

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. 005-09HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES; CHAPTER 26, LAND DEVELOPMENT; ARTICLE V, ZONING DISTRICTS AND DISTRICT STANDARDS; SECTION 26-83, ESTABLISHMENT OF ZONING DISTRICTS; SUBSECTION (E), NEIGHBORHOOD MASTER PLAN OVERLAY DISTRICTS; SO AS TO ESTABLISH A DISTRICT ENTITLED, “DBWP DECKER BOULEVARD/WOODFIELD PARK REDEVELOPMENT OVERLAY DISTRICT”.

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

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

Duets. A structure used for residential purposes and consisting of two living units sharing a common wall.

Eligible projects. Residential projects within residential infill incentive districts established on or after August 1, 2008 that have been officially submitted to the Richland County Planning and Development Services for review.

Effective lot area. The gross horizontal area of a lot minus any portion of the lot encumbered by a recorded driveway or roadway easement.

Infill parcel. A parcel of land that is located within the infill target areas and is suitable for residential development of four (4) dwelling units or less.

Natural landscaping. An area consisting of uncultivated native plant growth or plantings that are indigenous to the geographical area where the parcel is located.

Residential footprint (lot coverage). This includes all the areas of a parcel (lot) covered by buildings and other structures with surfaces greater than thirty-six (36) inches above the finished and natural grade with the exception of covered front porches, pergolas, porticos, balconies, overhangs, and similar architectural features placed on the front (facing the street) elevation of a building.

Smart growth. A concept whose principals invest time, attention, and resources in restoring a sense of community and activity to city centers and older neighborhoods.

Traditional Neighborhood Design. A planning concept that calls for residential neighborhoods to be designed in the format of a small, village-type atmosphere within neighborhoods. These are characterized by homes and buildings on smaller lots, narrow

front yards with front porches and gardens, detached garages in the backyard, walkable streets (sidewalks), public parks and green spaces.

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

(e) *Neighborhood Master Plan overlay districts.* Neighborhood Master Plan overlay districts are zoning districts intended to promote the revitalization of existing blighted commercial and residential areas, while encouraging reinvestment in and reuse of areas in the manner consistent with the specific master planning area and Comprehensive Plan for Richland County. Revitalization initiates housing and economic opportunities, which promotes socially vibrant centers of community life through the coordinated efforts of public, private, and community organizations. For the purpose of this chapter, the following neighborhood Master Plan overlay districts are established in the zoning jurisdiction of Richland County, South Carolina:

CRD Corridor Redevelopment Overlay District

DBWP Decker Boulevard/Woodfield Park Neighborhood Redevelopment Overlay District

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

Sec. 26-109 DBWP Decker Boulevard/Woodfield Park Neighborhood Redevelopment Overlay District.

(a) *Purpose.* The DBWP Neighborhood Overlay District is intended to promote the revitalization of the existing vacant, neglected or abandoned residential property in this area. This is sought through encouraging the reinvestment in and reuse of these locations in a manner that promotes the infill for housing, consistent with the Comprehensive Plan for Richland County. This infill revitalization initiates many housing and economic opportunities and promotes more socially active and environmentally responsible communities in conjunction with public, private and community organizations.

(b) *Applicability/Establishment.*

- (1) The DBWP Neighborhood Overlay District may be approved and designated by County Council for any area within the county that has already had a Master Plan approved and adopted by the County Council; provided, however, the standards of such district shall remain **optional**, as described in subparagraph (2), below.
- (2) Once a DBWP Neighborhood Overlay District is applied to a designated area of the county, the development standards of the underlying district shall

remain in place until such time as a property owner applies to the Planning and Development Services Department to have the standards of the DBWP Neighborhood Overlay District apply to his/her property. Only one set of standards shall apply to any one parcel of land, and a property owner is not allowed to simultaneously use the development standards of both districts.

(c) *Permitted uses.* In addition to uses permitted in the underlying zone, the following uses are permitted in the DBWP Neighborhood Overlay District:

(1) *Residential.*

- a. One single-family detached dwelling and one accessory structure (which may contain a dwelling unit) per lot is allowed.
- b. Duets, Triplexes, attached Single Family Dwellings, townhomes and other single and multi-family dwelling units (up to four) that meet required overlay setback standards [see subsection (e) (1) below].
- c. Home occupations are allowed if the use is clearly secondary to the use of the dwelling for residential purposes, and does not change the residential character of the dwelling.

