



A SPECIAL CALLED WORKSHOP WILL BE CONDUCTED WITH THE COUNTY COUNCIL.

Meeting Date: Thursday, September 5, 2024

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JASPER COUNTY COUNCIL
SPECIAL CALLED WORKSHOP
Jasper County Clementa C. Pinckney Government Bldg
358 3rd Avenue Ridgeland, SC 29936
Thursday, September 5, 2024
Agenda

4:00PM

- Call to Order by Chairman Sauls

Report of Compliance with the Freedom of Information Act.

In compliance with the Freedom of Information Act, notice of meetings and agendas were posted and furnished to all news media and persons requesting notification

- Pledge to the Flag and Invocation
- Approval of Agenda
- Workshop:

Workshop to discuss the proposed ordinance to amend Jasper County Zoning Ordinance, Article 5, Zoning District Regulations, to add two new primary zoning districts; Rural Preservation – 10 (RP10) and Village Commercial (VC), one new overlay district, Euhaw Overlay District (EOD); Article 6, Use Regulations, to add uses for the RP-10 and VC zoning districts; Article 7, Primary Districts, to add lot size, lot width, and setback requirements for RP-10 and VC zoning districts, amend lot width requirements in the Residential, Community Commercial, General Commercial, Industrial Development, and Mixed Business zoning districts, amend riparian buffer requirements, and add design standards for the Village Commercial zoning district; Article 8, Purpose Districts, to add design standards and requirements for the Euhaw/Okeetee Cultural Heritage Overlay District (ECHOD); Article 11, Conditional Uses; Article 15, Sign Regulations; Article 22, Rural Small Lot Subdivisions; and amend the Jasper County Official Zoning Map to re-zone some properties within the Euhaw Broad River Planning Area to the Rural Preservation-10 zoning district and the Village Commercial zoning district; and other matters related thereto.

- Adjourn

In accordance with South Carolina Code of Laws, 1976, Section 30-4-80(d), as amended, notification of the meeting was posted on the County Council Building at a publicly accessible place and on the county website at least 24 hours prior to the meeting. A copy of the agenda was given to the local news media and posted at the meeting location twenty-four hours prior to the meeting.

Special Accommodations Available Upon Request to Individuals with Disabilities

(843) 717-3696

**Jasper County Zoning Ordinance
Proposed Revisions
August 22, 2024**



Jasper
County
South Carolina

ARTICLE 5. ZONING DISTRICT REGULATIONS

5:1. Establishment of zoning districts.

For purposes of this ordinance, the following zoning districts are hereby established:

PRIMARY DISTRICTS	
R	Residential
RP	Rural Preservation
<u>RP-10</u>	<u>Rural Preservation (10)</u>
RE	Resource Extraction
RC	Resource Conservation
<u>VC</u>	<u>Village Commercial</u>
CC	Community Commercial
GC	General Commercial
ID	Industrial Development
MB	Mixed Business

SPECIAL PURPOSE DISTRICTS	
PDD	Planned Development Districts
FHOD	Flood Hazard Overlay Districts
ACOD	Airport Compatibility Overlay Districts
LLOD	Levy-Limehouse Overlay District
HCOD	Highway Corridor Overlay District
IPOD	Interstate Proximity Overlay District
SFFZ	Solar Farm Floating Zone
GCOD	Gateway Corridor Overlay District
<u>EOD</u>	<u>Euhaw Overlay District</u>

(Ord. No. 09-12, § 5, 5-4-09; Ord. No. 11-24, § 1, 9-6-11; Ord. No. 12-10, § 1, 6-18-12; Ord. No. 16-13, § 2, 7-18-16; Ord. No. 17-04, § 1, 4-17-17)

5:2. Purpose of districts.

Collectively, these districts are intended to advance the purposes of this ordinance, as stated in the preamble. Individually, each district is designed and intended to accomplish the following more specific objectives.

5:3. Primary districts.

R RESIDENTIAL DISTRICT

The purpose of this district is to foster, sustain, and protect areas in which the principal use of land is for single-family dwellings and related support uses.

RP RURAL PRESERVATION DISTRICT

The intent of this classification is to preserve, sustain, and protect from suburban encroachment rural areas and resources, particularly forest and agricultural, and maintain a balanced rural-urban environment.

The retention of open lands, woodlands, plantations, and farmlands, which make up a large part of this area, are essential to clean air, water, wildlife, many natural cycles, and a balanced environment, among other things. Even more essential from an economic perspective are the agricultural lands and farming operations in this area. Also provided by this district is a rural environment of larger acreage lots.

RP-10 RURAL PRESERVATION DISTRICT

The intent of this classification is to preserve, sustain, and protect from suburban encroachment rural areas and resources, particularly forest and agricultural, and maintain a balanced rural-urban environment.

The retention of open lands, woodlands, plantations, and farmlands, which make up a large part of this area, are essential to clean air, water, wildlife, natural cycles, and a balanced environment, among other things. This district is intended to promote a rural environment of larger acreage lots.

RE RESOURCE EXTRACTION

The intent of this classification is to protect, preserve, sustain, and protect activities which specifically extract or harvest natural resources for commercial or industrial purposes, such as mining, excavations, excavation operations and activities, while concurrently ensuring protection of the health, safety, welfare of nearby residents and the value of nearby property. The resource extraction district will protect economically important mineral resources of the county for current and future use and will protect existing land uses adjacent to potential mineral lands from undue harm that may result from mineral extraction activity.

Businesses extracting resources are essential activities that may present unique challenges when considering adjacent properties and protection of public health, safety and welfare. However, it is intended that this zoning classification only apply to those portions of the county where the potential for conflict between adjacent current and future land uses and the mineral extraction activities are minimal. Any zoning map amendment to designate a property as RE should be carefully considered by assessing the following factors, including but not limited to: impact on environmentally sensitive areas and critical natural resources; impact on health, safety and welfare of the county residents; impact on the character of existing communities; impact on adjacent land value; traffic generation and potential mitigation; and any other factor considered essential to address.

RC RESOURCE CONSERVATION DISTRICT

The purpose of this district is to protect from misuse and to ensure for future generations the county's environmentally sensitive, wetlands, marshes, rivers, creeks, and other natural resources critical to the ecosystems they support, however, the above is not intended to discourage quality development.

Due to the fragile nature of these resources, development standards for this district generally are more rigid than elsewhere in the county, requiring closer attention to the environment, and mitigation of land disturbing activity which would negatively impact such resources.

VC VILLAGE COMMERCIAL

The intent of this classification is to allow for small-scale retail and other commercial uses, typically located at or near roadway intersections, intended to primarily meet the needs of residents in the nearby communities. The design of village commercial uses should reflect vernacular building designs associated with the South Carolina Lowcountry.

CC COMMUNITY COMMERCIAL

The intent of this district is to provide commercial nodes and more diverse housing options in convenient and strategic locations of the county to meet "community needs, and to encourage clustering ~~commercial~~

development as opposed to strip commercial development and commercial sprawl. Community commercial areas are intended to provide adequate, logically placed and convenient locations for commercial establishments in relation to residential housing and to minimize trip generation for those living in ~~zoned rural preservation~~more rural areas of Jasper County.

GC GENERAL COMMERCIAL DISTRICT

This district is intended to support large commercial development(s) in major unincorporated areas of Jasper County, such as Point South, ~~during the time span of the county's comprehensive plan, to the year 2015~~. This district is projected to have most public facilities and infrastructure in support of urban development such as schools, sewer, water, streets, etc., and as such is intended to provide the regulations and capital improvements which will support new development. It consists of areas where development logically should locate as a consequence of planned public facilities and associated capital expenditures. District regulations permit limited development of generally suburban character, providing for a full range of commercial, institutional, industrial and residential uses.

ID INDUSTRIAL DEVELOPMENT DISTRICT

The intent of this district is to accommodate certain industrial uses which, based on their operational characteristics, are incompatible with residential, social, medical, and commercial environs. As a result, the establishment of such districts shall be restricted to areas geographically removed or buffered from such environs, and the operations of such uses monitored by performance standards to ensure environmental compatibility.

MB MIXED BUSINESS DISTRICT

The purpose of this district is to provide suitable locations for a mixture of commercial and low-intensity industrial uses at key nodes and corridors throughout the county. Mixed business locations are generally located along major thoroughfares in centers where existing development is located and provide good access to transportation routes. Intense manufacturing operations are not allowed in this district and specific development standards are in place to protect neighboring land uses, including residential properties.

(Ord. No. 09-12, § 6, 5-4-09; Ord. No. 11-24, § 2, 9-6-11)

5:4. Special purpose districts.

PDD PLANNED DEVELOPMENT DISTRICT

The intent of the Planned Development District is to encourage flexibility in the development of land in order to promote its most appropriate use; and to do so in a manner that will enhance public health, safety, morals, and general welfare.

Within the PDD, regulations adapted to unified planning and development are intended to accomplish the purpose of zoning and other applicable regulations to an equivalent or higher degree than where such regulations are designed to control unscheduled development on individual level or tracts, promote economical and efficient land use, provide an improved level of amenities including open spaces, foster a harmonious variety of uses, encourage creative design, and produce a better environment.

In view of the substantial public advantage of "planned development", it is the intent of these regulations to promote and encourage or require development in this form where appropriate in character, timing, and location, including large undeveloped tracts.

FHOD FLOOD HAZARD OVERLAY DISTRICTS

The intent of the flood hazard overlay district is to protect human life and health, minimize property damage, encourage appropriate construction practices, and minimize public and private losses due to flood conditions by

requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction.

Additionally, this overlay district is intended to help maintain a stable tax base by providing for the sound use and development of flood-prone areas and to ensure that potential home buyers are notified that property is in a flood area. The provisions of this overlay district are intended to minimize damage to public facilities and utilities such as water and gas mains, electric, telephone, and sewer lines, street and bridges located in the floodplain, and prolonged business interruptions; and to minimize expenditures of public money for costly flood control projects and rescue and relief efforts associated with flooding.

ACOD AIRPORT COMPATIBILITY OVERLAY DISTRICT

The intent of the airport compatibility overlay district is to protect the dual interests of airports and neighboring land uses, and to promote the use and development of land in a manner that is compatible with the operation and use of an airport so as to protect the public investment in, and benefit provided by the facility to the region. The overlay district also protects the public health, safety, convenience, and general welfare of citizens who utilize the facility or live and work in the vicinity by preventing the creation or establishment of obstructions or incompatible land uses that are hazardous to the airport's operation or the public welfare. In general, the overlay district shall:

1. Protect and promote the general health, safety, economy, and welfare of airport environs.
2. Prevent the impairment and promote the utility and safety of airports.
3. Promote land use compatibility between airports and surrounding development.
4. Protect the character and stability of existing land uses.
5. Enhance environmental conditions in areas affected by airports and airport operations.
6. Prohibit noise sensitive uses within locations around the airport that are impacted by aircraft-related noise.
7. Protect the functional integrity of the airport by prohibiting land uses that are negatively affected by the higher levels of noise generated by aircraft operations.
8. Protect airport operations and reduce conflicts between aircraft and structures by requiring height limits within certain distances of the airport facilities.

LLOD LEVY-LIMEHOUSE OVERLAY DISTRICT

The intent of the Levy-Limehouse Overlay District is to provide the residents of this unique unincorporated community the ability to subdivide parcels, as though they were within a municipality, parcels which are smaller in size than that allowed by the underlying zoning district(s).

HCOD HIGHWAY CORRIDOR OVERLAY DISTRICT

The intent of the highway corridor overlay district is to provide additional buffering protection along frontage properties in special growth areas in accordance with the Jasper County Comprehensive Plan.

IPOD Interstate Proximity Overlay District

The purpose and intent of the IPOD is to promote a flexible mix of industrial and commercial highway interchange appropriate uses. The county recognizes that certain areas of the county are areas of economic importance based upon the availability of infrastructure, proximity to energy, utilities and transportation are critical. The IPOD adds an extra layer of land use regulation over the underlying zoning, which allows increased flexibility in land use, exempts certain provisions of this ordinance, and adds safeguards to ensure proper industrial and commercial growth.

SFFZ Solar Farm Floating Zone

The purpose and intent of the Solar Farm Floating Zone (SFFZ) is to promote the use of solar energy as a source of electricity and facilitate the construction, installation, and operation of Solar Energy Systems (SES) in Jasper County in a manner that promotes economic development and ensures the protection of health, safety, and welfare while also avoiding adverse impacts to important areas such as agricultural lands, endangered species habitats, conservation lands, and other sensitive lands.

GCOD Gateway Corridor Overlay District

The purpose of the Gateway Corridor Overlay District (GCOD) is to promote an appropriate mix of commercial land uses that can coexist with residential land uses. Jasper County recognizes that infrastructure and transportation needs are critical and should be considered relative to connectivity, aesthetic appearance, and safety. The intent of the Gateway Corridor Overlay District is to provide overall design standards that will enhance the entrance into the county and discourage incompatible land uses that may detract from the image of this important gateway. The GCOD specifies the types of uses and additional development standards needed in this area which will have significant influence on the overall character and appearance of Jasper County.

EOD EUHAW OVERLAY DISTRICT

The intent of the Euhaw Overlay District is to maintain the rural character of the area, protect important historic, cultural, and natural resources, and minimize the impacts of development on surrounding water resources, particularly the Broad River. Development in this area should respect the existing conditions and minimize the visual impact of buildings on the area through careful site planning, including maintaining and enhancing existing vegetation.

(Ord. No. 12-10, § 2, 6-18-12; Ord. No. 16-13, § 3, 7-18-16; Ord. No. 17-04, § 2, 4-17-17)

ARTICLE 6. USE REGULATIONS

6:1. Permitted use and conditional uses.

Principle uses shall be allowed within the base zoning districts of this ordinance in accordance with subsection 6.1 Table 1.

The North American Industry Classification System, 1997, is the basis for determining the use of property permitted by the various zoning districts. Where uncertainty exists relative to a given use not specifically listed by Table 1, the NAICS Manual should be consulted. In general, all uses listed by a given NAICS number and category should be construed as being permitted in the assigned zoning district, unless separately listed.

To aid in the use of Table 1, it is arranged by NAICS Sectors, followed by the uses and codes included in the respective sector:

- Sector 11: Agriculture, Forestry, Fishing and Hunting
- Sector 21: Mining
- Sector 22: Utilities
- Sector 23: Construction
- Sector 31—33: Manufacturing
- Sector 42: Wholesale Trade
- Sector 44—45: Retail Trade
- Sector 48—49: Transportation and Warehousing
- Sector 51: Information
- Sector 52: Finance and Insurance
- Sector 53: Real Estate and Rental and Leasing
- Sector 54: Professional, Scientific, and Technical Services
- Sector 55: Management of Companies and Enterprises
- Sector 56: Administrative and Support and Waste Management and Remediation Services
- Sector 61: Educational Services
- Sector 62: Health Care and Social Assistance
- Sector 71: Arts, Entertainment, and Recreation
- Sector 72: Accommodation and Food Services
- Sector 81: Other Services (except Public Administration)
- Sector 92: Public Administration

Uses and NAICS code references are displayed within the appropriate sector in numerical order, beginning with Sector 11 (Agricultural, Forestry, Fishing and Hunting) and running through Sector 92 (Public Administration).

