrete block, or corrugated metal;
3. Limit façade area using split-face masonry units or vinyl siding to 25 percent of the façade area; and
4. Have the minimum transparent area required by Table 26-5.67(c)(3)(b): Façade Transparency Standards.

Table 26-5.67(c)(3)(b): Façade Transparency Standards	
Building Story	Minimum Façade Area Percentage Required to be Transparent (percent) [1] [2] [3]
Ground Floor	40
Second Floor	15
Third Floor or Higher	10

NOTES:

- [1] The façade area shall be measured from the grade to the underside of the eaves, or from story line to story line on upper building stories.
- [2] Façades abutting sidewalks, plazas, gathering areas, or other pedestrian areas shall incorporate transparent features.
- [3] The first two feet of façade area closest to the grade are not required to be transparent and shall be excluded from the façade area calculation.

- c. Retail commercial building façades that face single-family residential lots shall be designed to appear as a series of discrete storefronts, with no single storefront occupying more than 50 percent of the total façade width of the building (see Figure 26-5.67(c)(3)(c): Retail Commercial Building Façades).

Figure 26-5.67(c)(3)(c): Retail Commercial Building Façades



(4) Exterior Lighting

- a. Within 150 feet of a single-family residential lot, exterior lighting fixtures shall be located above the following heights:
 1. Within 100 feet of a single-family residential lot, 14 feet or the maximum height established in Sec. 26-5.1011(c)(5), Maximum Height, whichever is lower.

2. Between 100 and 150 feet of a single-family residential lot, 18 feet or the maximum height established in Sec. 26-5.1044(c)(5), Maximum Height, whichever is lower.

- b. All uses shall extinguish all exterior lighting—except lighting necessary for security or emergency purposes—by 11:00 PM or within one hour of closing, as applicable.
- c. All exterior lighting and indoor lighting visible from outside the building shall be designed and located so that the maximum horizontal and vertical illuminance does not exceed 0.5 vertical foot-candles measured at ground level at any lot line shared with a single-family residential lot.

(5) Signage

- a. To the maximum extent practicable, signage shall be located a minimum of 100 feet from a single-family residential lot.
- b. The maximum sign copy area for signs shall be reduced by 25 percent within 50 feet of a single-family residential lot.

(6) Operational Standards

The nonresidential tenants or operators of development subject to these standards shall:

- a. Limit the hours of otherwise permitted outdoor dining or other outdoor activities within 150 feet of single-family residential lots to only between the hours of 7:00 a.m. to 10:00 p.m. Sunday through Thursday, and 7:00 a.m. to 12:00 a.m. Friday and Saturday;
- b. Limit trash collection or other service functions to only between the hours of 6:00 a.m. and 7:00 p.m.; and
- c. Extinguish amplified music, singing, or other forms of noise audible at lot lines shared with single-family residential lots after 10:00 p.m. Sunday through Thursday nights, and after 12:00 a.m. Friday and Saturday nights.

Sec. 26-5.8. Sec. 26-5.7. Agricultural Compatibility

(a) Purpose and Intent

The purpose of these agricultural compatibility standards is to promote development that is compatible with the existing agricultural uses and activities throughout the County. More specifically, it is the intent of these standards to:

- (1) Ensure that new non-agricultural development does not have negative impacts on existing adjacent agricultural uses and activities;
- (2) Maintain and promote the rural character of lands in the Agricultural (AG) District; and
- (3) Ensure greater compatibility between existing agricultural uses and activities and new non-agricultural development.

(b) Applicability

(1) General

The standards in this section apply to all lands within or adjacent to the Agricultural (AG) District.

(2) Timing of Review

Review for compliance with the standards of this section shall occur during review of an application for a planned development (see Sec. 26-2.5(c)), special exception (see Sec. 26-2.5(d)), land development permit (major or minor) (see Sec. 26-2.5(e)), subdivision (major or minor) (see Sec. 26-2.5(f)), permitted use with special requirements (see Sec. 26-2.5(h)), or certificate of zoning compliance (see Sec. 26-2.5(m)), as applicable.

(3) Conflict

In case of a conflict between these agricultural compatibility standards and other standards in this ordinance, these agricultural compatibility standards shall control.

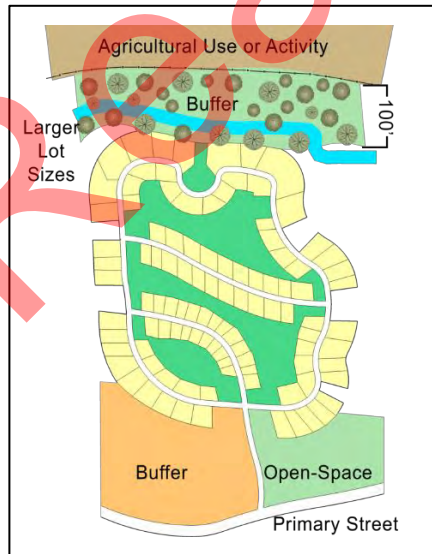
(c) Agricultural Compatibility Standards

Development subject to this section shall comply with the following standards:

(1) Agricultural Buffer

All development shall provide and maintain a vegetative buffer and fencing along all property lines abutting land containing an Agricultural use in accordance with subsections a through d below, for as long as the Agricultural use continues (see Figure 26-5.78(c)(1): Agricultural Compatibility Features).

Figure 26-5.78(c)(1): Agricultural Compatibility Features



a. Buffer Width

The buffer shall be at least 50 feet wide, except that the Zoning Administrator may allow a reduction in the buffer width by up to 20 feet on determining that the reduced width is justified by:

1. A low likelihood of noise, spray drift, dust, or light from the adjacent agricultural use or activity based on its type or intensity;
2. An intervening topographic change that provides enhanced screening; or

3. If the development consists of multiple parcels that may be held under separate ownership, a homeowners' association, property owners' association, or similar entity shall be required to maintain the buffer.
4. Buffer maintenance requirements shall be stipulated through inclusion in covenants, conditions, and restrictions, as appropriate.

(2) Location of Open Space Set-Asides

To the maximum extent practicable, any open space set-asides in the new development required by Sec. 26-5.4, Open Space Set-Asides, shall be located between the abutting agricultural property and the buildings in the new development, and shall be configured to accommodate the buffer required in subsection (1) above.

(3) Lot Size Configuration

Lots bordering the buffer required by subsection (1) above, shall have a minimum lot area two times the minimum lot area otherwise required in the base zoning district where the development is located.

(4) Notification Requirement

Planned developments, land development permits (major and minor), and subdivision plats for development subject to these standards shall bear a notation on each individual development approval indicating the development is adjacent to an existing agricultural use or activity that is anticipated to generate noise, light, dust, odor, or vibration as part of its normal operations.

Sec. 26-5.9, Sec. 26-5.8. Fences and Walls

(a) Purpose

The purpose and intent of this section is to regulate the location, height, and appearance of fences and walls to:

- (1) Maintain visual harmony within neighborhoods and throughout the County;
- (2) Protect adjacent lands from the indiscriminate placement and the unsightliness of fences and walls;
- (3) Ensure the safety, security, and privacy of land; and
- (4) Ensure that fences and walls are subject to timely maintenance, as needed.

(b) Applicability

(1) General

Unless exempted by subsection (2) below, the standards in this section apply to any construction or replacement of fences or walls.

(2) Exemptions

The following fences and walls are exempt from the standards of this section:

- a. Fences and walls required for support of a principal or accessory structure;

- b. Vinyl;
 - c. Masonry or stone;
 - d. Composite materials designed to appear as wood, metal, or masonry;
 - e. Wrought iron;
 - f. Decorative metal; and
 - g. Any material demonstrated by the applicant to have a similar or equal appearance and durability as a material listed above.
- (2) Fences may be constructed of chain link in any of the following situations:
- a. In the AG, HM, RT, LI, and HI districts;
 - b. In conjunction with a school playground or an athletic field; or
 - c. If the fence is not visible from any street right-of-way.
- (3) The following are prohibited as fence materials:
- a. Barbed and/or razor wire, unless approved as part of a security exemption plan in accordance with Sec. 26-5.89(h), Security Exemption, on land with an Agriculture use, or on land used for installation and operation of high-voltage equipment at substations for electrical generation, transmission, and distribution operated by a regulated public utility;
 - b. Chicken wire, except as used for the purposes of enclosing livestock or domestic animals where allowed in the zoning district in which the fence is located, corrugated metal, fabric materials, fiberboard, garage door panels, plywood, rolled plastic, sheet metal, debris, junk, or waste materials; and
 - c. Above ground wires that carry electrical current, unless approved as part of a security exemption plan in accordance with Sec. 26-5.89(h), Security Exemption, or if used for the purposes of enclosing livestock or domestic animals in the AG District (this shall not prohibit below-ground electrical fences intended for the keeping of pets).

(f) Appearance

(1) Finished Side to Face Exterior

Wherever a fence or wall is installed, if one side of the fence or wall appears more “finished” than the other (e.g., one side of a fence has visible support framing and the other does not, or one side of a wall has a textured surface and the other does not), then the more “finished” side of the fence shall face the exterior of the lot rather than the interior of the lot (see Figure 26-5.89(f)(1): Fence with Finished Side Facing Out).

Figure 26-5.89(f)(1): Fence with Finished Side Facing Out

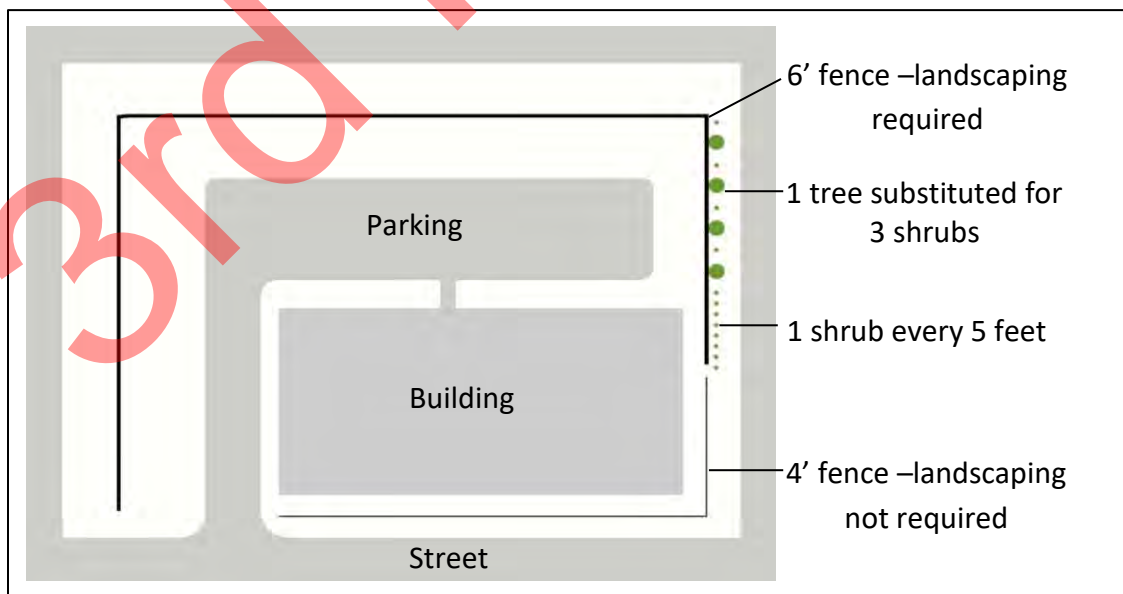


(2) Fence and Wall Landscaping

Any fence or wall, or portion thereof, that is taller than four feet in height and is located within 20 feet of a street right-of-way shall be supplemented with landscape screening in accordance with subsections a and b below, to soften the visual impact of the fence. However, on any lot containing a single-family or two-family dwelling or a manufactured home, such landscape screening is required only if the street right-of-way within 20 feet of the fence or wall contains a roadway having a functional classification of collector or higher.

- a. At least one evergreen shrub shall be installed for every five linear feet of fence or wall, on the side of the fence or wall facing the public street right of way. Shrubs may be installed in a staggered, clustered, grouped, or linear fashion. See Figure 26-5.89(f)(2): Fence and Wall Landscaping.
- b. One small tree may be substituted for every three shrubs provided the tree complies with Sec. 26-5.3(c)(5), Trees.

Figure 26-5.9(f)(2): Fence and Wall Landscaping



(g) Maintenance

Required fences and walls and associated landscaping shall be maintained in good repair and in a safe and attractive condition. Maintenance of fences and walls shall include, but not be limited to, the replacement of missing, decayed, or broken structural or decorative elements and the repair of deteriorated or damaged fence materials, including but not limited to, weathered surfaces visible from the public right-of-way, sagging sections, and posts that lean more than ten degrees from vertical.

(h) Security Exemption

- (1)** A landowner in need of heightened security may submit to the Zoning Administrator a security exemption plan proposing a fence or wall taller than those permitted by this section or proposing the use of barbed and/or razor wire or electric wire atop a fence or wall for security reasons.
- (2)** The Zoning Administrator may approve, or approve with conditions, the security exemption plan upon finding the condition, location, or use of the land, or the history of activity in the area, indicates the land or any materials stored or used on it are in significantly greater danger of theft or damage than surrounding land, or represent a significant hazard to public safety without:
 - a. A taller fence or wall;
 - b. An electric fence; or
 - c. Use of barbed and/or razor wire.
- (3)** If the Zoning Administrator finds the applicant fails to demonstrate compliance with subsection (2) above, the security plan shall not be approved.

Sec. 26-5.10, Sec. 26-5.9. Signs

(a) Purpose and Intent

The purpose and intent of these sign regulations is to:

- (1)** Encourage the effective use of signs as a means of community in the County while preserving the rights of free speech under the First Amendment to the United States Constitution;
- (2)** Maintain and enhance the aesthetic environment and the County's ability to attract sources of economic development and growth;
- (3)** Improve pedestrian and traffic safety;
- (4)** Minimize the possible adverse effect of signs on nearby public and private property; and
- (5)** Enable the fair and consistent enforcement of these sign regulations.

(b) Applicability**(1) General**

Unless exempted by subsection (2) below, a sign may be constructed, erected, placed, established, created, or maintained in the County only in conformance with the standards and requirements of this section.

(2) Exempt Signs

The following signs are exempt from the standards and requirements of this section:

- a. Signs erected by a local, state, or federal government body or agency in the performance of its duties.
- b. Signs required by local, state, or federal law.
- c. Signs within a structure that are not legible from the ground level of the exterior of the structure.
- d. Signs affixed to structures, mailboxes, decorative light posts, driveway entrances, or similar locations that serve to identify the address of the structure or occupant. All such signs are required to be placed in such a manner as to be visible from the street.
- e. Signs attached to and made an integral part of a vending machine, automatic teller machine, or gasoline pump if advertising or giving information about the products or services dispensed or vended by that machine.
- f. Signs erected to warn of danger or hazardous conditions, such as signs erected by public utility companies or construction companies or specifically authorized for a public purpose by any law, statute, or ordinance, subject to the following conditions:
 1. Signs that display information with regard to a particular piece of property must be located on the premises to which the information pertains; and
 2. Such signs shall not contain advertising commercial messages.
- g. Temporary holiday decorations that are clearly incidental to and are customarily and commonly associated with any national, local, or religious holiday/celebration;
- h. Merchandise, pictures, or models of products or services that are incorporated as an integral part of a window display; and
- i. Flags that do not contain a commercial message as well as one flag with a commercial message per lot.

(3) Timing of Review

Review for compliance with the standards of this section shall occur during review of an application for a sign permit (see Sec. 26-2.5(j)) or certificate of zoning compliance (see Sec. 26-2.5(m)), as applicable.

(c) General Standards**(1) Rules for Measurement and Computation**

Sign height and sign area shall be measured in accordance with Sec. 26-9.2(a)(109)b, Signs.

(2) Illumination

- a. Light sources illuminating signs shall:
 - 1. Be a steady stationery light source, shielded and directed solely at the sign;
 - 2. Not cause glare, hazards to pedestrians or vehicle drives, or nuisances to adjacent properties; and
 - 3. Comply with the provisions of Sec. 26-5.1011, Exterior Lighting.
- b. The luminance of a sign shall not exceed 1500 nits during daylight hours and 150 nits at all other times. Signs incorporating displays that use light emitting diodes (LEDs), charge coupling devices (CCDs), plasma, or functionally equivalent technologies shall be equipped with automatic dimming technology and certified by the manufacturer or a qualified professional to be compliant with the maximum luminance standards in this section.
- c. Signs shall not have light-reflecting backgrounds but may use light-reflecting lettering.

(3) Location

- a. Signs shall be located outside of the sight area, behind sidewalk areas, and no closer than five feet to the front property line.

(4) Attached Signage

- a. Attached signage may not extend above the vertical wall to which the sign is attached or extend out into the planting area or road side of the sidewalk.
- b. Attached signs may not project more than three feet from the façade of the building on which the sign is located.
- c. The bottom of any attached sign, if extended from the façade of a building, shall be at least eight feet above any pedestrian walkway.

(5) Non-Commercial Messages

Any sign, display, or device allowed under this chapter may contain, in lieu of any other copy, any otherwise lawful noncommercial message.

(d) Prohibited Signs

The following signs are prohibited:

- (1) Off-premises signs, except as specifically allowed in this section;
- (2) Roof signs, except signs on the surface of a mansard roof or on parapets are permitted so long as the signs do not extent above the mansard roof or parapet to which they are attached;
- (3) Signs that display blinking, flashing, or intermittent lights or animation, contain moving parts, or give the illusion of movement;
- (4) Signs that approximate official highway signs, warning signs, or regulatory signs;
- (5) Signs attached to or painted on roadside appurtenances such as utility poles, trees, parking meters, bridges, overpasses, rocks, other signs, benches, or refuse containers;
- (6) Signs containing or consisting of pennants, ribbons, streamers, balloons, or spinners;

- (8) A sign at the entrance of a residential subdivision under development. Such signs shall not exceed 50 square feet in area, shall be set back at least 20 feet from any property line, and shall be spaced at least 500 feet apart. They shall be removed no more than 30 days after 75 percent of the subdivision lots have been conveyed, unless a permanent sign permit is obtained in accordance with subsection (f) below.
- (9) A temporary sign placed on a lot where the lot or building on the lot is actively being marketed for sale or for rent, limited to one per 500 feet of road frontage. Such signs shall be no more than four square feet in area and four square feet in height if located on a single-family residential lot, or 32 square feet in area and eight feet in height, if freestanding, for all other lots.
- (10) A temporary sign that has a maximum sign area of four square feet and a maximum height of four feet that is placed on a residential lot for a maximum period of 62 hours in any seven-day period.

(f) Signs that Require a Sign Permit

The following signs are allowed, subject to the standards of this section, but shall require a sign permit in accordance with Sec. 26-2.5(j), Sign Permit.

(1) Allowed in All Zoning Districts

The following signs are allowed in all zoning districts where the principal use associated with the sign is allowed:

a. Portable Signs

Portable signs shall be located only on-premises, with a limit of one sign per street frontage. Such signs shall not be illuminated and shall be displayed no more than two periods per year for no more than 30 days each period. Such signs may not exceed 48 square feet in sign area.

b. Manually Changeable Copy Signs in Association with Certain Uses

In addition to the signs otherwise permitted in this section, a school or place of worship shall be permitted to erect one freestanding sign having manually changeable copy per lot frontage.

c. Signs on Marquees and Canopies

In addition to the provisions concerning attached signs in Sec. 26-5.910(c)(4), Attached Signage, signs on marquees and canopies are subject to the following restrictions:

1. The length of the sign projection shall not exceed the length of projection of the marquee or canopy to which it is attached
2. Signs shall not extend more than two feet below or four feet above the marquee to which they are attached
3. The allowable sign face area for signs on canopies shall be limited as part of the allowable area for freestanding, on-premises signs as provided in Sec. 26-5.910(f), Signs that Require a Sign Permit.

a. Freestanding and Attached Signs

Freestanding and attached signs are permitted subject to the limitations in Table 26-5.9(e)(2)-1: Freestanding and Attached Sign Dimensional Requirements.

b. Limitations on Freestanding Sign Maximum Area

The maximum sign area allowed for freestanding signs is the lesser of the area calculated in accordance with the number of site roadway frontages as defined in Table 26-5.9(f)(3)b: Permanent Sign Requirements in Nonresidential and Planned Development Districts, or the result of the following formula:

1. One square foot per linear foot of road frontage for the first 100 feet of road frontage, plus
2. 0.5 square feet per linear foot of road frontage for any remaining road frontage.

c. Location

1. Freestanding signs may be located anywhere on the property unless specifically restricted otherwise in this section.
2. No part of any freestanding sign permitted in required setbacks shall be located less than five feet from any property line.
3. Wall signs may be located anywhere on the wall of a building.
4. No sign shall be erected within ten feet of any residential district boundary line unless such sign would meet the sign requirements for nonresidential uses permitted within the residential district to which it is adjacent.

