

ARTICLE 7. PRIMARY DISTRICTS

7:1. Permitted uses.

See section 6.1, Table 1.

7:2. Minimum lot area.

The minimum lot areas per dwelling unit for each zoning district are listed in section 7.3, Table 1 unless otherwise required by the South Carolina Department of Health and Environmental Control (SCDHEC).

7:3. Yard and setback requirements.

All setback lines adjacent to a public right-of-way are measured from the edge of the public right-of-way. When the right-of-way is not known, the setback shall be measured from the edge of the pavement or back of the curb, if present, and each required setback shall be increased by a minimum of ten feet.

In such cases in the residential zone where the frontage along both sides of the street is at least 50 percent developed, then the required front yard setback for a new structure not the subject of a site plan or subdivision application may be modified to the average for the existing development.

Setbacks from existing roads will be consistent with the requirements outlined in the appropriate zoning district and listed in Table 1.

**Table 1:
Schedule of Lot Area, Yard, Setback, and Density By District**

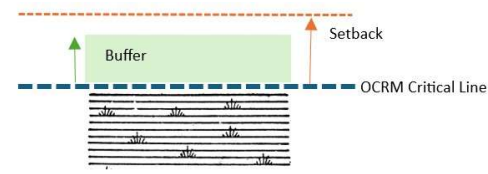
	R	RRL	RP	<u>RP-10**</u>	RC	<u>VC</u>	CC	GC	ID	RE	MB
Minimum Lot per Unit											
Non Residential Area (SF)	40,000	N/A	2 acres	<u>N/A</u>	2 acres	<u>10,000</u>	10,000	10,000	12,000	2 acres	12,000
Residential											
Single-Family	.5 acre	7,800	1 acre	<u>10 acres</u>	5 acres	<u>.5 acre</u>	(B)	(A)	N/A	N/A	N/A
Patio	N/A	N/A	N/A	<u>N/A-</u>	N/A	<u>N/A</u>	(B)	3,500	N/A	N/A	N/A
Duplex	N/A	N/A	N/A	<u>N/A-</u>	N/A	<u>(B)</u>	(B)	(A)	N/A	N/A	N/A
Townhome	N/A	N/A	N/A	<u>N/A-</u>	N/A	<u>N/A</u>	3,500	2,000	N/A	N/A	N/A
(A) 4 per acre for single-family dwelling units; 6 per acre for attached units.											
(B) 2 per acre for single-family dwelling units; 4 per acre for attached units.											
<u>**These standards may be modified for subdivisions approved in accordance with the development standards set forth in Article 12.9, Open Space Subdivisions.</u>											

	Multi-Family, Single-Family and Nonresidential Uses										Patio	Duplex	Townhome	
	R	RP	RP-10**	RC	VC	CC	GC	ID	RE	MB				All Districts
Minimum Yard and Building Setback (feet)														
Minimum lot width	50 <u>100</u>	200	<u>200</u>	200	<u>100</u>	80 <u>100</u>	80 <u>100</u>	90 <u>100</u>	200	90 <u>100</u>	Minimum lot width	45	50	20
<i>Front</i>														
Major Street (Multi-Lane)	60	60	<u>60</u>	60	<u>60</u>	60	60	60	200	60	Major Street (Multi-lane)	60*	60*	60*
Major Street (Two-lane)	35	45	<u>45</u>	45	<u>35</u>	35	35	45	200	45	Major Street (Two-lane)	35	35	35
Minor Street	25	25	<u>25</u>	25	<u>25</u>	25	25	25	160	25	Minor Street	25	25	20
<i>Side</i>														
Residential	10	25	<u>25</u>	50	<u>5</u>	5	5	N/A	N/A	N/A	Interior	N/A	0	0
Non-residential	10	25	<u>25</u>	50	<u>5</u>	5	5	10	100	10	Street-side/Exterior	5	10	5
<i>Rear</i>														
Residential	25	25	<u>25</u>	100	<u>10</u>	10	10	N/A	100	N/A	Residential	20	20	5
Non-residential	40	50	<u>50</u>	150	<u>10</u>	10	10	15	100	15	Non-residential	N/A	N/A	N/A
*Access to units along a multi-lane major street shall generally have a common access onto a frontage road or similar, which shall be considered a minor street; the frontage road or similar may encroach into the 60' front setback from the multi-lane major street.														
**These standards may be modified for subdivisions approved in accordance with the development standards set forth in Article 12.9, Open Space Subdivisions.														

(Ord. No. 09-06, § 7, 2-2-09; Ord. No. 09-12, § 11, 5-4-09; Ord. No. 09-38, § 1, 11-2-09; Ord. No. 11-24, § 7, 9-6-11; Ord. No. 13-04, § 3, 4-1-13)

7:4. Riparian buffers.

A riparian buffer shall be provided along tidelands, wetlands, streams and rivers. Buffers and setback lines are measured from OCRM designated critical lines for tidelands; delineation lines for wetlands; and from stream banks and river banks. Setbacks are inclusive of the required buffer area. For example, an individual dwelling unit requires a 50' undeveloped buffer from the OCRM critical line and an additional 10' setback for the building (a total of 60' setback from the OCRM critical line).