Section 6.1—Table 1

	NAICS	R	RRL	RP	RP-10	RC	VC	CC	GC	ID	RE	MB
Sector 11: Agriculture, Forestry, Fishing and Hunting (Sec. 6:2.16)												
Agricultural Production, Crops	111	N	N	P	<u>P</u>	P	<u>N</u>	N	P	P	P	N
Agricultural Production, Livestock, Animals	112				-		-					
Livestock, Except Feedlots (Article 11:7.1)	112111	C	N	C	<u>C</u>	<u>P-C</u>	<u>N</u>	N	N	P	C	N
Feedlots	112112	N	N	N	<u>N</u>	<u>P-C</u>	<u>N</u>	N	N	N	N	N
Poultry and Eggs (Article 11:7.2)	1123	C	N	C	<u>C</u>	<u>P-C</u>	<u>C</u>	C	N	N	C	N
Animal Specialties (Article 11:7.3)	1129	C	N	C	<u>C</u>	P	<u>N</u>	N	N	N	C	N
Horses and Other Equine (Article 11:7.3.A)	11292	<u>P-C</u>	N	P	<u>P</u>	P	<u>N</u>	N	N	N	P	N
General Farms	11299	<u>P-N</u>	N	P	<u>P</u>	P	<u>N</u>	N	P	N	P	N
Fishing, Hunting, Trapping	1141-2	N	N	P	<u>P</u>	P	<u>N</u>	P	P	N	P	N
Agricultural Services	115	N	N	P	<u>P</u>	P	<u>N</u>	P	P	N	P	N
Forestry	11531	N	N	P	<u>P</u>	P	<u>P</u>	N	N	P	P	N
Sector 21: Mining and Mine Operation												
Mining (Article 11:7.4)	212	N	N	N	<u>N</u>	N	<u>N</u>	N	N	N	C	N
Sector 22: Utilities												
Electric, Gas, and Sanitary Services	221											
Electric	2211											
Generation	22111	N	N	N	<u>N</u>	P	<u>N</u>	N	P	P	N	N
Solar Electric Power Generation (Article 11:7.5A & 11:7.5B)	22114	C	C	C	<u>C</u>	C	<u>C</u>	C	C	C	C	C
Solar Farm (See Article 8:7)	22114											
Transmission	22112	P	P	P	<u>P</u>	P	<u>P</u>	P	P	P	N	P
Natural Gas Distribution	2212	P	P	P	<u>P</u>	P	<u>P</u>	P	P	P	N	P
Water Supply Systems	22131											
Storage/Treatment	22131	N	N	P	<u>P</u>	P	<u>N</u>	P	P	P	N	P
Transmission	22131	P	P	P	<u>P</u>	P	<u>P</u>	P	P	P	N	P
Sewerage Systems	22132											
Collection	22132	P	P	P	<u>P</u>	P	<u>P</u>	P	P	P	N	P
Treatment (Article 11:7.5)	22132	N	N	N	<u>N</u>	P	<u>N</u>	C	P	P	N	P
Sector 23: Construction												
Bldg. Construction-General Contract and Operative Builders	233	N	N	N	<u>N</u>	N	<u>N</u>	N	P	P	N	P
Heavy Construction other than Building Construction-Contractors	234	N	N	N	<u>N</u>	N	<u>N</u>	N	P	P	N	P
Special Trade Contractors (Article 11:7.6)	235	N	N	N	<u>N</u>	N	<u>N</u>	C	P	P	N	P
Sector 31-33: Manufacturing (Article 11:7.7)												
Food	311	N	N	N	<u>N</u>	N	<u>N</u>	N	N	P	N	C
Beverage and Tobacco	312	N	N	N	<u>N</u>	N	<u>N</u>	N	N	P	N	C
Textile Mills	313	N	N	N	<u>N</u>	N	<u>N</u>	N	N	P	N	C
Textile Product Mills	314	N	N	N	<u>N</u>	N	<u>N</u>	N	N	P	N	C
Apparel	315	N	N	N	<u>N</u>	N	<u>N</u>	N	N	P	N	C
Leather and Allied Products	316	N	N	N	<u>N</u>	N	<u>N</u>	N	N	P	N	C
Wood Products	321	N	N	N	<u>N</u>	<u>€N</u>	<u>N</u>	N	N	P	N	C
Paper	322	N	N	N	<u>N</u>	N	<u>N</u>	N	N	P	N	C

	NAICS	R	RRL	RP	RP-10	RC	VC	CC	GC	ID	RE	MB
Printing and Related Activities	323	N	N	N	<u>N</u>	N	<u>N</u>	N	P	P	N	C
Petroleum Products	324	N	N	N	<u>N</u>	N	<u>N</u>	N	N	P	N	N
Chemical Products	325	N	N	N	<u>N</u>	N	<u>N</u>	N	N	P	N	N
Plastic and Rubber Products	326	N	N	N	<u>N</u>	N	<u>N</u>	N	N	P	N	N
Nonmetallic Mineral Products	327	N	N	N	<u>N</u>	N	<u>N</u>	N	N	P	N	C
Primary Metal	331	N	N	N	<u>N</u>	N	<u>N</u>	N	N	P	N	C
Fabricated Metal Products	332	N	N	N	<u>N</u>	N	<u>N</u>	N	N	P	N	C
Machinery	333	N	N	N	<u>N</u>	N	<u>N</u>	N	N	P	N	C
Computer and Electronic Products	334	N	N	N	<u>N</u>	N	<u>N</u>	N	N	P	N	C
Electrical Equipment, Appliances and Components	335	N	N	N	<u>N</u>	N	<u>N</u>	N	N	P	N	C
Transportation Equipment	336	N	N	N	<u>N</u>	N	<u>N</u>	N	N	P	N	C
Furniture and Related Products	337	N	N	N	<u>N</u>	N	<u>N</u>	N	N	P	N	C
Miscellaneous Manufacturing	339	N	N	N	<u>N</u>	N	<u>N</u>	N	N	P	N	C
Sector 42: Wholesale Trade (Article 11:7.8)												
Wholesale Trade-Durable Goods	421	N	N	N	<u>N</u>	N	<u>N</u>	N	P	P	N	P
Used Motor Vehicle Parts, (Article 11:7.8)	421140	N	N	N	<u>N</u>	N	<u>N</u>	N	N	C	N	N
Recyclable Material, (Article 11:7.8)	42193	N	N	N	<u>N</u>	N	<u>N</u>	N	N	C	N	N
Junkyards (Article 18)		N	N	N	<u>N</u>	N	<u>N</u>	N	N	C	N	N
Wholesale Trade-Nondurable Goods	422	N	N	N	<u>N</u>	N	<u>N</u>	N	P	P	N	P
Sector 44-45: Retail Trade												
Motor Vehicle and Parts	441	N	N	N	<u>N</u>	N	<u>N</u>	N	P	P	N	P
Automobile Dealers (Article 11:7.9)	4411	N	N	N	<u>N</u>	N	<u>N</u>	C	P	P	N	P
Automotive Parts and Accessories Store (Article 11:7.9A)	441310	N	N	N	<u>N</u>	N	<u>N</u>	C	P	P	N	P
Furniture and Home Furnishings	442	N	N	N	<u>N</u>	N	<u>P</u>	P	P	N	N	P
Electronics and Appliances	443	N	N	N	<u>N</u>	N	<u>P</u>	P	P	N	N	P
Building Materials, Garden Supplies	444				-		-				N	
Lumber and Building Materials (Article 11:7.10)	4441	N	N	N	<u>N</u>	N	<u>P</u>	C	P	P	N	P
Lawn and Garden Equipment and Supplies Stores	4442	N	N	N	<u>N</u>	N	<u>P</u>	P	P	P	N	P
Food and Beverage Stores	445				-		-					
Grocery Stores	4451	N	N	N	<u>N</u>	N	<u>P</u>	P	P	N	N	N
Convenience Stores	44512	N	N	N	<u>N</u>	N	<u>P</u>	P	P	N	N	N
Specialty Stores	4452	N	N	N	<u>N</u>	N	<u>P</u>	P	P	N	N	N
Fruit and Vegetable	44523	N	N	P	<u>P</u>	P	<u>P</u>	P	P	N	N	N
Beer, Wine, and Liquor	4453	N	N	N	<u>N</u>	N	<u>N</u>	P	P	N	N	N
Health and Personal Care	446	N	N	N	<u>N</u>	N	<u>P</u>	P	P	N	N	N
Gasoline Stations (Article 11.7.10A)	447	N	N	N	<u>N</u>	N	<u>C</u>	P	P	P	N	N
Truck Stops	44719	N	N	N	<u>N</u>	N	<u>N</u>	N	N	P	N	N
Clothing and Accessory Stores	448	N	N	N	<u>N</u>	N	<u>N</u>	P	P	N	N	N
Sporting Goods, Hobbies, Books, and Music	451	N	N	N	<u>N</u>	N	<u>P</u>	P	P	N	N	N

	NAICS	R	RRL	RP	RP-10	RC	VC	CC	GC	ID	RE	MB
General Merchandise Stores	452	N	N	N	<u>N</u>	N	<u>P</u>	P	P	N	N	N
Miscellaneous Retail	453	N	N	N	<u>N</u>	N	<u>P</u>	P	P	N	N	N
Flea Markets	4533	N	N	N	<u>N</u>	N	<u>N</u>	N	P	N	N	P
Manufactured Home Dealers	45393	N	N	N	<u>N</u>	N	<u>N</u>	N	P	N	N	P
Non-Store Retailers	454	N	N	N	<u>N</u>	N	<u>N</u>	P	P	P	N	C
Fuel Dealers (Article 11:7.11)	45431	N	N	N	<u>N</u>	N	<u>N</u>	P	P	N	N	N
Sector 48-49: Transportation and Warehousing												
Air Transportation (Article 8:3)	481	N	N	N	<u>N</u>	<u>C-N</u>	<u>N</u>	N	C	C	C	N
Rail Transportation	482	N	N	N	<u>N</u>	N	<u>P</u>	P	P	P	N	C
Water Transportation	483	N	N	N	<u>N</u>	N	<u>P</u>	P	P	P	N	C
Truck Transportation	484	N	N	N	<u>N</u>	N	<u>N</u>	N	P	P	N	C
Used Household and Office Goods Moving (Article 11:7.11A)	484210	N	N	N	<u>N</u>	N	<u>N</u>	C	P	P	N	C
Transit and Ground Passenger Transportation	485	N	N	N	<u>N</u>	N	<u>N</u>	P	P	P	N	C
Pipeline for Transportation	486	N	N	N	<u>N</u>	N	<u>N</u>	N	P	P	N	C
Scenic and Sightseeing Transportation Storage	487	N	N	P	<u>N</u>	N	<u>N</u>	N	P	P	N	C
Support Activities for Transportation	488	N	N	N	<u>N</u>	N	<u>N</u>	N	P	P	N	C
U.S. Postal Service	491	N	N	P	<u>P</u>	N	<u>P</u>	P	P	P	N	P
Warehousing and Storage	493	N	N	N	<u>N</u>	N	<u>N</u>	N	P	P	N	C
Motor Vehicle Towing (Article 11:7.11B)	488410	N	N	N	<u>N</u>	N	<u>N</u>	N	C	C	N	C
Sector 51: Information												
Publishing Industries	511	N	N	N	<u>N</u>	N	<u>N</u>	N	P	P	N	P
Motion Pictures and Sound Industries	512	N	N	N	<u>N</u>	N	<u>N</u>	N	P	P	N	P
Motion Picture Theaters	512131	N	N	N	<u>N</u>	N	<u>N</u>	N	P	N	N	N
Broadcasting and Telecommunications	513	N	N	N	<u>N</u>	N	<u>N</u>	P	P	P	N	P
Communication Towers and Ant. (Article 11:7.12)	5131	C	C	C	<u>C</u>	C	<u>C</u>	C	C	C	C	C
Information Services and Data Processing	514	N	N	N	<u>N</u>	N	<u>N</u>	P	P	P	N	P
Libraries (Article 11:7.13)	51412	C	C	N	<u>N</u>	<u>P-N</u>	<u>P</u>	P	P	P	N	N
Sector 52: Finance and Insurance												
Banks	521	N	N	N	<u>N</u>	<u>P-N</u>	<u>N</u>	P	P	P	N	N
Credit Intermediation	522	N	N	N	<u>N</u>	N	<u>N</u>	P	P	P	N	N
Pawn Shops	522298	N	N	N	<u>N</u>	N	<u>N</u>	N	P	N	N	N
Security and Commodity Contracts, and Financial Investments	523	N	N	N	<u>N</u>	N	<u>N</u>	P	P	P	N	N
Insurance Carriers and Related Activities	524	N	N	N	<u>N</u>	N	<u>N</u>	P	P	P	N	N
Funds, Trust, and Other Financial Vehicles	525	N	N	N	<u>N</u>	N	<u>N</u>	P	P	P	N	N
Sector 53: Real Estate, Rental and Leasing												
Real Estate	531	N	N	N	<u>N</u>	N	<u>N</u>	P	P	P	N	N
Mini-Warehouses (Article 11:7.14)	53113	N	N	N	<u>N</u>	N	<u>N</u>	N	C	P	N	C

	NAICS	R	RRL	RP	RP-10	RC	VC	CC	GC	ID	RE	MB
Rental and Leasing Services	532	N	N	N	<u>N</u>	N	<u>N</u>	P	P	N	N	P
Video Tape Rental	53223	N	N	N	<u>N</u>	N	<u>N</u>	P	P	N	N	N
Sector 54: Professional, Scientific, and Technical Services												
Professional, Scientific, Technical Services	541	N	N	N	<u>N</u>	N	<u>N</u>	P	P	P	N	P
Display Advertising - Signs	54185	See Article 15										
Veterinary Services	54194	N	N	N	<u>N</u>	<u>P-N</u>	<u>P</u>	P	P	N	N	P
Sector 55: Management of Companies and Enterprise												
Management of Companies and Enterprises	551	N	N	N	<u>N</u>	N	<u>N</u>	P	P	P	N	P
Sector 56: Administrative and Support, Waste Management and Remediation Services												
Administrative and Support Services	561	N	N	N	<u>N</u>	N	<u>N</u>	P	P	P	N	P
Repossession Services (Article 11:7.11B)	561491	N	N	N		N		N	C	C	N	C
Landscape Services	56173	N	N	N	<u>N</u>	N	<u>N</u>	P	P	P	N	P
Waste Management Services	562											
Waste Collection (Article 11:7.15)	5621	N	N	N	<u>N</u>	N	<u>N</u>	N	N	C	N	N
Hazardous Waste Treatment and Disposal	562211	N	N	N	<u>N</u>	N	<u>N</u>	N	N	N	N	N
Solid Waste Landfill (Article 11:7.16)	562212	N	N	N	<u>N</u>	N	<u>N</u>	N	N	C	N	N
Solid Waste Incinerators (Article 11:7.17)	562213	N	N	N	<u>N</u>	N	<u>N</u>	N	N	C	N	N
Repossession Services (Article 11:7.11B)	561491	N	N	N	<u>N</u>	N	<u>N</u>	N	N	C	N	N
Material Recovery Facilities (Article 11:18)	56292	N	N	N	<u>N</u>	N	<u>N</u>	N	N	C	N	N
All Other Waste Management (Article 11:19)	56299	N	N	N	<u>N</u>	N	<u>N</u>	N	N	C	N	N
Sector 61: Educational Services												
Educational Services	611											
Elementary Schools	6111	P	N	P	<u>P</u>	N	<u>P</u>	P	P	N	N	N
Secondary Schools	6111	P	P	P	<u>P</u>	N	<u>P</u>	P	P	N	N	N
Jr. Colleges, Colleges, Universities, Professional Schools	6112-3	N	N	N	<u>N</u>	N	<u>N</u>	P	P	N	N	N
Business Schools, Computer, and Management Training	6114-5	N	N	N	<u>N</u>	N	<u>N</u>	P	P	P	N	N
Other Schools and Instruction (Article 11:7.19a)	6116	C	C	N	<u>N</u>	N	<u>C</u>	P	P	N	N	N
Educational Support Services	6117	N	N	N	<u>N</u>	N	<u>N</u>	N	P	P	N	N
Sector 62: Health Care and Social Assistance												
Ambulatory Health Care Services	621	N	N	N	<u>N</u>	N	<u>P</u>	P	P	N	N	N
Hospitals	622	N	N	N	<u>N</u>	N	<u>N</u>	P	P	N	N	N
Nursing and Residential Care Facilities	623	N	N	N	<u>N</u>	N	<u>P</u>	P	P	N	N	N
Nursing Care Facilities (Article 11:7.20)	6231	C	C	C	<u>C</u>	N	<u>P</u>	P	P	N	N	N
Community Care for Elderly (Article 11:7.21)	6233	C	C	C	<u>C</u>	N	<u>P</u>	P	P	N	N	N