Table 26-5.9(f)(3)b: Permanent Sign Requirements in Nonresidential and Planned Development Districts

Sign Requirements	Freestanding			Attached		
	RC, INS, MU1, MU3, MU2, and EMP	GC and all PD Districts	HI and LI Districts	RC, INS, MU1, MU3, MU2, and EMP	GC and all PD Districts	HI and LI Districts
Number	One, per road frontage, per lot			Unlimited, subject to maximum area standards		
Maximum Area (sf)	The lesser of either the formula in Sec. 26-5.910(f)(3)b or the following, based on the number of street frontages of the lot:			The number of linear front feet of the principal building to which the signage is attached, multiplied by either 1.5 if there is no freestanding sign on the premises, or 1.0 if there is a freestanding sign on the premises		
	One frontage: 100 sf	One frontage: 250 sf	One frontage: 300 sf			
	Two frontages: 150 sf	Two frontages: 400 sf	Two frontages: 450 sf			
	Three or more frontages: 200 sf	Three or more frontages: 500 sf	Three or more frontages: 600 sf			

Table 26-5.9(f)(3)b: Permanent Sign Requirements in Nonresidential and Planned Development Districts						
Sign Requirements	Freestanding			Attached		
	RC, INS, MU1, MU3, MU2, and EMP	GC and all PD Districts	HI and LI Districts	RC, INS, MU1, MU3, MU2, and EMP	GC and all PD Districts	HI and LI Districts
Height	The maximum height of a sign or its supporting structure is: 15 ft			No projecting sign shall project more than the following above the highest point of the roof of the structure to which it is attached 12 ft		
		35 ft (50 if adjacent to interstate highway interchange ROW)		20 ft		n/a

(4) Combined Development Signs

Off-premises combined development signs are permitted in the GC, EMP, INS, LI, and HI Districts in accordance with the following:

a. Number

One off-premises freestanding combined development sign is allowed per development street frontage.

b. Allowable Area

1. The maximum sign face area for a permitted combined development sign is 150 square feet if the sign is located within the required front yard setback for the lot on which it is located, or 300 square feet if the sign is not within the required front yard setback.
2. Individual businesses identified on the combined development sign shall be limited to no more than 20 percent of the total allowable square footage of the sign.

c. Height

The maximum height of an off-premises freestanding combined development sign or its supporting structure is ten feet if located within the required front yard setback for the lot on which it is located, or 15 feet if not within the required front yard setback.

d. Location

1. Permitted off-premises freestanding combined development signs shall be located on lots that are adjacent to a principal driveway entrance to the combined development and that are zoned for the type of development for which the sign is being erected.
2. No part of any freestanding sign permitted in required setbacks shall be located less than five feet from the front property line.

3. No sign shall be erected within ten feet of any residential district boundary line unless such sign complies with the sign requirements for nonresidential uses permitted within the residential district to which it is adjacent.

(g) Maintenance

The following maintenance requirements shall apply to all signs:

- (1) No sign shall have more than 20 percent of its display area, structure, or reverse side covered with disfigured, chipped, cracked, ripped, or peeling paint or poster paper for more than 30 consecutive days.
- (2) No sign shall have a bent or broken display area, broken supports, loose appendages, or loose struts, or stand more than 15 degrees from perpendicular for more than 30 consecutive days.
- (3) No sign shall be permitted to have weeds, vines, or other vegetation growing upon it for more than 30 consecutive days.
- (4) No indirect or internally illuminated sign shall have only partial illumination for more than 60 consecutive days.

~~Sec. 26-5.11.~~ Sec. 26-5.10. Exterior Lighting

(a) Purpose and Intent

The purpose and intent of this section is to regulate exterior lighting to:

- (1) Ensure all exterior lighting is designed and installed to maintain adequate lighting levels on site;
- (2) Assure that excessive light spillage and glare are not directed at adjacent lands, neighboring areas, and motorists;
- (3) Curtail light pollution, reduce skyglow, and preserve the nighttime environment for the enjoyment of residents and visitors;
- (4) Conserve energy and resources to the greatest extent possible; and
- (5) Provide security for persons and land.

(b) Applicability

(1) General

Unless exempted in accordance with subsection (2) below, the following shall comply with the standards in this section:

- a. All new development in the County; and
- b. Any extension, enlargement, or reconstruction of a building or structure, but only regarding the extended, enlarged, or reconstructed portions of the building or structure.

(2) Exemptions

- a. Lighting exempt under State or federal law;
- b. FAA-mandated lighting associated with a utility tower or airport;

emergency purposes—by 11:00 p.m. or within one hour of closing (within 30 minutes of closing for Retail Sales uses), whichever occurs first, except facilities hosting events sanctioned by the South Carolina High School League or the South Carolina Association of Independent Schools may extinguish exterior lighting needed to complete an event that is in progress prior to 11:00 p.m. later than 11:00 p.m.

- b. For purposes of this section, lighting “necessary for security or emergency purposes” shall be construed to mean the minimum amount of exterior lighting necessary to illuminate possible points of entry or exit into a structure, illumination of exterior walkways, or illumination of outdoor storage areas.
- c. Lighting activated by motion sensor devices is strongly encouraged.

(3) Shielding with Full Cut-off Fixtures

- a. Except as provided in subsection b.1 below, all exterior luminaires, including security lighting, shall be full cut-off fixtures that are directed downward, consistent with Figure 26-5.1011(c)(4)a: Full Cut-off Fixtures. In no case shall lighting be directed above a horizontal plane through the lighting fixture (see Figure 26-5.1011(c)(4)b: Examples of Light Fixtures).

Figure 26-5.1011(c)(4)a: Full Cut-off Fixtures

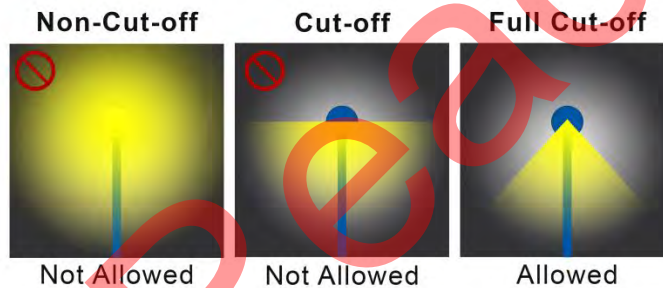
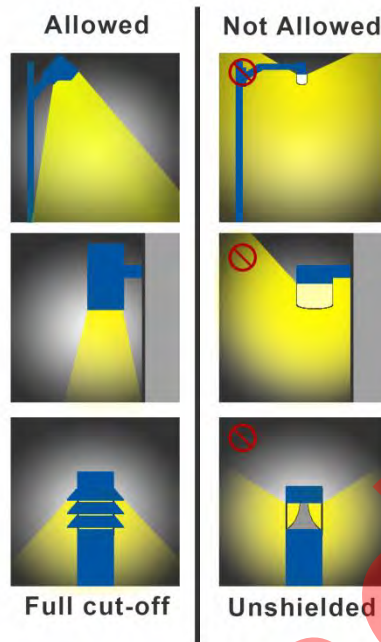


Figure 26-5.10(c)(4)b: Examples of Light Fixtures



b. Exceptions

1. Luminaires used for outdoor athletic or sports fields do not need to be full cut-off fixtures but shall be shielded with a glare control package (e.g. louvers, shields, external visors, or similar devices) and aimed so that their beams are directed and fall within the primary playing or performance area.
2. Places of worship such as churches, temples, and mosques may orient lights upward onto specific architectural components of the structures (such as steeples or domes).
3. Accent lighting for sculptures, trees, landscaping features, flags, and entrances may be oriented upwards.

(4) Maximum Illumination Levels

- a. Except for street lighting and uses in the Retail Sales category, all exterior lighting and indoor lighting visible from outside the building shall be designed and located so that the maximum horizontal and vertical illuminance does not exceed 0.5 vertical foot-candles measured at ground level at any lot line of the lot where the lighting is located.
- b. Maximum illumination on a site shall be as provided in Table 26-5.10(d)(5): Maximum Site Illumination and shall be calculated by adding the rated lumens of all the outdoor lighting sources installed on the site.

Table 26-5.10(d)(5): Maximum Site Illumination	
Use	Maximum Illuminations (lumens per acre)
All residential uses	80,000
Retail Sales uses	1.3 million during business hours, 150,000 during non-business hours [1]

Table 26-5.10(d)(5): Maximum Site Illumination	
Use	Maximum Illuminations (lumens per acre)
All non-residential uses other than Retail Sales	200,000 during business hours, 80,000 during non-business hours
Lighting for athletic fields	No maximum
NOTES	
[1] For Retail Sales uses, non-business hours shall mean between the hours of 10:00 p.m. and 7:00 a.m.	

(5) Maximum Height

Except as otherwise provided in Sec. 26-5.1011(d), Standards for Specific Uses and Site Features, the maximum height of a luminaire on an external light fixture shall comply with the following standards:

- a. In vehicular surface areas (parking lots) and driveways, the maximum height of a luminaire shall be 18 feet for Residential uses and hotels or motels, 32 feet for Industrial uses, and 24 feet for all other uses.
- b. Luminaires shall not be mounted on the exterior of a building above the first floor or higher than 16 feet, whichever is more restrictive.
- c. In pedestrian zones including sidewalks, landscaped areas, or areas adjacent to buildings, the maximum height of a luminaire shall be 12 feet.
- d. Exterior lighting associated with multi-family, nonresidential, and mixed-use development within certain proximity to a single-family residential lot shall comply with Sec. 26-5.67(c)(4), Exterior Lighting.
- e. For purposes of this section, the height of the fixture shall be measured from ground level to the top of the luminaire.

(6) Spacing

The distance between luminaires on commercial properties and residential property lines shall be greater than or equal to luminaire height, unless a greater distance is required by another provision of this Ordinance.

(7) Alignment

All luminaires shall be installed and maintained in an alignment that minimizes light spill and glare onto adjacent lots.

(d) Standards for Specific Uses and Site Features

(1) Retail Sales Uses

Luminaires that are part of a use in the Retail Sales category shall not exceed 24 feet in height.

(2) Parking Structure

Parking structures shall comply with the following standards:

- a. Poles with fixtures shall not be placed on the top floor along the perimeter of the structure.

- b. The maximum height of a pole on the interior of the parking structure shall be 15 feet.
- c. Luminaires shall be attached to interior perimeter walls on all floors of the structure below the top floor.

(3) Canopy

- a. Luminaires mounted on or recessed into the lower surface of service station and/or entrance canopies shall be fully shielded and utilize flat lenses.
- b. The total light output used for illuminating service station and entrance canopies, defined as the sum of all under-canopy initial bare-lamp outputs in lumens, shall not exceed 430 lumens per square meter of canopy
- c. All lighting mounted under the canopy, including but not limited to luminaires mounted on the lower surface or recessed into the lower surface of the canopy and any lighting within signage or illuminated panels over the pumps, shall be included in the calculation for total allowable illumination pursuant to Sec. 26-5.10(d)(4).

~~Sec. 26-5.12.~~ Sec. 26-5.11. **Water Quality**

(a) Water Quality Buffers

(1) Purpose

a. General

- 1. The purpose of the water quality buffer requirements is to require that new development include buffers that:
 - (a) Protect the streams, wetlands, and flood plains of the County;
 - (b) Protect the water quality of watercourses, reservoirs, lakes, and other significant water resources;
 - (c) Protect riparian and aquatic ecosystems; and
 - (d) Provide for the environmentally sound use of the County’s land resources.
- 2. A water quality buffer is an area of original or re-established vegetation that borders streams, rivers, ponds, lakes, wetlands, and seeps. Buffers are most effective when stormwater runoff is flowing into and through the buffer zone as shallow sheet flow, rather than concentrated flow such as channels, gullies, or wet weather conveyances. Therefore, it is critical that design of all development include management practices, to the maximum extent practical, that will result in stormwater runoff flowing into the buffer zone as shallow sheet flow.

b. Benefits

Water quality buffers provide numerous environmental protection and resource management benefits including:

- 1. Restoring and maintaining the chemical, physical and biological integrity of the water resources;
- 2. Removing pollutants delivered in urban stormwater;
- 3. Reducing erosion and controlling sedimentation;

4. Activities associated with emergency operations, such as hazardous materials removal, flood or fire control, evacuations, and storm damage clean up;
5. Single-family parcels of land, which exist as individual lots that are two acres or less and are not part of a new subdivision development;

d. Waiver

An applicant may request and the County Engineer may grant a waiver to alter a buffer required by this section (Sec. 26-5.1112(a)) in accordance with the procedure and standards set forth in Sec. 26-2.5(q), Water Quality Buffer Waiver.

(3) Stream Buffer Requirements

a. General

Stream buffers shall be considered a “no disturb zone” along jurisdictional lines. Vegetation shall not be disturbed, removed, or replanted unless a buffer restoration plan has been approved by the County Engineer.

b. Delineation

Except as modified by Sec. 26-5.1112(a)(7), Buffer Adjustments, below, the buffer width around a stream shall be calculated as follows:

1. Along jurisdictional perennial streams identified by the USACE, not associated with a floodplain or wetlands, the buffer shall be at least 50 feet perpendicular from the jurisdictional line on each side of the waterway.
2. In areas where a floodway profile has been computed along a perennial stream (AE Zones) as part of an approved flood study, the buffer area shall be equal to the width of the floodway, but never less than 50 feet on each side of the stream.
3. In areas where a floodway profile has not been computed along a perennial stream (A Zones) the developer shall perform a flood study, determine the floodway and follow the buffer requirements outlined above. As an alternative to preparing the flood study, the buffer limits shall extend to the delineated flood plain limits.
4. Along jurisdictional intermittent streams identified by the USACE, the buffer shall be at least 50 feet perpendicular from the jurisdictional line on each side of the waterway. If these streams have associated floodway as described above, the same requirements would apply to have a total width of 50 feet on each side of the waterway.
5. For delineated wetland areas associated with perennial streams, the buffer shall be at least 50 feet perpendicular beyond the wetland edge. This buffer width is independent of any wetland offset requirements of the USACE.
6. For delineated wetland areas associated with intermittent streams, the buffer shall be at least 50 feet perpendicular beyond the wetland edge. This buffer width is independent of any wetland offset requirements of the USACE.
7. For wetland areas not associated with perennial, intermittent streams, or floodway, the buffer shall be the extent of the wetland area plus an additional 50 feet perpendicular beyond the wetland edge.

- (b) The HOA shall have lien authority to ensure the collection of dues from all members; and
- (c) The HOA shall assume the responsibility for protecting, monitoring, and maintaining the area as an undisturbed natural area, in perpetuity.

d. Shoreline Buffers

- 1. Shoreline buffers shall be shown and labeled on the engineering plans.
- 2. Shoreline buffers shall be maintained by the owner in accordance with the maintenance and inspection requirements for permanent storm water management structures outlined in this chapter.
- 3. Shoreline buffers may be deeded to Richland County, placed in a conservation easement, or given to the HOA as outlined in Sec. 26-5.1112(a)(6)c.3, Dedication to HOA, above.

(7) Buffer Adjustments

The width of a water quality buffer shall be adjusted in accordance with the following:

- a. If streams are on a current 303d list or with an approved TMDL, the buffer area shall be increased to 100 feet, subject to reduction in accordance with subsection j below.
- b. If water bodies are on DHEC'S Outstanding National Resource Waters (ONRW) list, the buffer area shall be increased to 100 feet, subject to reduction in accordance with subsection j below.
- c. If there are 15 percent to 24 percent slopes within the required buffer area, the buffer width must be adjusted to include an additional ten feet.
- d. If there are 25 percent or greater slopes within the required buffer area width, the buffer width must be adjusted to include an additional 25 feet.
- e. If the adjacent land use involves drain fields from on-site sewage disposal and treatment systems (i.e., septic systems), subsurface discharges from a wastewater treatment plant, or land application of bio-solids or animal waste, the buffer area width must be adjusted to include an additional 25 feet.
- f. If the land use or activity involves the storage of hazardous substances or petroleum facilities, the buffer area width must be adjusted to include an additional 50 feet, subject to reduction in accordance with subsection j below.
- g. If the land use or activity involves raised septic systems or animal feedlot operations, the buffer area width must be adjusted to include an additional 100 feet, subject to reduction in accordance with subsection j below.
- h. If the land use or activity involves solid waste landfills or junkyards, the buffer area width must be adjusted to include an additional 200 feet, subject to reduction in accordance with subsection j below.
- i. If all on-site stormwater runoff is captured and routed through a permanent water quality basin, and there is no sheet flow discharging into the buffer, the buffer area may be reduced to 25 feet. This is intended to apply in limited situations, such as small commercial developments.
- j. If the applicant satisfactorily demonstrates that there will be no degradation of the receiving water body by implementing the proposed storm water quality controls,

- (1) The SWPPP contains details of the proposed channel modifications and includes either:
 - (2) A mitigation plan for water quality impacts, including best management practices to be implemented as part of the channel modification and overall project; or
 - (3) An engineering analysis demonstrating no water quality impacts resulting from the proposed modifications.
- (c) The SWPPP must be approved in accordance with this section prior to commencing any channel modifications.
2. Whenever existing channel modifications are made, sodding, backsloping, cribbing, and other bank protection shall be designed and constructed to control erosion for the anticipated conditions resulting from a 50-year rainfall.

d. Areas of Special Flood Hazard

In areas of special flood hazard, final grading of all lots and building sites for new construction or substantial improvement shall provide for elevation on fill, pilings, or earth filled curtain walls of the lowest habitable floor to at least two feet above the 100-year flood elevation. Where fill is used to meet this requirement, the area two feet above the 100-year flood elevation shall extend at least ten feet from each side of the building pad. Certain types of non-residential structures are permitted within the floodplain if properly “flood-proofed” in compliance with Sec. 26-3.87(d), FP-O: Floodplain Overlay District, and all applicable building code requirements.

e. Primary Channels Located within Road Easements

Primary drainage channels located within road easements shall be placed in enclosed storm sewers, except under the following conditions:

- 1. Where a paved road surface at least two lanes wide is provided on both sides of an improved channel so as to provide access to abutting properties; or
- 2. For lots with a double-road frontage, an open drainage channel is permitted between the rear lot line and the paved road, provided that access from the road to the lot is prohibited both at the time of construction and in the future.
- 3. Adequate width shall be dedicated as right-of-way to provide for the maintenance of an improved drainage channel and its bank.

f. Levees Protecting Structures

All levees protecting residential structures or non-residential structures that are not flood-proofed shall be designed, constructed, and maintained to provide protection against the 500-year flood, plus three feet of freeboard. Flood elevations shall be as shown on the latest Flood Insurance Rate Maps or as determined by appropriate hydrologic methods. Any levee constructed or improved under this section shall also comply with the other provisions of this article, including, but not limited to, subsection g below.

g. Structures or Obstructions in Regulatory Floodway

- 1. Notwithstanding any other provision of this chapter, no levees, dikes, fill materials, structures or obstructions that will impede the free flow of water during times of flood will be permitted in the regulatory floodway, unless:

year frequency rainfall. Variation from this requirement may be approved by the County Engineer for environmental or aesthetic purposes, provided that it has the required carrying capacity and that flood protection requirements are met.

3. All improvements to drainage channels shall be carried out such that waters protected by the Federal Clean Water Act are not degraded.

d. Areas of Special Flood Hazard

In areas of special flood hazard, final grading of all lots and building sites for new construction, or substantial improvement of residential structures, shall provide for elevation on fill, pilings, or earth filled curtain walls of the lowest habitable floor to at least two feet above the 100-year flood elevation. Where fill is added to meet this requirement, the area two feet above the 100-year flood elevation shall extend at least ten feet from each side of the building pad. Certain types of structures are permitted within the floodplain if properly “flood-proofed” in compliance with Sec. 26-3.87(d), FP-O: Floodplain Overlay District and all applicable building code requirements.

e. Secondary Channels Located within Road Easements

Secondary drainage channels located within road easements shall be placed in enclosed storm sewers, except under the following conditions:

1. Where a paved road surface at least two lanes wide is provided on both sides of an improved channel so as to provide access to abutting properties.
2. For lots with a double-road frontage, an open drainage channel is permitted between the rear lot line and the paved road, provided that access from the road to the lot is prohibited both at the time of construction and in the future.
3. Adequate width shall be dedicated as right-of-way to provide for the maintenance of an improved drainage channel and its bank.

f. Off-Site Discharges

1. Off-site discharges from closed storm sewers or improved open channels will only be permitted at natural streams or man-made drainage channels acceptable to the County Engineer, unless a drainage easement is obtained from the adjoining landowner.
2. Adequate provisions shall be made to reduce discharge velocities such that the receiving channel is not degraded.
3. When off-site drainage channels are not adequate to accept the additional runoff resulting from development, the developer shall install on-site facilities for controlled release of stormwater runoff. These on-site drainage facilities shall be designed to limit the runoff rate to predevelopment levels during the design storm and the two-year storm.

g. Additional Requirements for Particular Developments

1. Single-Family or Two-Family (Duplex) Residential or Manufactured Home

Site grading for single-family, duplex, or manufactured home development shall be carried out in such a manner that surface water from each dwelling lot will flow directly to a storm sewer, improved channel, sodded swale, or paved road without running more than 200 feet. Rooftop runoff may be directed to

the discharge of pollutants to the Richland County MS4. To the extent practicable, the director shall recognize that storage and handling of significant materials, material handling equipment or activities, intermediate products or industrial machinery in such a manner that they are not exposed to stormwater is an effective BMP. Compliance with all terms and conditions of a valid NPDES permit authorizing the discharge of stormwater associated with industrial activity, to the extent practicable, shall be deemed in compliance with the provisions of this section.

9. Providing False Information and Tampering Prohibited

- (a) It shall be unlawful for any person to provide false information to the director or anyone working under the director’s supervision when such person knows or has reason to know that the information provided is false, whether such information is required by this article or any inspection, recordkeeping or monitoring requirement carried out or imposed under this article.
- (b) It shall be unlawful for any person to falsify, tamper with or knowingly render inaccurate any monitoring device or method required under this article.

d. Construction Site Runoff Control Program

The intent of the Construction Site Runoff Control Program is to aid Richland County in reducing and controlling the discharge of pollutants from construction sites. Construction sites have potential to introduce large volumes of soil and sediment to stormwater runoff, as well as discarded building materials, concrete truck washout, chemicals, litter and sanitary waste. The individual requirements that make up the Construction Site Runoff Control Program are contained in Sec. 26-2.5(l), Land Disturbance Permit (with approved SWPPP); Sec. 26-5.1112(b), Stormwater Management; and Appendix 26A: Required SWPPP Application Materials.

e. Post-Construction Maintenance Program

The intent of the Post-Construction Maintenance Program is to aid Richland County in reducing the discharge of pollutants from permanent water quality BMPs that are left in place after construction is complete. If not operated and maintained properly, permanent water quality BMPs can become sources of pollutants; the goal of this program is to prevent this from occurring by requiring BMP maintenance to ensure these BMPs are operating as designed.

