## RICHLAND COUNTY PLANNING COMMISSION Work Session



## **December 2, 2024**

## **4 pm**

*Council Chambers 2020 Hampton Street Columbia, SC 29202* 

### **RICHLAND COUNTY PLANNING COMMISSION**



Work Session

Monday, December 2, 2024 Agenda 4:00 PM 2020 Hampton Street 2nd Floor, Council Chambers

Chairman – Christopher Yonke Vice Chairman – Beverly Frierson

Frederick Johnson, II • Mark Duffy • John Metts Charles Durant • Terrence Taylor • Chris Siercks • Bryan Grady

- 1. PUBLIC MEETING CALL TO ORDER ..... Christopher Yonke, Chairman
- 2. PUBLIC NOTICE ANNOUNCEMENT ...... Christopher Yonke, Chairman

#### 3. ADDITIONS / DELETIONS TO THE AGENDA

#### 4. 2024 LAND DEVELOPMENT CODE UPDATES

- **a.** Review of the Land Development Code (LDC) for required revisions, amendments, to correct errata, fix grammatical errors, update outdated information and other issues as appropriate.
  - 1. Section 26-1.9(e) Zoning District Equivalencies Page 1
  - 2. Section 26-3.3(d) R1: Residential 1 District Page 3
  - 3. Section 26-3.3(e) R2: Residential 2 District Page 5
  - 4. Section 26-3.3(f) R3: Residential 3 District Page 7
  - 5. Table 26-4.2(b) and Section 26-4.2(d)(2)5 Manufactured Home Page 9
  - 6. Section 26-3.3(g) R4: Residential 4 District Page 13
  - 7. Section 26-3.3(h) R5: Residential 5 District Page 15
  - 8. Section 26-3.3(i) R6: Residential 6 District Page 17
  - 9. Section 26-3.8(g) MI-O Military Installation Overlay District Page 19
  - 10. Section 26-4.2(d)(2)a(5) Manufactured Homes Page 27
  - 11. Section 26-4.3(b) General Standards for All Accessory Uses and Structures Page 29
  - 12. Section 26-4.4(c)(4) Temporary Uses and Structures Page 31

#### 5. ADDITIONAL DISCUSSION

6. ADJOURNMENT

#### Section 26-1.9(f) (page 1-6)

Amendment: The proposed amendment corrects the titling and headings of the table.

#### (f) Zoning Districts

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

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

HM: Homestead	RU: Rural
	RR: Rural Residential
RT: Residential Transition	RR: Rural Residential
R1: Residential 1	RS-E: Residential Single-family Estate
R2: Residential 2	RS-LD: Residential Single-family Low-Density
R3: Residential 3	RS-MD: Residential Single-family Medium-Density
R4: Residential 4	RS-HD: Residential Single-family High-Density
R5: Residential 5	RM-MD: Residential Multi-family Medium-Density
R6: Residential 6	RM-HD: Residential Multi-family High-Density
RC: Rural Crossroads	RC: Rural Commercial
MU1: Neighborhood Mixed-Use	NC: Neighborhood Commercial
MU2: Corridor Mixed-Use	N/A
MU3: Community Mixed-Use	N/A
GC: General Commercial	GC: General Commercial
EMP: Employment	OI: Office & Institutional
M-1: Legacy Light Industrial	M-1: Light Industrial
INS: Institutional	OI: Office & Institutional
LI: Light Industrial	LI: Light Industrial
HI: Heavy Industrial	HI: Heavy Industrial
CC: Crane Creek	CC: Crane Creek
PD: Planned Development	PDD: Planned Development
PD-EC: Planned Development Employment Campus	N/A
PR: Parks & Recreation	OS: Open Space
AHR-O: Airport HeighHeight Restrictive Overlay	AP: Airport Height Restrictive Overlay
FP-O: Floodplain Overlay	FP: Floodplain Overlay
WR-O: Water Resources Overlay	C: Conservation Overlay
	EP: Environmental Protection Overlay

### TABLE 26-1.9(ef): Zoning District Equivalencies

New-Former Zoning District
CRD: Corridor Redevelopment Overlay
DBWP: Decker Boulevard/Woodfield Park Neighborhood
Redevelopment Overlay
N/A

NOTES:

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

#### Section 26-3.3 (d) (page 3-16)

### Amendment: The purpose of this amendment is to establish a "Density and Dimensional Standards" column for administrative and minor land development.