	NAICS	R	RRL	RP	RP-10	RC	VC	CC	GC	ID	RE	MB
Other Residential Care Facilities (Article 11:7.21A)	623990	C	C	C	<u>C</u>	N	<u>P</u>	P	P	N	N	N
Social Assistance	624	N	N	N	<u>N</u>	N	<u>P</u>	P	P	N	N	N
Individual and Family Services	6241	N	N	N	<u>N</u>	N	<u>P</u>	P	P	N	N	N
Community, Food, and Housing and Emergency and Relief Services	6242	N	N	N	<u>N</u>	N	<u>P</u>	P	P	N	N	N
Vocational Rehabilitation Services	6243	N	N	N	<u>N</u>	N	<u>N</u>	P	P	P	N	N
Day Care Services (Article 11:7.22)	6244	C	C	C	<u>C</u>	N	<u>C</u>	C	C	C	N	N
Sector 71: Arts, Entertainment, and Recreation												
Performing Arts, Spectator Sports and Related Industries	711	N	N	N	<u>N</u>	N	<u>N</u>	N	P	N	N	N
Museums, Historical Sites, and Similar Institutions (Article 11:7.23)	712	N	N	C	<u>C</u>	C	<u>C</u>	P	P	N	N	N
Amusement, Gambling, and Recreation	713	N	N	N	<u>N</u>	N	<u>N</u>	N	P	N	N	N
Golf Courses and Country Clubs	71391	P	P	P	<u>P</u>	P	<u>P</u>	P	P	N	N	N
Marinas (Article 11:7.24)	71393	C	C	P	<u>P</u>	P	<u>P</u>	P	P	P	N	N
Gun Club and Skeet Ranges (Article 11:7.25)	713990	N	N	C	<u>C</u>	C	<u>N</u>	N	C	N	N	N
Sector 72: Accommodation and Food Services												
Accommodations	721											
Hotels and Motels	72111	N	N	N	<u>N</u>	N	<u>N</u>	P	P	N	N	N
Bed and Breakfast Inns (Article 11:7.26)	721191	C	C	C	<u>C</u>	C	<u>P</u>	P	P	N	N	N
Camps and Recreational Vehicle Parks (Article 11:7.27)	72121	N	N	C	<u>C</u>	C	<u>C</u>	C	C	N	N	N
Rooming and Boarding Houses, Dormitories, Group Housing	72131	N	N	N	<u>N</u>	N	<u>N</u>	P	P	N	N	N
Eating Places	7221-3	N	N	P	<u>P</u>	N	<u>P</u>	P	P	P	N	N
Fast Food Restaurants		N	N	<u>P-N</u>	<u>N</u>	N	<u>N</u>	P	P	P	N	N
Drinking Places	7224	N	N	N	<u>N</u>	N	<u>N</u>	N	P	N	N	N
Sector 81: Other Services (except Public Administration)												
Auto Repair and Maintenance (Article 11:7.27A)	8111	N	N	N	<u>N</u>	N	<u>N</u>	C	C	C	N	C
Personal and Laundry Services	812				-		-					
Personal Care Services (Article 11:7.28)	8121	N	N	N	<u>N</u>	<u>C-N</u>	<u>N</u>	P	P	P	N	N
Funeral Homes and Services	81221	N	N	N	<u>N</u>	N	<u>P</u>	P	P	P	N	N
Cemeteries (Article 11:7.29)	81222	N	N	C	<u>C</u>	C	<u>C</u>	C	C	C	N	N
Crematories	81222	N	N	N	<u>N</u>	N	<u>N</u>	P	P	P	N	P
Laundry and Dry Cleaning Services	8123	N	N	N	<u>N</u>	N	<u>N</u>	P	P	P	N	P
Coin Operated Laundries/Dry Cleaning	81231	N	N	N	<u>N</u>	N	<u>N</u>	P	P	N	N	N
Pet Care Services (Except for Animal Shelters)	81291	N	N	N	<u>N</u>	N	<u>N</u>	N	P	P	N	N
Animal Shelters Only (Article 11:7.29A)	812910	N	N	N	<u>N</u>	C	<u>N</u>	N	P	P	N	N
Automotive Parking Lots and Garages	81293	N	N	N	<u>N</u>	N	<u>N</u>	P	P	P	N	P

	NAICS	R	RRL	RP	RP-10	RC	VC	CC	GC	ID	RE	MB
Sexually Oriented Business (Article 17)	81299	N	N	N	<u>N</u>	N	<u>N</u>	N	C	N	N	N
All Other Personal Services	81299	N	N	N	<u>N</u>	N	<u>N</u>	P	P	N	N	N
Religious, Fraternal, Professional, Political, Civic, Business Organizations	813											N
Religious Organizations	81311	P	P	P	<u>P</u>	P	<u>P</u>	P	P	P	N	N
All Other Organizations	8132-9	N	N	N	<u>N</u>	N	<u>P</u>	P	P	P	N	N
Sector 92: Public Administration												
Executive, Legislative, and General Govt.	921	N	N	N	<u>N</u>	N	<u>P</u>	P	P	P	N	P
Justice, Public Order and Safety	922	N	N	N	<u>N</u>	N	<u>N</u>	P	P	P	N	P
Courts	92211	N	N	N	<u>N</u>	N	<u>N</u>	P	P	P	N	P
Police Protection	92212	P	P	P	<u>P</u>	P	<u>P</u>	P	P	P	N	P
Correctional Institutions	92214	N	N	N	<u>N</u>	N	<u>N</u>	N	N	P	N	P
Fire Protection	92216	P	P	P	<u>P</u>	P	<u>P</u>	P	P	P	N	P
Administration of Human Resources	923	N	N	N	<u>N</u>	N	<u>N</u>	P	P	P	N	P
Administration Of Environmental Quality and Housing Program	924-5	N	N	N	<u>N</u>	N	<u>N</u>	P	P	P	N	P
Public Parks and Recreation	924120	P	P	P	<u>P</u>	P	<u>P</u>	P	P	P	N	P
Administration of Housing, Planning, CD Programs	925	N	N	N	<u>N</u>	N	<u>N</u>	P	P	P	N	P
Administration of Economic Programs	926	N	N	N	<u>N</u>	N	<u>N</u>	P	P	P	N	P
Residential Uses												
Site Built Housing												
Existing Single-Family Detached	NA	P	P	P	<u>P</u>	P	<u>P</u>	P	P	N	N	N
Single-Family Detached	NA	P	P	P	<u>P</u>	P	<u>P</u>	P	P	N	N	N
Second Single-Family Residential Dwelling Unit (Sec. 11:7.30)	NA	C	N	C	<u>C</u>	N	<u>C</u>	C	N	N	N	N
Duplexes (Sec 11:7.31)	N/A	N	N	N	<u>N</u>	N	<u>C</u>	C	C	N	N	N
Multi-Family Apartments (Sec 11:7.31A)	N/A	N	N	N	<u>N</u>	N	<u>N</u>	C	C	N	N	N
Townhouses (Sec 11:7.32)	N/A	N	N	N	<u>N</u>	N	<u>N</u>	C	C	N	N	N
Patio Houses (Sec 11:7.33)	N/A	N	N	N	<u>N</u>	N	<u>N</u>	C	C	N	N	N
Manufactured Housing (Article 12:9)												
Residential Designed (Sec. 11:7.30B)	NA	P	N	P	<u>P</u>	P	<u>C</u>	C	N	N	N	N
Standard Designed (Sec. 11:7.30B)	NA	P	N	P	<u>P</u>	P	<u>C</u>	C	N	N	N	N
Second Unit, Family Member Only (Sec. 11:7.34)	N/A	C	N	C	<u>C</u>	N	<u>C</u>	C	N	N	N	N
Family Estate												
Existing Single-Family Detached (Sec. 11:7.35)	NA	C	N	C	<u>C</u>	N	<u>C</u>	C	C	N	N	N
Single-Family Detached (Sec. 11:7.35)	NA	C	N	C	<u>C</u>	N	<u>C</u>	C	C	N	N	N
Manufactured Housing, Residential Designed (Sec. 11:7.35)	NA	C	N	C	<u>C</u>	N	<u>C</u>	C	C	N	N	N

	NAICS	R	RRL	RP	RP-10	RC	VC	CC	GC	ID	RE	MB
Manufactured Housing, Standard Designed (Sec. 11:7.35)	NA	C	N	C	C	N	C	C	C	N	N	N
Accessory Uses to Residential Uses												
Bathhouses and Cabanas	NA	P	P	P	P	P	P	P	P	N	N	N
Domestic Animal Shelters	NA	P	P	P	P	P	P	P	P	N	N	N
Non-Commercial Greenhouses	NA	P	P	P	P	P	P	P	N	N	N	
Private Garage and Carport	NA	P	P	P	P	P	P	P	P	N	N	N
Storage Building	NA	P	P	P	P	P	P	P	P	N	N	N
Swimming Pool, Tennis Courts	NA	P	P	P	P	P	P	P	P	N	N	N
Auxiliary Shed, Workshop	NA	P	P	P	P	P	P	P	P	N	N	N
Home Occupation (Article 11:7.34)	NA	C	C	C	P	C	C	C	C	N	N	N
Horticulture, Gardening	NA	P	P	P	P	P	P	P	P	N	N	N
Family Day Care Home	NA	P	P	P	P	P	P	P	P	N	N	N
Satellite Dishes, etc.	NA	P	P	P	P	P	P	P	P	N	N	N
Accessory Uses to Non-Residential Uses												
Buildings, Structures, Lift Stations, etc. (Article 11:7.35)	NA	N	N	C	C	C	C	P	P	P	N	C
Open Storage (Article 11:7.36)	NA	N	N	N	N	C	N	C	C	C	C	C
Temporary Uses												
All Temporary Uses; Non-Residential (Article 11:7.37)	NA	C	C	C	C	C	C	C	C	C	C	C
Temporary Accessory Dwelling Unit (Article 11:7.38)	NA	C	C	C	C	C	C	C	C	N	N	C

6:1.1. *Uses Permitted By-Right = P.* The letter "P" indicates that a use type is permitted by-right in the respective zoning district, subject to compliance with all other applicable regulations of this ordinance.

6:1.2. *Uses Subject to Conditions = C.* The letter "C" indicates that a use type is permitted in the respective zoning district only if it complies with the industry specific and sometimes case specific conditions of article 11 and all other applicable regulations of this ordinance and if approved in accordance with the review procedures set forth in article 11. A section number reference following a use category means the use must meet the additional conditions and requirements of the referenced section.

6:1.3. *Uses Not Allowed = N.* The letter "N" indicates that a use type is not permitted in the respective zoning district, unless it is otherwise expressly allowed by other regulations of this ordinance.

6:1.4. *New or Unlisted Uses.* Any uses found in the latest edition of the NAICS Manual but not listed in Table 1 above shall adhere to the allowed uses as listed in the next available high order category. Should the allowed uses be unspecified in any of the higher order categories, the DSR(s) shall be authorized to make a similar use interpretation in accordance with South Carolina Code of Laws Section 6-29-710.

Uses not listed in the NAICS Manual are identified by the letters "NA" (Not Applicable) in the NAICS column. If an application is submitted for a use type that is not listed as an allowed use in one or more zoning districts, the DSR shall be authorized to make a similar use interpretation.

6:1.5. *Reserved.*

6:1.6. *Accessory Uses.* A use which is naturally and normally incident and subordinate to the principal use of a structure or lot shall be permitted in all zones unless otherwise stated.

(Ord. No. 08-11, § 1, 5-5-08; Ord. No. 09-06, § 1, 2-2-09; Ord. No. 09-12, §§ 7, 9, 5-4-09; Ord. No. 09-28, § 1, 10-5-09; Ord. No. 11-09, § 1, 4-18-11; Ord. No. 11-24, §§ 3—5, 9-6-11; Ord. No. 12-03, § 1, 3-5-12; Ord. No. 12-16, § 1, 9-17-12; Ord. No. 2013-04, § 1, 4-1-13; Ord. No. 2015-18, § 1, 8-17-15; Ord. No. 2015-29, § 1, 9-21-15; Ord. No. 2015-26, § 1, 12-7-15; Ord. No. 17-13, § 1, 5-15-17; Ord. No. 2020-22, § 1, 10-5-20; Ord. No. 2020-24, § 1, 1-21-20; Ord. No. 2020-25, § 1, 2-3-20)

6:2. Affordable housing bonus.

A. Affordable housing general standards.

1. *Design.* Design shall conform to the following:
 - a. The units shall be located in a random fashion throughout the development, and mixed in such a way that they blend with the character of the community. In multi-family developments, the designated units shall be mixed throughout the buildings.
 - b. Exterior materials, details, style, landscaping, and other elements of the units that are visible shall be identical to those of the other units in the development.
2. *Control of units.* The units shall be regulated to ensure that they remain available as affordable units. The following are acceptable methods of regulation:
 - a. Management may be by a private developer, nonprofit housing agency, or housing authority. The eligibility rules shall be reviewed and approved by the housing authority to ensure they meet state and federal requirements. Where there are no state or federal funds or programs involved, the housing authority shall review the pro forma to ensure the eligibility requirements match the cost reduction provided by the bonus.
 - b. *Sales units.* These units may be sold subject to agreements that limit appreciation and that require the units to be sold to people eligible for such units. Appreciation shall be geared to the percentage increase in assessed value in the development.
 - c. Nothing in subsection 2.a. or 2.b. of this section shall prohibit units to be sold to a housing authority or a recognized nonprofit, affordable housing corporation.
 - d. *Rental units.* These units shall be rented only to eligible tenants based on the approved eligibility program.

B. Types of affordable housing bonuses.

1. *Single-family cluster.* In a single-family cluster, the developer shall submit the site capacity calculations to establish the base density. The bonus shall be granted provided all requirements of this article are met, as well as the following conditions:
 - a. The bonus shall be permitted only when natural resources do not limit the density.
 - b. Fifty percent of the additional units shall meet the criteria of subsection 6:2.15.A.
 - c. A site plan shows the additional units being accommodated by.
 - (i) A revised set of lot standards which reduces lot area for all lots or uses several lot sizes; and/or
 - (ii) The amount of open space as required by this ordinance is maintained.
2. *Planned, community or multifamily developments.* Developers of these uses can propose up to a 20-percent increase in density maximums, which shall be granted, provided the requirements of this

article are met. The actual bonus shall be determined by this section. The developer shall submit the site capacity analysis to establish the base density, as well as meet the following conditions:

- a. The bonus shall be permitted only when natural resources do not limit the density.
- b. Fifty percent of the additional units shall meet the criteria of subsection 6:2.15.A.
- c. A site plan showing the additional units being accommodated by any combination of the following:
 - (i) A revised mix of dwelling unit types. The developer may introduce a unit type that uses less land to partially achieve the increase in density.
 - (ii) The affordable units shall be mixed into all unit types used on the plan.
 - (iii) The amount of open space as required by this ordinance is maintained.