- 1. The individual requirements that make up the Post-Construction Maintenance Program are contained in Sec. 26-2.5(l), Land Disturbance Permit (with approved SWPPP); Sec. 26-5.1112(b), Stormwater Management; and Appendix 26A: Required SWPPP Application Materials.
- 2. Regular maintenance of permanent structural BMPs (i.e., ditches, ponds, etc.) will be the responsibility of Richland County if the county has an easement allowing it to access the BMP, and if the county has accepted maintenance responsibilities for the BMP. If the BMP is privately owned, all maintenance will be the responsibility of the owner.

f. Accidental Discharges or Damages

In the event of any accidental discharge or damage to the municipal separate stormwater systems of Richland County or its co-permittees, immediate notification (not to exceed 24 hours) shall be given to the County Engineer and/or Stormwater Management personnel, or their designee, regarding the nature, quantity (if applicable) and time of the occurrence. In addition to this notification, the responsible entity shall take immediate measures to contain and/or eliminate the discharge and minimize its effects on the receiving waters. The responsible entity shall also take steps to eliminate the recurrence of such events. The Director of Public Works and Stormwater Management personnel, or their designee, shall have the authority to inspect, monitor and approve any remedial actions taken by the responsible entity. Failure to notify Richland County as outlined above shall result in the action being deemed an illegal or illicit activity as described in this section and appropriate enforcement action shall be taken as set out in Sec. 26-5.1112(c)(5), Violations, below, and the “Enforcement Response Guide”.

g. Water Quality Controls for Impaired Water Bodies and Consistency with TMDLs

1. The County may take action to provide reasonable assurance that discharges will not cause or contribute to violations of water quality standards in Impaired Water Bodies identified on the South Carolina 303(d) list. If a TMDL has been established for a water body, the County may also require additional conditions necessary to ensure consistency with the TMDL.
2. Actions taken and/or conditions required in accordance with subsection 1 above, may include requiring management of stormwater using Low Impact Development to mimic natural hydrologic runoff characteristics, such that stormwater runoff generated by a two-year and ten-year, 24-hour rain event is limited to pre-development discharge rates.

(4) MS4 Authority

- a. The County Engineer and/or Stormwater Management personnel, or designee, bearing proper credentials and identification, may enter and inspect all properties for regular inspections, periodic investigations, monitoring, observation, measurement, enforcement, sampling and testing, and any other NPDES related tasks. The personnel shall duly notify the owner of said property or the representative on site, and the inspection shall be conducted at reasonable times.
- b. In the event that Richland County or the designee reasonably believes that discharges from the property into the Richland County MS4 may cause an imminent and substantial threat to human health or the environment, the inspection may take place at any time and without notice to the owner of the property or a representative on site. The inspector shall present proper credentials upon reasonable request by the owner or representative. In addition, the inspector may take such action as to abate or eliminate the discharge and begin remedial steps necessary to protect human health and/or the environment.

(5) Violations

Upon determination that a violation of any of the provisions of this article or the NPDES permit has occurred, Richland County personnel will respond according to the procedures in the current “Enforcement Response Guide”, which includes timely personal notice at

the property where the violation has occurred and written notice to the violator. This notice shall specify: the nature of the violation, the proposed penalty, and the time line (depending on the violation and is left to the discretion of the inspector) to correct deficiencies, if appropriate. There shall be sufficient notification to deliver the notice to the person to whom it is addressed, or to deposit a copy of such in the United States Mail, properly stamped, certified and addressed to the address used for tax purposes.

a. Civil Penalties

Any person violating any provision of this article shall be subject to a civil penalty of not more than \$500 for each violation. Each separate day of a violation constitutes a new and separate violation.

b. Criminal Penalties

In addition to any applicable civil penalties, any person who negligently, willfully or intentionally violates any provision of this article shall be guilty of a misdemeanor and shall be punished within the jurisdictional limits of magistrate's court. Each day of a violation shall constitute a new and separate offense.

c. Emergency Actions

Richland County reserves the right to seek reimbursement of costs required to abate, eliminate and/or remediate discharges that have been deemed an imminent threat to human health and/or the environment. Such reimbursement shall be in addition to other appropriate enforcement actions including, but not limited to, civil or criminal penalties.

(6) Supplemental Regulations

- a. All applicable provisions of the standards for Stormwater Management and Sediment Reduction (Section 72-301, 302, 305, 307, 308, 312, 313, 314, 315 and 316) administered by the South Carolina Department of Health and Environmental Control pursuant to the South Carolina Stormwater Management and Sediment Reduction Act of 1991 are incorporated into this section by reference.
- b. All applicable provisions of the NPDES and Land Application Permits Regulation (Section 61-9.122 Part A 122.2, 122.3, 122.4 and Part B 122.26) administered by the South Carolina Department of Health and Environmental Control pursuant to the South Carolina Pollution Control Act of 1976 are incorporated into this section by reference.

~~Sec. 26-5.13.~~ Sec. 26-5.12.

Green Development Incentives

(a) Purpose and Intent

Green development practices are resource-efficient techniques for designing, constructing, and maintaining new development that is more environmentally sustainable. The purpose of this section is to support green development practices in the County by providing incentives for development to incorporate specific types of green building features, in order to support:

- (1)** Energy conservation;

- (2) Alternative energy use;
- (3) Water conservation and water quality;
- (4) Healthy landscaping;
- (5) Alternate forms of transportation;
- (6) Open space preservation; and
- (7) Urban agriculture.

(b) Applicability

(1) General

- a. The incentives in this section are available to:
 1. All new development; and
 2. Any expansion of an existing development that increases its gross floor area by 50 percent or more.
- b. If the standards in this section conflict with standards in Sec. 26-5.67, Neighborhood Compatibility, or Sec. 26-5.78, Agricultural Compatibility, the standards in Sec. 26-5.67 or Sec. 26-5.78, as applicable, shall control.

(2) Timing of Review

Review for compliance with the standards of this section shall occur during review of an application for a planned development (see Sec. 26-2.5(c)), special exception (see Sec. 26-2.5(d)), land development permit (major or minor) (see Sec. 26-2.5(e)), subdivision (major or minor) (see Sec. 26-2.5(f)), permitted use with special requirements (see Sec. 26-2.5(h)), or certificate of zoning compliance (see Sec. 26-2.5(m)), as applicable.

(c) Incentives

- (1) Development integrating green development features in accordance with this section shall be eligible for the following incentives:

~~a. For nonresidential or mixed use structures, an An~~ increase in the maximum allowable height beyond the maximum allowed in the base zoning district ~~of, as follows:~~

- ~~1. For residential structures, an additional one story or 15 feet.~~
- ~~2.1. For nonresidential or mixed use structures, an additional~~ one story or 18 feet.
- b. For residential or mixed-use structures in the R2, R3, R4, R5, R6, MU1, MU2, MU3, and GC, an increase in the maximum allowable residential density by ~~1025~~ percent; and for residential structures in the AG, HM, RT, and R1 districts an increase in the allowable residential density by ~~1530~~ percent.
- c. For nonresidential or mixed-use structures, a decrease in the required lot area by 10 percent.
- d. A reduction of 15 percent in the minimum off-street parking otherwise required by Sec. 26-5.2, Off-Street Parking and Loading.
- e. A reduction of the minimum front setback by eight or 15 feet; a reduction of the minimum side setback by one or three feet; and a reduction in the minimum rear setback by three or eight feet.

TABLE 26-5.13(d): Green Development Incentives		
Incentive	Minimum Number of Green Building Features Provided	
	From Schedule A	From Schedule B
all other requirements of this Ordinance, including Sec. 26-5.2, Off-Street Parking and Loading: Reduction of minimum required front yard setback by 10.0 feet; reduction of minimum required side yard setback by 2.0 feet; and reduction of minimum rear yard setback by 5 feet. Reduction of minimum required front yard setback by 15.0 feet; reduction of minimum required side yard setback by 3.0 feet; and reduction of minimum rear yard setback by 7.5 feet.	2 [1]	1 [1]
	3 [1]	2 [1]

NOTES:
[1] Only green building features included under the headings "Water Conservation and Water Quality," "Conservation Set-Asides," "Vegetation," or "Urban Agriculture" in Table 26-5.13(e): Green Building Features, shall count toward this number.

(e) Menu of Green Building Features

One or more of the green building features in Table 26-5.13(e): Green Building Features, may be offered by an applicant for proposed development in accordance with Table 26-5.13(d): Green Building Incentives. The entry in the left-most column of Table 26-5.13(e): Green Building Features includes the number of Schedule A or Schedule B green building practices that can be counted towards an incentive. (For example, an entry of "BBB" means that the green building feature is credited as three green building practices from Schedule B.)

TABLE 26-5.13(e): Green Building Features	
Schedule	Green Building Feature
Energy Conservation	
A	Install a "cool roof" for at least 50 percent of the total roof area of the primary buildings in a multi-building development. Cool roofs shall have a Solar Reflectance Index of 78 for flat roofs or 29 for roofs with a slope greater than 2:12
A	Use central air conditioners that are with a SEER rating of 17 or greater, Energy Star-qualified
A	Use only solar or tankless water heating systems throughout the structure.
B	Provide skylights sufficient to ensure natural lighting is provided to at least 20 percent of the habitable rooms in the structure
B	Construct roof eaves or overhangs of three feet or more on southern or western elevations
B	Provide shade, open-grid pervious pavement, or solar-reflective paving on 50 percent of the total area of roads, sidewalks, and parking areas in the development
B	Use a structure design that can accommodate the installation and operation of solar photovoltaic panels or solar thermal heating devices (including appropriate wiring and water transport systems)
B	Use vegetation or vegetated structures to shade HVAC units for non-residential structures
B	Install mini-split unit air conditioner that meets Building Code requirements
B	Install airtight water heater

TABLE 26-5.13(e): Green Building Features

Schedule	Green Building Feature
Alternative Energy	
AA	Generate a minimum of 50 percent of energy on-site by alternative energy (e.g., solar wind, geothermal)
A	Generate a minimum of 25 percent of energy on-site by alternative energy (e.g., solar wind, geothermal)
A	Pre-wire a minimum of 75 percent of residential dwelling units in the development for solar panels
B	Pre-wire a minimum of 50 percent of residential dwelling units in the development for solar panels
Green Building Certification Standards	
AAA	Construct the principal building(s) to meet or exceed LEED® Platinum, Certified High Performance Home (CHiP) Emerald, or comparable certification standards
AA	Construct the principal building(s) to meet or exceed LEED® Gold, Certified High Performance Home (CHiP) Gold, or comparable certification standards
BB	Construct the principal building(s) to meet or exceed LEED® Silver, Certified High Performance Home (CHiP) Silver, or comparable certification standards
Water Conservation and Water Quality	
AAA	Install a green vegetated roof on the primary building(s), or at least 50 percent of the primary buildings in a multi-building complex; green or vegetated roofs shall include vegetation on at least 50 percent of the roof area (25 percent for renovated buildings) and shall use only plant materials permitted by this Ordinance
A	Provide rain gardens, street-side swales, or other appropriate storm water infiltration system(s) that captures a minimum of 25 percent of site stormwater runoff
A	Use pervious pavement on a minimum of 50 percent of parking lot and driveway area in development
A	Include rain water capture and re-use devices such as cisterns, rain filters, and underground storage basins with a minimum storage capacity of 500 gallons for every two residential units
A	Provide rain gardens, vegetated strips, infiltration strips, or other appropriate storm water infiltration system(s) that accommodate a minimum of 25 percent of runoff
B	Install a system for the reuse of non-potable water (greywater) designed to collect and reuse at least 75 percent of the total wastewater discharge from all of the following that are present on the site: bathtubs, showers, lavatories, clothes washers, laundry trays, and air conditioners (condensate)
Conservation Set-Asides	
Setting aside as open space set-asides, subject to all design, maintenance, and ownership requirements in Sec. 26-5.4, Open Space Set-Asides, the percentage specified below of the total land area on the site that includes any of the following:	
<ul style="list-style-type: none"> • Important historic sites, not currently determined eligible for or listed in the National Register of Historic Places; • Existing healthy, mature forests of at least one contiguous acre. For purposes of this section, any stand of trees having at least eight healthy trees that have reached maturity shall be considered a healthy, mature forest, and the area of the forest shall be the area defined by the outer-most driplines of the trees in the stand; • Contiguous areas surrounding groupings of grand trees, consisting of the smallest contiguous area extending at least 15 feet beyond the outer-most driplines of the trees in the grouping; • Scenic view sheds of natural or historic features; • Rock outcroppings that are at least three feet tall and at least five feet wide, measured as the horizontal land area covered by the exposed rock that includes the outcropping; • Contiguous lands of at least one acre having prime agricultural soils, defined as Marlboro or Dothan loamy sands, or that are in productive agricultural use; • Existing trails, and any abutting landscaping or wooded corridors, that connect the tract to neighboring areas; • The land within a 30-foot extension of the required water quality buffer; • Community gardens of at least 0.25 acres in size; • Lands within ten feet of intermittent or perennial streams; and • Restored ponds, including a buffer area extending ten feet from the edge of the pond. 	
ABB	100 percent or more

TABLE 26-5.13(e): Green Building Features

Schedule	Green Building Feature
BB	At least 75 percent, but less than 100 percent
AB	At least 50 percent but less than 75 percent
B	At least 25 percent but less than 50 percent
A	At least 5 percent but less than 25 percent
Vegetation	
AB	Retain a minimum of 50 percent of existing pre-development natural vegetation
A	Retain a minimum of 25 percent of existing pre-development natural vegetation
A	Remove all lawn or turf in favor of ground cover consisting of plant material or mulch
B	Limit turf grass to no more than 40 percent of the landscaped area
Urban Agriculture	
A	Provide a fenced, centrally located community garden space (which may be located as a rooftop garden) for residents and for urban gardening purposes at a ratio of 50 square feet per dwelling unit
B	Provide a fenced, community garden space for employees at an office, for gardening purposes at a ratio of 15 square feet per employee
B	Provide a minimum of one on-site composting station for every 25 residential dwelling units
Building Materials	
AA	Source a minimum of 25 percent, by cost, of construction materials from recycled products or products manufactured, extracted, harvested, or recovered within 250 miles of the site
Transportation	
A	Provide a quantity minimum of functional two electric vehicle (EV) level 3 charging stations equal to at least two percent of all that are made available in a parking spaces, with a minimum of two stations, in locations accessible to all persons in structure or off-street parking lot to those using the development building
B	Provide a quantity minimum of functional two electric vehicle (EV) level 2 charging stations equal to at least two percent of all that are made available in a parking spaces, with a minimum of two stations, in locations accessible to all persons in structure or off-street parking lot to those using the development building
B	Provide more bicycle parking than required by Sec. 26-5.2(i)(1), Minimum Bicycle Parking Required while ensuring that all other bicycle parking standards required in Sec. 26-5.2, Off-Street Parking and Loading are met
Resiliency to Natural Hazards	
B	Equip the project with at least one alternative, independent source of electricity supply so that the project is capable of operating if a primary source of power experiences an interruption
A	If the project involves a critical facility that is intended to remain operational in the event of a flood, or whose function is critical for post-flood recovery, design the facility to be protected and operable at the water levels represented by an 0.2 percent annual chance (500-year) flood
A	Elevate new and/or existing structures more than three feet above Base Flood Elevation
B	Install operable windows to allow for natural ventilation in the event of power failures
NOTES:	
[1] "AAA" means credited as provision of three Schedule A features, ""BB" means credited as provision of two Schedule B features, and so on.	
[2] LEED Certification is managed by the U.S. Green Building Council. Equivalent criteria include the International Code Council Green Construction Code, the National Green Building Standards, or other programs as determined by the Zoning Administrator.	

(f) Installation and Maintenance of Green Building Features

- (1)** Failure to properly install or maintain approved green building features that are to be provided to comply with this section is a violation of this Ordinance, and may result in revocation of the development approval or permit.

- (2) Green building features that include water capture devices shall be installed and maintained with netting to prevent mosquito breeding.
- (3) If a request for green building incentives is based on green building features under the heading “Water Conservation and Water Quality,” “Vegetation,” or “Urban Agriculture” in Table 26-5.13(e), the applicant shall submit a plan for the maintenance of such features with the request for green building incentives.

~~Sec. 26-5.14.~~ Sec. 26-5.13. General Performance Standards

(a) Purpose

The general performance standards included in this section are intended to protect the health, safety, and welfare of the citizens of Richland County by regulating potential nuisance features of certain land uses.

(b) Applicability

- (1) Unless exempted in accordance with subsection (3) below, all new development shall comply with the standards set forth in this section.
- (2) If the use of a building or a structure is extended, enlarged, or reconstructed after the effective date of this chapter, the standards in this section shall apply with respect to such extended, enlarged, or reconstructed portion or portions of such use or structure, unless exempted in accordance with subsection (3) below.
- (3) Temporary construction, excavation, grading, and demolition are exempt from the standards set forth in this section.

(c) Performance Standards

(1) Noise

Noise shall be regulated pursuant to Section 18-3 of the Richland County Code.

(2) Vibration

All uses shall be operated in such a fashion that ground vibration inherently and recurrently generated is not perceptible without instruments at any point along the property line within which the use is located.

(3) Smoke and Particulate Matter

Any land use or other activity that involves the emission of smoke, particulate matter, or other air pollutants shall comply with all applicable standards set forth in state and federal regulations regarding the emission of air pollutants.

(4) Toxic, Hazardous, and Radioactive Matter

Any land use or activity that involves the use of toxic, hazardous, or radioactive materials shall comply with all applicable standards set forth in state and federal regulations regarding the use, storage, transportation, emission, and disposal of such materials.

(5) Odor

The emissions of noxious gases or particles shall not be permitted in any district so as to exceed the odor threshold as measured beyond the lot lines. The odor threshold is defined as the concentration in the air of a gas or vapor which will just evoke a response in the average human olfactory system.

(6) Fire and Explosive Hazards

All flammable solid, liquid, and gaseous substances shall be stored and used in accordance with all applicable state and federal regulations. Storage tanks for flammable liquids and gasses shall be located no closer than 40 feet to any property line. The storage of solid materials or products rated as free or active burning to intense burning is permitted in nonresidential districts provided that such material shall be stored or used within completely enclosed buildings having no less than two hour fire resistant exterior walls and protected with an automatic fire extinguishing system. Or, if stored outdoors, such material shall be not less than 50 feet from the nearest property line. Free or active burning to intense burning is a rate of combustion described by material that burns with a high degree of activity and is consumed rapidly. Examples include sawdust, powdered magnesium, and other solids deemed by the fire chief to have equivalent burning characteristics.

~~Sec. 26-5.15.~~ Sec. 26-5.14. Road Naming and Addressing

(a) Purpose

This section is intended to ensure that there is a uniform system for road naming and for assigning and posting address numbers, which are essential in expediting the response time from all emergency services agencies, such as police, fire, ambulance, and other rescue services; in facilitating postal and other service delivery; and in reducing confusion for the driving public.

(b) Applicability

This requirements in this section, and the Guidelines for Road Naming and Addressing in Richland County, shall apply only to those properties, buildings, streets, and public or private roadways that are located within the unincorporated area of Richland County, and those incorporated areas that are included through intergovernmental agreement. It shall be the responsibility of all municipalities and political subdivisions not included through intergovernmental agreement to coordinate road naming and property numbering with the Zoning Administrator.

(c) Guidelines for Road Naming and Addressing

The Zoning Administrator shall maintain a uniform system of naming streets and roads and numbering properties and principal buildings, called "Guidelines for Road Naming and Addressing in Richland County".

(c) Improvements Required

A subdivision shall provide all improvements required by this article.

Sec. 26-6.3. Minimum Design Standards

(a) General

(1) Development Standards

A subdivision shall comply with all applicable standards in this section, Article 26-3: Zoning Districts, and Article 26-5: General Development Standards including, without limitation, Sec. 26-5.1, Access, Mobility, and Connectivity; Sec. 26-5.4, Open Space Set-Asides; ~~Sec. 26-5.6~~~~Sec. 26-5.5, Cluster Development;~~~~Sec. 26-5.7,~~ Neighborhood Compatibility; and Sec. 26-5.1112, Water Quality, except as provided in (i) below.

(2) Land Development Manual

All improvements within a subdivision shall comply with the Land Development Manual (LDM).

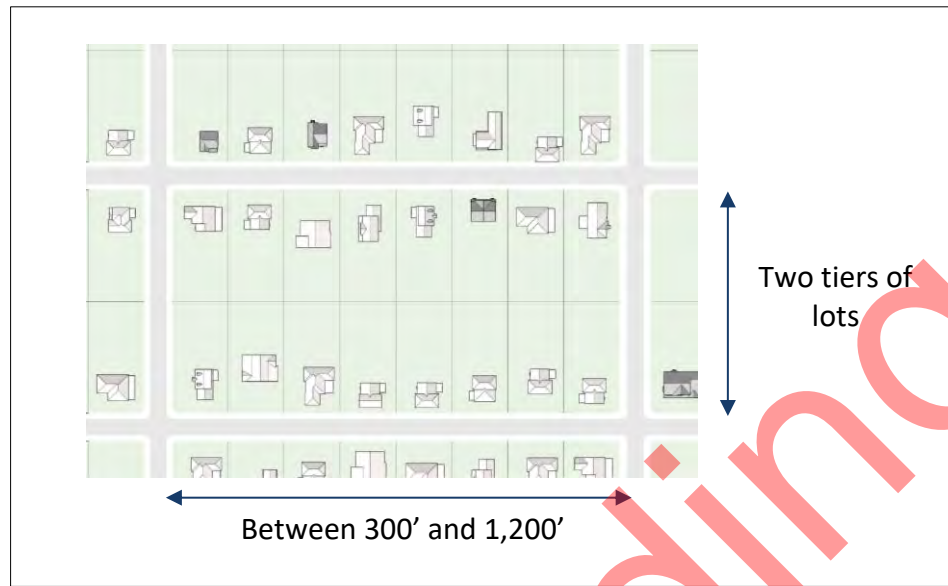
(b) Block Length and Width

Blocks in a subdivision shall comply with the following standards.