(2) *Commercial/Employment.* Small-scale commercial and mixed use development is allowed, subject to special standards. Commercial/employment uses may be mixed vertically or horizontally with residential uses. First floor space of a multi-floor building (live/work units) shall be restricted to non-residential use, if such building is located on a corner lot or is on a lot that is contiguous to a commercial use, in areas of predominately commercial uses, along Decker Boulevard and where the following roads run northeast to their intersections with Dupont Drive: Foxcroft Road, Omega Drive, Quiet Lane, Robin Nest Road, Castle Pinckney Road, Coral Vine Lane, and Cermack Street, Percival Road, and East Boundary Road.

All sites shall have frontage onto a collector or arterial street. Hours of operation shall be limited from 6:00 am to 10:00 pm. The uses displayed below and individually listed in Table 26-V-0 are permitted, with the exception that an individual use shall not exceed one thousand to five thousand (1,000 - 5,000) square feet in gross floor area:

- a. Daytime Child Care Facilities
- b. Food establishments
- c. Business, Professional and Personal Services (including specific repair services)

d. Light Retail

e. Other uses similar to those listed in a.- d., above (subject to approval by the Planning Staff and Planning Commission).

(3) *Civic/Institutional*. Civic or institutional uses listed in table 26-V-0 shall be integrated vertically or horizontally with residential. Locations are restricted to parcels that exist along streets detailed for commercial/employment use.

(d) *Minimum lot area*: 5,400 square feet, or as determined by DHEC, but in no case shall it be less than 5,400 square feet.

(e) *Design Standards*. Design Standards are adopted to ensure the physical character of projects within the DBWP and to allow the optional development and redevelopment of land consistent with current neighborhood character, along with a traditional neighborhood design approach, to guide this district under smart growth principles.

(1) *Compact Design*. In order to create a compact design that encourages the Traditional Neighborhood Design (TND) approach, the following standards of density and dimensions will be included in any DBWP proposal. The setbacks for residential dwelling units and mixed residential development (excluding open spaces) shall be determined as follows:

a. *Building Setback, Front*.

1. Single-family detached residences shall have a building setback with a minimum of ten (10) feet and a maximum of fifteen (15) feet.
2. Single-family attached residences, multi-family residences, and mixed use buildings shall have a building setback with a minimum of five (5) feet and a maximum of ten (10) feet; provided, however, if the building is on a major arterial road, a ten (10) foot setback is required.

b. *Building Setback, Rear - Residential*. The principal building on lots devoted to any residential use, including mixed-use, shall be setback no less than five (5) feet from the rear lot line.

c. *Side Setbacks*.

1. Provisions (through plan review) for zero lot-line single-family and multi-family dwellings shall be made, provided that a reciprocal access easement is recorded for both lots and townhouses or other attached dwellings, and provided that all dwellings have pedestrian access to the rear yard through means other than the principal structure.

2. Mixed uses require a side setback at a minimum of five (5) feet between parcels.

d. *Green Space.*

1. Green Space shall be required regardless if the residential use is located in an existing, expanded, or new structure.
2. The amount of green space must encompass at least ten percent (10%) of the effective lot area.

(2) *Architectural Standards for New Structures.* A variety of architectural features and building materials is encouraged to give each building or group of buildings a distinct character that is consistent with the maintained existing DBWP housing stock and blends TND techniques.

a. *Guidelines for New Structures.*

1. *Height.* New structures within the DBWP district shall be no more than three (3) stories for single-family residential, or five (5) stories for multi-family residential, or mixed use.

Exceptions: If the multi-family or mixed-use development is located adjacent to residentially designated parcels and the maximum building height allowed for the commercial district exceeds that allowed for the adjacent residential district, the maximum building height shall be fifty-two (52) feet. For those areas of parcels within fifty (50) feet of any property with a general plan density designation of ten units per acre or less, the building massing shall step down to thirty (30) feet to address the scale of the adjacent development.

2. *Entries and Facades.*

- [a] The architectural features, materials, and the articulation of a facade of a building shall be continued on all sides visible from a public street or courtyard.
- [b] The front facade of the principal building on any lot in the DBWP district shall face onto a public street.
- [c] The front facade shall not be oriented to face directly toward a parking lot.
- [d] Porches, pent roofs, roof overhangs, hooded front doors, or other similar architectural elements shall define the front entrance to all

residences.

[e] Porches: usable porches and stoops should form a predominate motif of the building design for single residential buildings and be located on the front and/or side of the building. Usable front porches are at least six (6) feet deep and twelve (12) feet in width.