Example: Site capacity in a planned development permits 100 dwelling units. Use of the bonus would permit a total of 120 dwelling units, of which ten must be affordable units. The 100 base units would sell for \$180,000.00. The raw land cost, site development cost and profit on the lot would be 25 percent of the total or \$45,000.00 per lot. The building cost, including both hard costs and soft costs, would be \$80.00 per square foot or \$135,000.00 for a 1,688-square-foot house. The ten affordable units would be \$78.00 per square foot or \$109,000.00 for a 1,400-square-foot house. This represents a reduction of 39 percent which makes it very affordable when compared to the market housing. The developer's bonus is ten market units. Since there are 110 units to allocate over the cost of land and improvements of \$4,500,000.00, the ten-unit bonus in market units reduces the per-unit cost to \$40,909.00. If the site was a suburban planned development with a 1.83 gross density and 40 percent open space, it would have the following land allocation: 54.6 acres, of which 40 percent (21.9 acres) was open space, leaving 32.7 acres of buildable land. With about 15 percent streets, the average lot size would have been 12,100 square feet. The affordable project would have 120 units for a density of 2.19 dwelling units per gross acre. Open space would be reduced from 40 percent to 38.0 percent (20.7 acres), thus providing 33.9 acres for development and resulting in 120 lots of about 10,000 square feet each.

(Ord. No. 11-24, § 6, 9-6-11)

Editor's note(s)—Ord. No. 11-24, § 6, adopted September 6, 2011, amended section 6:2 in its entirety to read as herein set out. Formerly, section 6:2 pertained to conditional use regulations, and derived from Ord. No. 09-06, §§ 3—6, adopted February 3, 2009; Ord. No. 09-12, §§ 8, 10, adopted May 4, 2009; Ord. No. 09-28, § 2, adopted October 5, 2009, and Ord. No. 11-09, § 2, adopted April 18, 2011.

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**

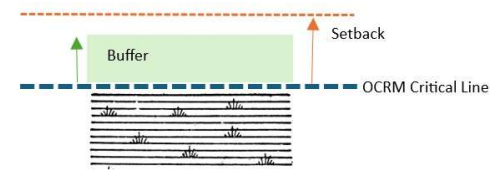
	R	RRL	RP	<u>RP-10**</u>	RC	<u>VC</u>	CC	GC	ID	RE	MB
Minimum Lot per Unit											
Non Residential Area (SF)	40,000	N/A	2 acres	<u>N/A</u>	2 acres	<u>10,000</u>	10,000	10,000	12,000	2 acres	12,000
Residential											
Single-Family	.5 acre	7,800	1 acre	<u>10 acres</u>	5 acres	<u>.5 acre</u>	(B)	(A)	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 22, Rural Small Lot 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	50 100	200	200	200	100	80 100	80 100	90 100	200	90 100	Minimum lot width	45	50	20
<i>Front</i>														
Major Street (Multi-Lane)	60	60	60	60	60	60	60	60	200	60	Major Street (Multi-lane)	60*	60*	60*
Major Street (Two-lane)	35	45	45	45	35	35	35	45	200	45	Major Street (Two-lane)	35	35	35
Minor Street	25	25	25	25	25	25	25	25	160	25	Minor Street	25	25	20
<i>Side</i>														
Residential	10	25	25	50	5	5	5	N/A	N/A	N/A	Interior	N/A	0	0
Non-residential	10	25	25	50	5	5	5	10	100	10	Street-side/Exterior	5	10	5
<i>Rear</i>														
Residential	25	25	25	100	10	10	10	N/A	100	N/A	Residential	20	20	5
Non-residential	40	50	50	150	10	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 22, Rural Small Lot 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>	<u>25'-50'</u> [±]	<u>35'-50'</u> [±]	50' [±]
Non-Jurisdictional <u>Freshwater</u> Wetlands, <u>Saltwater or Freshwater</u>	<u>20'</u> *	<u>15'-30'</u>	<u>25'-50'</u> [±]	<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, but is not limited to, signage, 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)

ARTICLE 8. SPECIAL PURPOSE DISTRICTS

8:9. Euhaw Overlay District (EOD).

8:9.1 Purpose and intent. The purpose of the Euhaw Overlay District is to maintain the rural character of the area, protect important historic and cultural resources, and minimize the impacts of development on surrounding water resources, particularly the Broad River. Development in this area should respect the existing conditions and minimize the visual impact of buildings on the area through careful site planning, maintaining and enhancing existing vegetation, and vernacular building design.

8:9.2 Application. The standards contained herein shall apply to all land within Euhaw Overlay District (EOD) as indicated on the official zoning map of Jasper County.

Unless a deviation from such restrictions are provided elsewhere in this section 8:9, property within the EOD shall be required to adhere to all provisions of the Jasper County Zoning Ordinance and Land Development Regulations otherwise applicable within the underlying zoning district.

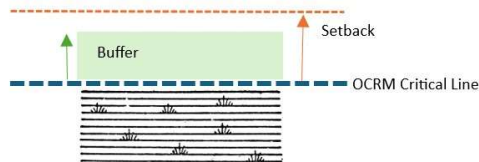
8:8.3 Use regulations: Uses shall be governed by the underlying zoning district. Within Euhaw Overlay District (EOD), zoning map amendments shall be evaluated within the following criteria:

1. No property shall be rezoned to a nonresidential district unless it is located at the intersection of a state highway or major roadway with another existing street with access provided by the lower-order street.
2. No property shall be zoned to Residential (R) unless designated in a Transition Zone according to the Future Land Use Map.

8:8.4 Design and development standards.

1. 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, as shown in the graphic below.



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.

Riparian Buffer and Setback Table

<u>Water Resource</u>	<u>Individual Septic Tank and Drain Field</u>	<u>Engineered Wastewater Treatment System</u>	<u>Primary Structure Buffer</u>	<u>Primary Structure Setback</u>	<u>Accessory Building (under 750 square feet) Setback</u>
<u>Critical Area (Coastal Waters, Tidelands, Beach/Dune System)</u>	<u>200'</u>	<u>1000'</u>	<u>75'</u>	<u>100'</u>	<u>85'</u>
<u>Jurisdictional Wetlands, Saltwater or Freshwater</u>	<u>200'</u>	<u>1000'</u>	<u>50'</u>	<u>75'</u>	<u>80'</u>
<u>Non-Jurisdictional Wetlands, Saltwater or Freshwater</u>	<u>200'</u>	<u>1000'</u>	<u>50'</u>	<u>75'</u>	<u>80'</u>
<u>Rivers, Streams, including stormwater management facilities such as ditches and swales which discharge into the Broad River and/or its tributaries</u>	<u>200'</u>	<u>1000'</u>	<u>75'</u>	<u>100'</u>	<u>85'</u>

2. Requirements for lots served by septic tanks

- a. Minimum lot size required. For properties not served by public sewer, no new lot shall be created after the [EFFECTIVE DATE] smaller than one acre in size. For lots with a second dwelling unit, the minimum lot size shall be two acres.
- b. Septic Reserve Area required. Properties within the ECHOD are required to demonstrate an area of the property which is to remain undeveloped for use as a septic reserve area (SRA). The SRA must be shown as a part of the septic system prior to the issuance of a building permit. Lots of record as of [EFFECTIVE DATE] may be exempt from this requirement at the discretion of the DSR.
- c. The distance between the septic tank drain field and ground water shall be a minimum of twenty-four (24) inches.

3. Access management

It is in the best interest of Jasper County to manage access along roadways in the interest of maintaining roadway safety and capacity. Reduction of access points to the corridor is required to the maximum extent possible. The following shall apply:

- a. Consolidation of Access Points:
 - i. Driveway and/or other access separation along the corridor shall be in accordance with the SCDOT, Access and Roadside Management Standards. In no event, however, shall residential driveways and non-residential full-access curb cuts be permitted at spacing less than as follows:
 - 1. Principal Arterial road: 1,500 feet
 - 2. Minor Arterial road: 1000 feet
 - 3. Major Collector road: 800 feet
 - 4. Minor Collector road: 400 feet
 - 5. Residential/Subcollector road: 200 feet
 - ii. Shared driveways between two or more parcels shall be required where there is not a conflict in use and a shared driveway is not restricted by topography or other existing site features. Shared driveways shall require mutually executed shared access agreements; and

iii. Unless restricted by topography or other natural site features, adjoining parking lots serving non-residential buildings of non-conflicting use shall be connected and shall require mutually executed shared access agreements.

b. Stub Outs:

i. Where an undeveloped adjacent parcel exists, a stub out or cross-access easement for future stub out, shall be required to allow for connection to future parking and/or shared driveways; and

ii. Where a developed adjacent parcel exists, existing stub outs shall be utilized.

4. Stormwater management

a. The SoLoCo stormwater management standards shall be applicable to all new residential subdivisions and nonresidential developments within the EOD. This standard shall be reviewed to determine if this standard creates unreasonable hardships on landowners within this district within 18 months of the adoption date of this ordinance.

5. Nonconforming lots.

If a lot of record at the time of adoption of this ordinance does not contain sufficient land area and/or lot width to meet the minimum lot size requirements of the EOD, such lot may be used for a residential use, as a building or placement site for a structure permitted in the district provided the following:

a. There is conformance to the minimum yard setback requirements set forth in this ordinance for the district in which the use is located.

b. All other standards of the ordinance are met.

ARTICLE 11. CONDITIONAL USE REVIEW AND REGULATIONS¹

11:1. Purpose and findings.

The county zoning ordinance provides for certain uses that, because of unique characteristics or potential impacts to adjacent land uses, are not permitted in zoning districts as a matter of right but which may, under appropriate standards set forth in the zoning ordinance or by the planning commission, be approved. These uses shall be permitted after plans prove adherence to the conditions through a zoning permit, zoning certification or site plan review and approval by the DSR.

No inherent right exists to establish a conditional use. Such authorization must be approved after satisfaction of a specific set of circumstances and conditions, in some cases applied by the planning commission. Each application and situation is unique. Every conditional use approval shall at a minimum be required to comply with all applicable regulations and rules in the county zoning ordinance and land development regulations and applicable industry or case specific conditions to ensure that the use can be appropriately accommodated on the specific property; that it will conform to the comprehensive plan; that it can be constructed and operated in a manner that is compatible with the surrounding land uses and overall character of the community; and that the public interest, health, safety, and general welfare will be promoted in some cases. Mere compliance with the generally applicable requirements however may not be sufficient, and additional measures and conditions may be necessary to mitigate the impact of the proposed development.

(Ord. No. 11-24, § 8, 9-6-11)

11:2. Conditional use review applicability.

The provisions of this section apply to any application for approval of a conditional use. Conditional uses are those uses that are generally compatible with the land uses permitted by right in a zoning district but that require individual review of their location, design, and configuration, and the imposition of conditions or mitigations in order to ensure the appropriateness of the use at a particular location within a given zoning district. This manner of approval is not required for any use permitted by right in a given zoning district.

(Ord. No. 11-24, § 8, 9-6-11)

11:3. Initiation.

Any landowner or that owner's authorized representative may apply for a conditional use review for a specific use by filing an application with the DSR at least three weeks prior to the desired planning commission meeting if the request is subject to planning commission review or at the time of application for site plan, zoning permit, or zoning certification if subject to DSR review.

¹Editor's note(s)—Ord. No. 11-24, § 8, adopted September 6, 2011, amended article 11 in its entirety to read as herein set out. Formerly, article 11, sections 11:1—11:6, pertained to provisions for conditional uses, and derived from an ordinance adopted November 13, 2007, and Ord. No. 08-11, § 8, adopted May 5, 2008.

In cases where planning commission review of the conditional use is required, the applicant shall provide at minimum a full narrative discussing the proposal and a site plan with sufficient refinement to adequately represent the proposed use and site layout.

(Ord. No. 11-24, § 8, 9-6-11)

11:4. Review authority.

Uses subject to industry specific conditions are approved by the DSR by issuance of a zoning permit, zoning certification or site plan development permit by demonstrating adherence to the conditions during review and construction. In cases where certain conditional uses are proposed for parcels adjacent to residential areas, public parks, day cares, religious uses, historic and archaeological sites (listed on the National List of Historic Places or identified by the state department of archives and history) or environmentally sensitive areas (protected lands, critical habitat for endangered species and receiving waterways as defined by DHEC OCRM), the planning commission shall review and decide upon any additional case specific conditions appropriate to add to the land use proposal after considering the recommendation of the DSR. Industries requiring planning commission review of conditions if triggered by the aforementioned adjacent uses include the following:

Sector 31-33: Manufacturing

Sector 42: Wholesale Trade

Sector 48-49: Transportation and Warehousing

Sector 56: Waste Management and Remediation Services

In all cases, the DSR reviews the final plans submitted by the applicant for the desired permit and enforces all conditions. Failure to satisfy industry specific conditions noted in this chapter or case specific conditions required by the planning commission will prevent the issuance of a zoning permit, zoning certification or site plan approval for a conditional use. Administrative appeal of any determination of the DSR is heard by the board of zoning appeals consistent with procedures outlined in article 3. In cases where industry specific conditions or case specific conditions required by the planning commission cannot be met, the BZA has the authority to hear and decide upon variances in cases of hardship as outlined in article 3.

(Ord. No. 11-24, § 8, 9-6-11)

11:5. Case specific conditions.

When considering uses subject to their review the planning commission may impose case specific conditions, including reasonable standards, conditions, or requirements, in addition to or that supersede any standard specified in the zoning ordinance or land development regulations as it may deem necessary to protect the public interest and welfare. However, if conditions cause hardship, the landowner or applicant may be eligible to be granted a variance from the case specific conditions by the BZA. Such additional standards may include, but need not be limited to:

1. Dedication or reservation of land;
2. Creation of restrictive covenants or easements;
3. Enhanced setbacks;
4. Yard requirements;
5. Increased screening or landscaping requirements;
6. Area requirements;

-
7. Development phasing;
 8. Standards pertaining to traffic, circulation, noise, lighting, hours of operation, protection of environmentally sensitive areas, and similar characteristics;
 9. Provision of sustainable features, solar or other renewable energy source, rain water capture, storage and treatment.
 10. Require that a performance guarantee acceptable in form, content, and amount to the DSR and county attorney be posted by the applicant to ensure continued compliance with all conditions and requirements as may be specified.

(Ord. No. 11-24, § 8, 9-6-11)

11:6. Consideration for determining case specific standards for Sector 31-33: Manufacturing, Sector 42: Wholesale Trade, Sector 48-49: Transportation and Warehousing, Sector 56: Waste Management and Remediation Services when subject to planning commission review.

During review the planning commission shall ensure the proposal shall have no more adverse effects on health, safety, or comfort of persons living or working in the neighborhood, or shall be no more injurious to property or improvements in the neighborhood than would any other use generally permitted in the same district. In making a determination of case specific conditional standards, consideration shall be given to the following factors which may assist with development of additional conditions (including but not limited to):

1. Appropriateness of design and operation so as to be compatible with the existing or intended character of the general vicinity and so as not to change the essential character or negatively impact aesthetics of the area and/or corridor in which it is proposed;
2. Appropriateness of location, type, and height of buildings or structures;
3. Appropriateness of the type and extent of landscaping and screening on the site is sufficient; and
4. Consistency with any policy of the comprehensive plan that encourages mixed uses and/or densities.
5. Availability of utilities and services such as highways, streets, police and fire protection, drainage structures, water and sewage facilities.
6. Minimization of traffic hazards and to minimize traffic congestion on the public roads.
7. Mitigation of vibration, noise, odor, dust, smoke, or gas.
8. Avoidance of impact to the use and enjoyment of the property in the immediate vicinity for the purposes already permitted nor substantially diminish or impair the property values within the neighborhood.
9. Avoidance of designs that may impede the orderly development and improvement of surrounding property for uses permitted within the zoning district.
10. Avoidance of detrimental impact or endangerment to the public health, safety, morals, comfort, or general welfare.
11. Compatibility with the goals, objectives, and policies of the county comprehensive plan and promote the intent of the zoning district in which the use is proposed.
12. Appropriateness of the hours of operation.