(1) Residential Block Size

Residential blocks shall be between 300 and 1,200 feet in length (see Sec. 26-9.2(a)(109)d, Block Length). The width of any residential block shall be sufficient to permit at least two tiers of lots, to the extent practical. See Figure 26-6.3(c): Residential Block Size.

Figure 26-6.3(c): Residential Block Size



(2) Nonresidential Block Size

Nonresidential blocks shall have sufficient length and width as necessary for their prospective use, including adequate provision for providing off-street parking and service areas in accordance with Sec. 26-5.2, Off-Street Parking and Loading.

(c) Lots

Lots in a subdivision shall comply with the following standards:

(1) Zoning District Standards

- a. All subdivision lots shall comply with the applicable standards for the zoning district in which they are located, including maximum density standards, in accordance with Article 26-3: Zoning Districts, ~~or Sec. 26-5.5, Cluster Development, as applicable.~~
- b. If a septic or well system is to be used and the requirements of the South Carolina Department of Health and Environmental Control require that a lot be larger than is required by the zoning district regulations where the lot is located, the DHEC standards shall control.

(2) Additional Standards

- a. Side lot lines shall be at right angles to straight road lines and radial to curved road lines, to the extent practical.
- b. Lots shall not be divided by city or County lines, to the extent practical.

(d) Private Roads

Private roads are allowed in subdivisions in accordance with the following:

- (1)** Roads shall be constructed to the standards of this Article, including without limitation Sec. 26-5.1, Access, Mobility, and Connectivity, and the LDM.

- (14) Fail to remove any sign installed, created, erected, or maintained in violation of this Ordinance, or for which the permit has lapsed;
- (15) Create, expand, replace, or change any nonconformity except in compliance with this Ordinance;
- (16) Reduce or diminish the requirements for development, design, or dimensional standards below the minimum required by this Ordinance;
- (17) Increase the intensity or density of development, except in accordance with the standards of this Ordinance;
- (18) Through any act or omission, fail to comply with any other provisions, procedures, or standards as required by this Ordinance;
- (19) Through any act or omission, violate any term, condition of approval, or qualification placed by a decision-making body or person on a development approval or permit;
- (20) Violate any lawful order issued by any decision-making body in accordance with this Ordinance;
- (21) Obtain a development approval or permit through false or misleading information; or
- (22) Obscure or obstruct a notice required to be posted or otherwise given in accordance with this Ordinance.

Sec. 26-8.4. Responsible Persons

Any person who violates this Ordinance shall be subject to the remedies and penalties set forth in this article.

Sec. 26-8.5. Enforcement Generally

(a) Responsibility for Enforcement

- (1) The Zoning Administrator is responsible for enforcing all provisions of this Ordinance that are not enforced by the Flood Coordinator or the County Engineer in accordance with subsections (2) and (3) below.
- (2) The Flood Coordinator is responsible for enforcing all floodplain regulations in Sec. 26-3.214(d), FP-O: Floodplain Overlay District.
- (3) The County Engineer is responsible for enforcing all stormwater management and erosion and sediment control provisions in Sec. 26-5.1112, Water Quality.

(b) Enforcement Procedure

(1) Inspection

The Zoning Administrator, or other official in accordance with Sec. 26-8.5(a), Responsibility for Enforcement, is entitled to inspect at all reasonable times all land and structures that are subject to this Ordinance in order to determine compliance or non-compliance with the requirements of this Ordinance.

(l) Tenses and Plurals

Words used in the present tense include the future tense. Words used in the singular number include the plural number and the plural number includes the singular number, unless the context of the particular usage clearly indicates otherwise. Words used in the masculine gender include the feminine gender, and vice versa. The word “person” includes a firm, association, partnership, trust, company, corporation, or any other entity usually defined in legal usage as a person.

(m) Term Not Defined

The Zoning Administrator, the County Engineer, or the Flood Coordinator is authorized to interpret the meaning of terms in accordance with Sec. 26-2.5(q), Interpretation. Such interpreted meaning shall be based upon the definitions used in accepted sources—including, but not limited to, A Planners Dictionary; A Glossary of Zoning, Development, and Planning Terms; and A Survey of Zoning Definitions (all published by the American Planning Association), as well as general dictionaries such as Merriam-Webster, American Heritage, Webster's New World, and New Oxford American dictionaries.

Sec. 26-9.2. Rules of Measurement

(a) Measurement

Intensity and dimensional standards shall be measured in accordance with this section.

(1) Lot Area

Lot area shall be determined by measuring the total horizontal land area (in acres or square feet) within the lot lines of the lot, excluding public street rights-of-way and private street easements. For purposes of determining density or lot coverage, any part of the net lot area dedicated as recreation area, park, greenway, or other public open space in conjunction with or part of development approval in accordance with this Ordinance shall continue to be considered part of the lot area of the development site.

(2) Gross Average Lot Area

The average area of lots within a residential subdivision that are intended for the construction or placement of a single-family residential dwelling use, not including lots intended for use for non-dwelling purposes such as open space, right-of-way, BMPs, or other land to be retained by a property or homeowners' association.

(2)(3) Lot Coverage

Lot coverage means the percentage of lot area that is impervious (i.e. does not absorb water). This portion includes, but is not limited to, all areas covered by buildings, parked structures, driveways, roads, sidewalks, and any area of concrete asphalt.

(3)(4) Lot Width

Lot width means the distance between straight lines connecting front and rear lot lines at each side of the lot. A lot complies with minimum lot width standards if the minimum lot width is met in any of the following ways:

- a. At the rear of required front yards or setbacks;
- b. For a lot fronting a curve or a cul-de-sac, at one and a half times the depth of required front yards or setbacks. The distance between straight lines connecting front and rear lot lines at each side of a lot measured 150 percent of the required front yard or setback;
- c. For a lot contiguous to a natural or man-made body of water with at least 25 linear feet of public road frontage and meeting all required front yard or setback standards, at the building site line; or
- d. For a lot at least one acre in area with at least 50 linear feet of public road frontage and meeting all required front yard or setback standards, at the building site line.

(4)(5) Lot Depth

Lot depth is determined by measuring the distance from the center of street frontage to the opposite property line.

(5)(6) Lot Frontage

Lot frontage is the part of a lot line abutting on a road. Lot frontage is calculated as a straight line between side lot lines for determining compliance with minimum lot frontage standards.

(6)(7) Density (Dwelling Units per Acre)

Density (expressed as dwelling units per acre) is determined by dividing the total number of dwelling units located or proposed on a lot by the lot area. If lot area is measured in square feet, that result is multiplied by 43,560. For purposes of determining maximum net density, an accessory dwelling unit does not count as a dwelling unit.

(7)(8) Setbacks**a. General**

1. Minimum setback is the space defined by measuring perpendicularly from and along the entire boundary of the lot (property line) to the building line. A setback may be a front, side, or rear setback. Allowable encroachments into required yards shall be ignored when measuring setbacks (see Sec. 26-9.2(b)(4), Allowable Encroachments into Required Yards or Rights-of Way).
2. When more than one setback depth applies, the greatest setback dimension requirement must be met.
3. Structures shall meet the front yard requirements for all sides of the structure abutting public roads. Where one of the front yards that would normally be

In the case of corner lots, the yards remaining after front yards have been established shall be considered to be the side yards.

d. Rear Yard

A rear yard shall be measured at right angles to a straight line joining the rearmost points of the side lot lines. The forward rear yard line of a required rear yard shall be parallel to the straight lines so established.

~~(8)~~(9) Building Height

Building height is measured from the average elevation at the base of a structure to the highest point of the roof of a structure.

~~(9)~~(10) Additional Rules of Measurement

a. Activity Area

For determining parking standards, the activity area is the area of a recreational facility where the recreation or amusement operation is actually conducted. This shall include all areas open to the public and used by employees of the facility. This term shall not include open areas that are not available to the public or storage areas.

b. Signs

1. Sign Area

The area of the sign face is calculated as follows:

- (a)** The area is defined as the entire area within the smallest rectangle that will encompass the extreme limits of the writing, representation, emblem, or other display on the sign.
- (b)** The area also includes any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed.
- (c)** Frames or structural member are not included in computation of the area of the sign face.
- (d)** For signs attached to walls or fences, only the portion of a wall or fence onto which sign face or letters are placed are calculated in the sign area.

2. Sign Height

The height of a sign is measured from the highest point of a sign or its support, whichever is greater, to the base of the sign at grade.

c. Building Length

The linear length of a building the distance measured on a straight line parallel to the longest axis of a building between the two most extreme points on the building footprint.

d. Block Length

The length of a block shall be determined by measuring each abutting roadway centerline segment between two consecutive intersecting roadway centerlines. The largest such distance is the length of the block (see Figure 26-9.2(9)c: Measurement of Block Length).

LOS A = a v/c ratio of 0.00 to 0.49 LOS B = a v/c ratio of 0.50 to 0.74
 LOS C = a v/c ratio of 0.75 to 1.00 LOS D = a v/c ratio of 1.01 to 1.15
 LOS E = a v/c ratio of 1.16 to 1.34 LOS F = a v/c ratio of 1.35 plus

LIBRARY

A facility for the use, but not sale, of literary, historical, scientific, musical, artistic, or other reference materials. Accessory uses include offices and storage facilities used by staff and meeting rooms.

LIGHT TRESPASS

Light projected onto a property from a fixture not located on that property.

LIGHTING, INTERNAL

For purposes of Sec. 26-5.1011, Exterior Lighting, only, artificial lighting provided either through lighting on the sign face or through lighting within a sign made of transparent or translucent material.

LIMITED FUEL/OIL/BOTTLED GAS DISTRIBUTION

The distribution, for compensation, of fuel oil or bottled gases such as propane or liquid petroleum in containers no greater than five gallons in volume.

LIMITED STORAGE (FLOODPLAIN OVERLAY DISTRICT STANDARDS)

An area used for storage and intended to be limited to incidental items that can withstand exposure to the elements and have low flood damage potential. Such an area must be of flood resistant or breakaway material, void of utilities (except for essential lighting), and cannot be temperature controlled.

LINEN OR UNIFORM SUPPLY

Establishments primarily engaged in supplying to commercial establishments or household users, on a contractual basis, such laundered items as uniforms, other work-related clothing, gowns, table linens, bed linens, towels, and similar items.

LOADING AREA

Off-street space used for the parking of a vehicle while loading or unloading merchandise or materials.

LOADING BERTH

Space within the Loading Area where a vehicle is parked during the loading or unloading process.

LOCAL ROAD, COMMERCIAL

A road in a commercial area used primarily for access to abutting properties and to feed traffic to collector roads. This classification includes roads located parallel and adjacent to limited access roads or highways that provide access to abutting commercial properties and protection from through traffic.

LOCAL ROAD, RESIDENTIAL

A road in a residential area used primarily for access to abutting properties and to feed traffic to collector roads. This classification includes roads located parallel and adjacent to limited access roads or highways that provide access to abutting residential properties and protection from through traffic. Average daily traffic is less than two thousand (2,000) vehicles.

PUBLIC NUISANCE

For purposes of Sec. Sec. 26-5.1142(b), Stormwater Management, only, (a) Any condition that constitutes a breeding ground or harbor for rats, mosquitoes, harmful insects or other pests; (b) An open place containing a concentration of combustible items such as mattresses, boxes, paper, automobile tires and tubes, garbage, trash, refuse, brush, old clothes, rags, or any other combustible materials or objects of a like nature; (c) Any open place containing a collection of garbage, food waste, animal waste, or any other rotten or putrescible matter of any kind; (d) Any open place containing furniture, appliances, or metal products of any kind or nature which have jagged edges of metal or glass or areas of confinement; (e) Any condition which blocks, hinders or obstructs in any way the natural flow of streams, creeks, surface water, ditches, or drains, to the extent that the blockage or hindrance or obstruction creates standing or stagnant water.

PUBLIC RECREATION FACILITY

Facilities, other than parks, owned or controlled by a public entity for the purpose of providing recreational pursuits. Public recreation shall include such facilities as swimming pools, gymnasiums and indoor tracks.

PUBLIC SAFETY FACILITY

A police station, fire station, ambulance service facility, or other emergency medical service facility.

PUBLIC WORKS DEPARTMENT

The Richland County Public Works Department.

RACETRACKS AND DRAG STRIPS

A facility containing a roadway that is used primarily for automobile, animal, and/or motorcycle racing. A racetrack may include seating, concession areas, and parking facilities along with accessory offices.

RADIO OR TELEVISION BROADCASTING FACILITY

Commercial and public communications uses including radio and television broadcasting and receiving stations and studios, with facilities entirely within buildings.

RAIL TRANSPORTATION FACILITY

An area and related facilities connected with the loading, unloading, assembly, or disassembly of trains, including without limitation passenger or freight terminals, operations and maintenance sheds, train sheds, and classification yards.

REAL ESTATE OFFICE (MODEL HOME/UNIT)

A dwelling, dwelling unit, or other marketable unit of a new development that is used for real estate sales or leasing activities associated with the development pending construction of the development and the initial sales of homes or units in the development.

REAL ESTATE OFFICE (TRAILER OR MODULAR UNIT)

A construction trailer, modular building, or other similar building constructed off-site and temporarily placed within a new development for the purpose of real estate sales or leasing activities associated with the project pending construction of the development and the initial sales of homes or units in the development.

Appendix 26-B: Legacy District

M-1: Legacy Light Industrial

Section B-1. Purpose

The M-1: Legacy Light Industrial district is established to accommodate wholesaling, distribution, storage, processing, light manufacturing, and general commercial or agricultural uses. The district also allows related structures and uses that are required to serve the needs of the principal uses on the site.

Section B-2. Intensity and Dimensional Standards

The following intensity and dimensional standards apply in the M-1 district, subject to the exceptions in Sec. 26-3.1(f), Superseding Dimensional Standards:

1. There is no maximum density standard.
2. There is no minimum lot area, except as required by DHEC (see Sec. 26-3.1(f)(3), DHEC Regulations).
3. There is no minimum lot width.
4. There is no maximum building height.
5. All structures on the site shall comply with a 25-foot front setback and 10-foot rear setback. There is no side setback requirement.

Section B-3. Use Standards¹⁰

Uses are permitted in the M-1 district in accordance with the following:

- (a) *General.* The Table of Permitted Uses, Permitted Uses with Special Requirements, and Special Exceptions that follows, contains a listing of uses that may be permitted in one or more of the various zoning districts established by this article. Uses are listed in alphabetical order in eleven functional categories. The categories in order of their listing are: agricultural uses; residential uses; accessory uses and structures; recreational uses; institutional, educational and civic uses; business, professional and personal services; retail trade and food services; wholesale trade; transportation, information, warehousing, waste management, and utilities; manufacturing, mining, and industrial uses; and, other uses.
- (b) *Symbols used.* The districts in which a particular use is permitted (with or without special requirements), are indicated by a “P”, “SR”, or “SE” in the district column(s) opposite the listed use. Blank spaces in the district column under any proposed use indicates that the use is NOT permitted in that particular zoning district.

¹⁰ This section copies the text of Sections 26-141 of the previous LDC and the permitted use Table at Table 26-V-2, except the columns for all districts except M-1 have been removed, and references to the amending ordinance (in red in the prior LDC) have been removed. **Note to staff:** There is a sentence which states “The listing of the numerical references (in the NAICS) utilized is found in Appendix I.” We have highlighted that sentence in the text, but Appendix I is not included in the copy of the LDC that we have and we could not locate it. Could you share, or should we update the reference?

(c) Meaning of symbols. The meaning of the symbols in the Table of Permitted Uses, Permitted Uses with Special Requirements, and Special Exceptions are as follows:

- (1) P. Means the indicated use is permitted in the indicated district.
- (2) SR. Means the indicated use is permitted provided special additional standards set forth in this chapter are met. These standards are contained in Article VI., Supplemental Use Standards.
- (3) SE. Means the indicated use is permitted in the indicated district, subject to approval of a special exception by the board of zoning appeals (Section 26-56 of this chapter). Minimum conditions that must be met in order for the board to grant a special exception are listed in Article VI., Supplemental Use Standards.

(d) North American Industry Classification System (NAICS). The North American Industry Classification System, United States Manual – 2002 Edition (NAICS) was utilized in the preparation of the Table of Permitted Uses, Permitted Uses with Special Requirements, and Special Exceptions. The listing of the numerical references (in the NAICS) utilized is found in Appendix I. This listing and the 2002 NAICS manual shall be consulted as a guide for the purpose of interpretation by the zoning administrator when necessary. The NAICS number in the appendix refers to the corresponding NAICS classification for that particular use. Listings with a “000000” in the NAICS column do not correspond to any classification manual, but rather are identified uses of local significance.

(e) Relationship to other laws. The listing of a use in the Table of Permitted Uses, Permitted Uses with Special Requirements, and Special Exceptions in no way relieves that use of having to meet all local, state, and federal laws pertaining to the establishment and operation of that use.

(f) Table of Permitted Uses, Permitted Uses with Special Requirements, and Special Exceptions. See Table 26-BV-2.

Table 26-BV-2: Table of Permitted Uses, Permitted Uses with Special Requirements, and Special Exceptions	
USE TYPES	M-1
Agricultural Uses	
Animal Production	P
Animal Production Support Services	P
Crop Production	P
Crop Production Support Services	P
Fish Hatcheries	P
Forestry	P
Forestry Support Services	P

Table 26-BV-2: Table of Permitted Uses, Permitted Uses with Special Requirements, and Special Exceptions

USE TYPES	M-1
Poultry Farms	P
Produce Stands	P
Swine Farms	P
Veterinary Services (Livestock)	P
Residential Uses	
Accessory Dwellings	SR
Common Area Recreation and Service Facilities	
Continued Care Retirement Communities	
Dormitories	
Dwellings, Conventional or Modular	
Duets	
Multi-Family, Not Otherwise Listed	
Single-Family, Detached	
Single-Family, Zero Lot Line, Common	
Single-Family, Zero Lot Line, Parallel	
Townhouses	
Two-Family	
Dwellings, Manufactured Homes on Individual Lots	SE
Fraternity and Sorority Houses	
Group Homes (9 or Less)	
Group Homes (10 to 15)	
Manufactured Home Parks	
Rooming and Boarding Houses	
Special Congregate Facilities	
Accessory Uses and Structures	
Accessory Uses and Structures (Customary) – See Also Sec. B-6	P
Home Occupations	
Swimming Pools	
Yard Sales	
Recreational Uses	
Amusement or Water Parks, Fairgrounds	SR
Amusement Arcades	P
Athletic Fields	P
Batting Cages	SR
Billiard Parlors	P
Bowling Centers	P
Clubs or Lodges	P
Country Clubs with Golf Courses	SR

Table 26-BV-2: Table of Permitted Uses, Permitted Uses with Special Requirements, and Special Exceptions

USE TYPES	M-1
Dance Studios and Schools	<u>P</u>
Go-Cart, Motorcycle and Similar Small Vehicle Tracks	<u>P</u>
Golf Courses	<u>SR</u>
Golf Courses, Miniature	<u>P</u>
Golf Driving Ranges (Freestanding)	<u>SR</u>
Hunt Clubs	
Marinas and Boat Ramps	<u>P</u>
Martial Arts Instructional Schools	<u>P</u>
Physical Fitness Centers	<u>P</u>
Public or Private Parks	<u>SR</u>
Public Recreation Facilities	<u>SR</u>
Racetracks and Drag Strips	
Riding Stables	<u>P</u>
Shooting Ranges, Indoor	<u>P</u>
Shooting Ranges, Outdoor	
Skating Rinks	<u>P</u>
Swim and Tennis Clubs	<u>P</u>
Swimming Pools	
<u>Institutional, Educational and Civic Uses</u>	
Ambulance Services, Emergency	<u>P</u>
Ambulance Services, Transport	<u>P</u>
Animal Shelters	<u>SR</u>
Auditoriums, Coliseums, Stadiums	<u>P</u>
Bus Shelters/Bus Benches	<u>SR</u>
Cemeteries, Mausoleums	<u>SR</u>
Colleges and Universities	
Community Food Services	<u>P</u>
Correctional Institutions	<u>P</u>
Courts	
Day Care, Adult, Home Occupation (5 or Fewer)	
Day Care Centers, Adult	<u>SR</u>
Day Care, Child, Family Day Care, Home Occupation (5 or Fewer)	
Day Care, Child, Licensed Center	<u>SR</u>
Fire Stations	<u>P</u>
Government Offices	<u>P</u>
Hospitals	
Individual and Family Services, Not Otherwise Listed	<u>P</u>
Libraries	<u>P</u>
Museums and Galleries	<u>P</u>
Nursing and Convalescent Homes	
Orphanages	

Table 26-BV-2: Table of Permitted Uses, Permitted Uses with Special Requirements, and Special Exceptions