The buffer area shall remain undeveloped, except for piers, docks and pervious access paths to the water or wetlands bank. Any disturbance of the buffer area shall adhere to OCRM's Best Management Practices (BMPs). Riparian buffers shall also be in accordance with any applicable state and federal regulation.

Buffer widths are based on land use. In the event that a setback standard in section 7:3 is less than the required buffer width, the required buffer regulation applies.

Riparian Buffer and Setback Table

Water Resource	BUFFER	SETBACKS			
		Individual Dwelling Unit	Single-Family Residential Development	Multi-Family Residential	Non-Residential
Critical Area (Coastal Waters, Tidelands, <u>Marshes</u> , Beach/Dune System)	<u>50'</u> *	<u>15'-60'</u>	<u>25'-60'</u> [±]	<u>35'-100'</u> [±]	<u>50'-100'</u> [±]
Jurisdictional <u>Freshwater</u> Wetlands, <u>Saltwater or Freshwater</u>	<u>20'</u> *	<u>15'-30'</u>	25' [±]	<u>35'-50'</u> [±]	50' [±]
Non-Jurisdictional <u>Freshwater</u> Wetlands, <u>Saltwater or Freshwater</u>	<u>20'</u> *	<u>15'-30'</u>	25' [±]	<u>35'-50'</u> [±]	50' [±]
Rivers, Streams (<u>non-critical area</u>)	<u>50'</u>	<u>25'-60'</u>	50'	<u>50'-100'</u>	<u>50'-100'</u>
The above setbacks are total average widths; with widths not to be less than <u>15-10</u> feet for a <u>25-20</u> -foot buffer, <u>20 feet</u> for a <u>35-foot</u> buffer, and 30 feet for a 50-foot buffer.					
* Buffer requirement may be waived <u>or reduced</u> if applicant provides an OCRM land disturbance permit and/or approved wetland mitigation plan as part of a PDD, Subdivision or Development Plan submittal.					

See Section 8.9 for additional buffer requirements within the Euhaw/Okeetee Cultural Heritage Overlay District.

Maintenance within a riparian buffer will adhere to the following limitations:

1. Trees can be limbed up to 15 feet.
2. Under brush can be cleared down to no less than four inches above grade.
3. Unprotected trees under three-inch caliper can be cut.

Uses Allowed Between Building Setback and River Buffer. The area located between the building setback and river buffer is called the transitional buffer. The purpose of this buffer is to allow for a construction envelope between the building and river buffer for the river buffer to be protected from construction damage. The following uses are permitted within the transitional buffer once construction is completed:

1. Residential - playgrounds, fire pits, outdoor furniture, pervious hardscapes, uncovered decks, pools, etc.
2. Non-Residential - picnic shelters, pervious hardscapes such as sidewalks and patios, etc.

(Ord. No. 09-37, § 2, 11-2-09)

7:5. Maximum height.

Maximum building height in all districts is 35 feet. Height measurement shall be made from the average finished grade elevation at the building line to the mean roof height.

The maximum building height may be increased to 50 feet, measured from the average finished grade elevation at the building line to the mean roof height, in areas where there is a public water distribution system and the Fire Chief or their appointed designee, confirms that there is adequate firefighting equipment capable of fighting a structure fire available in such areas to safely accommodate the increased height.

Chimneys, elevators, poles, spires, tanks, towers, and other projections not used for human occupancy may exceed the district height limit.

Flagpoles shall not exceed 35 feet in height measured from the average finished grade except where flags are expressly permitted in Article 15, Sign Standards.

7:6. Village Commercial Design Standards

7:6.1 Intent. The architectural design of retail and commercial buildings must consider the desire of Jasper County to create and enhance the community's image. Jasper County's identity and sense of place will be strengthened through thoughtful design and development, reflecting the Lowcountry vernacular.

7:6.2 Architectural design and materials. Generally, architectural design shall contribute to the sense of place of Jasper County and reflect designs, materials, and colors historically present in the region. Building elevations must consider the surrounding area and further enhance community character. Lowcountry architecture is rooted in practicality, climate responsiveness, and a sense of place.

1. Size: Commercial buildings shall generally be limited to 2,500 square feet of heated floor area.

2. Design Principles:

a. Proportion and Order: Proper proportions are essential for timeless architecture. Buildings should adhere to human scale, emphasizing vertical proportions. Elements should generally be taller than they are wide.

b. Exterior Walls: Lowcountry buildings feature raised foundations, deep porches, and simple elegance. Materials should create strong textures and shadow lines.

c. Porches and Balconies: Deep porches are iconic in Lowcountry design. They provide shade, encourage outdoor living, and foster community interaction.

d. Window and Shutter Design: Windows should be vertically proportioned, reflecting the human scale. Shutters, if used, should be functional and appropriately sized.

e. Entry and Door Design: Entryways play a significant role in Lowcountry design. They should be welcoming and well-proportioned. Doors can be solid wood or glass, reflecting the overall style.

f. Roofs: Roofs should complement the building's proportions. Gabled, hipped, or shed roofs are common. Metal roofing is practical and adds character.

g. Fences, Walls, & Gates: Fences and walls define property boundaries. They can be decorative or functional. Gates should be well-designed and in harmony with the overall aesthetic.

h. Accessory buildings: Outbuildings, such as sheds or storage areas, should blend seamlessly with the main house. Their design should follow the same principles as the primary structure.

i. Trim: Trim details, such as cornices, moldings, and brackets, enhance the overall appearance. Simplicity and craftsmanship are defining elements of Lowcountry buildings.