The planning commission has the authority to request additional information related to the use/site and, where necessary, require additional mitigating steps to ensure that the proposed use is compatible with the surrounding land uses as noted in the previous section (11:5).

(Ord. No. 11-24, § 8, 9-6-11)

11:7. Industry specific conditional use regulations.

The industry specific conditions contained in this section are intended to ameliorate the impact and improve the siting of uses, buildings, and projects whose design and/or operational characteristics could adversely affect surrounding property and environmental conditions. To this end, standards and criteria over and above those set forth elsewhere in this ordinance are imposed herein on all conditional uses listed on Table 6.1 and set out below.

11:7.1. Sector 112111: Livestock, except feedlots.

1. The parcel size shall be a minimum of two acres.
2. The number of animals permitted shall be limited to no more than one per every 6,000 square feet.
3. All buildings or structures (excluding fences) shall be located a minimum of 150 feet from the property line.

11:7.1.A. Sector 11531: Forestry.

- a. All Forestry Activities must meet the criteria as defined in Act No. 48 of 2009.

11:7.2. Sector 1123: Poultry and eggs.

1. The parcel size shall be a minimum of two acres.
2. The number of animals permitted shall be limited to no more than one per every 6,000 square feet.
3. All buildings or structures (excluding fences) shall be located a minimum of 150 feet from the property line.

11:7.3. Sector 1129: Animal specialties.

1. The parcel size shall be a minimum of two acres.
2. The number of animals permitted shall be limited to no more than one per every 6,000 square feet.
3. All buildings or structures (excluding fences) shall be located a minimum of 150 feet from the property line.

11:7.3.A. Sector 1129: Horse and Equine.

1. The parcel size shall be a minimum of two acres.
2. The number of animals permitted shall be limited to no more than one per every one-half acre.
3. Horse stables shall be a minimum of 150 feet from any residential property line. No corral or riding area shall be permitted within 25 feet of any residential property line.

11:7.4. Sector 21: Mining and mine operation.

1. Article 6:1, Table 1 "Mining" encompasses "Mining and mine operation".

2. Mining and mine operation must have all required state and federal permits and meet the requirements of all state and federal statutes and regulations.
3. For the purposes of section 16:2, mining and mine operation shall be deemed to be a manufacturing use.
4. Mining and mine operation must meet all applicable roadway improvement standards.
5. Mining and mine operation must meet the following setbacks:

Setback Requirements for Mining and Mine Operation

Required Setbacks Where Permitted	Adjacent Zoning						
	RE	RC	RP	R	CC	GC	ID
From Property Line	50'	1,000'	300'	1,000'	1,000'	300'	100'
From Existing Residential Structures*	N/A	N/A	1,000'	N/A	N/A	1,000'	N/A
* Residential structures existing when submittal deemed complete.							

11:7.5. Sector 22132: Treatment.

1. Maximum 30,000 gallons per day.

11:7.5.B. Sector 22114: Solar electric power generation—Accessory solar.

Where solar electric power generation is allowed as a conditional use and considered accessory solar, such uses shall meet the following requirements:

1. A solar collection device or combination of devices are to be designed and located to avoid directing glare or reflection onto adjacent properties and adjacent roadways and shall not interfere with traffic or create a safety hazard.
2. A plan must be submitted showing the proposed location of solar panels, the arrangement of the panels, distance from the roof, pitch of the finished roof, and distance from the proposed site improvements to all property lines.
3. Solar energy system components must have a UL listing and must be designed with anti-reflective glare coatings to minimize solar glare, and the entire system must meet all requirements of the prevailing edition of the National Electric Safety Code and the International Fire Code.
4. Written authorization from the local public utility company acknowledging that it has been informed of the applicant's intent to install an interconnected (i.e., back into the public utility grid) customer-owned generator and that it also approves such connections shall be provided by the applicant.
5. Roof-mounted solar collector systems shall meet the following additional standards:
 - a. The system shall comply with the maximum height standards for the zone in which it is located, provided that a roof-mounted system shall not extend more than the width of the panel above the roofline of the structure on which it is mounted, and be in accordance with the manufacturer's recommendation for exposure above the roof line
 - b. Panels and all component parts shall be installed per manufacturer's specifications.
 - c. The collector surface and mounting devices for roof-mounted systems shall not extend beyond the exterior perimeter of the building on which the system is mounted or built.

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- d. Roof mounted systems shall be located so as not to impede the ability of emergency personnel to access the roof for firefighting purposes.
6. Ground mounted solar collector systems shall meet the following additional standards:
 - a. Ground mounted accessory collector systems in the commercial/industrial districts shall not exceed the height restriction of the district for accessory buildings.
 - b. In residential and rural preservation districts, the location of solar panels shall be limited to the side and rear of the structure and rear lot only, within applicable setback requirements, and shall not exceed eight feet in height.
 - c. Ground mounted accessory collector systems in parking lots or over travel lanes in commercial areas shall have a minimum bottom edge clearance above the travel surface of 14 feet and six inches.
 - d. Ground mounted systems shall be located so as not to impede the ability of emergency personnel to access the site for firefighting purposes.
 - e. Maximum area coverage. For residential properties, a ground-mounted solar energy system shall not exceed 50 percent of the footprint of the principal building served or 1,000 square feet per ½ acre, whichever is greater.
 - f. Solar panels shall be placed such that concentrated solar radiation or glare shall not be directed onto other properties or public access areas.
 - g. Mounting hardware and framing shall be non-reflective or matte black in color.
 - h. Panels, ground mounts, and all component parts shall be installed per manufacturer's specifications.
 - i. A ground-mounted system shall not be located over a septic system, leach field area or identified reserve area unless approved by the health department.
 - j. If located in a floodplain or an area of known localized flooding, all panels, electrical wiring, automatic transfer switches, inverters, etc. shall be located above the base flood elevation.

11:7.6. *Sector 235: Special trade contractors.*

1. Screen on-site storage and construction vehicles as required in section 12.8.

11:7.7. *Sector 31-33: Manufacturing.*

1. No such use shall be located closer than 1,000 feet to the property line of any existing residential use, church, school, historical place or public park.

11:7.8. *Sector 42: Wholesale trade.*

Sector 421140. Used Motor Vehicle Parts and Sector 42193. Recyclable Materials:

1. The use shall be consistent with the most current Jasper County Solid Waste Management Plan.
2. No such use shall be located closer than 1,000 feet to any residential use, church, school, historical place or public park, measured from the property line.
3. No such use shall be located within view of and/or 1,000 feet of Interstate I-95, US 17, US 17A, US 278, US 301, US 321, US 601, SC 46, SC 170, SC 315, and SC 462 from I-95 (Exit 28) to Highway 170 (North Okatie Highway).
4. The outdoor operations area, including parking and storage areas, shall be located outside the 100 year floodplain.

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5. No material incapable of being reused or recycled in some form shall be placed in open storage.
 6. No material shall be placed in open storage in such a manner that it is capable of being transferred out by wind, water, or other causes.
 7. All paper, rags, cloth and other fibers, and activities involving the same other than loading and unloading shall be within fully closed buildings.
 8. All materials and activities not within fully enclosed buildings shall be enclosed on all sides by a chain link fence with evergreen screening of an approved type, a wooden privacy fence, or fencing of other material which has been given approval by the DSR. All metal or wooden fence posts shall have at least one-third of their length below ground level and shall be set in hard packed clay or concrete. All metal fence posts shall be treated with an anti-corrosive coating. All wooden posts shall be pressure treated or creosote coated lumber with at least a four inch by four inch nominal cross section.
 - a. The term "fence" shall mean an eight foot tall chain link, wooden fence, or fencing of other material which has been given approval by the DSR, which forms a substantial physical barrier which completely surrounds the operations area, including all recyclable material and non-recyclable materials defined as "junk" in article 18 of the Jasper County Zoning Ordinance, and shields the operation area and recyclable material and non-recyclable materials from view, and is capable of withstanding the effects of the local climate.
 - b. The term "evergreen screening" shall mean evergreen trees or shrubs with a minimum height of five feet at time of installation, and not less than eight feet when mature; spacing shall be based upon the species used so that at maturity the body of the branches of the tree or shrub shall not be more than one foot from the body of the adjacent planting. Acceptable species include, but are not limited to, Ligustium, Euonymous, Leyland Cypress, White Pine, Cedar, Arborvitae, Hemlock, and upright varieties of Juniper, Holly and Yew.
 - c. Landscaping is required outside of the fencing when evergreen screening is not used. One evergreen shrub shall be installed for every five linear feet of fence on the side of the fence facing a neighboring property or public right-of-way. The minimum shrub shall be three to five 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. In addition to the fencing requirements, buffering and landscaping requirements shall be met in accordance with article 12:8.
 10. No items/materials may be stacked higher than the required fencing.
 11. All activity conducted on the premises must be contained within the visual screen, and the fencing shall be securely locked unless being actively and contemporaneously supervised.
 12. Disposal of garbage unrelated to motor vehicles shall be in an approved container and regularly maintained. Open dumping of garbage shall be prohibited.
 13. No outdoor burning of any material other than material specifically designed or suitable for the purpose of employee comfort. Any exception must be approved by state or local fire officials given a minimum of 24 hours' notice of such burn.
 14. Upon receiving an appliance, vehicle, or any other material for recycling purposes, the business shall remove, as applicable, the battery, lubricants, fluids, coolants, refrigerants, and the like and shall recycle or dispose of same in accordance with all applicable state and federal laws regarding disposal of waste and hazardous materials.

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15. Disposal of toxic/hazardous matter is prohibited anywhere without a state permit.
 16. At least 75 percent of the total volume of each separated material type received during a calendar year and remaining on site from a previous year shall be used, reused, recycled, or transferred to a different site for use, reuse, or recycling
 17. Storage of items/materials shall be so arranged as to permit easy access for firefighting purposes.
 18. New construction, expansion or renovation of these facilities shall require submission to the planning commission of a storm water management plan using best management practices designed to protect adjacent properties, wetlands, ditches and watersheds.
 19. Certain activities permitted by DHEC or other state or federal agencies may require a bond, letter of credit or other form of financial security to provide for de-commission, clean-up and/or close-out of these facilities. No development permit or business license for activities requiring such financial securities shall be issued by Jasper County unless the county is provided a copy of such financial security, and the financial security must also be in favor of Jasper County, if available as part of the State's financial security, to cover any costs or expenses incurred by the county in the event the operation or condition of the facility result in the need to abate a nuisance situation, ameliorate a public health or safety condition, clean-up , decommission and/or close-out the facility. In the event Jasper County cannot for whatever reason be included as a covered party under the state financial security, or it is more efficient and economical to provide a separate financial security to the County, then a separate financial security may be provided to the county instead.
 - a. In the event a financial security is not required by DHEC as part of its permitting requirements, or no DHEC permit is required, nonetheless, a letter of credit or other financial security in favor of the county approved by the county administrator is required before either a development permit or business license can be issued, to be in an amount no less than the total capacity of the facility at a rate of \$60.00 per cubic yard.

11:7.9. Sector 441; Motor Vehicles, Retail Trade.

1. Minimum lot size one acre.
2. Automobile hoods shall not be propped up as a form of advertising or to draw attention.
3. No banners are allowed.
4. Maximum number of automobiles for sale shall not exceed 25 at any time.
5. Retail sales of motor vehicle parts shall not be allowed.
6. Maintenance, service, or dismantling of motor vehicles shall not be allowed.
7. Other than motor vehicles for sale, outside storage shall not be allowed.
8. Outdoor speaker systems shall not be allowed.
9. Hours of operation are limited to Monday - Saturday from 8:00 a.m. - 8:00 p.m.
10. A structure consisting of a minimum of 400 square feet must be provided for an office with a restroom facility.
11. Where an existing residential use is adjacent to the site, a visually opaque screen shall be provided. An opaque screen may be composed of a wall, fence, building, landscaping, landscaped berm, or combination thereof. Natural vegetation may also be used to meet screening requirements.
12. A site plan is required in accordance with the Jasper County Land Development Regulations.

11:7.9A. *Sector 441310: Automotive parts and accessories store.*

1. Buildings limited to 5,000 square feet.
2. No outdoor display and storage.

11:7.10. *Sector 4441: Lumber and building materials.*

1. Buildings limited to 5,000 square feet.
2. No outdoor display and storage.

11:7.10.A. *Sector 447: Gasoline Stations.*

- a. No more than two (2) single or double-sided fuel pumps are permitted.
- b. Fuel islands shall not be located in the front yard unless permitted by the BZA due to physical site limitations or constraints.

11:7.10.B. *Sector 45393: Manufactured Home Dealers.*

- a. Sales office only.
- b. No inventory or models allowed.

11:7.11. *Sector 45431: Fuel dealers.*

11:7.11A. *Sector 484210: Used household and office goods moving.* Where used household and office goods moving is allowed as a conditional use, such uses shall meet the following requirements:

- A. No outdoor display and storage.
- B. Adequate access must be provided for anticipated truck traffic.
- C. Structures must meet screening and buffering requirements per article 12.
- D. Article 16: Manufacturing use performance standards apply to this specific use.
- E. Hours are limited to 7:00 a.m. to 7:00 p.m., Monday to Saturday.
- F. Vehicles used for this specific use shall not exceed FHWA Class 8.

11:7.11.B. *Sector 488410: Motor Vehicle Towing and Sector 561491, Repossession Services.*

1. In the General Commercial District, Industrial Development District and the Mixed Business District, the use shall be at least 250 feet from any existing residential developed property, measured from the property line.
2. Vehicles and/or any outdoor storage shall be stored to the rear of the principal structure and completely screened (100 percent opacity) from adjacent properties using berms, fencing, landscaping, buildings or a combination thereof.
3. Screening shall be a minimum of eight feet in height and a maximum of ten in height. Tin is not allowed.
4. Landscaping is required for all outdoor storage areas. One evergreen shrub shall be installed for every five linear feet of screened area on the side of the screened area facing a neighboring property or public right-of-way. The minimum shrub shall be three to five 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.

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5. In addition to the outdoor screening requirements, buffering and landscaping requirements shall be met in accordance with article 12:8.
 6. The number of vehicles stored on site shall be limited to ten vehicles; storage of more than ten vehicles shall constitute a junkyard.
 7. Individual vehicles shall not be stored more than 90 consecutive days unless the owner or operator of the establishment demonstrates steps have been taken to remove the vehicles from the premises using the appropriate legal means.

11:7.12. *Sector 5131: Communications and antenna.*

New towers:

1. All new towers shall be designed to accommodate additional antennas equal in number to the applicant's present and future requirements.
2. The proposed structure will not endanger the health and safety of residents, employees, or travelers, including, but not limited to, the likelihood of the failure of such structure; and all applicable safety code requirements shall be met.
3. The proposed structure will not impair the use of or prove detrimental to neighboring properties.
4. The proposed structure is necessary to provide a service that is beneficial to the surrounding community.
5. The proposed tower is located in an area where it does not substantially detract from aesthetics and neighborhood character.
6. The proposed use is consistent with potential land uses as outlined in the comprehensive plan.
7. Towers or antennas shall not be painted or illuminated unless otherwise required by state or federal regulations.
8. No tower or antenna shall be located within 1,000 feet of an existing tower or antenna, except where the applicant certifies that the existing tower does not meet the applicant's structural specifications and applicant's technical design requirements, or that a co-location agreement could not be obtained after mediation.
9. Towers or antennas shall have a maximum height of 185 feet.
10. Tower or antennas shall be located such that adequate setbacks are provided on all sides to prevent the tower's fall zone from encroaching onto adjoining properties. Should this fall zone encroach onto another property, a recorded easement may be prepared and signed by the adjacent property owner to ensure that no structure will be built within the fall zone. In addition to the tower's fall zone, the permitted uses shall meet the setback requirements of the underlying zoning district in which it is located.
11. Landscaping shall be required as follows:
 - a. Around the base of the communication tower, outside of the security fence, at least one row of evergreen plant material capable of forming a continuous screen at least six feet in height shall be provided, with individual plantings spaced not more than five feet apart. In addition, at least one row of evergreen trees with a minimum two inches DBH (diameter at breast height) measured three and one-half feet above grade, at the time of planting and spaced not more than 25 feet apart shall be provided within 50 feet of the perimeter security fence.