USE TYPES	M-1
<u>Places of Worship</u>	<u>P</u>
<u>Police Stations, Neighborhood</u>	<u>P</u>
<u>Post Offices</u>	<u>P</u>
<u>Postal Service Processing & Distribution</u>	<u>P</u>
<u>Schools, Administrative Facilities</u>	<u>P</u>
<u>Schools, Business, Computer and Management Training</u>	<u>P</u>
<u>Schools, Fine Arts Instruction</u>	<u>P</u>
<u>Schools, Junior Colleges</u>	<u>P</u>
<u>Schools, Including Public and Private, Having a Curriculum Similar to Those Given in Public Schools)</u>	
<u>Schools, Technical and Trade (Except Truck Driving)</u>	<u>P</u>
<u>Schools, Truck Driving</u>	<u>P</u>
<u>Zoos and Botanical Gardens</u>	<u>SR</u>
<u>Business, Professional and Personal Services</u>	
<u>Accounting, Tax Preparation, Bookkeeping, and Payroll Services</u>	<u>P</u>
<u>Advertising, Public Relations, and Related Agencies</u>	<u>P</u>
<u>Automatic Teller Machines</u>	<u>P</u>
<u>Automobile Parking (Commercial)</u>	<u>P</u>
<u>Automobile Rental or Leasing</u>	<u>P</u>
<u>Automobile Towing, Not Including Storage</u>	<u>P</u>
<u>Automobile Towing, Including Storage Services</u>	<u>P</u>
<u>Banks, Finance, and Insurance Offices</u>	<u>P</u>
<u>Barber Shops, Beauty Salons, and Related Services</u>	<u>P</u>
<u>Bed and Breakfast Homes/Inns</u>	
<u>Body Piercing Facilities</u>	
<u>Building Maintenance Services, Not Otherwise Listed</u>	<u>P</u>
<u>Car and Light Truck Washes (See also Truck Washes)</u>	<u>P</u>
<u>Carpet and Upholstery Cleaning Services</u>	<u>P</u>
<u>Computer Systems Design and Related Services</u>	<u>P</u>
<u>Clothing Alterations/Repairs; Footwear Repairs</u>	<u>P</u>
<u>Construction, Building, General Contracting, with Outside Storage</u>	<u>SR</u>
<u>Construction, Building, General Contracting, without Outside Storage</u>	<u>P</u>
<u>Construction, Heavy, with Outside Storage</u>	<u>SR</u>
<u>Construction, Heavy, without Outside Storage</u>	<u>P</u>
<u>Construction, Special Trades, with Outside Storage</u>	<u>SR</u>
<u>Construction, Special Trades, without Outside Storage</u>	<u>P</u>
<u>Employment Services</u>	<u>P</u>
<u>Engineering, Architectural, and Related Services</u>	<u>P</u>
<u>Exterminating and Pest Control Services</u>	<u>P</u>
<u>Funeral Homes and Services</u>	<u>P</u>
<u>Furniture Repair Shops and Upholstery</u>	<u>P</u>

APPENDIX 26-B: LEGACY DISTRICTS

Table 26-BV-2: Table of Permitted Uses, Permitted Uses with Special Requirements, and Special Exceptions

USE TYPES	M-1
Hotels and Motels	<u>P</u>
Janitorial Services	<u>P</u>
Kennels	<u>SR</u>
Landscape and Horticultural Services	<u>P</u>
Laundromats, Coin Operated	<u>P</u>
Laundry and Dry Cleaning Services, Non- Coin Operated	<u>P</u>
Legal Services (Law Offices, Etc.)	<u>P</u>
Linen and Uniform Supply	<u>P</u>
Locksmith Shops	<u>P</u>
Management, Scientific, and Technical Consulting Services	<u>P</u>
Massage Therapists	<u>P</u>
Medical/Health Care Offices	<u>P</u>
Medical, Dental, or Related Laboratories	<u>P</u>
Motion Picture Production/Sound Recording	<u>P</u>
Office Administrative and Support Services, Not Otherwise Listed	<u>P</u>
Packaging and Labeling Services	<u>P</u>
Pet Care Services (Excluding Veterinary Offices and Kennels)	<u>P</u>
Photocopying and Duplicating Services	<u>P</u>
Photofinishing Laboratories	<u>P</u>
Photography Studios	<u>P</u>
Picture Framing Shops	<u>P</u>
Professional, Scientific, and Technical Services, Not Otherwise Listed	<u>P</u>
Publishing Industries	<u>P</u>
Real Estate and Leasing Offices	<u>P</u>
Recreational Vehicle Parks and Recreation Camps	
Rental Centers, with Outside Storage	<u>P</u>
Rental Centers, without Outside Storage	<u>P</u>
Repair and Maintenance Services, Appliance and Electronics	<u>SR</u>
Repair and Maintenance Services, Automobile, Major	<u>P</u>
Repair and Maintenance Services, Automobile, Minor	<u>P</u>
Repair and Maintenance Services, Boat and Commercial Trucks, Large	<u>P</u>
Repair and Maintenance Services, Boat and Commercial Trucks, Small	<u>P</u>
Repair and Maintenance Services, Commercial and Industrial Equipment	<u>P</u>
Repair and Maintenance Services, Home and Garden Equipment	<u>P</u>
Repair and Maintenance Services, Personal and Household Goods	<u>P</u>
Repair and Maintenance Services, Television, Radio, or Other Consumer Electronics	<u>P</u>
Research and Development Services	<u>P</u>
Security and Related Services	<u>P</u>
Septic Tank Services	<u>P</u>
Tanning Salons	<u>P</u>
Tattoo Facilities	

Table 26-BV-2: Table of Permitted Uses, Permitted Uses with Special Requirements, and Special Exceptions

USE TYPES	M-1
Taxidermists	<u>P</u>
Theaters, Live Performances	<u>P</u>
Theaters, Motion Picture, Other Than Drive-Ins	<u>P</u>
Theaters, Motion Picture, Drive-Ins	<u>P</u>
Tire Recapping	<u>P</u>
Travel Agencies (without Tour Buses or Other Vehicles)	<u>P</u>
Traveler Accommodations, Not Otherwise Listed	<u>P</u>
Truck (Medium and Heavy) Washes	<u>P</u>
Vending Machine Operators	<u>P</u>
Veterinary Services (Non-Livestock, May Include Totally Enclosed Kennels Operated in Connection with Veterinary Services)	<u>P</u>
Watch and Jewelry Repair Shops	<u>P</u>
Weight Reducing Centers	<u>P</u>
<u>Retail Trade and Food Services</u>	
Antique Stores (See Also Used Merchandise Shops and Pawn Shops)	<u>P</u>
Appliance Stores	<u>P</u>
Art Dealers	<u>P</u>
Arts and Crafts Supply Stores	<u>P</u>
Auction Houses	<u>P</u>
Automotive Parts and Accessories Stores	<u>P</u>
Bakeries, Retail	<u>P</u>
Bars and Other Drinking Places	<u>SR</u>
Bicycle Sales and Repair	<u>P</u>
Boat and RV Dealers, New and Used	<u>P</u>
Book, Periodical, and Music Stores	<u>P</u>
Building Supply Sales with Outside Storage	<u>P</u>
Building Supply Sales without Outside Storage	<u>P</u>
Camera and Photographic Sales and Service	<u>P</u>
Candle Shops	<u>P</u>
Candy Stores (Confectionery, Nuts, Etc.)	<u>P</u>
Caterers, No On Site Consumption	<u>P</u>
Cigar Bars	<u>SR</u>
Clothing, Shoe, and Accessories Stores	<u>P</u>
Coin, Stamp, or Similar Collectibles Shops	<u>P</u>
Computer and Software Stores	<u>P</u>
Convenience Stores (with Gasoline Pumps)	<u>P</u>
Convenience Stores (without Gasoline Pumps)	<u>P</u>
Cosmetics, Beauty Supplies, and Perfume Stores	<u>P</u>
Department, Variety or General Merchandise Stores	<u>P</u>
Direct Selling Establishments, Not Otherwise Listed	<u>P</u>

Table 26-BV-2: Table of Permitted Uses, Permitted Uses with Special Requirements, and Special Exceptions

USE TYPES	M-1
Drugstores, Pharmacies, with Drive-Thru	<u>P</u>
Drugstores, Pharmacies, without Drive- Thru	<u>P</u>
Electronic Shopping and Mail Order Houses	<u>P</u>
Fabric and Piece Goods Stores	<u>P</u>
Flea Markets, Indoor	<u>P</u>
Flea Markets, Outdoor	<u>P</u>
Floor Covering Stores	<u>P</u>
Florists	<u>P</u>
Food Service Contractors	<u>P</u>
Food Stores, Specialty, Not Otherwise Listed	<u>P</u>
Formal Wear and Costume Rental	<u>P</u>
Fruit and Vegetable Markets	<u>P</u>
Fuel Sales (Non- Automotive)	<u>SR</u>
Furniture and Home Furnishings	<u>P</u>
Garden Centers, Farm Supplies, or Retail Nurseries	<u>P</u>
Gift, Novelty, Souvenir, or Card Shops	<u>P</u>
Grocery/Food Stores (Not Including Convenience Stores)	<u>P</u>
Hardware Stores	<u>P</u>
Health and Personal Care Stores, Not Otherwise Listed	<u>P</u>
Hobby, Toy, and Game Stores	<u>P</u>
Home Centers	<u>P</u>
Home Furnishing Stores, Not Otherwise Listed	<u>P</u>
Jewelry, Luggage, and Leather Goods (May Include Repair)	<u>P</u>
Liquor Stores	<u>P</u>
Manufactured Home Sales	<u>SR</u>
Meat Markets	<u>P</u>
Miscellaneous Retail Sales – Where Not Listed Elsewhere, and Where All Sales and Services are Conducted within an Enclosed Building	<u>P</u>
Motor Vehicle Sales – Car and Truck – New and Used	<u>P</u>
Motorcycle Dealers, New and Used	<u>P</u>
Musical Instrument and Supplies Stores (May Include Instrument Repair)	<u>P</u>
News Dealers and Newsstands	<u>P</u>
Office Supplies and Stationery Stores	<u>P</u>
Optical Goods Stores	<u>P</u>
Outdoor Power Equipment Stores	<u>P</u>
Paint, Wallpaper, and Window Treatment Sales	<u>P</u>
Pawnshops	<u>P</u>
Pet and Pet Supplies Stores	<u>P</u>
Record, Video Tape, and Disc Stores	<u>P</u>
Restaurants, Cafeterias	<u>SR</u>
Restaurants, Full Service (Dine-In Only)	<u>SR</u>

Table 26-BV-2: Table of Permitted Uses, Permitted Uses with Special Requirements, and Special Exceptions

USE TYPES	M-1
Restaurants, Limited Service (Dine-In)	SR
Restaurants, Limited Service (Delivery, Carry Out Only)	P
Restaurants, Limited Service (Drive- Thru)	P
Restaurants, Snack and Nonalcoholic Beverage Stores	P
Service Stations, Gasoline	P
Sporting Goods Stores	P
Television, Radio or Electronic Sales	P
Tire Sales	P
Tobacco Stores	P
Truck Stops	P
Used Merchandise Stores	P
Video Tape and Disc Rental	P
Warehouse Clubs and Superstores	P
Wholesale Trade	
Apparel, Piece Goods, and Notions	P
Beer/Wine/Distilled Alcoholic Beverages	P
Books, Periodicals, and Newspapers	P
Chemicals and Allied Products	P
Drugs and Druggists' Sundries	P
Durable Goods, Not Otherwise Listed	P
Electrical Goods	P
Farm Products, Raw Materials	P
Farm Supplies	P
Flowers, Nursery Stock, and Florist Supplies	P
Furniture and Home Furnishings	P
Groceries and Related Products	P
Hardware	P
Jewelry, Watches, Precious Stones	P
Lumber and Other Construction Materials	P
Machinery, Equipment and Supplies	P
Market Showrooms (Furniture, Apparel, Etc.)	P
Metal and Minerals	P
Motor Vehicles	P
Motor Vehicles, New Parts and Supplies	P
Motor Vehicles, Tires and Tubes	P
Motor Vehicles, Used Parts and Supplies	P
Nondurable Goods, Not Otherwise Listed	P
Paints and Varnishes	P
Paper and Paper Products	P
Petroleum and Petroleum Products	SR
Plumbing & Heating Equipment and Supplies	P

Table 26-BV-2: Table of Permitted Uses, Permitted Uses with Special Requirements, and Special Exceptions

USE TYPES	M-1
Professional and Commercial Equipment and Supplies	<u>P</u>
Scrap and Recyclable Materials	<u>SE</u>
Sporting and Recreational Goods and Supplies (Except Sporting Firearms and Ammunition)	<u>P</u>
Sporting Firearms and Ammunition	<u>P</u>
Timber and Timber Products	<u>P</u>
Tobacco and Tobacco Products	<u>P</u>
Toys and Hobby Goods and Supplies	<u>P</u>
Transportation, Information, Warehousing, Waste Management, and Utilities	
Airports or Air Transportation Facilities and Support Facilities	<u>P</u>
Antennas	<u>SR</u>
Bus Facilities, Interurban	<u>P</u>
Bus Facilities, Urban	<u>P</u>
Charter Bus Industry	<u>P</u>
Courier Services, Central Facility	<u>P</u>
Courier Services, Substations	<u>P</u>
Landfills and Structural Fill Sites	
Limousine Services	<u>P</u>
Materials Recovery Facilities (Recycling)	<u>P</u>
Power Generation, Natural Gas Plants, and Similar Production Facilities	
Radio and Television Broadcasting Facilities (Except Towers)	<u>P</u>
Radio, Television, and Other Similar Transmitting Towers	<u>SE</u>
Rail Transportation and Support Facilities	
Recycling Collection Stations	
Remediation Services	<u>P</u>
Scenic and Sightseeing Transportation	<u>P</u>
Sewage Treatment Facilities, Private	
Sludge, Non-Hazardous	
Taxi Service Terminals	<u>P</u>
Truck Transportation Facilities	<u>P</u>
Utility Company Offices	<u>P</u>
Utility Lines and Related Appurtenances	<u>P</u>
Utility Service Facilities (No Outside Storage)	<u>P</u>
Utility Substations	<u>SR</u>
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)	<u>P</u>
Warehouses, Self-Storage	<u>SR</u>
Waste Collection, Hazardous	
Waste Collection, Other	

Table 26-BV-2: Table of Permitted Uses, Permitted Uses with Special Requirements, and Special Exceptions

USE TYPES	M-1
Warehouses, Self-Storage	SR
Waste Collection, Solid, Non-Hazardous	
Waste Treatment and Disposal, Hazardous	
Waste Treatment and Disposal, Non- Hazardous	
Water Treatment Plants, Non-Governmental, Public	P
Manufacturing, Mining, and Industrial Uses	
Animal Food	
Animal Slaughtering and Processing	
Apparel	P
Bakeries, Manufacturing	P
Beverage, Other Than Soft Drink and Water, and Tobacco	
Beverage, Soft Drink and Water	P
Borrow Pits	SE
Cement and Concrete Products	
Chemicals, Basic	
Chemical Products, Not Otherwise Listed	
Clay Products	
Computer, Appliance, and Electronic Products	P
Dairy Products	P
Dolls, Toys, and Games	P
Fabricated Metal Products	P
Food Manufacturing, Not Otherwise Listed	P
Furniture and Related Products	P
Glass and Glass Products	P
Jewelry and Silverware	P
Leather and Allied Products (No Tanning)	P
Leather and Hide Tanning and Finishing	
Lime and Gypsum Products	
Machinery	P
Manufacturing, Not Otherwise Listed	P
Medical Equipment and Supplies	P
Mining/Extraction Industries	
Office Supplies (Not Paper)	P
Paint, Coating, and Adhesives	
Paper Products (Coating and Laminating)	
Paper Products (No Coating and Laminating)	P
Petroleum and Coal Products Manufacturing	
Primary Metal Manufacturing	
Printing and Publishing	P
Pulp, Paper, and Paperboard Mills	
Rubber and Plastic Products	

<u>Table 26-BV-2: Table of Permitted Uses, Permitted Uses with Special Requirements, and Special Exceptions</u>	
<u>USE TYPES</u>	<u>M-1</u>
<u>Seafood Product Preparation and Packaging</u>	
<u>Signs</u>	<u>P</u>
<u>Soap, Cleaning Compounds, and Toilet Preparations</u>	<u>P</u>
<u>Sporting and Athletic Goods</u>	<u>P</u>
<u>Textile Mills</u>	
<u>Textile Product Mills</u>	<u>P</u>
<u>Transportation Equipment</u>	<u>P</u>
<u>Wood Products, Chip Mills</u>	
<u>Wood Products, Excluding Chip Mills</u>	<u>P</u>
<u>Other Uses</u>	
<u>Sexually Oriented Businesses</u>	
<u>Buildings, High Rise, 4 or 5 Stories</u>	
<u>Buildings, High Rise, 6 or More Stories</u>	
<u>Shipping Containers used as an Accessory Structure</u>	<u>P</u>

Section B-4. Permitted uses with special requirements.¹¹

(a) *Purpose.* Permitted uses with special requirements are uses permitted by right in a certain zoning district, provided that the specific standards set forth in this article are met. The specified standards are intended to ensure that these uses fit the intent of the districts within which they are permitted, and that these uses are compatible with other development within the district. All permitted uses with special requirements shall comply with the following:

- (1) All properties and structures containing permitted uses with special requirements shall conform to all applicable development standards.
- (2) Permitted uses with special requirements shall comply with all applicable local, state, and federal regulations and standards, and shall be properly licensed and permitted.

(b) *Permitted uses with special requirements listed by zoning district.*

¹¹ This copies Section 26-151 of the previous LDC, with the following changes: 1) Permitted uses that are not allowed in the M-1 district, for which do not have special requirements in the M-1 district, are not listed. 2) In the current ordinance, the applicable districts are listed after each use name. For example, subsection (b)(2) reads "Amusement or Water Parks, Fairgrounds - (GC, M-1, LI)." Because these regulations only apply to the M-1 district, the parenthetical lists of districts have been removed. 3) The subsections have been renumbered to remain in consecutive order despite the removal of some uses. Therefore, "Bars and other Drinking Places," which is listed as subsection (b)(8) in the prior LDC, is listed as subsection (b)(5) here because three use requirements that preceded this in alphabetical order were not applicable to the M-1 district and were removed. 4) All references to amending ordinances have been removed.

- (1) Accessory Dwellings
- (2) Amusement or Water Parks, Fairgrounds
- (3) Animal Shelters
- (4) Antennas
- (5) Bars and other Drinking Places
- (6) Batting Cages
- (7) Bus Shelters/Bus Benches
- (8) Cemeteries and Mausoleums
- (9) Cigar Bars
- (10) Construction, Building, General Contracting, with Outside Storage
- (11) Construction, Building, Heavy, with Outside Storage
- (12) Construction, Special Trades, with Outside Storage
- (13) Country Clubs with Golf Courses
- (14) Day Care Centers, Adult
- (15) Day Care Centers, Child, Licensed Centers
- (16) Fuel Oil Sales (Non-Automotive)
- (17) Golf Courses

(18) Golf Driving Ranges (Freestanding)

(41) Kennels

(42) Manufactured Home Sales

(43) Petroleum and Petroleum Products

(44) Public or Private Parks

(45) Public Recreation Facilities

(46) Repair and Maintenance Service, Appliance and Electronics

(47) Restaurants, Cafeterias; Restaurants, Full Service (Dine-In Only)

(48) Utility Substations

(49) Warehouses (Self Storage)

(50) Zoos and Botanical Gardens

(c) Standards. The development standards listed herein are additional to other requirements of this chapter. These development standards are use-specific and apply to those uses designated with an “SR” in the Table of Permitted Uses, Permitted Uses with Special Requirements, and Special Exceptions (Table 26-V- 2. Section 26-141).¹²

(1) Accessory dwellings.

a. 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).

b. Only one accessory dwelling shall be permitted per single-family dwelling. 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

¹² For each use, the initial entry in each list (former subsection “a.”) identified the districts to which the standards applied; that has been removed as discussed in a prior footnote.

as to appear from a public or private road to be multi-family housing.

- c. A manufactured home may not be used as an accessory dwelling.
- d. 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. The minimum lot size for an amusement park, waterpark, or fairground shall be five (5) acres.
- b. No principal building or structure shall be located within fifty (50) feet of any property line.
- c. Security fencing, a minimum of six (6) feet in height, shall be provided along the entire boundary of the park activities.
- d. No amusement equipment, machinery, or mechanical device of any kind may be operated within two hundred (200) feet of any residentially zoned property.

(3) Animal shelters.

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

(5) Bars and other drinking places.

- a. 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), and shall be no closer than six hundred (600) feet to any lot which contains a place of worship. However, if the place of worship is located in a GC, M-1, or LI zoning district and is located in a mixed-use shopping center, a mall, or an industrial park, the setback does not apply, unless the place of worship was established at that location prior to March 18, 2014.
- b. 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.
- c. 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.
- d. A minimum six (6) foot high opaque fence shall be erected adjacent to the property line of abutting residentially zoned or used property.

(6) Batting cages.

- a. No equipment, machinery, or mechanical device of any kind shall be operated within two hundred (200) feet of any residentially zoned property.
- b. Fencing, netting or other control measures shall be provided around the perimeter of the batting area to prevent balls from leaving the designated area.
- 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.

(7) Bus shelters/bus benches.

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

withstand sustained three (3) second wind gusts of up to 95 MPH. All normal review and permit fees apply, along with normal inspections.

2. The shelter shall be designed so that it will present an attractive appearance and not detract from the adjacent surroundings. It shall be illuminated and provide protection from weather elements. The shelter design shall include the following:

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

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

[c] Each bus shelter must be erected in accordance with ADA specifications and requirements. The permittee is responsible to meet the ADA standards and any complaints of nonconformance must be rectified by permittee at his/her expense within thirty (30) days of notification by the Planning department. Under this subsection, ADA compliance includes, but is not limited to, sidewalk on ramps, tactile warnings, and signage or directional arrows indicating handicap accessibility.

[d] Advertising on the shelter shall be limited to the outward side of the side wall panels, and may provide a lighting source contained within the panel cabinet. Only two (2) advertisements will be allowed per shelter, and each advertisement will be limited to a maximum poster dimension of 4' wide by 6' high.

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

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

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

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

e. Bus benches must meet the following additional requirements:

1. The bench shall be designed so that it will present an attractive appearance and not detract from the adjacent surroundings.

2. Benches shall be constructed of durable material and shall be securely fastened to the ground.

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

(8) Cemeteries and mausoleums.

a. 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.

b. Primary access to the facility shall be from a local, collector or thoroughfare road.

(9) Cigar bars.

a. The smoking of cigarettes is prohibited.

b. A walk-in humidor must be located within the premises.

c. Limited food services or alcoholic beverages that are not sold directly by the businesses are prohibited.

d. At least fifty-one (51) percent of the bar’s revenue must be from the on-site sale of tobacco products.

e. The bar area shall not cover more than twenty-five (25) percent of floor area, excluding the humidor, kitchen, storage area(s), and offices.

f. A full floor plan of the cigar bar must be provided to the Richland County Zoning Administrator.

(10) Construction, building, general contracting, with outside storage.

a. All outside storage shall be completely screened from adjacent roads and residentially zoned or used properties.

(11) Construction, building, heavy, with outside storage.

a. All outside storage shall be completely screened from adjacent roads and residentially zoned or used properties.