[f] Raised entries are required to provide privacy, all residential entrances within fifteen (15) feet of the sidewalk shall be raised from the finished grade (at the building line) a minimum of 1½ feet.

[g] For multi-family and multi-use buildings, a minimum of fifteen percent (15%) of the front facade on the ground floor shall be transparent, consisting of window or door openings allowing views into and out of the interior.

3. *Design Requirements.* In order to encourage the compatibility of new infill duplex and attached single-family development with the surrounding neighborhood, all new infill shall utilize at least (4) of the following design features:

[a] Dormers.

[b] Recessed entries.

[c] Cupolas.

[d] Bay or bow windows.

[e] Garages.

[f] Window shutters.

[g] Roof with pitch greater than nominal eight (8) to twelve (12).

[h] Off-sets on building face or roof (minimum 12 inches).

[i] Gables.

[j] Covered porch or entry with pillars or posts.

[k] Eaves (minimum 6 inches).

[l] Garage set at least ten (10) feet behind the front face of the primary dwelling unit.

[m] Exterior window trim that is a minimum of four (4) inches in width.

- b. *Garages and Accessory Dwelling Units.* One (1) detached garage (that may or may not include a dwelling unit) or one (1) detached accessory dwelling unit may be placed on a single-family detached residential lot, provided that the accessory dwelling unit shall not exceed eight hundred (800) square feet and is set off to the side or back of the principal building.
- c. *Exterior signage.* A comprehensive sign program is required for the entire DBWP Neighborhood Overlay District to establish a uniform theme. Signs shall share a common style (e.g., size, shape, material). In the mixed-use area, signs shall be wall signs or cantilever signs. Cantilever signs shall be mounted perpendicular to the building face and shall not exceed two (2) square feet. Wall signs shall be sized and placed to fit within the character of the architectural elements.
- d. *Parking requirements.* On-street parking shall count toward any minimum parking requirements.
 - 1. In residential areas, parking may be provided on-site. One (1) off-street parking space with unrestricted ingress and egress shall be provided for each dwelling unit.
 - 2. Multi-family residential development must provide one (1) parking space for every dwelling unit and an additional one (1) parking space for every third bedroom.
 - 3. In any designated mixed-use area, all parking lots shall be located at the rear or side of a building. The parking lot shall not exceed a maximum depth of sixty-two (62) feet, (two-way aisle with parking on both sides), not including required landscaping. If located at the side, screening shall be provided as specified in Landscaping and Screening Standards.
 - 4. Access for service vehicles should provide a direct route to service and loading dock areas, while avoiding movement through parking areas and roads throughout the district.
 - 5. All parking over the minimum requirements shall be paved with pervious paving material. The reduction of impervious surfaces through the use of interlocking pavers is required for parking areas of periodic uses.
 - 6. Joint use parking. Where at least two (2) uses either within a mixed

use development or on adjacent parcels that each require parking, have different peak parking demands during different times of the day, shared parking is required. Where this is applied, the landscaping requirements may be reduced by five percent (5%). Shared parking shall meet the requirements of Section 26-173(e)(2).

- (3) *Bicycle Parking.* Bicycle parking for all non-residential uses and for residential uses of more than four (4) units per building is required. A minimum of five (5) bicycle spaces per fifty (50) parking/auto spaces (or percentage thereof), with a maximum of ten (10), is required.
- (4) *Outdoor lighting.*
 - a. Street lighting shall be provided along street frontage for projects greater than one (1) acre. Smaller, column street-lights should be used. Street-lights shall be installed on both sides of the street at intervals of no greater than seventy-five (75) feet. A pole or pedestal mounted luminaire, ten to twelve (10-12) feet in height with a full spectrum bulb, not more than one hundred seventy-five (175) watts. Street lighting design shall meet the minimum standards developed by the Illumination Engineering Society.
 - b. Exterior lighting shall be directed downward in order to reduce glare onto adjacent properties.
- (5) *Landscaping and Screening Standards.* Overall composition and location of landscaping shall complement the scale of the development and its surroundings. In general, larger, well-placed contiguous planting areas shall be preferred to smaller, disconnected areas.
 - a. *General Screening.* Where screening is required by section 26-176 of this chapter, it shall be at least three (3) feet in height, unless otherwise specified. Required screening shall be at least fifty percent (50%) opaque throughout the year.
 - b. *Street trees.* A minimum of one (1) deciduous tree, with full maturity between twenty to forty (20-40) feet in height, per thirty (30) feet of street frontage, or fraction thereof, shall be required. Trees should preferably be located between the sidewalk and the curb, within the landscaped area of a boulevard, or in tree wells installed in pavement or concrete. If placement of street trees within the right-of-way will interfere with utility lines, trees may be planted within the front yard setback adjacent to the sidewalk. Species of trees as well as the planting standards are located in the Richland County Development Design Manual.
 - c. *Landscaping.* All areas of a site not occupied by buildings, required parking, driveways, walkways or service areas shall be landscaped

according to an approved landscape plan in accordance with section 26-176 of this chapter.