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- b. The landscaping requirements may be waived in whole or in part by the DSR if it is determined that existing natural vegetation provides adequate screening or if the DSR determines that the landscaping requirements are not feasible due to physical constraints or characteristics of the site on which the communication tower is to be located.
 - c. All required landscaping shall be installed according to established planting procedures using good quality plant materials.
 - d. A certificate of use and occupancy shall not be issued until the required landscaping is completed in accordance with the approved landscape plan and verified by an on-site inspection by the DSR unless such landscaping has been waived in accordance with subsection b. above. A temporary certificate of use and occupancy may, however, be issued prior to completion of the required landscaping if the owner or developer provides to the county a form of surety satisfactory to the county attorney and in an amount equal to the remaining plant materials, related materials, and installation costs as agreed upon by the DSR and the owner or developer.
 - e. All required landscaping must be installed and approved by the first planting season following issuance of the temporary certificate of use and occupancy or the surety bond will be forfeited to the county.
 - f. The owners and their agents shall be responsible for providing, protecting, and maintaining all landscaping in healthy and growing condition, replacing unhealthy or dead plant materials within one year or by the next planting season, whichever first occurs. Replacement materials shall conform to the original intent of the landscape plan.
 - g. Eight-foot high fencing shall be provided around the communication tower and any associated structure.
12. A single sign for the purposes of emergency identification shall be permitted. The permitted sign shall not exceed two square feet in area and shall be attached to the fence surrounding the tower. Under no circumstances shall any signs for purposes of commercial advertisement be permitted.
 13. Each parcel on which a communication tower is located must have access to a public road 20 feet in width.

Submittal information:

1. One copy of typical specifications for proposed structures and antenna, including description of design characteristics and material.
2. A current map or update of an existing map on file, showing locations of applicant's antenna, facilities, existing towers, and proposed towers which are reflected in public records, serving any property.
3. Identification of the owners of all antennae and equipment to be located on the site.
4. Written authorization from the site owner for the application.
5. Evidence that a valid FCC license for the proposed activity has been issued.
6. A line of sight analysis showing the potential visual and aesthetic impacts on adjacent residential districts.
7. A written agreement to remove the tower and/or antenna within 120 days after cessation of use. Must put a bond up front for the removal of the tower.

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8. A certificate from a registered engineer that the proposed facility will contain only equipment meeting FCC rules, together with written indemnification of the affected government and proof of liability insurance or financial ability to respond to claims up to \$1,000,000.00 in the aggregate which may arise from operation of the facility during its life, at no cost to the county.
 9. A statement shall be submitted from a registered engineer that the NIER (non-ionizing electromagnetic radiation) emitted there from does not result in a ground level exposure at any point outside such facility which exceeds the lowest applicable exposure standards by any regulatory agency of the United States Government or the American National Standards Institute. For roof mounted communication towers, the statement regarding the NIER shall address spaces, which are capable of being occupied within the structure on which the communication tower is mounted.
 10. Communication towers and their foundations shall meet the requirements of the current building code for wind and seismic loads. Drawings and calculations shall be prepared and sealed by a South Carolina registered professional engineer and shall be submitted with the building permit application.
 11. Satisfactory evidence shall be submitted, with the building permit application for a freestanding communication tower, that alternative towers, buildings, or other structures do not exist 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 AM towers.
 12. Prior to issuance of a building permit, applicants shall provide documentation that the proposed communication tower has been reviewed by the FAA, if so required, and that a finding of no hazard to air navigation has been determined. Copies of the plans shall also be provided for comment to the Ridgeland Airport and Savannah/Hilton Head International Airport, prior to the issuance of permits. If any airport has an objection to the proposed tower, an advisory conference composed of airport officials, county officials and representatives of the communication company(ies) shall be convened. The results and findings of such conference shall be presented to the DSR prior to any permit being issued. Because the proximity of communication towers near aeronautical facilities affects the safety of the public, careful consideration should be given to the results and findings and such may be grounds for the DSR denying the issuance of a permit or requiring that certain additional requirements be imposed as a condition for the issuance of a permit.
 13. Site plan, which shall include the following information:
 - a. The location of tower(s), guy wires and anchors (if any);
 - b. Tower height;
 - c. Transmission building and other accessory uses;
 - d. Existing structures and proposed structures;
 - e. Fall zone;
 - f. Parking;
 - g. Access;
 - h. Landscaped areas;
 - i. Fences;
 - j. Adjacent land uses; and

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- k. Photos of site and immediate area.

Existing towers:

1. The increase in height to the existing transmission tower shall not exceed 25 feet; and communication towers on buildings, the maximum height shall be 20 feet above the roofline of buildings 50 feet or less in height, and 40 feet above the roofline of buildings 50 feet in height or greater. In addition, with the exception of towers constructed for aeronautical purposes, communication towers may not penetrate any imaginary surface, as described in Title 14 of the Code of Federal Regulations, Federal Aviation Regulation (FAR) Part 77, associated with existing or proposed runways at any publicly owned airport;
2. The total number of antennae added to an existing transmission tower shall not exceed six; and
3. Any additions, changes, or modifications that are proposed to the site or its components, proper plans, specifications, and calculations shall be submitted for permit approval to the DSR. Drawings indicating various types of antenna(s) to be located on the communication tower shall be submitted at the time of the permit application.

11:7.13. *Sector 51412: Libraries.*

11:7.14. *Sector 53113: Mini-warehouses.*

1. No such use shall be located closer than 250 feet to the property line of any existing residential use, church, school, historical place or public park.
2. Screen units from public right-of-way as required in section 12.8.
3. Minimum lot size of one acre; maximum lot size of five acres.

11:7.15. *Sector 5621: Waste collection.*

1. Shall be consistent with the most current county solid waste management plan.

11:7.16. *Sector 562212: Solid waste landfill.* Shall be consistent with the most current county solid waste management plan. Solid waste landfills are divided by this section into two categories and regulated as follows:

A. *Sanitary Landfills (Class 3).*

1. The boundary of the fill area shall not be located within 1,000 feet of any residence, day-care center, church, school, hospital or publicly owned recreational park area. The state will determine whether the proposed landfill or landfill expansion meets this requirement prior to publication of the notice of intent to file a permit application pursuant to Part I, Section D.1 of the state regulation.
2. The boundary of the fill area shall not be located within 200 feet of any property line not under control of the permittee.
3. The boundary of the fill area shall not be located within 200 feet of any surface water that holds visible water for greater than six consecutive months, excluding ditches, sediment ponds, and other operational features on the site.
4. The boundary of the fill area shall not be located within the distances designated below from any well used as a source of water for human consumption that is in a hydrologic unit potentially affected by the landfill. Exemptions may be granted if the applicant can demonstrate to the satisfaction of the DSR and state that the hydrologic conditions below the landfill provide protection to the aquifer in use.

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- a. The boundary of the fill area shall not be located any closer than 500 feet from a well hydraulically up gradient of the landfill.
 - b. The boundary of the fill area shall not be located any closer than 750 feet from a well hydraulically side gradient of the landfill.
 - c. The boundary of the fill area shall not be located any closer than 1,000 feet from a well hydraulically down gradient of the landfill.
 5. Waste material shall not be placed on or within any property rights-of-ways or 50 feet of underground or above ground utility equipment or structures, i.e., water lines, sewer lines, storm drains, telephone lines, electric lines, natural gas lines, etc., without the written approval of the impacted utility.
 6. A geotechnical engineering firm approved by the DSR shall render a written opinion that, to the best professional judgment, the formations being used to contain the waste are impermeable and that surrounding ground water sources will not be contaminated.
 7. The facility shall be enclosed by an eight-foot high opaque fence or wall structure on all sides visible from the street serving the facility and an opaque cyclone fence on the remaining unexposed boundaries.
 8. A plan showing restoration of the site on completion of use as a landfill shall accompany the request.
- B. *Construction and demolition landfills (Class 2).*
1. The boundary of the fill area shall not be located within 1,000 feet of any residence, school, day-care center, church, hospital, or publicly owned recreational park areas. The state will determine whether the new landfill or expansion of an existing landfill meets this requirement prior to the publication of the notice of intent to file a permit application pursuant to Part I, Section D.1 of the state regulation.
 2. The boundary of the fill area shall not be located within 100 feet of any property line.
 3. A landfill located in a 100-year floodplain shall demonstrate that engineering measures have been incorporated into the landfill design to ensure the landfill will not restrict the flow of the 100-year flood, reduce the temporary water storage capacity of the floodplain, minimize potential for floodwaters coming into contact with waste, or result in the washout of solid waste so as to pose a hazard to human health or the environment.
 4. The landfill shall be in compliance with applicable requirements concerning wetlands imposed by U.S. Army Corps of Engineers, the U.S. Environmental Protection Agency, and the department of health and environmental control.
 5. Access to the landfill shall be controlled through the use of fences, gates, berms, natural barriers, or other means to prevent promiscuous dumping and unauthorized access.
 6. The boundary of the fill area shall not be located within 200 feet of any surface water that holds visible water for greater than six consecutive months, excluding drainage ditches, sedimentation ponds and other operational features on the site.
 7. The boundary of the fill area shall not be located within 100 feet of any drinking water well. A greater buffer may be required for compliance with the state's bureau of water requirements.
 8. Waste material shall not be placed on or within any property rights-of-way or 50 feet of underground or above ground utility equipment or structures, i.e., water lines, sewer lines,

storm drains, telephone lines, electric lines, natural gas lines, etc., without the written approval of the impacted utility.

9. Owners/operators of all Class 2 landfills located within 10,000 feet of any runway end used by turbojet aircraft or within 5,000 feet of any airport runway end used by only piston-type aircraft shall demonstrate that the units are designed and operated so that the Class 2 landfill does to pose a bird hazard to aircraft.
10. Owners/operators proposing to site new Class 2 landfills and lateral expansions located within a five-mile radius of any airport runway end used by turbojet or piston-type aircraft shall notify the affected airport and the Federal Aviation Administration (FAA).
11. No material shall be placed in open storage or areas in such a manner that is capable of being transferred out by wind, water, or other causes.
12. All materials and activities shall be screened in such fashion as not to be visible from off-site. The provisions of this subsection may be waived by the DSR where such facility will be utilized for a period not to exceed 90 days.

11:7.17. *Sector 562213: Solid waste incinerators.*

1. Shall be consistent with the most current county solid waste management plan.

11:7.18. *Sector 56292, Material Recovery Facilities (including single stream recycling).*

1. The use shall be consistent with the most current Jasper County Solid Waste Management Plan.
2. The material recovery facility may only accept non-food items, such as, glass, newspaper, cardboard, metal, construction and demolition debris, or other similar materials. Sewage or hazardous substances shall not be permitted.
3. All recovery and storage activities shall be conducted within an enclosed building with a concrete floor. Doors may remain open during active operations but must be closed otherwise and should not face the right-of-way; nor should they be visible from adjacent properties through the use of complete screening (100 percent opacity) using berms, fencing, landscaping, buildings or a combination thereof
4. Recovered wood, concrete, and dirt may be stored outside temporarily, but shall not be stacked or stored higher than the required fencing.
5. All areas adjacent to the transfer point, such as the tipping floor, the turning area, and the area supporting the trailer while it is being packed, shall be paved with concrete.
6. Adequate standing and parking facilities shall be provided on the site so that no packers or other collection vehicles at any time stand on a public right-of-way waiting entrance to the site.
7. All materials and activities not within fully enclosed buildings shall be enclosed on all sides by a chain link fence with evergreen screening of an approved type, a wooden privacy fence, or fencing of other material which has been given approval by the DSR. All metal or wooden fence posts shall have at least one-third of their length below ground level and shall be set in hard packed clay or concrete. All metal fence posts shall be treated with an anti-corrosive coating. All wooden posts shall be pressure treated or creosote coated lumber with at least a four inch by four inch nominal cross section.
 - a. The term "fence" shall mean an eight foot tall chain link, wooden fence, or fencing of other material which has been given approval by the DSR, which forms a substantial physical barrier which completely surrounds the operations area, including all recyclable material and non-recyclable materials defined as "junk" in article 18 of the Jasper County Zoning

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- Ordinance, and shields the operation area and recyclable material and non-recyclable materials from view, and is capable of withstanding the effects of the local climate.
- b. The term "evergreen screening" shall mean evergreen trees or shrubs with a minimum height of five feet at time of installation, and not less than eight feet when mature; spacing shall be based upon the species used so that at maturity the body of the branches of the tree or shrub shall not be more than one foot from the body of the adjacent planting. Acceptable species include, but are not limited to, Ligustium, Euonymous, Leyland Cypress, White Pine, Cedar, Arborvitae, Hemlock, and upright varieties of Juniper, Holly and Yew.
 - c. Landscaping is required outside of the fencing when evergreen screening is not used. One evergreen shrub shall be installed for every five linear feet of fence on the side of the fence facing a neighboring property or public right-of-way. The minimum shrub shall be three to five 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.
8. Screening, buffering and landscaping requirements shall be met in accordance with article 12:8. Buildings viewable from a public right-of-way are required to have foundation buffers as part of its landscape plan. The DSR may require additional landscaping to make the site more aesthetically pleasing.
 9. All activity conducted on the premises must be contained within the visual screen, and the fencing shall be securely locked unless being actively and contemporaneously supervised.
 10. No burning of any material other than material specifically designed or suitable for the purpose of employee comfort. Any exception must be approved by state or local fire officials given a minimum of 24 hours' notice of such burn.
 11. At least 75 percent of the total volume of each separated material type received during a calendar year and remaining on site from a previous year shall be used, reused, recycled, or transferred to a different site for use, reuse, or recycling
 12. Storage of items/materials shall be so arranged as to permit easy access for firefighting purposes.
 13. Stormwater runoff shall be addressed through the use of BMPs listed in the Jasper County Stormwater Management Manual to prevent additional post development runoff discharge rate and volume as seen in article 10:6 of the Jasper County Land Development Regulations.
 14. The use shall comply with all state and federal regulations.
 15. New construction, expansion or renovation of these facilities shall require submission to the planning commission of a storm water management plan using best management practices designed to protect adjacent properties, wetlands, ditches and watersheds.
 16. Certain activities permitted by DHEC or other state or federal agencies may require a bond, letter of credit or other form of financial security to provides for de-commission, clean-up and/or close-out of these facilities. No development or other permit, or business license for activities requiring such financial securities shall be issued by Jasper County unless such financial security is also in favor of Jasper County, if available as part of the state's financial security, to cover any costs or expenses incurred by the county in the event the operation or condition of the facility result in the need to abate a nuisance situation, ameliorate a public health or safety condition, clean-up, decommission and/or close-out the facility. In the event Jasper County cannot for whatever reason be included as a covered party under the state financial security, or it is more efficient and economical to provide a separate financial security to the county, then a separate financial security may be provided to the county instead.

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- a. In the event a financial security is not required by DHEC as part of its permitting requirements, or no DHEC permit is required, nonetheless, a letter of credit or other financial security in favor of the county approved by the county administrator is required before either a development permit or business license can be issued, to be in an amount no less than the total capacity of the facility at a rate of \$60.00 per cubic yard.