(12) Construction, special trades, with outside storage.

a. All outside storage shall be completely screened from adjacent roads and residentially zoned or used properties.

(13) Country clubs with golf courses.

a. 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.

b. 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.

(14) Day care centers, adult.

a. Client pick-up and drop-off shall not obstruct traffic flow on adjacent public roads.

(15) Day care centers, child, licensed centers.

- a. 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.
- b. Client pick-up and drop-off shall not obstruct traffic flow on adjacent public roads.
- c. All other state and federal regulations shall be met.

(16) Fuel oil sales, non-automotive.

- a. Gravel or paved roadways shall be provided to all storage tanks.
- b. Security fencing, a minimum of six (6) feet in height, shall be provided along the entire boundary of such facilities.
- c. 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.
- d. All storage facilities shall comply with the latest regulations of the National Fire Protection Association.
- e. All other federal, state, and local laws shall be met.

(17) Golf courses.

- a. There shall be a minimum fifty (50) foot setback between clubhouses or other non-course facilities and adjacent residentially zoned or used property.

(18) Golf driving ranges (freestanding).

- a. Fencing, netting, or other control measures shall be provided around the perimeter of the driving area to prevent balls from leaving the property.
- b. No equipment, machinery, or mechanical device of any kind shall be operated within two hundred (200) feet of any residentially zoned or used property.
- c. Operations shall not begin before 9:00 a.m. nor continue after 10:00 p.m.

(41) Kennels.

- a. 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.
- b. 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.
- c. 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.

(42) Manufactured home sales.

- a. Sales and storage areas shall be screened from adjacent residentially zoned properties.

(43) Petroleum and petroleum products.

- a. Gravel or paved roadways shall be provided to all storage tanks.

- b. Security fencing, a minimum of six (6) feet in height, shall be provided along the entire boundary of such facilities.
- c. 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.
- d. All storage facilities shall comply with the latest regulations of the National Fire Protection Association.
- e. All other federal, state, and local laws shall be met.

(44) Public or private parks.

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

(45) Public recreation facilities.

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

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.

(46) Repair and maintenance service, appliance and electronics.

a. No outside storage of appliances, equipment, or parts shall be permitted.

(47) Restaurants, Cafeterias; Restaurants ,Full Service (Dine-In Only); Restaurants, Limited Service (Dine-In)

a. As a regular and substantial source of business to the licensed establishment, meals shall be served upon the demand of guests and patrons during the normal “mealtimes” which occur when the licensed business establishment is open to the public and that an adequate supply of food is present on the licensed premises to meet such demand.

b. Seating for Full Service (Dine-In Only) Restaurants must be provided for at least twenty (20) patrons.

c. Seating for Limited Service (Dine-In) Restaurants must be provided for at least twelve (12) patrons.

d. Tables and booths must be of adequate height and size to accommodate full food service in accordance with the number of chairs found at the table/booth.

e. The bar area shall not cover more than twenty-five (25) percent of floor area, excluding the kitchen, storage area(s), serving areas and offices.

f. A full floor plan of the restaurant shall be provided to the Zoning Administrator.

g. Alcoholic beverages shall not be sold or dispensed unless the kitchen is open and prepared food items from the menu are available to patrons.

h. The stage area for entertainment shall not exceed one-hundred (100) square feet or ten (10) percent of the total floor area (excluding the kitchen, storage area(s), serving areas and offices), whichever is greater.

- i. The area devoted to dancing shall not exceed 250 square feet or ten percent of total floor area (excluding the kitchen, storage area(s), serving areas and offices), whichever is greater.
- j. Admission/cover charges prior to entrance are prohibited.
- k. The restaurant must be equipped with a kitchen that is primarily utilized for the cooking, preparation and serving of meals.
- l. The restaurant must have readily available to its guests and patrons either “menus” with the listings of the various meals offered for service or a listing of available meals and foods, posted in a conspicuous place readily discernible by the guest or patrons.
- m. The restaurant must prepare for service to customers meals at least once each day the business establishment chooses to be open.
- n. Any advertisement for the establishment must be in conjunction with the primary business activity.
- o. Dancing poles within the establishment are prohibited.
- p. The following definitions shall be used in conjunction with this paragraph:
1. “Meal” means an assortment of various prepared foods which shall be available to guests on the licensed premises during the normal “mealtimes” which occur when the licensed business establishment is open to the public. Sandwiches, boiled eggs, sausages and other snacks prepared off the licensed premises but sold thereon, shall not constitute a meal.
 2. “Kitchen” means a separate and distinct area of the business establishment that is used solely for the preparation, serving and disposal of solid foods that make up meals. Such area must be adequately equipped for the cooking and serving of solid foods, and the storage of same, and must include at least twenty-one cubic feet of refrigerated space for food and a stove/oven.

(76) Utility substations.

- a. All buildings shall observe accessory building setbacks. Transformer stations shall observe the principal building setback regulations.
- b. 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.
- c. Transformer stations shall be screened from adjacent properties and from roads with a vegetative screen that, at a minimum, meets the standards listed in Sec. 26-5.3(h), Screening.¹³

(77) Warehouses (self-storage

- a. 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.
- b. 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.
- c. 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

¹³ This reference has been updated from the current ordinance to the applicable development standard in this LDC.

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.
- d. Retail and wholesale uses, and the storage of hazardous materials, shall be prohibited in self storage warehouses. Notice of such prohibition shall be given to customers by a conspicuous sign posted at the entrance to the property, or by provisions in the lease agreement, or both.
- e. Any outside storage area for vehicles, trailers, campers, boats, or the like shall be separate from any structures and located to one side or to the rear of the development. Spaces shall be located a minimum of twenty-five (25) feet from any adjacent property line, and in no case shall these spaces be counted towards meeting the parking requirements of this subsection c. above.
- f. 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.

(78) Zoos and Botanical Gardens.

- a. There shall be a minimum one hundred (100) foot setback between all activities associated with the use and any adjacent residential property.
- b. All zoos and botanical gardens shall have primary access to collector or thoroughfare roads.

Section B-5. Special exceptions. ¹⁴

- (a) Purpose. Special exceptions are uses that are generally compatible with the land uses permitted in a particular zoning district. However, because of their unique characteristics or their potential impacts on the surrounding neighborhood and/or the county as a whole, they require individual consideration of their location, design, configuration, and/or operation at the particular location being proposed. Such individual consideration may also call for the imposition of individualized conditions in order to ensure that the use is appropriate at a particular location and to ensure protection of the public health, safety, and welfare.

- (b) Conditions. All special exceptions shall, at a minimum, meet the conditions set forth in

¹⁴ This copies Section 26-152 of the previous LDC, except that ths same types of changes listed above in footnote 11 have been made here.

this section. The Board of Zoning Appeals shall approve or deny an application for a special exception (see also Section 26-56 of this chapter) based on the following:

- 1) A determination that all standards for the particular use, as defined in this article and in other relevant sections of this chapter, have been met.

- 2) A finding that the special exception is in harmony with the intent and purpose of this chapter. In making this determination, the board shall consider the following:
 - a. Traffic impacts.

 - b. Vehicle and pedestrian safety.

 - c. Potential impact of noise, lights, fumes, or obstruction of airflow on adjoining properties.

 - d. Adverse impact of the proposed use on the aesthetic character of the environs, to include the possible need for screening from view.

 - e. Orientation and spacing of improvements or buildings.

In granting a special exception, the board may impose such additional restrictions and requirements as it may deem necessary in order that the purpose and intent of this chapter are served.

(c) *Special exceptions listed by zoning district.*

- (1) *Borrow Pits*

- (2) *Dwellings, Manufactured Homes on Individual Lots*

- (3) *Radio, Television, and Telecommunications and other Transmitting Towers-*

- (4) *Scrap and Recyclable Materials*

(d) *Standards.*

(1) Borrow pits.a. 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.

b. 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.

(2) Dwellings, Manufactured Homes on Individual Lots.

- a. 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.
- b. The tongue, axles, transporting lights, and removable towing apparatus must be removed subsequent to final placement.
- c. 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.

(3) Radio, television and telecommunications and other transmitting towers.

- a. 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.

b. The minimum setbacks for communication towers from abutting districts shall be as follows:

1. Communication towers abutting a residentially zoned parcel shall have a minimum setback of one (1) foot for each foot of height of the tower as measured from the base of the tower. The maximum required setback shall be two hundred and fifty (250) feet shall have a minimum setback of one (1) foot for every one (1) foot of tower height or one hundred (100) percent of the tower's fall zone, plus a safety factor of ten (10) percent, whichever is less. Fall zones shall be certified in the form of a letter from an engineer, licensed by the State of South Carolina, that includes the engineer's original signature and seal. The fall zone shall not encroach onto structures on any property; nor shall the fall zone encroach onto adjacent properties, unless the owner of the adjacent property signs a waiver. The waiver shall be in a recordable waiver document and shall indemnify and hold the county harmless. In no case shall the fall zone encroach into a public right-of-way. Additionally, the owner of the tower shall agree in writing to indemnify and hold Richland County harmless from and against any liability arising out of damage to real or personal property or injury to any person or in any way connected with the construction of, erection of maintenance of, and/or collapse of the communication tower and antenna, including the removal of said communication tower and antenna.

2. Communication towers abutting a non-residentially zoned parcel with a habitable residential dwelling shall have a minimum setback of fifty (50) feet.

3. Communication towers abutting a non-residentially zoned parcel without a habitable residential dwelling shall observe the setbacks of the district in which it is located.

c. 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.

d. 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.

e. Each communication tower and associated buildings shall be enclosed within a fence at least seven (7) feet in height.

f. Each communication tower site shall be landscaped in accordance with the requirements of Section 26-176 of this chapter.

g. 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.

h. 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.

(4) Scrap and recyclable materials.

a. 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.

b. Any required front or secondary front yard shall not be used for storage.

c. The side yard setback for storage areas and buildings adjacent to residential or office uses shall be at least twenty-five (25) feet.

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

Section B-6. Temporary and accessory uses.¹⁵(a) Temporary uses.(1) General standards and permit requirement.

a. Permit required. All permitted temporary uses listed in this section require a temporary use permit. Temporary use permits shall be reviewed and issued by the planning department. A temporary use permit may only be issued when all applicable criteria set forth in this section have been met. All additional permits and inspections required by the building code or fire officials must be received. Special events and activities conducted on public property, such as school sites and public parks, shall be exempt from the provisions of this section but must comply with any guidelines, regulations, and permitting processes required by the authorizing agency.

b. Time limitations. Temporary use permits shall be issued for no more than sixty (60) days within a calendar year on any individual lot.

c. General standards.

1. The property on which a temporary use is proposed must contain sufficient space to support the temporary use.

2. No temporary use shall be located closer than two hundred (200) feet to a dwelling unit.

3. Parking must be adequate to support the proposed temporary use.

4. Restroom facilities, if needed, must be provided. Plans for security and safety must be provided.

(2) Permitted temporary uses.a. Permitted uses.

¹⁵ This copies Section 26-185 of the previous LDC, except that ths same types of changes listed above in footnote 11 have been made here.

1. Temporary events. Temporary uses, such as circuses, carnivals, fairs, and religious events in a temporary structure, and similar types of events, shall be allowed in all nonresidential zoning districts in accordance with the other standards set forth in this section. Temporary sales. Temporary sales structures or areas (i.e., Christmas tree sales) are permitted in all nonresidential zoning districts in accordance with the other standards set forth in this section.

b. Temporary uses with specific requirements.

1. Contractor's office and equipment storage sheds. A contractor's office and/or equipment storage shed(s) may be placed temporarily on the site of construction of a development for which a land development permit or preliminary subdivision plat approval has been issued. Such structures shall be allowed in all zoning districts. Placement of such temporary use is limited to a period of time determined by an estimated project completion date, with the option of an extension of up to one (1) year, as and if approved by the planning department. All temporary construction buildings and trailers shall be completely removed from the site within thirty (30) days of issuance of a certificate of zoning compliance or completion of the project, whichever comes first.

2. Real estate office in a construction trailer or temporary modular unit. One (1) temporary structure, such as a construction trailer or temporary modular unit, may be used as a real estate sales office in any new construction project. Such structure shall be allowed in all zoning districts. Temporary real estate offices in construction trailers or temporary modular units may remain on the site for no more than twelve (12) months or until one-half (1/2) of the units for the project are completed, whichever occurs first.

3. Real estate offices in model home. A model dwelling may be used as a real estate sales office in a new residential development. Such temporary use shall be allowed in all zoning districts. Temporary real estate offices in model homes may be permitted until ninety percent (90%) of the homes in the development have been sold. The number of employees utilizing the office at any one time may not exceed four (4).

c. Similar and compatible uses not specified. If a particular temporary use is listed in this chapter, the zoning administrator shall have the authority to grant a temporary use permit for a "similar and compatible" use. Similar and compatible uses not specified are those uses that are similar and compatible

to those allowed as temporary uses in this section. Determination of what constitutes similar and compatible shall be made by the zoning administrator looking at the type of use, the number of employees, the parking/circulation needs, the hours of operation, etc.

(b) Accessory uses and structures (customary).

(1) General standards and limitations.

a. General standards. All customary accessory uses and accessory structures shall conform to the applicable requirements of this chapter. The provisions of this subsection establish additional requirements and restrictions for these uses and structures. Except as otherwise provided in this chapter, any accessory use or accessory structure shall be treated as a permitted use in the zoning district in which it is located.

b. Yard requirements.

1. Front yard requirements. Except as otherwise provided in this section, an accessory structure or use shall not be located in front of the building line of the principal structure.

2. Side yard requirements. Accessory uses and structures may be permitted in side yards, provided that their placement shall not exceed the minimum side yard requirement of that district.

3. Rear yard requirement. Accessory uses and structures may be permitted in rear yards, provided that they are located not less than ten (10) feet from any property line.

c. Height restrictions. Accessory structures shall not exceed the height limitations of the district in which they are located, unless otherwise exempted.

Section B-7. Development and Subdivision Standards

All development in the M-1 district shall comply with the standards in Article 26-5: General Development Standards and Article 26-6, Land Development (Subdivision) Standards. Any standards that that apply to development in the LI district shall be applied to development in the M-1 district.

Section B-8. Definitions¹⁶

Accessory use/structure (building). A structure or use that is clearly incidental to and customarily found in connection with a principal building or use, is subordinate to and serves that principal building or use, and is subordinate in area, extent and purpose to the principal building or principal use served. An accessory structure must be on the lot on which the principal use is located.

Agricultural land. Land categorized by the Richland County Assessor as agricultural real property.

Agricultural use. The keeping, grazing, or feeding of livestock; croplands; aquaculture; horticulture; silviculture; and/or apiaries. Provided, however, this definition does not include processing or distribution plants for agricultural products and supplies.

Antenna. Any device for radiating or receiving electromagnetic radiation. This definition shall specifically include, but is not limited to all radio, television, telephone, telecommunications, microwave and satellite dish antennas.

Bed and breakfast home or inn. A transient lodging establishment, generally operated in a single-family dwelling, primarily engaged in providing overnight or otherwise temporary lodging for the general public.

Boardinghouse. See “roominghouse and boardinghouse.”

Borrow pits. An excavated area where naturally occurring earthen materials are to be removed for use as ordinary fill at another location.

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

¹⁶ This carries forward use-related definitions from Section 26-22 of the previous LDC.

Bus shelter. A small roofed structure, having three (3) transparent walls, located at designated bus stops for the protection and convenience of passengers of public transportation systems. (Ord. 053-09HR; 11-3-09)

Campus, primary. A contiguous area of land constituting and making up the grounds of a college or university containing the main buildings, including libraries, lecture halls, residence halls, and administrative offices; provided, however, that for the purpose of this definition the contiguity of any land area involved shall not be deemed to be destroyed by the presence of public rights-of-way. (Ord. 057-10HR; 9-21-10)

Cigar bars: An establishment that offers a meaningful selection of cigars and tobacco for pipes for smoking on the premises, as well as, retail purposes and which may be licensed for the on- premise consumption of beer, wine, or alcoholic beverages, or some combination of those, as well as, limited food service. The term does not include any establishment which is primarily a bar or restaurant. No bar can be considered a cigar bar unless at least fifty-one (51) percent of its gross revenue can be demonstrated to come from the sale of cigars, pipe tobacco, and other tobacco related products.

Civic/institutional buildings. Churches or places of worship; public or private schools; gymnasiums, assembly halls, community meeting rooms, and community service centers; post offices, fire stations, libraries, and museums; and other government or public service buildings and facilities except for those requiring outdoor storage or maintenance yards.

Clubs or Lodges. Establishments primarily engaged in promoting the civic and social interests of their members. Such establishments must be incorporated and operating as not-for-profit organizations.

Conservation Area. Any parcel or area of undeveloped land conserved in its natural state for perpetuity through deeds or other legal measures.

Dormitory. A building or part of a building operated by an academic institution containing rooms forming one (1) or more habitable units that are used or intended to be used by enrollees or employees of the institution for living and sleeping, but are not fully self-contained residential facilities.

Drag strips. A roadway designed for a race between cars to determine which can accelerate faster from a standstill. A drag strip may include seating, concession areas, parking facilities and any accessory offices or other buildings.

APPENDIX 26-B: LEGACY DISTRICTS

Dwelling. Any building designed, occupied, or intended for human occupancy; provided, however, dwelling shall not include a hotel, motel, rooming house, hospital, or other accommodation used more or less for transient occupancy.

Dwelling, accessory. A secondary dwelling unit established in conjunction with and clearly subordinate to a principal dwelling unit, whether a part of the same structure as the principal dwelling unit or a detached dwelling unit on the same lot.

Dwelling, manufactured home on individual lots. A manufactured home designed for occupancy by a single family and which is placed on a lot with no other principal structure or building.

Dwelling, multi-family. Any building or buildings containing more than two (2) dwelling units on a single lot including apartments, condominiums, etc.

Dwelling, principal. The main dwelling unit on a lot.

Dwelling, single-family. A structure designed for occupancy by one (1) family.

Dwelling, single-family, detached. A single-family dwelling unit that is not attached to any other dwelling unit by any means and is surrounded by yards.

Dwelling, single-family, zero lot line, common. A single-family development (attached and semi-detached units) where the units are connected on one (1) side by means of a common dividing structural or load-bearing wall of at least ten (10) linear feet to another one-family dwelling. Each dwelling is located on its own individual lot and adjacent structures are placed on an alternate side lot line.

Dwelling, single-family, zero lot line, parallel. A detached single-family development where the units are placed on parallel side lot lines and each dwelling is located on its own individual lot.

Dwelling, two-family. A building on a single lot containing two (2) dwelling units, each of which is totally separated from the other by an unpierced wall extending from ground to roof or an unpierced ceiling and floor extending from exterior wall to exterior wall, except for a common stairwell exterior to both dwelling units.

Group home. A residential home, provided by an agency, organization or individual, for mentally or physically handicapped persons and which is licensed by the State of South Carolina to provide such a service.

Hotel. A commercial establishment offering transient lodging in ten (10) or more rooms, in which sleeping accommodations are offered to the public, with access through an inside lobby or the office, and in which there is a public dining room for the convenience of the guests. (Ord. 057- 10HR; 9-21-10)

Hunt club. A private sporting club organized and operated for the purpose of lawfully hunting game and/or wildlife, with or without dogs, and whether on horseback, a motorized vehicle, or on foot. A hunt club may include primary and accessory structures, such as a clubhouse, kennels, stables, and storage facilities.

Hotel. A commercial establishment offering transient lodging in ten (10) or more rooms, in which sleeping accommodations are offered to the public, with access through an inside lobby or the office, and in which there is a public dining room for the convenience of the guests.

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Loft dwelling. A dwelling unit established in an existing nonresidential building; the floor placed between the roof and the floor of the uppermost story within a single-family detached dwelling, the floor area of which is not more than one-third of the floor area of the story or room in which it is placed.

Manufactured home. A factory-built, single-family structure that is manufactured under the authority of 42 U.S.C. Sec. 5401, the National Manufactured Home Construction and Safety Standards Act, is transportable in one or more sections, is built on a permanent chassis and is used as a place of human habitation. The term “manufactured home” shall not include prefabricated modular dwellings placed on permanent foundations, nor shall it include travel trailers, campers or similar units designed for recreation or other short term uses.

Manufactured home park. A lot used, designed or intended to be used for the purpose of supplying a parking space for two (2) or more occupied manufactured homes for rent or sale, and which includes buildings, structures, vehicles, or enclosures used or intended to be used as part of that manufactured home park. Sales or storage lots for unoccupied manufactured homes are not considered to be manufactured home parks.

Manufactured home subdivision. A parcel or contiguous parcels of land subdivided into two (2) or more lots configured for development of manufactured housing for rent or sale.

Market showroom. A building or structure used principally for the display of merchandise.

APPENDIX 26-B: LEGACY DISTRICTS

Motel. A commercial establishment offering transient lodging in ten (10) or more rooms, in which sleeping accommodations are offered to the public, and which has individual entrances from outside the building to serve the separate units, and which further provides a location for the parking of guests' automobiles.

Outside storage. The storage of any material for a period greater than forty-eight (48) hours including items for sale, lease, processing, and repair (including vehicles) not in an enclosed building.

Park. An area or facility intended to be used for recreation, exercise, sports or similar activities, or an area intended to enhance the enjoyment of natural features or natural beauty, but specifically excluding commercially operated amusement parks.

Parks, public. A park owned or operated by a government agency(ies) for public recreational use.

Place of worship. A structure (or structures) and the parcel on which it is located, in/on which persons regularly assemble for religious worship. The term "place of worship" shall not include accessory uses such as day cares, schools, thrift shops and other facilities designed for ministries incidental to the use as a place of worship. Family life centers, church offices, regular worship ("Sunday School") classrooms and fellowship halls are considered accessory uses and part of a "place of worship" as defined herein.

Public recreation facilities. Facilities, other than parks, owned or controlled by a public entity for the purpose of providing recreational pursuits. Public recreation shall include such facilities as swimming pools, gymnasiums and indoor tracks.