3. Siding: Wood clapboard, wood board and batten, wood shingle siding, brick, natural stone, stucco, tabby, faced concrete block, and any artificial siding material which closely resembles the natural materials listed above. Siding may be left natural or painted, stained or, in the case of wood, weathered.

4. Roofs: Wood shingles, slate shingles, multi-layered asphalt shingles, metal raised seam or tiles.

5. Features: Pitched roofs, roof overhangs, covered porches, canopies, awnings, trellises, gazebos, and open wood fences.

6. Colors: Earth tones (greens, tans, light browns, terra cotta, etc.), grays, pale primary and secondary colors (less than 50 percent color value), white cream tones, and the like. Dramatic accent colors, such as reds or blues, shall be avoided.

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7. *Fencing.* Fencing shall be of durable construction using quality material (i.e., brick, stone, other masonry, wood, metal, or any combination thereof) and complimentary to the building design and materials. The finished side of the fence shall face the corridor right-of-way or other adjacent property. Chain link welded or woven wire, and other similar fencing are not permitted. Such fencing may be permitted for temporary use during construction and site development provided it is removed or replaced with compliant material upon completion of construction. This requirement is for aesthetic purposes only and is not associated with building code requirements or standards.
8. *Outdoor Storage.* All outdoor storage areas shall be located to the side or rear yard and shall be screened with a wooden fence or masonry wall, complimentary to the building design and materials, which is at least eight feet (8') high. One (1) evergreen shrub, with a mature growth of at least 8' in height, shall be installed for every five (5) linear feet of fence or wall on the side of the fence or wall facing a neighboring property or public right-of-way. The minimum shrub shall be a minimum of 5 gallons in size and shall be nursery stock with well-developed root systems. All planted areas shall be properly maintained and shall be provided with an irrigation system or a readily available water supply to ensure continuous healthy growth and development.
9. *Additional requirements.*
- a. The primary building façade shall face the street. When located on a corner, the primary façade shall face the higher order street.
 - b. All sides of all buildings are to be treated with the same architectural style, materials, and details as the primary façade.
 - c. A single building or development or multiple buildings within a development must maintain a consistent architectural theme. Architectural design, building materials, colors, forms, roof style and detailing should all work together to express a harmonious and consistent design. This includes gasoline pump canopies or other accessory structures.
 - d. Building elements must not function as signage. The appearance of "franchise architecture", where the building functions as signage is prohibited. Incorporation of franchise or business design elements unique or symbolic of a particular business must be inobtrusive and secondary to the overall architectural design.
 - e. Access ways and parking lots shall be paved or, at the discretion of the Planning Director, may be surfaced using low-impact, contextual materials. Parking shall generally be located to the side of the building.
10. *Exterior materials and features prohibited:*
- a. Plywood, cinderblock, unfinished poured concrete, unfaced concrete block, plastic and/or metal.
 - b. Partial (less than three sides) mansard roofs, flat roofs without a pediment, unarticulated roofs having a length exceeding 50 feet.
 - c. Unarticulated facades having a length exceeding 50 feet.
 - d. Incongruous architectural details or color contrasts as determined by the DSR or BZA.
 - e. Chain link or woven metal fences.
 - f. Reflective materials, including highly reflective glass. Window painting or view-blocking techniques are generally not permitted.

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1. Design elements that may function as signage, roof lights, exposed neon lighting, exposed neon signage, illuminated trim of buildings or building elements, translucent awnings or illumination of translucent awnings, or any other undesirable design element, as determined by the DSR.

11. Screening.

- a. Mechanical equipment should not be located on the roof of a structure unless the equipment can be screened. The mechanical equipment should be clustered as much as possible. All rooftop equipment must be painted to match the surrounding rooftop color, if anticipated to be visible from any existing or future surrounding building, property or street. All mechanical equipment such as compressors, air conditioners, communications equipment, and any other type of mechanical equipment must be screened on all sides to full height by building parapet walls or other building elements that appear as integral elements of the overall building design, unless approved otherwise by the DSR.
- b. Ground level mechanical equipment shall be screened with landscaping and architectural walls using materials compatible with the building.
- c. Loading, service, and trash areas must be screened with walls that match the building materials and colors. Screen walls must be of sufficient height to fully screen utility areas from public view.

(Ord. No. 16-29, § 2, 10-3-16)