17. County owned and operated facilities are exempt from these regulations.

11:7.19. *Sector 56299: All other waste management.*

1. Shall be consistent with the most current county solid waste management plan.

11:7.19a. *Section 6116: Other schools and instructions.*

1. Use is subject to all applicable zoning code requirements and land development regulations.
2. Facilities are limited to 3,000 square feet.
3. Architecture of new structures must complement the nearby community and be compatible with the character of the area.
4. Services are limited to 20 students at any one time.
5. Owner/operator must provide proof of all outside agency approvals for services provided.
6. Hours are limited to 7:00 a.m. to 7:00 p.m., Monday to Friday and 7:00 [a.m.] to 5:00 p.m. on Saturdays.
7. Structures must meet buffering and screening requirements per article 12.
8. Off-street parking must be accommodated on-site.
9. Off street parking is prohibited within the building setback.
10. One flat two-sided business sign not larger than four square feet per face is permitted to identify the business. Signs shall not be illuminated.
11. Use of existing structures is subject to fire marshal and building official review and approval.
12. Facilities must be served by sewer systems or by septic systems sized appropriately to meet DHEC minimum standards for the use and size.

11:7.20. *Sector 6231: Nursing care facilities.*

1. The facility shall be designed to be compatible with residential development.
2. Screen parking from adjacent properties and public right-of-way as required in section 12.8.

11:7.21. *Sector 6233: Community care for elderly.*

1. The facility shall be designed to be compatible with residential development.
2. Screen parking from adjacent properties and public right-of-way as required in section 12.8.

11:7.21.A. *Sector 623990: Other residential care facilities.* Where other residential care facilities are allowed as a conditional use, such uses shall meet the following requirements:

1. The residence and its grounds shall be designed to be compatible with surrounding residential development.
2. There shall be minimal visually identifiable differences from the outside of the residential structure that would distinguish the residence from a typical residential dwelling as determined by the development services representative.

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3. For all units the minimum setbacks shall be as prescribed in Article 7:3, Table 1.

11:7.22. *Sector 6244: Day care services.*

1. Approval must be obtained from the South Carolina State Department of Public Welfare Rules and Regulations relating to licensing care facilities and care centers, and the following requirements.
2. The minimum lot area for a care center shall be 20,000 square feet. At least 75 square feet of outdoor exercise area shall be available for each person based on the maximum enrollment.
3. The building shall contain a minimum of 35 square feet of floor area for each person based on the maximum enrollment.
4. A fence having a minimum height of six feet constructed to provide maximum safety to the occupants shall enclose the entire outdoor exercise area.
5. Off-street parking shall be provided in accordance with provisions set forth in section 12:1, Off-street parking.
6. Applicant must show an indication of impact for such items as traffic, noise, delivery vehicles, site access, etc. of the proposed care center.

11:7.23. *Sector 712: Museums and historical sites.*

1. Screening of parking as required in section 12.8.

11:7.24. *Sector 71393: Marinas.*

11:7.25. *Sector 713990: Gun club and skeet ranges.* The unique nature of this use is such that the following criteria shall be observed in placing any such use in the county.

1. It shall be located no closer than one mile to any residential use.
2. Gunfire shall be oriented away from habitable areas.
3. The site upon which the use is proposed shall be suitable in size and topography to ensure the safety of surrounding residents.
4. Adequate warning signs shall be placed to warn public of activity.

11:7.26. *Sector 721191: Bed and breakfast inns.* Bed and breakfast inns are intended to provide a unique transit lodging experience. As a result, care should be taken to protect the environs that contribute to the experience of such lodging while promoting their use. Toward this end, bed and breakfast inns, where permitted by this ordinance, shall:

1. Be occupied by the resident/owner.
2. Serve no regularly scheduled meal other than breakfast.
3. Provide off-street parking on the basis of one and one-half space per guest room, plus two spaces for the resident innkeeper; further provided that sufficient off-street parking space shall be available on site to accommodate private gatherings, where proposed by the applicant.
4. Be permitted one non-illuminated identification sign, not to exceed four square feet in area. Self illuminated, can use landscape lighting.

11:7.27. *Sector 72121: Camps and recreational vehicle.* Camps and recreational vehicle (RV) park, where permitted by Table 6.1, shall comply with the following site and design standards:

1. The site shall be at least five acres.

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2. The site shall be developed in a manner that preserves natural features and landscape.
 3. The following dimensional requirements shall serve as parameters beyond which development shall not exceed.
 - a. Maximum impervious surface ratio shall not exceed 15 percent of the project site.
 - b. Minimum setbacks for all structures and recreational vehicles shall be:
Street frontage: 100 feet.
All other property lines: 50 feet.
 - c. Maximum density shall not exceed ten vehicles per acre.
 - d. Bufferyards shall be as specified by article 12.
 4. Areas designated for parking and loading or for trafficways shall be physically separated from public streets by suitable barriers against unchanneled motor vehicle ingress and egress. All drivers shall be located at least 150 feet from any street intersection and shall be designated in a manner conducive to safe ingress and egress.
 5. All streets within RV parks shall be private and not public.
 6. Each park site shall be serviced by public water and sewer or other systems approved by DHEC.

11:7.27.A. *Sector 8111: Auto repair and maintenance.*

1. In the Community Commercial District, the use shall be 250 feet from any existing residential development, school or daycare. Measured from the property line.
2. Openings to repair bays shall not face road ROWs and shall be designed to minimize visual intrusion onto adjacent properties.
3. Repair and storage of all vehicles shall occur within an enclosed building. Temporary outdoor vehicle storage may be allowed in an outdoor storage area located to the rear or the side of the principal structure and completely screened (100 percent opacity) from adjacent properties and ROWs using berms, fencing, landscaping, buildings or a combination thereof.
4. Vehicles that are repaired and are awaiting removal shall not be stored or parked for more than 30 consecutive days unless the owner or operator of the establishment demonstrates steps have been taken to remove the vehicles from the premises using the appropriate legal means.
5. All automobile parts and similar materials shall be stored within an enclosed building or completely screened (100 percent opacity) from adjacent properties and ROWs using berms, fencing, landscaping, buildings or a combination thereof.
6. Landscaping is required for all outdoor storage areas. One evergreen shrub shall be installed for every five linear feet of screened area on the side of the screened area facing a neighboring property or public right-of-way. The minimum shrub shall be three to five 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.
7. In addition to the requirements of the outdoor storage area, Buffering and Landscaping requirements shall be met in accordance with Article 12:8.
8. The open storage of wrecked vehicles, dismantled parts, or parts visible beyond the premises is prohibited.
9. The use shall not include outdoor storage lots or impoundment yards for towed vehicles.

11:7.28. *Sector 8121: Personal care services.*

1. Screening of parking required in section 12.8.

11:7.29. *Sector 81222: Cemeteries.*

1. The minimum area for a perpetual care cemetery shall be 30 acres. Cemeteries in existence prior to January 1, 2003 are exempt from this requirement. The minimum area for a church cemetery shall be one acre.
2. Where a cemetery adjoins non-residentially-zoned property, no setback is required. When a cemetery adjoins residentially zoned property, no building, structure, burial plot or storage of equipment or materials shall be located closer than 35 feet of any property line, and mausoleums, columbaria, and chapels shall not be located closer than 50 feet of any property line.
3. Screening shall be provided in accordance with the provisions set forth in section 12:8, Screening and buffering requirements.
4. Adequate off-street waiting space shall be provided for funeral processions so that no vehicle stands or waits in a road right-of-way.
5. All cemetery access shall be provided from an arterial or collector street.
6. Mausoleums may be located only within the boundaries of approved cemeteries.
7. Cemetery review standards in accordance with S.C. Code 1976, tit. 27, ch. 43, shall apply to all cemeteries, regardless of zoning classification.
8. A storm water plan must be submitted and approved by the DSR before cemetery approval may be granted.
9. A cemetery may not be located in a flood hazard overlay district.

Pre-existing cemeteries. Any cemetery or portion of a cemetery that was approved, or was in the process of gaining approval, on the date of adoption of this ordinance shall be considered a nonconforming use. All others shall be subject to the specific provisions of this ordinance.

11:7.29.A. *Sector 812910; Animal Shelters.*

1. Minimum lot size five acres.
 - a. No exotic animals as defined by Title 9 of the Code of Federal Regulations, Section 1.1 are allowed.
2. Structures that house animals must be at least 100 feet away from adjacent property lines.
3. Where an existing residential use is adjacent to the subject property Bufferyard 4 shall be required (See Article 12:8.2, *Bufferyards*).
4. Where the Shelter is for non-household animals, i.e., horses, cattle, goats, sheep, etc., the minimum site area must accommodate one-half acre per horse or cow, and one-quarter acre for smaller animals such as sheep and goats.
5. A five-foot high fence shall be provided for all paddock and pasture areas.

11:7.30. *Second single-family residential dwelling unit.*

1. There is a minimum of one-half acre per dwelling unit in the residential and community commercial district (one acre parcel minimum) and a minimum of one acre per dwelling unit in

the rural preservation district (two acre parcel minimum), so as to not increase overall allowed density.

2. The applicant must provide a sketch plan, or work with the DSR to develop a sketch plan, to show dwelling location on an existing plat or tax map copy to demonstrate conditional use compliance at time of application. The following must be demonstrated:
 - a. All applicable lot area and setback requirements are met for both units as if they were established separately on their own lots and so arranged to ensure public access in the event the property is subsequently subdivided for sale or transfer.
 - b. If not connected to sewer, the lot is sufficient in size and shape so that the two units can be designed around two separate septic systems that can be entirely located on separate lots in the case of future subdivision for sale or transfer. Septic permits are necessary prior to conditional use approval.
3. Second single-family residential dwelling unit cannot share a septic system and separate DHEC septic permits must be attained prior to issuance of a conditional use review zoning permit, if units are not connected to sewer lines.
4. Zoning and building permits must be attained prior to construction.

11:7.30.B. *Manufactured housing in community commercial and village commercial.* Where other residential care facilities are allowed as a conditional use, such uses shall meet the following requirements:

1. The standards for manufactured housing in community commercial and village commercial districts shall be the same as the standards for manufactured housing and single-family housing in the residential district, including but not limited to lot area, setbacks, and densities, as if in the residential district.
2. For all units the minimum setbacks shall be as prescribed in Article 7:3, Table 1.
3. Any applicable overlay district requirement shall be applied.

11:7.31. *Duplexes.* Due to the unique design features of duplex housing, the following supplemental design requirements shall apply:

1. Such projects shall be located in areas that are served by public water and sewer providers. Septic systems, including community septic systems are strictly prohibited.
2. Such projects shall have a minimum of one acre and a maximum of ten acres in the Residential, Community Commercial and General Commercial Zoning Districts.
3. Such projects shall have a minimum of two acres and a maximum of ten acres in the Rural Preservation District.
4. For all units, the lot area, yard, and setbacks shall be as prescribed in Article 7:3-Table 1.
5. Building orientation shall be representative of that exhibited by surrounding single-family development.
6. The size, bulk, height and scale of proposed structures shall reflect the characteristics of existing single-family structures in the area.
7. At least one duplex front door should be visible from the front of the structure.
8. Entrances should be visible and approaches to the front entrance of each dwelling unit should be clearly delineated by improved walkways and landscaping.

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9. The site plan shall be designed in a way to complement the existing character of the surrounding area. The planning commission may impose such other requirements as it deems necessary to protect the established character of the neighborhood, where appropriate.
 10. When a duplex development is proposed on a single parcel of land for rental purposes, it shall be considered a major subdivision, except within an approved Planned Development District (PDD) where a development agreement is in effect and a master plan has been approved.
- 11:7.31.A. *Multi-family apartments.* Where multi-family apartments are allowed as a conditional use, such uses shall meet the following requirements:
1. Such projects shall be a minimum of five acres.
 2. Such project shall have a maximum density of ten units per acre.
 3. For all units the minimum setbacks shall be as prescribed in Article 7:3, Table 1.
 4. Sidewalks not less than five feet in width shall be provided along the front property line of each project, building.
 5. Not less than 15 percent of the project site shall be diverted to contiguous common open space which is designated for use by the residents.
 6. The project must demonstrate availability of water and sewer that will meet the capacity requirements of the development.
 7. The site plan shall be designed in a way to complement the existing character of the surrounding area. The planning commission may impose such other requirements as it deems necessary to protect the established character of the neighborhood, where appropriate.
- 11:7.32. *Townhouses.* Due to the unique design features of townhouses, the following supplemented design requirements shall apply:
1. Such projects shall be located in areas that are served by water and sewer.
 2. Such projects shall have a minimum of one and one-half acre.
 3. Not more than eight or fewer than three townhouses may be joined together, with approximately the same front line (may be staggered).
 4. Minimum distance between rows of buildings shall be not less than 20 feet.
 5. For all units, the lot area, yard, and setbacks shall be as prescribed in Article 7:3-Table 1.
 6. Sidewalks not less than four feet in width shall be provided along the front property line of each project, building.
 7. Not less than ten percent of the project site shall be diverted to contiguous common open space which is designed for use by the residents.
 8. The site plan shall be designed in a way to complement the existing character of the surrounding area. The planning commission may impose such other requirements as it deems necessary to protect the established character of the neighborhood, where appropriate.
 9. When a townhouse development is proposed on a single parcel of land for rental purposes, it shall be considered a major subdivision, except within an approved Planned Development District (PDD) where a development agreement is in effect and a master plan has been approved.
- 11:7.33. *Patio homes.* Due to the unique design features of patio homes, the following supplemental design requirements shall apply:

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1. Such projects shall be located in areas that are served by public water and sewer providers. Septic systems, including community septic systems, are strictly prohibited.
 2. Such projects shall have a minimum of one acre and a maximum of ten acres.
 3. For all units, the lot area, yard, and setbacks shall be as prescribed in Article 7:3-Table 1.
 4. Not less than ten percent of the project site shall be diverted to contiguous common open space which is designed for use by the residents.
 5. The site plan shall be designed in a way to complement the existing character of the surrounding area. The planning commission may impose such other requirements as it deems necessary to protect the established character of the neighborhood, where appropriate.
 6. When a patio home development is proposed on a single parcel of land for rental purposes, it shall be considered a major subdivision, except within an approved Planned Development District (PDD) where a development agreement is in effect and a master plan has been approved, and must comply with major site plan requirements.

11:7.34. *Manufactured Housing - Second Unit, Family Member Only.* The purpose of allowing, in certain circumstances, the placement of a second manufactured house on the same parcel is for the benefit of family members only; and excludes any property or structures that are used for rental properties. The property shall be subdivided whenever possible; however, in the event that the property cannot be subdivided at such time of application, a second manufactured house will be allowed by the County for family members, where conditionally permitted by Table 6:1, provided that the following requirements must be met:

1. The person whom will occupy the second manufactured house is related to the owner of the property by blood, marriage, or adoption.
2. A second manufactured house shall not be leased or rented for five years from the date of approval unless the lessee is related to the property owner by blood, marriage, or adoption.
3. There is a minimum of a half-acre per dwelling unit in the Residential and Community Commercial District (1 acre parcel minimum) and a minimum of one acre per dwelling unit in the Rural Preservation District (2 acre parcel minimum), so as to not increase overall allowed density.
4. The applicant must provide a sketch plan, or work with the DSR to develop a sketch plan, to show dwelling location on an existing plat or tax map to demonstrate conditional use compliance at time of application. The following must be demonstrated:
 - a. All applicable lot area and setback requirements are met for both units as if they were established separately on their own lots and so arranged to ensure public service access in the event the property is subsequently subdivided for sale or transfer;
 - b. If not connected to sewer, the lot is sufficient in size and shape so that the two units can be designed around two separate septic systems that can be entirely located on separate lots in the case of future subdivision for sale or transfer. Septic permits are necessary prior to conditional use approval.
5. Second Manufactured House cannot share a septic system and separate DHEC septic permits must be attained prior to issuance of a conditional use review Zoning Permit, if units are not connected to sewer lines.