Racetrack. A facility containing a roadway that is used primarily for automobile, animal, and/or motorcycle racing. A racetrack may include seating, concession areas, and parking facilities along with accessory offices.

Radio, television, and other similar transmitting towers. A mast, pole, monopole, guyed or freestanding framework, or other vertical elements that act as an antenna or to which an antenna is affixed or attached.

Recreational vehicle. A vehicular-type unit primarily designed as temporary living quarters for recreational, camping, or travel use, which either has its own motive power or is mounted on or drawn by another vehicle.

Repair and maintenance services, automobile, major. An establishment engaged in the significant repair and replacement of parts and motor services to automobiles, including, but not limited to, such services

as: engine rebuilding, reconditioning of automobiles, the removal from any vehicle of a major portion (i.e., the differential, transmission, head, engine block, or oil pan) thereof for replacement or repair, the repair of damaged motor vehicles or trailers (including body, frame, or fender straightening or repair), and/or the painting of vehicles.

Repair and maintenance services, automobile, minor. An establishment engaged in the sale of automotive fuels or oils, and the incidental repair and replacement of parts and motor services to automobiles, including oil change, tire sales, and alignment, but not including any operation specified under “repair and maintenance services, automobile, major.”

Roominghouse or boardinghouse. An establishment, other than a hotel, motel, or bed and breakfast, in which more than three (3) persons who are not members of the owner’s immediate family are housed or lodged in rooms used or intended to be used for living and sleeping, but not for cooking or eating purposes, for compensation, with or without meals being provided. Any dwelling in which such accommodations are offered in ten (10) or more rooms shall be considered to be a hotel or motel.

Sexually oriented business. An adult arcade, adult bookstore, adult video store, adult cabaret, adult motel, adult motion picture theater, sexual device shop, or sexual encounter center. As used in this chapter, the following definitions shall apply to such businesses:

- (a) Adult arcade. Any place where the public is permitted or invited wherein coin- operated or slug-operated or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are maintained to show images to five (5) or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by the depicting or describing of specified sexual activities or specified anatomical areas.
- (b) Adult bookstore or adult video store. A commercial establishment which, as one of its principal business purposes, offers for sale or rental (for any form of consideration) adult media.
 - (1) As used in this definition, “principal business purpose or purposes” means the commercial establishment has a substantial portion of its displayed merchandise which consists of said items; or has a substantial portion of the wholesale value of its displayed merchandise which consists of said items; has a substantial portion of the retail value of its displayed merchandise which consists of said items; or derives a substantial portion of its revenues from the sale or rental, for any form of consideration, of said items; or maintains a substantial section of its interior business space for the sale or rental of said items.

- (2) As used in this definition, “substantial” means twenty-five percent (25%) or more.
- (c) *Adult Cabaret.* A nightclub, bar, restaurant, or similar commercial establishment, which regularly features, regardless of whether alcoholic beverages are served, persons who appear in a state of nudity or semi-nudity.
- (d) *Adult Media.* Books, magazines, periodicals, or other printed matter, or photographs, films, motion pictures, videocassettes or compact discs, digital video discs, video reproductions, slides, or other visual representations, which are characterized by their emphasis upon the display of specified sexual activities or specified anatomical areas.
- (e) *Adult motel.* A hotel, motel, or similar commercial establishment that:

 - (1) Offers accommodations to the public for any form of consideration; provides patrons with closed-circuit television transmissions, films, motion pictures, videocassettes, slides, compact discs, digital video discs, video reproductions, or similar photographic reproductions that are characterized by the depiction or description of specified sexual activities or specified anatomical areas; and advertises the availability of such material by means of any on or off- premises advertising, including, but not limited to, newspapers, magazines, pamphlets or leaflets, radio, or television; or
 - (2) Offers a sleeping room for rent for a period of time that is less than ten (10) hours; or
 - (3) Allows a tenant or occupant of a sleeping room to sub-rent the room for a period of time that is less than ten (10) hours.
- (f) *Adult Motion Picture Theater.* A commercial establishment that, for any form of consideration, exhibits or shows films, motion pictures, videocassettes, slides, compact discs, digital video discs, video reproductions, or similar photographic reproductions that are characterized by their emphasis upon the display of specified sexual activities or specified anatomical areas.
- (g) *Characterized By.* To describe the essential character or quality of an item, activity, or thing. As applied in this ordinance, no business shall be classified as a sexually oriented business by virtue of showing, selling or renting materials rated NC-17 or R by the Motion Picture Association of America.
- (h) *Child Care Facility.* A facility as defined in S.C. Code Ann. § 20-7-2700(b).
- (i) *Establishment of a sexually oriented business.* Any of the following:

- (1) The opening or commencement of any sexually oriented business as a new business;
- (2) The conversion of an existing business, whether or not a sexually oriented business, to any sexually oriented business;
- (3) The addition of another type(s) of sexually oriented business to any other existing sexually oriented business, such as the addition of an adult video store to an existing sexual device shop; or
- (4) The relocation of any sexually oriented business.
- (j) Nude or a state of nudity. The showing of the human male or female genitals, pubic area, vulva, anus, anal cleft or cleavage, or the showing of bare female breasts. This definition shall not include the act of a female breast-feeding a child in a public place; nor to infants or toddlers in a public place, nor to exposure of the human female breasts above a horizontal line across the top of the areola exhibited by a dress, blouse, shirt or other similar wearing apparel; nor to exposure of cleavage of the human female breasts exhibited by a dress, blouse, shirt, or similar wearing apparel.
- (k) Person. An individual, proprietorship, partnership, corporation, association, or other legal entity.
- (l) Premises. The real property upon which the sexually oriented business is located, and all appurtenances thereto and buildings thereon, including, but not limited to, the sexually oriented business structure, the grounds, private walkways, and parking areas under the ownership, control, or supervision of the sexually oriented business.
- (m) Regularly. The consistent and repeated doing of the act so described.
- (n) Semi-nude. A state of dress in which the human male or female genitals, pubic area, vulva, anus, and anal cleft or cleavage are covered by fully opaque cloth or other material.
- (o) Sexual Device Shop. A commercial establishment that offers for sale:
- (1) Any two of the following categories: 1) adult media, 2) lingerie; or 3) sexual devices; and combination thereof constitutes more than ten percent (10%) of its stock in trade or occupies more than ten percent (10%) of its interior business space.

- (2) More than five percent (5%) of its stock in trade consists of sexual devices; or
- (3) More than five percent (5%) of its interior business space is used for the display of sexual devices.
- (4) Nothing in this definition shall be construed to include any pharmacy, drug store, medical clinic, or any establishment primarily dedicated to providing medical or healthcare products or services.

- (p) *Sexual Device.* Any three (3) dimensional object designed and marketed for stimulation of the male or female human genital organ or anus, or for sadomasochistic use or abuse of oneself or others, and shall include devices such as dildos, vibrators, penis pumps, and physical representations of the human genital organs. Nothing in this definition shall be construed to include devices primarily intended for protection against sexually transmitted diseases or preventing pregnancy.
- (q) *Sexual Encounter Center.* A business or commercial enterprise that regularly offers, for any form of consideration, physical contact in the form of wrestling or tumbling between persons when one or more of the persons is semi-nude or nude.
- (r) *Specified Anatomical Areas.* The human genitals, pubic region, buttocks; the female breast below a point immediately above the top of the areola; or human male genitals in a discernibly turgid state, even if completely and opaquely covered.
- (s) *Specified sexual activities.* Any of the following:

 - (1) The fondling or other erotic touching of human genitals, pubic region, buttocks, anus, or female breasts;
 - (2) Actual or simulated intercourse, oral copulation, masturbation or sodomy; or
 - (3) Excretory functions as part of or in connection with any of the activities set forth in subsection (1) through (2) of this definition.

- (t) *Viewing Room.* A room, booth, or other enclosed or partially enclosed area where a patron or patrons of a sexually oriented business would ordinarily be positioned while watching adult media or live entertainment.

Shipping container. A structure originally, specifically or formally designed for or used in the packing, shipping, movement or transportation of freight, articles, goods or commodities, designed for or capable of being mounted or moved on a rail car and/or designed for or capable of being mounted on a chassis or bogie for movement by truck or trailer or loaded on a ship. (Ord. 025- 14HR; 5-20-14)

Sludge. Any solid, semi-solid, or liquid waste generated from a municipal, commercial, or industrial wastewater treatment plant, water supply treatment plant, or air pollution control facility exclusive of the treated effluent from a wastewater treatment plant.

Special congregate facilities. Congregate facilities characterized by a clientele composed of persons who generally do not possess personal automobiles to assist them in their daily transportation throughout the area and its vicinity. Such facilities may include indigent care facilities, shelter facilities, hostels, and similar facilities.

Swine farms. A tract of land devoted to raising fifty (50) or more animals of the porcine species.

Tee Box. The area in a driving range where players stand to hit golf balls (i.e., tee shots).

Temporary use. A land use (or structure) that is needed or is in place for a limited duration.

Townhouse: A single-family dwelling unit attached by fireproof common walls to other similar type units, each unit having an open space for light, air, and access in the front and rear. There shall be not less than three (3) or more than seven (7) such units connected together. (Ord.No. 036-15HR; 7-28-15)

Townhouse dwelling unit. A one-family dwelling unit, with a private entrance, which is part of a structure whose dwelling units are attached horizontally in a linear arrangement, having a totally exposed front and rear wall to be used for access, light and ventilation.

Transformer station. A utility substation where the voltage of electrical energy is changed.

Vehicular display area. An area designed and used for the display and storage of vehicles for sale or lease.

Vehicular surface area. The unenclosed area within a development designed and used for the movement and storage (parking) of motor vehicles. This definition shall not include driveways used for ingress and egress to a development.

Yard sale. The sale or offering for sale to the general public of over five (5) items of personal property on any portion of a lot containing a residential use, whether within or outside any building.

Richland County Council Request for Action

Subject:

Case # 23-039MA
Alonza Haynes, Jr.
RU to OI (2.69 Acres)
1849 Willowby Street
TMS # R19707-01-06

Notes:

First Reading: October 24, 2023
Second Reading: November 7, 2023
Third Reading:
Public Hearing: October 24, 2023

STATE OF SOUTH CAROLINA
COUNTY COUNCIL OF RICHLAND COUNTY
ORDINANCE NO. ____-23HR

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED AS TMS # R19707-01-06 FROM RURAL DISTRICT (RU) TO OFFICE AND INSTITUTIONAL DISTRICT (OI); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

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

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the real property described as TMS # R19707-01-06 from Rural District (RU) to Office and Institutional District (OI)

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

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

Section IV. Effective Date. This ordinance shall be effective from and after _____, 2023.

RICHLAND COUNTY COUNCIL

By: _____
Overture Walker, Chair

Attest this _____ day of
_____, 2023

Anette A. Kirylo
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

Public Hearing: October 24, 2023
First Reading: October 24, 2023
Second Reading: November 7, 2023
Third Reading: November 14, 2023

Richland County Council Request for Action

Subject:

Finding that the Richland-Lexington Riverbanks Parks District may issue not exceeding \$80,000,000 principal amount General Obligation Bonds; to authorize the Richland-Lexington Riverbanks Parks District to issue such bonds and to provide for the publication of notice of the said finding and authorization

Notes:

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

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

FINDING THAT THE RICHLAND-LEXINGTON RIVERBANKS PARKS DISTRICT MAY ISSUE NOT EXCEEDING \$80,000,000 PRINCIPAL AMOUNT GENERAL OBLIGATION BONDS; TO AUTHORIZE THE RICHLAND-LEXINGTON RIVERBANKS PARKS DISTRICT TO ISSUE SUCH BONDS AND TO PROVIDE FOR THE PUBLICATION OF NOTICE OF THE SAID FINDING AND AUTHORIZATION.

WHEREAS, by action previously taken, the County Council of Richland County, the governing body of Richland County, South Carolina (the "County Council"), ordered that a public hearing on the question of the issuance of not exceeding \$80,000,000 principal amount general obligation bonds of the Richland-Lexington Riverbanks Parks District be held in the Richland County Council Chambers, Richland County Administration Building, 2020 Hampton Street, Columbia, South Carolina, at _____ [a.m./p.m.] on _____, 2023, and notice of such hearing has been duly published once a week for three successive weeks in *The State*, a newspaper of general circulation in Richland County; and

WHEREAS, the said hearing has been duly held at the above time, date and place and said public hearing was conducted publicly and both proponents and opponents of the proposed action were given full opportunity to be heard and it is now in order for the County Council to proceed, after due deliberation, in accordance with the provisions of Act No. 1189 enacted at the 1974 Session of the South Carolina General Assembly approved July 9, 1974, now codified as Article 5 of Chapter 11 of Title 6 (Sections 6-11-810 through 6-11-1050, inclusive) (the "Enabling Act"), to make a finding as to whether not exceeding \$80,000,000 principal amount general obligation bonds of the Richland-Lexington Riverbanks Parks District (the "District") should be issued.

NOW THEREFORE, BE IT ORDAINED, by the County Council of Richland County in meeting duly assembled:

Section 1. It is found and determined that each statement of fact set forth in the preambles of this Ordinance is in all respects true and correct.

Section 2. On the basis of the facts adduced at the public hearing held on _____, 2023, it is found and determined that the District, acting through the Riverbanks Parks Commission (the "Commission"), its governing body, should be authorized to issue not exceeding \$80,000,000 principal amount general obligation bonds of the District.

Section 3. The County Council finds that the Commission should issue general obligation bonds of the District in an aggregate principal amount not exceeding \$80,000,000 as a single issue or from time to time as several separate issues, as the Commission shall determine.

Section 4. The County Council hereby authorizes the Commission to issue general obligation bonds of the District in an aggregate principal amount of not exceeding \$80,000,000 (the "Bonds") as a single issue or from time to time as several separate issues, as the Commission shall determine, for the purpose of defraying the cost of the following improvements to the facilities of the District:

- a. New animal exhibits.
- b. Saluda River Observation Deck with exhibits on West Campus.
- c. Forest pathway access to West Campus.
- d. Aerial transportation system across Saluda River or upgrades to existing tram system.
- e. Expanded carousel plaza/Saluda River observation on East Campus.
- f. Upgrades to tiger exhibit.
- g. Parking improvements.
- h. Miscellaneous visitor amenities, including, but not limited to, seating, restrooms, and restaurant and concession facilities.

For the payment of the principal of and interest on the Bonds as they respectively mature, and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of the District shall be irrevocably pledged, and there shall be levied annually a tax without limit on all taxable property within the area of the District sufficient to pay such principal of and interest on the Bonds as they respectively mature, and to create such sinking fund.

Section 5. Pursuant to Section 6-11-870 of the Enabling Act, notice of the action herewith taken shall be given in the form substantially as set forth in Exhibit A attached hereto. Such notice shall be published once a week for three successive weeks in *The State*, a newspaper of general circulation in Richland County.

Section 6. The Chairman and other officers of the County Council are herewith authorized and empowered to take such further action as may be necessary to fully implement the action taken by this Ordinance.

Section 7. A certified copy of this Ordinance shall forthwith be transmitted to the Commission to advise it of the action taken by the County Council, whereby the Commission has been authorized to issue, pursuant to the provisions of the Enabling Act, general obligation bonds of the District in the aggregate principal amount of not exceeding \$80,000,000.

Section 8. Any prior ordinance, resolution, or order, the terms of which are in conflict with this Ordinance, is, only to the extent of that conflict, repealed.

Section 9. This Ordinance is effective after its third reading and public hearing.

RICHLAND COUNTY, SOUTH CAROLINA

Chair, Richland County Council

(SEAL)
ATTEST:

Clerk of Council, Richland County Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

First Reading: _____, 2023
Second Reading: _____, 2023
Public Hearing: _____, 2023
Third Reading: _____, 2023

STATE OF SOUTH CAROLINA

COUNTY OF RICHLAND

NOTICE PURSUANT TO SECTION 6-11-870
CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED

Notice is hereby given pursuant to the provisions of Section 6-11-870 Code of Laws of South Carolina, 1976 and following a public hearing held on _____, 2023, that the County Council of Richland County has found that:

The Richland-Lexington Riverbanks Parks District (the “District”) created by Act No. 1207 of the Acts and Joint Resolutions of the General Assembly of the State of South Carolina for the year 1970, as amended, acting through the Riverbanks Parks Commission, its governing body, has been authorized to issue not exceeding \$80,000,000 principal amount general obligation bonds of the District (the “Bonds”), either as a single issue or as several separate issues, for the purpose of defraying the cost of the following improvements to the facilities of the District, such facilities known popularly as Riverbanks Zoo and Garden, as follows:

- a. New animal exhibits.
- b. Saluda River Observation Deck with exhibits on West Campus.
- c. Forest pathway access to West Campus.
- d. Aerial transportation system across Saluda River or upgrades to existing tram system.
- e. Expanded carousel plaza/Saluda River observation on East Campus.
- f. Upgrades to tiger exhibit.
- g. Parking improvements.
- h. Miscellaneous visitor amenities, including, but not limited to, seating, restrooms, and restaurant and concession facilities.

(collectively, the “Improvements”). It is estimated that the total cost of designing, constructing, renovating and equipping the Improvements will amount to approximately \$80,000,000. The Improvements consist of renovation and expansion of existing structures and construction of new facilities and are necessary and desirable for the continued safe and orderly operation of Riverbanks Zoo and Garden and the enhancement of its status as a leading recreational, educational and tourist attraction.

For the payment of the principal of and interest on the Bonds as they respectively mature and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of the District shall be irrevocably pledged, and there shall be levied annually a tax without limit on all taxable property within the area of the District sufficient to pay such principal and interest and to create such sinking fund. The District consists of the entire area of Richland County and Lexington County. No election has been ordered in the District upon the question of the issuance of the Bonds.

Any person affected by the action aforesaid of the County Council of Richland County may by action de novo instituted in the Court of Common Pleas for Richland County within twenty (20) days following the last publication of this Notice but not afterwards challenge the action of the County Council of Richland County.

COUNTY COUNCIL OF RICHLAND COUNTY

STATE OF SOUTH CAROLINA

COUNTY OF RICHLAND

I, the undersigned, Clerk of the County Council of Richland County, South Carolina, DO HEREBY CERTIFY:

That the foregoing constitutes a true, correct and verbatim copy of an Ordinance which was given three readings on three separate days, with an interval of not less than seven days between the second and third readings.

That each of said meetings was duly called, and all members of the County Council were notified of the same, and that a majority of County Council remained throughout the proceedings incident to the adoption of this Ordinance.

As required by Title 30, Chapter 4 of the Code of Laws of South Carolina 1976, as amended, being the Freedom of Information Act, a copy of the agenda of each of the said meetings (showing the date, time and place of the meetings) of the County Council of the County was posted in the administrative offices of the County, posted on the County's publicly-available website and supplied to news media as requested, in each case at least 24 hours prior to regularly scheduled meetings of the County Council. An agenda was posted in accordance with the foregoing sentence for each meeting at which this Ordinance was voted upon, and each agenda as so posted contained as an item the consideration of this Ordinance by the County Council.

The original of this Ordinance is duly entered in the permanent records of the County Council, in my custody as such Clerk.

The Ordinance is now of full force and effect, and has not been modified, amended or repealed.

IN WITNESS WHEREOF, I have hereunto set my Hand and the Seal of the County, this ____ day of _____, 2023.

(SEAL)

Clerk to County Council,
Richland County, South Carolina

First Reading: _____, 2023

Second Reading: _____, 2023

Public Hearing: _____, 2023

Third Reading: _____, 2023

authorized and directed to attest the execution of the Chair of County Council or the County Administrator of any of the foregoing.

Section 3. This Resolution is effective after its approval by the County Council.

RESOLVED: November 14, 2023

RICHLAND COUNTY, SOUTH CAROLINA

Chair, Richland County Council

(SEAL)
ATTEST:

Clerk to Richland County Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

Section 4. Repealer Clause. All orders, resolutions, or any parts of either, in conflict with this Resolution are, to the extent of that conflict, repealed. This Resolution is effective and remains in effect as of its adoption by the County Council.

APPROVED AND ADOPTED IN A MEETING THIS 14th DAY OF NOVEMBER, 2023.

RICHLAND COUNTY, SOUTH CAROLINA

Chairman
Richland County Council

Richland County Clerk to Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

EXHIBIT A

Form of Joinder Agreements FORM OF JOINDER AGREEMENT

Reference is hereby made to the Fee Agreement dated June 18, 2013, and the Fee Agreement dated July 16, 2013 (collectively, "Fee Agreement"), each between Richland County, South Carolina ("County") and Intertape Polymer Corp. ("Sponsor").

1. Joinder to Fee Agreement.

[_____], a [STATE] [corporation]/[limited liability company]/[limited partnership] authorized to conduct business in the State of South Carolina, hereby (a) joins as a party to, and agrees to be bound by and subject to all of the terms and conditions of, the Fee Agreement as if it were a Sponsor; (b) shall receive the benefits as provided under the Fee Agreement with respect to the Economic Development Property placed in service by the Sponsor Affiliate as if it were a Sponsor; (c) acknowledges and agrees that (i) according to the Fee Agreement, the undersigned has been designated as a Sponsor Affiliate by the Sponsor for purposes of the Project; and (ii) the undersigned qualifies as a Sponsor Affiliate under the Fee Agreement and Section 12-44-30(20) and Section 12-44-130 of the Act.

2. Capitalized Terms.

Each capitalized term used, but not defined, in this Joinder Agreement has the meaning of that term set forth in the Fee Agreement.

3. Representations of the Sponsor Affiliate.

The Sponsor Affiliate represents and warrants to the County as follows:

(a) The Sponsor Affiliate is in good standing under the laws of the state of its organization, is duly authorized to transact business in the State (or will obtain such authority prior to commencing business in the State), has power to enter into this Joinder Agreement, and has duly authorized the execution and delivery of this Joinder Agreement.

(b) The Sponsor Affiliate's execution and delivery of this Joinder Agreement, and its compliance with the provisions of this Joinder Agreement, do not result in a default, not waived or cured, under any agreement or instrument to which the Sponsor Affiliate is now a party or by which it is bound.