d. *Installation and Maintenance of Landscaping Materials.*

1. All landscaping is to consist of natural (native) landscaping material to be installed to current international society of arboriculture standards (ISA) landscaping planting standards.
2. Maintenance and replacement of landscape materials shall be the responsibility of the property owner. Landscape maintenance should incorporate environmentally sound management practices, including the use of water and energy-efficient irrigation systems such as drip irrigation, and pruning primarily for plant health and public safety, replacing dead materials annually.

e. *Parking Area Landscaping and Screening.*

1. All parking and loading areas fronting public streets or sidewalks, and all parking and loading areas abutting residential districts or uses, shall provide:
 - [a] A landscaped area at least five (5) feet wide along the public street or sidewalk.
 - [b] Screening at least three (3) feet in height and not less than fifty percent (50%) opaque.
 - [c] One tree for each twenty-five (25) linear feet of parking lot frontage.
2. The corners of parking lots, “islands,” and all other areas not used for parking or vehicular circulation shall be landscaped. Vegetation can include turf grass, native grasses or other perennial flowering plants, vines, shrubs or trees. Such spaces may include architectural features such as benches, kiosks or bicycle parking.

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

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

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

RICHLAND COUNTY COUNCIL

BY: _____
_____, Chair

ATTEST THIS THE ____ DAY

OF _____, 2009

Michielle R. Cannon-Finch
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

Public Hearing: January 27, 2009 (tentative)
First Reading: January 27, 2009 (tentative)
Second Reading:
Third Reading:

TABLE 26-V-0
 TABLE OF PERMITTED USES FOR COMMERCIAL/EMPLOYMENT ZONE OF DECKER
 BOULEVARD/WOODFILED PARK OVERLAY DISTRICT

Daytime Facilities:	Food Establishments:
Day Care, Adult, Home Occupation (6 or Less)	Restaurants, Full Service (Dine-In Only)
Day Care, Child, Family Day Care, Home Occupation (5 or Less)	Restaurants, Limited Service (Delivery, Carry Out)
Day Care, Child, Group Day Care, Home Occupation (6 to 12)	Meat Markets
Light Retail:	Institutional/Civic:
Antique Stores	Government Offices
Art Dealers	<i>Federal Offices</i>
Arts and Crafts Supply Stores	<i>State Offices</i>
Auction Houses	<i>Local Offices</i>
Bakeries, Retail	Libraries
Bicycle Sales and Repair	Museums/Galleries
Book, Periodical, and Music Stores	Neighborhood Police Stations
Camera and Photographic Sales and Service	Administrative Facility for a private/public School
Candle Shops	School - Private/Public Business, Management or Computer Training (cap at 20 students)
Candy Stores (Confectionery, Nuts, Etc.)	School – Public/Private Fine Arts Training
Caterers, No On Site Consumption	Schools – Public/Private after school tutoring/instruction
Clothing, Shoe, and Accessories Stores	Places of Worship
Coin, Stamp, or Similar Collectibles Shops	
Computer and Software Stores	
Cosmetics, Beauty Supplies, and Perfume Stores	
Fabric and Piece Goods Stores	
Florists	
Gift, Novelty, Souvenir, or Card Shops	
Health and Personal Care Stores, Not Otherwise Listed	
Jewelry, Luggage, and Leather Goods (May Include Repair)	
Office Supplies and Stationery Stores	
Sporting Goods Stores	
Musical Instrument and Supplies Stores (May Include Instrument Repair)	
Business and Professional Services:	
Accounting, Tax Preparation, Bookkeeping, and Payroll Services	
Advertising, Public Relations, and Related Agencies	
Bed and Breakfast Homes/Inns	
Body Piercing Facilities	
Clothing Alterations/Repairs; Footwear Repairs	
Computer Systems Design and Related Services	
Employment Services	