11:7.35 *Family Estate.* The purpose of the Family Estate is to address situations where there are title issues, i.e heirs property; and to support a traditional family way of life; and to respect cultural and historical settlement patterns in Jasper County. For purposes of this subsection, a single family dwelling unit

includes, stick built house, manufactured homes, and modular homes. Family Estate shall meet the following requirements, where conditionally permitted by Table 6:1:

1. If the property is "heirs property", the county shall permit additional family dwelling units and/or permit a subdivision by the person or persons in control of the property (i.e. the family member or members who pays taxes, occupies the property), upon application and determination that both of the following are satisfied:
 - a. Either a single member of the family, multiple members of the family, or an unbroken succession of family members have owned the property for no less than 30 years.
 - b. The person for whom the family dwelling unit is to be built and/or the property subdivided, is related to the owner of the property by blood, marriage, or adoption.
2. Single family dwelling unit design is as follows:
 - a. Family dwelling units may be built at the densities set forth in Family Estate below as limited by subsection (4) of this section.

Family Estate Density Table

Minimum Site Area (acres)	Density (Units per Acre)		
	Zoning of the property is Residential, <u>Village Commercial</u> , Community Commercial, or General Commercial:	Zoning of the property is Rural Preservation:	<u>Zoning of the property is Rural Preservation (10):</u>
1	2	1	<u>1 unit/10 acres</u>
2	4	2	
3	6	3	
4	8	4	
5	10	5	
6	12	6	
7	12	7	
8	12	8	
9	12	9	
10	12	10	
11	12	11	
12 or More	12	12	

- ii. The applicant must provide a sketch plan, or work with the DSR to develop a sketch plan, to show dwelling location on an existing plat or tax map to demonstrate conditional use compliance at time of application. The following must be demonstrated:
 - i. All applicable lot area and setback requirements are met for all units as if they were established separately on their own lots and so arranged to ensure public service access in the event the property is subsequently subdivided for sale or transfer;
 - ii. If not connected to sewer, the lot is sufficient in size and shape so that all of the units can be designed around separate septic systems that can be entirely located on separate lots in the case of future subdivision for sale or transfer. Septic permits are necessary prior to conditional use approval.

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- c. No family dwelling unit shall be built unless the appropriate agency has determined that septic and water supply systems and reserve areas in the family estate are sufficient to serve all units in the estate and are properly permitted. If three or more units are served by a single well, the well must be properly licensed and maintained in accordance with SC DHEC standards.
 - d. Paved roads may not be required, but must comply with standards pursuant to Section 7.1 of the Jasper County Land Development Regulations. Any placement of homes under this section shall be accompanied by covenants and cross easements, or similar restrictions and reservations, guaranteeing essential infrastructure and 50 feet of vehicular access for each family subdivided lot.
 3. No family dwelling unit shall be leased or rented for five years from the date of approval unless the lessee is related to the property owner by blood, marriage, or adoption.
 4. No portion of a tract of land under this section shall be conveyed for five years from the date of approval unless the grantee is related to the property owner by blood, marriage, or adoption. This limitation on conveyance shall:
 - a. Be recorded on the plat of the applicant's property, on the plats of any property subdivided and conveyed by the applicant under this section, and in a database accessible to county staff.
 - b. Not operate to prohibit actions in foreclosure brought by lenders that are participating in the secondary mortgage market.
 - c. Not operate to prohibit sale by the county of the entire tract or a portion of it for nonpayment of property taxes.
 5. Violations and penalties for violation of this section are as follows:
 - a. Any person found in violation of this section may be assessed a fine of the maximum allowed by state law for each dwelling unit in violation.
 - b. A violation of this section shall consist of the following:
 - i. Intentional misrepresentation during the application process;
 - ii. Lease of a family dwelling unit to a nonfamily member within five years of approval; or
 - iii. Conveyance of any portion of a tract of land granted a density bonus under this section to a nonfamily member within five years of approval.
 - c. The fine may be waived if it can be shown that lease or conveyance to a nonfamily member was absolutely necessary to avoid foreclosure on either a family dwelling unit or any portion of a tract granted a density bonus under this section.
 - d. Until the fine has been paid, the DSR shall not permit additional family dwelling units or further subdivision under this section in the violator's family estate.
 - e. As a condition of approval, the applicant and the person for whom the family dwelling unit is to be built or the property subdivided shall read and sign disclosure forms describing violations of this section and applicable penalties.
 - f. A violation shall not have the effect of clouding the title of a parcel subdivided under this section.
 6. Applicants must submit a sworn affidavit with the following information:

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- a. Certification that the parcel in question has been in the family for at least 30 years as required by this section.
 - b. An agreement that all new parcels subdivided from the parent parcel shall be owned or used by family members or as otherwise provided for in this section.
 - c. Acknowledgment that resale of any parcel approved as part of a family estate shall be restricted for five years as provided for in this section.
7. If the property leaves the family, the new owner must comply with all applicable sections of the Jasper County Zoning Ordinance and Jasper County Land Development Regulations as it relates to minimum lot sizes, densities, setback requirements, access roads, mobile home park standards, and major or minor subdivision regulations.

11:7.36. *Home occupation.* Home occupations, as defined by this ordinance, shall meet the following requirements, where conditionally permitted by Table 6.1.

1. The home occupation shall be carried on wholly within the principal building.
2. The floor area dedicated to such use shall not exceed 25 percent of the floor area of the principal building, up to 400 square feet.
3. No activity shall be conducted outside, nor shall there be any outdoor storage, display, or refuse area in the yard.
4. No signs shall be allowed.
5. No merchandise or articles shall be displayed so as to be visible from outside the building.
6. One person not residing in the residence shall be employed in the home occupation in addition to residents.
7. No traffic shall be generated in an amount above that normally expected in a residential neighborhood.
8. No parking is needed above that required by the principal residential use.
9. There is no alteration whatsoever of the residential character of the building(s) and/or premises.
10. The occupation, profession, or trade generates no noise, glare, heat, vibration, smoke, dust, or odor perceptible to adjacent uses.
11. The occupation shall not involve the retail sale of merchandise manufactured off the premises.

11:7.37. *Buildings, structures, lift stations, etc.*

1. Such uses shall be enclosed within a building or by a suitable fence providing protection and screening against light, noise, fumes, or unsightliness.
2. Open area on the premises shall be landscaped.

11:7.38. *Open storage.*

1. Such storage area does not occupy over 20 percent of the build-able area.
2. Shall not be located in any required setback area.
3. Must be screened from public view.

11:7.39. *Temporary uses.*

Type and location. The following temporary uses and no others may be permitted, subject to the conditions herein.

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1. Tents or other temporary structures for the conduct of any use permitted in the GC and CC Districts for a period not to exceed 45 days.
 2. Contractor's office and equipment shed, in any district, for a period covering construction phase of a project not to exceed one year unless re-permitted; provided that such office be placed on the property to which it is appurtenant.
 3. Portable classrooms in any district for cultural or community facilities, educational facilities, or religious complexes, for an indefinite period provided all required setbacks for the district in which the structures are to be located shall be met and the portable structure shall be located on the same site as the principal structure.
 4. Temporary office trailers in any commercial or industrial district where the principal building is being expanded, rebuilt, or remodeled for the conduct of business while the principal building is under construction.

Permit required.

1. No temporary use may be established without receiving such permit.
2. Temporary use permits may be renewed no more than twice within a 12-month period, provided that said use will not create traffic congestion or constitute a nuisance to surrounding uses.
3. Any temporary use that is determined to be creating a nuisance or disruption may have its temporary permit revoked by the DSR.
4. Temporary uses and structures from which temporary uses are operated shall be removed from the site after the temporary permit has expired.

11:7.40. *Temporary accessory dwelling unit.* A manufactured home as defined in article 4 of this ordinance may be permitted in any zoning district as a temporary accessory residential use which shall be clearly subordinate to a principal single-family detached dwelling or manufactured home, whether or not such principal use is conforming, subject to all of the requirements listed below. In authorizing the temporary accessory residential use, the DSR may impose such reasonable and additional stipulations, conditions, or safeguards that in the DSR's judgment will better fulfill the intent of this ordinance.

The DSR may authorize issuance of a permit for a temporary accessory residential use for a period not to exceed six months. At the end of that time, the DSR may, after a complete review of the request, grant an extension of the permit for a period not to exceed one year. The review procedure shall be the same as the original application procedure. It shall be the responsibility of the DSR to present to the council after each six-month period a status report of the conditions and to notify the applicant of the review.

The DSR may at any time terminate the authorization at the request of the initiating applicant or upon the finding that the extenuating conditions no longer exist. The temporary accessory residential use and any associated services shall be removed from the premises within 30 days after notice of termination.

The DSR shall determine that the following requirements have been satisfied:

1. The use shall be necessitated by the incapacity, infirmity, or extended illness of an individual who requires continuous nursing care. The attending physician shall certify the physical and/or mental condition of the person in question.
2. The use is intended only to meet a temporary need or hardship.
3. If the principal residential use is nonconforming, the provisions of section 9:3, Nonconforming uses and structures, shall be satisfied.

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4. The temporary accessory residential use shall meet all of the requirements contained in this ordinance for accessory uses.
 5. The temporary accessory residential use shall conform to all of the requirements for uses permitted by conditional use as set forth in subsection 6:2.6, Conditional uses.
 6. No minimum lot area or lot width requirements shall be required for the temporary accessory residential use.
 7. The temporary accessory residential use shall conform to the front, side, and rear yard requirements established for the district in which the use is located.
 8. Off-street parking shall be provided in accordance with the provisions set forth in section 12:1, Off-street parking, for the principal residential dwelling only.
 9. A manufactured home which is being utilized as a temporary accessory residential use may not be physically attached to or be a part of the principal structure located on the lot.
 10. No permit to allow a temporary accessory residential use shall be issued until all applicable regulations of the county building department and other public agencies have been satisfied in regard to the adequate provision of water, sewer, access, electrical service, and fire protection. In seeking approval of the temporary accessory residential use, the applicant must demonstrate to the DSR that these facilities and services are adequately situated with respect to the lot in question.
 11. The principal for whom the accessory use is requested must be a relative by blood or marriage or in a relationship created through adoption or through foster parental care.
 12. To provide for adequate notification of the permit application to surrounding property owners, the applicant shall provide to the DSR signatures of the following:
 - a. All property owners who own property abutting the subject property.
 - b. All property owners of property located directly across a street from the subject property.

(Ord. No. 11-24, § 8, 9-6-11; Ord. No. 12-03, § 2, 3-5-12; Ord. No. 12-09, §§ 1, 2, 6-18-12; Ord. No. 12-16, § 2, 9-17-12; Ord. No. 13-04, § 2, 4-1-13; Ord. No. 14-25, §§ 2—6, 12-1-14; Ord. No. 15-18, § 2, 8-17-15; Ord. No. 15-29, § 2, 9-21-15; Ord. No. 15-26, § 2, 12-7-15; Ord. No. 17-04, § 4, 4-17-17; Ord. No. 17-13, § 2, 5-15-17; Ord. No. 2020-04, § 1, 3-16-20; Ord. No. 2020-22, § 2, 10-5-20; Ord. No. 2020-24, §§ 3—5, 1-21-20; Ord. No. 2020-25, §§ 2, 3, 2-3-20; Ord. No. 2023-15, §§ 3—5, 9-18-23)

Editor's note(s)—Ord. No. 2020-24, adopted Jan. 21, 2020, added new provisions designated as Sections 11:7.34 and 11:7.35, and subsequently renumbered Sections 11:7.34—11:7.38 as Sections 11:7.36—11:7.40.

ARTICLE 22. RURAL SMALL LOT SUBDIVISION STANDARDS

22.1. Purpose

The purpose of this Article is to maintain the character and heritage of the rural landscape by providing flexibility through alternative standards for the subdivision of rural lands in Jasper County in exchange for permanent protection of open space.

22.2. Applicability

The standards found in this Article are permitted within the Rural Preservation-10 zoning district.

22.3. Definitions

Base Site Area. The Base Site Area consists of the parent parcel minus areas not suitable for development due to legal, physical, natural, or other constraints. The Base Site Area shall be determined as follows:

Parent parcel gross site area as determined by actual survey:

Minus Land separated by a road or utility right-of-way

Minus Land within existing roads' ultimate rights-of-way

Minus Land separated by water and/or marsh

Minus Existing natural water bodies on the property, jurisdictional and non-jurisdictional wetlands, and land/tidal wetlands seaward of the OCRM critical line

Minus Land previously dedicated as open space

Equals = Base Site Area

Open Space Preservation Area. The land within the subdivision that is left undeveloped in exchange for reduction in lot size and/or other development requirements.

Parent Parcel. The parent parcel constitutes the parcel to be subdivided.

22.4. Development Standards.

Rural small lot subdivisions shall be subject to the following standards.

<u>Table 1: Development Standards</u>	
<u>Maximum Density</u>	<u>1 principal dwelling unit per 5 acres ¹</u>
<u>Minimum Lot Area</u>	<u>1 acre</u>
<u>Minimum Lot Width</u>	<u>150 feet</u>
<u>Minimum Setbacks ²</u>	
<u>Front (major street, multi-lane)</u>	<u>60 feet</u>
<u>Front (major street, two-lane)</u>	<u>45 feet</u>
<u>Front (minor street)</u>	<u>25 feet</u>
<u>Side</u>	<u>25 feet</u>
<u>Rear</u>	<u>25 feet</u>
¹ Base site area	
² Setbacks shall also apply to Open Space Protection Areas	

22.5. Open Space Preservation Area (OSPA) Standards.

Open space preservation areas shall be contiguous to the maximum extent practicable.

The OSPA must consist of a minimum of fifty percent (50%) of the base site area.

In instances where natural features (wetlands, waterbodies, forested areas, etc.) are part of a larger system which extends to adjacent property(ies), these areas shall be prioritized for protection. In instances where an existing parcel has already established open space preservation areas, the proposed rural lot subdivision shall include open space protection of natural features contiguous with the adjacent property(ies).

Land dedicated to open space shall not include land dedicated for uses such as community swimming pool(s), clubhouse(s), and similar uses. Recreational amenities, such as walking/biking trails, may be permitted within the OSPA in conformance with applicable state and federal laws. Recreational lakes or ponds used for storm water management and designed as naturalized features may be included in the land designated as open space. Fenced detention or retention areas used for storm water management shall not be included in the calculation of required open space.

The owner and developer, or subdivider, shall select land dedicated for open space purposes and type of ownership. The open space preservation area may remain with the parent parcel to be held in single ownership or subdivided into a separate parcel. In either case, a note shall appear on the plat and recorded in the deed that development of the open space preservation area is prohibited.

Type of ownership may include, but is not necessarily limited to, the following:

1. The County, subject to acceptance by the governing body;
2. Other public jurisdictions or agencies, subject to their acceptance;
3. Non-profit or quasi-public organizations committed to the protection and conservation of open space, subject to their acceptance;
4. Homeowner or cooperative associations or organizations; or
5. Shared, undivided interest by all property owners within the subdivision.

B. Maintenance of open space - The person(s) or entity identified above, as having the right to ownership or control over open space, shall be responsible for its continuing upkeep and proper maintenance.

22.6. Restrictions on Future Subdivisions.

A note shall appear on all plats for rural small lot subdivisions specifying the number of remaining by-right lots that can be subdivided from the parent tract. If all by-right lots are subdivided, the note shall state that remaining subdivisions of the parent parcel shall be prohibited, except in compliance with the open space preservation standards specified in Section 22.5.