(c) The execution and delivery of this Joinder Agreement and the availability of the FILOT and other incentives provided by this Joinder Agreement has been instrumental in inducing the Sponsor Affiliate to join with the Sponsor in the Project in the County.

4. Governing Law.

This Joinder Agreement is governed by and construed according to the laws, without regard to principles of choice of law, of the State of South Carolina.

5. Notice.

Notices under Section 10.1 of the Fee Agreement shall be sent to:

[_____]

IN WITNESS WHEREOF, the undersigned has executed this Joinder Agreement to be effective as of the date set forth below.

Date

Name of Entity
By: _____
Its: _____

IN WITNESS WHEREOF, the County acknowledges it has consented to the addition of the above-named entity as a Sponsor Affiliate under the Fee Agreement effective as of the date set forth above.

RICHLAND COUNTY, SOUTH CAROLINA

By: _____
Its: _____

RICHLAND COUNTY ATTORNEY'S OFFICE

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

Richland County Council Request for Action

Subject:

East Richland Public Service District - 1

Notes:

November 7, 2023 – The Rules and Appointments Committee recommended re-appointing Lisa Kelly Stewart.

Richland County Council Request for Action

Subject:

Central Midlands Council of Governments - 1

Notes:

November 7, 2023 – The Rules and Appointments Committee recommended appointing Clyde “Chuck” Fallaw, III.

Richland County Council Request for Action

Subject:

Transportation Penny Advisory Committee - 3

Notes:

November 7, 2023 – The Rules and Appointments Committee recommended appointing Algeron Williams, Kamal Shlon, and Shirley Robinson.

Richland County Council Request for Action

Subject:

Richland Memorial Hospital Board - 5

Notes:

November 7, 2023 – The Rules and Appointments Committee recommended appointing Frances Ashe-Goins and re-advertising for the remaining vacancies.

ACCOMMODATIONS TAX ADVISORY COMMITTEE

Purpose(s)/Service(s): The committee was created by the Richland County Council on January 22, 1985, according to State law, to make recommendations and provide advisory assistance to the County Council on the expenditure of revenue generated from the Accommodations Tax as required by Article 6, Title 12, Chapter 35 South Carolina Code of Laws.

The Committee consists of **SEVEN (7)** members appointed for **TWO (2)** year terms. The majority of the members are from the Hospitality Industry. **At least TWO (2)** members must be from the Lodging Industry and **ONE (1)** member must represent the cultural organizations. Members shall not serve more than **TWO (2)** consecutive terms; however, upon service of **TWO (2)** consecutive terms a member may be eligible for reappointment after **ONE (1)** year of non-service.

The committee meets twice during normal working hours in March/April at 2020 Hampton Street. The date(s) to be determined based on membership availability. The first meeting may last up to **SIX (6)** hours. The second may last up to **TWO (2)** hours. The members are expected to review applications over a 4-week period, which can take approximately **FIFTEEN (15)** hours. The total time commitment may be up to **TWENTY-THREE (23)** hours.

BUILDING CODES BOARD OF APPEAL

Purpose(s)/Service(s): Richland County Ordinance, Section 6-75 establishes a Board of Appeals that meets the requirements of the most prescriptive adopted building codes mandated by the South Carolina Building Code Council, thus facilitates all matters/areas of building code appeals that may come before them. Appeals to decisions made by the building official are referred to the Board by the Building Official. The Board shall hear and decide appeals of orders, decisions, or determinations made by the Building or Fire Official relative to the application and interpretation of the various codes adopted. After a hearing, the interpretation may be modified and/or reversed. The Board shall have no authority to waive the requirements of any currently adopted code dealing with existing or proposed structures within Richland County.

The Board consists of **SEVEN (7)** members appointed by Council. **ONE (1)** member must come from each of the following industries: Architecture, Engineering, Contracting, Building, Electrical, Plumbing and Gas. In addition, **TWO (2)** alternate members must come from the Fire Industry. The Board shall consist of members who are qualified by experience and training to pass on matters pertaining to building construction, and are not employees of the jurisdiction. The members serve **THREE (3)** year terms. Members shall not serve more than **TWO (2)** consecutive terms; however, upon service of **TWO (2)** consecutive terms a member may be eligible for reappointment after **ONE (1)** year of non-service.

The Board shall meet within **TEN (10)** days after notice of an appeal is received from the Building or Fire Official. Meetings are usually scheduled on the 2nd Thursday of the month at 1:30 PM.

Required Experience:

- Registered design professional who is a registered architect; or a builder or superintendent of building construction with not less than 10 years' experience, 5 years of which shall have been responsible/in charge of work.
- Registered design professional with structural engineering or architectural experience.
- Registered design professional with mechanical and plumbing engineering experience; or a mechanical and plumbing contractor without less than 10 years' experience, 5 years of which shall have been responsible/in charge of work.
- Registered design professional with electrical engineering experience; or an electrical contractor with not less than 10 years' experience, 5 years of which shall have been responsible/in charge of work.
- Registered design professional with fire protection engineering experience; or a fire protection contractor with not less than 10 years' experience, 5 years of which shall have been responsible/in charge of work

****All professionals must be registered in the State of South Carolina.**

BUSINESS SERVICE CENTER APPEALS BOARD

Purpose(s)/Service(s): The Richland County Business Service Center Appeals Board shall serve as the appeals function expounded in the Richland County Code of Ordinances, Chapter 16, Article I. The Board will hear appeals resulting from any person aggrieved by a final assessment, charge backs from an audit, or a denial of a business license by the License Official. In that capacity and as a finder of fact, the Appeals Board shall have the following responsibilities:

- Adopting procedures relating to the execution of the Appeal Board's function;
- Receiving written appeals from businesses;
- Holding meetings to receive testimony by the business, the Business Service Center official, and any other official approved by the Appeals Board;
- Reviewing and analyzing the information presented in the testimonies provided;
- Making a factual conclusion as to the issue in question based on the review and analysis; and
- Writing a formal determination regarding the decision made as to the issue in question.

The Board consists of **FIVE (5)** members. The Board traditionally is comprised of no more than **THREE (3)** and no less than **TWO (2)** Certified Public Accountants, no more than **TWO (2)** and no less than **ONE (1)** member of the SC Bar Association, and no more than **TWO (2)** and no less than **ONE (1)** business person. The members serve **FOUR (4)** year terms. A member may be reappointed for a consecutive second term. After this second term, a member may be reappointed for a third term, but only after **TWO (2)** years have elapsed from the last day of the last term served.

A business person is defined as a local business owner, or someone who is part of the executive leadership team of a larger corporation like a CEO (Chief Executive Officer), CFO (Chief Financial Officer), or COO (Chief Operating Officer) that is physically located inside unincorporated Richland County. An ideal candidate, would be someone who is familiar with business licensing and what that process entails.

CENTRAL MIDLANDS REGIONAL TRANSIT AUTHORITY (RTA) BOARD

Purpose(s)/Service(s): The primary purpose of the Board of Directors is to promote transportation opportunities for all citizens within Richland County and a limited service area in Lexington County.

Richland County has **THREE (3)** representatives to the Board: **TWO (2)** elected officials and **ONE (1)** citizen. Each representative will serve a **THREE (3)** year term. Members shall not serve more than **TWO (2)** consecutive terms; however, upon service of **TWO (2)** consecutive terms a member may be eligible for reappointment after **ONE (1)** year on non-service.

Board meetings are held the 4th Wednesday of each month at 3613 Lucius Road at 12:00 PM and last approximately 2 hours.

Preferred Experience:

- Knowledge of transportation; finance services/management; governance, audit and/or operational risk assessment and management; grant and/or contract administration; communications/public relations; and legal.
- Be able to devote, on average, 5-10 hours per month to attend Board meetings, standing committee meetings, and to review agenda materials;
- Bring a broad range of knowledge and depth of experience from their chosen business or profession, as well as an understanding of the principles and values of the COMET and the communities it serves;
- Possess a fundamental understanding of their role and responsibility to the Board. The members' primary responsibility is to act at all times in the best interests of the COMET, the Board, staff and serviced communities;
- Possess integrity, be willing to articulate his/her views frankly, be able to work productively with others, and have the ability and willingness to commit the time and effort required;
- Represent the interest of their appointing body while endeavoring to achieve regional consensus;
- Fiduciary responsibility to vote for the best interests of the region and not those of their appointing body;
- Able to work cooperatively in a multi-jurisdictional setting;
- Able to attend Board and standing committee meetings consistently;
- Responsible for informing their respective jurisdictions of key issues, facilitating communication between those entities and the COMET, and helping build consensus;
- Participate in the COMET Leadership Academy;
- Provide value and expertise on improving transportation and mobility within the region.
- A core knowledge of the transportation sector, and the concepts, principles and values of the COMET;
- Ability to act without a real or perceived conflict of interest that could reasonably be perceived to conflict with the individual's responsibility to act in the best interests of the Board;
- Stature in the individual's chosen business or profession, or community involvement;
- Willingness to ask probing questions and challenge management within the appropriate governance context;
- Ability to operate "as a team" at the Board level and "speak with one voice" once a full discussion has been undertaken and a decision has been made by the Board;
- Ability to review and examine budgets to ensure projected expenses and income are realistically comprehensive and assess the implications of financial and audit reports;
- Ability to bring a perspective of external business, social and regional issues to the deliberations of the Board;

- Ability to use tact, discretion and sound independent judgment;
- Ability to communicate effectively, both orally and in writing;
- High ethical standards;
- Willingness to adhere to protocols and policies regarding staff and personnel operations and communications;
- A commitment to continuous learning to maintain a knowledge of potential changes and trends facing the future of the COMET and transportation industry, best practices and policies (via webinars, local, regional and national conferences);
- An understanding of governance and the fiduciary duties and responsibilities of both a Board of Directors as well as of individual members (in particular – a comfort level with the principles of the by-laws under which the Board operates); and
- Ability to provide leadership, strategic direction and oversight.

Board Member Mission and Commitment:

- Willingness to make a real contribution to the COMET and the communities it serves;
- Commitment to the COMET strategic objectives, vision, mission and values;
- Willingness to participate in COMET related activities including utilizing the transportation services provided by the COMET, such as occasionally riding the bus;
- Willingness to act in the best interests of the COMET and the communities it serves independently of any particular interest arising as a result of any previous, existing or future relationship with the COMET staff, Board of Directors, or the suppliers; and
- Willingness to stay informed, available, and engaged as well as to attend meetings and represent the Board or its interests in the public.

Hospitality Tax Committee

Purpose(s)/Service(s): The Committee shall review applications of those entities who are seeking funding from the County Promotions portion of the Hospitality Tax funds. The Committee will then make recommendations to County Council for the allocation and distribution of such funds.

The Committee shall consist of **FIVE (5)** members appointed for **TWO (2)** year terms, or until a successor is appointed. All members must be citizens residing in the County. At least **TWO (2)** members must represent the Restaurant Industry. Members shall not serve more than **TWO (2)** consecutive terms; however, upon service of **TWO (2)** consecutive terms a member may be eligible for reappointment after **ONE (1)** year of non-service.

The Committee meets twice during normal working hours in March/April at 2020 Hampton Street. The date(s) to be determined, based on membership availability. The first meeting may last up to **SIX (6)** hours. The second may last up to **TWO (2)** hours. The members are expected to review applications over a 4-week period, which can take approximately **TWENTY-FIVE (25)** hours. The total time commitment may be up to **THIRTY-THREE (33)** hours.

Preferred Attributes: Members of the committee must be interested citizens residing in the County.

RICHLAND MEMORIAL HOSPITAL BOARD OF TRUSTEES
(PRISMA HEALTH)

Purpose(s)/Service(s): The Board was established pursuant to Act 830 of 1971, Act 1485 of 1974, Act 430 of 1975, and Sections 2-326/2-328 of the County Code.

The Board consists of FOURTEEN (14) members appointed by County Council for FOUR (4) year terms, renewable for a 2nd term of FOUR (4) years, and after an interval of at least ONE (1) year, for a 3rd and last term of FOUR (4) years, provided; however, an initial appointment for the unexpired portion of any term shall not count as an appointment for a full term. Additionally, the Chief and Vice Chief of Prisma Health Richland Hospital Campus Executive Committee of the Medical and Dental Staff serve ex-officio as full voting members of the Board during their term of office.

The Board has quarterly business meetings (March, June, September and December) that typically last 3 hours, and quarterly Board education sessions (February, April, August and October) lasting approximately 2 hours. The meetings are held at 9 Medical Park – Suite 200A at 3:00 PM.

- h. Miscellaneous visitor amenities, including, but not limited to, seating, restrooms, and restaurant and concession facilities.

WHEREAS, the County Council now desires to proceed in accordance with the provisions of the Enabling Act with respect to the issuance of such general obligation bonds.

Section 1. The County Council finds that it may be in the interest of the District to raise moneys for the purpose of providing for the foregoing improvements, and in that connection hereby orders a public hearing to be held upon the question of the issuance of not exceeding \$80,000,000 principal amount general obligation bonds of the District.

Section 2. A public hearing shall be held on the question of the issuance of not exceeding \$80,000,000 principal amount general obligation bonds of the District in the County Council Chambers, Richland County Administration Building, 2020 Hampton Street, Columbia, South Carolina, beginning at 6:00 p.m. on the 5th day of December, 2023. A Notice of Public Hearing substantially in the form attached hereto as Exhibit A shall be published once a week for three (3) successive weeks in *The State*, a newspaper of general circulation in the County. The first such publication shall not be less than sixteen (16) days prior to the hearing date.

Section 3. The aforesaid hearing shall be conducted publicly at the time and place above stated, and both proponents and opponents of the proposed bond issue shall be given a full opportunity to be heard in person or by counsel.

Section 4. Following the above aforesaid public hearing, the County Council will determine whether and to what extent the proposed bonds should be issued by the District. If the County Council determines that the proposed bonds should be issued by the District, County Council shall authorize the issuance of such bonds by Ordinance, which Ordinance may be given first and second readings prior to the aforesaid public hearing.

Section 5. The Chairman of the County Council is hereby authorized and empowered to take all necessary action to provide for the holding of the aforesaid public hearing in accordance with the provisions of the Enabling Act.

APPROVED AND ADOPTED IN A MEETING THIS 14th DAY OF NOVEMBER, 2023.

RICHLAND COUNTY, SOUTH CAROLINA

Chairman
Richland County Council

Richland County Clerk to Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

**NOTICE OF PUBLIC HEARING
ON THE PROPOSED ISSUE OF NOT EXCEEDING \$80,000,000
PRINCIPAL AMOUNT GENERAL OBLIGATION BONDS OF
RICHLAND-LEXINGTON RIVERBANKS PARKS DISTRICT**

The Richland County Council (the “County Council”), the governing body of Richland County, South Carolina (the “County”), has determined that it may be in the interest of the Richland-Lexington Riverbanks Parks District (the “District”) to raise moneys to defray the costs of the following improvements to the facilities of the District, such facilities being popularly known as Riverbanks Zoo and Garden:

- a. New animal exhibits.
- b. Saluda River Observation Deck with exhibits on West Campus.
- c. Forest pathway access to West Campus.
- d. Aerial transportation system across Saluda River or upgrades to existing tram system.
- e. Expanded carousel plaza/Saluda River observation on East Campus.
- f. Upgrades to tiger exhibit.
- g. Parking improvements.
- h. Miscellaneous visitor amenities, including, but not limited to, seating, restrooms, and restaurant and concession facilities.

(collectively, the “Improvements”). It is estimated that the total cost of designing, constructing, renovating and equipping the Improvements will amount to approximately \$80,000,000. The Improvements consist of renovation and expansion of existing structures and construction of new facilities. The District, through the Riverbanks Parks Commission, its governing body (the “Commission”), proposes to defray the cost of the Improvements through the issuance of not exceeding \$80,000,000 principal amount general obligation bonds of the District (the “Bonds”).

Accordingly, County Council has ordered a public hearing to be held upon the question of the issuance of the proposed Bonds in accordance with the provisions of Act No. 1189 enacted at the 1974 Session of the South Carolina General Assembly, as amended (the “Enabling Act”). Notice is hereby given that a public hearing will be held in the County Council Chambers, Richland County Administration Building, 2020 Hampton Street, Columbia, South Carolina, beginning at 6:00 p.m. on the 5th day of December, 2023, on the question of the issuance of the Bonds.

For the payment of principal and interest of the Bonds as they respectively mature and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of the District shall be irrevocably pledged, and there shall be levied on all taxable property within the District ad valorem taxes in an amount sufficient to pay said principal and interest and to create such sinking fund. The Bonds would be issued to defray the cost of the Improvements and issuance costs. The Commission has advised County Council that Improvements are necessary and desirable for the continued safe and orderly operation of Riverbanks Zoo and Garden and the enhancement of its status as a leading recreational, educational and tourist attraction.

The aforesaid hearing shall be conducted publicly and both proponents and opponents of the proposed action shall be given full opportunity to be heard in person or by counsel. Following the hearing, the County Council shall, by ordinance, make a finding as to whether and to what extent the proposed Bonds should be issued and may thereupon authorize the Commission to issue the Bonds to the extent it shall be found necessary.

COUNTY COUNCIL OF RICHLAND COUNTY

STATE OF SOUTH CAROLINA

COUNTY OF RICHLAND

I, the undersigned, Clerk of the Richland County Council, Richland County, South Carolina (the “County Council”), DO HEREBY CERTIFY:

That the foregoing constitutes a true, correct and verbatim copy of a Resolution duly adopted by the County Council at a meeting duly called and held on the ____ day of _____, 2023, at which meeting a quorum of the County Council was present, and voted in favor of the adoption thereof.

As required by Title 30, Chapter 4 of the Code of Laws of South Carolina 1976, as amended, being the Freedom of Information Act, a copy of the agenda of meetings (showing the date, time and place of the meetings) of the County Council of the County is posted in the administrative offices of the County, posted on the County’s publicly-available website and supplied to news media as requested, in each case at least 24 hours prior to regularly scheduled meetings of the County Council. An agenda was posted in accordance with the foregoing sentence for the meeting at which the attached Resolution was voted upon, and the agenda as so posted contained as an item the consideration of the attached Resolution by the County Council.

The original of the attached Resolution is duly entered in the permanent records of said Council in my custody as such Clerk of County Council.

The Resolution is now of full force and effect, and has not been modified, amended or repealed.

IN WITNESS WHEREOF, I have hereunto set my Hand and the Seal of this County, this ____ day of _____, 2023.

(SEAL)

Clerk, Richland County Council, South Carolina

PETITION OF RIVERBANKS PARKS COMMISSION TO THE GOVERNING BODIES OF RICHLAND COUNTY AND LEXINGTON COUNTY FOR PUBLIC HEARINGS PURSUANT TO ARTICLE 5, CHAPTER 11, TITLE 6, CODE OF LAWS OF SOUTH CAROLINA, 1976.

1. The Richland-Lexington Riverbanks Parks District (the “District”) is a special purpose district created pursuant to the provisions of Act No. 1207 of the Acts and Joint Resolutions of the General Assembly of South Carolina of 1970, as amended, and is located within Richland and Lexington Counties.

2. In carrying out its functions and duties, the Riverbanks Park Commission (the “Commission”), the governing body of the District, has determined that a need exists at the present time to design, construct, renovate and equip certain improvements (collectively, the “Improvements”) to the facilities of the District, such facilities known popularly as Riverbanks Zoo and Garden, as follows:

- a. New animal exhibits
- b. Saluda River Observation Deck with exhibits on West Campus
- c. Forest pathway access to West Campus
- d. Aerial transportation system across Saluda River or upgrades to existing tram system.
- e. Expanded carousel plaza/Saluda River observation on East Campus
- f. Upgrades to tiger exhibit
- g. Parking improvements
- h. Miscellaneous visitor amenities, including, but not limited to, seating, restrooms, and restaurant and concession facilities

3. It is estimated that the total cost of designing, constructing, renovating and equipping the Improvements will amount to approximately \$80,000,000. The Improvements consist of the renovation and expansion of existing structures and construction of new facilities. The Commission has found that the Improvements are necessary and desirable for the continued safe and orderly operation of Riverbanks Zoo and Garden and the enhancement of its status as a leading recreational, educational and tourist attraction.

4. In order to defray the costs of the Improvements, the District proposes to issue general obligation bonds of the District in a principal amount not exceeding \$80,000,000, which bonds may be issued as a single issue or from time to time as several separate issues as the Commission may determine.

5. The County Councils of Richland County, South Carolina and Lexington County, South Carolina, the governing bodies of Richland County and Lexington County, respectively (the “County Councils”), are empowered by Act No. 1189 enacted at the 1974 Session of the South Carolina General Assembly (now codified as Article 5, Chapter 11, Title 6, Code of Laws of South Carolina 1976, Sections 6-11-810 through 6-11-1040, inclusive) (hereinafter referred to as the “Enabling Act”) to authorize the issuance of general obligation bonds pursuant to the provisions of the Enabling Act.

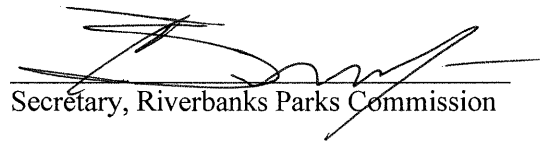
6. Pursuant to Section 6-11-830 of the Enabling Act, if the County Councils, upon petition of the Commission, determine that it may be in the best interest of the District to raise moneys for the furtherance of any power and function of the District, the County Councils may each order a public hearing to be held upon the question of the issuance of general obligation bonds of the District.

Wherefore, the Commission prays that the County Councils each order a public hearing to be held in Richland County and Lexington County, respectively, on the question of authorizing the issuance of not exceeding \$80,000,000 principal amount of general obligation bonds of the District, which bonds may be issued as a single issue or from time to time as several separate issues as the Commission may determine, in order to defray the costs of the Improvements and costs of issuance of such bonds.

RIVERBANKS PARKS COMMISSION

By: 
Chair, Riverbanks Parks Commission

Attest:


Secretary, Riverbanks Parks Commission

March 16, 2023