#### (a) R1: Residential 1 District

#### **General Description**

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

#### Concept



#### **Use Standards**

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

<b>Density and Dimensional St</b>	andards		
Standard		All Uses	
	<u>Major</u>	Administrative /	Minor
Density, max. (du/acre)	<u>1.33</u>	Density, max. (du/acre)	<u>1.33</u>
Gross Average Lot Area (sf)	<u>32,750</u>	Minimum Lot Area (sf)	<u>32,750</u>
Lot Area, min.   max. (sf)	<u>24,500   40,000 <sup>[1]</sup></u>	Lot Area, min.   max. (sf)	<u>N/A</u>
<u>Lot Width, min. (ft)</u>	<u>50 [2]</u>	Lot Width, min. (ft)	<u>50 <sup>[2]</sup></u>
2 Front Yard Setback, min. (ft)	<u>40</u>	Front Yard Setback, min. (ft)	<u>40</u>
<u>3</u> Side Yard Setback, min. (ft)	<u>20</u>	Side Yard Setback, min. (ft)	<u>20</u>
<u>4</u> Rear Yard Setback, min. (ft)	<u>50</u>	Rear Yard Setback, min. (ft)	<u>50</u>
<u>5</u> Building Height, max. (ft)	<u>45 <sup>[3]</sup></u>	Building Height, max. (ft)	<u>45 <sup>[3]</sup></u>
Density, max. (du/acre)		<del>1.33</del>	
Gross Average Lot Area (sf)		<del>32,750</del>	
Lot Area, min.   max. (sf)		<del>24,500   40,000 <sup>[1]</sup></del>	
+ Lot Width, min. (ft)		<del>50 <sup>[2]</sup></del>	
Front Yard Setback, min. (ft)		40	
<b>B</b> Side Yard Setback, min. (ft)		<del>20</del>	
4 Rear Yard Setback, min. (ft)		<del>50</del>	
5 Building Height, max. (ft)		45- <sup>[3]</sup>	

NOTES:

[1] Lot area range applies only to property subdivided following the effective date of this Ordinance. See <u>Error! Reference</u> <u>source not found.Sec. 26-6.3(c)</u>, <u>Error! Reference source not found.Lots</u>.

[2] There is no minimum lot width if vehicular access is provided to the rear of the lot from an abutting alley.

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

#### Section 26-3.3 (e) (page 3-18) R2: Residential 2 District

Amendments: The purpose of this amendment is to establish a "Density and Dimensional Standards" column for administrative and minor land development and to remove manufactured homes from the "General Description" section, as manufactured homes are not permitted uses in this zoning district.

#### (e) R2: Residential 2 District

#### **General Description**

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

#### Concept



#### **Use Standards**

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

ensity and Dimensional S	tandards									
Standard		All Uses								
	Major	Administrative /	<u>e / Minor</u>							
Density, max. (du/acre)	<u>3</u>	Density, max. (du/acre)	<u>3</u>							
Gross Average Lot Area (sf)	<u>14,500</u>	Minimum Lot Area (sf)	<u>14,520</u>							
<u>Lot Area, min.   max. (sf)</u>	<u>11,000   18,000 <sup>[1]</sup></u>	Lot Area, min.   max. (sf)	<u>N/A</u>							
Lot Width, min. (ft)	<u>50 [2]</u>	Lot Width, min. (ft)	<u>50 [2]</u>							
Front Yard Setback, min. (ft)	<u>35</u>	Front Yard Setback, min. (ft)	<u>35</u>							
Side Yard Setback, min. (ft)	<u>10</u>	Side Yard Setback, min. (ft)	<u>10</u>							
Rear Yard Setback, min. (ft)	<u>30</u>	Rear Yard Setback, min. (ft)	<u>30</u>							
Building Height, max. (ft)	<u>45</u>	Building Height, max. (ft)	<u>45</u>							
Density, max. (du/acre)		3								
Gross Average Lot Area (sf)		14,500								
Lot Area, min.   max. (sf)		<del>11,000   18,0</del>	<del>100 <sup>[1]</sup></del>							
Lot Width, min. (ft)		50- <sup>[2]</sup>								
Front Yard Setback, min. (ft)		35								
Side Yard Setback, min. (ft)		<del>10</del>								
Rear Yard Setback, min. (ft)		<del>30</del>								
Building Height, max. (ft)		45								

NOTES:

 Lot area range applies only to property subdivided following the effective date of this Ordinance. See <u>Error! Reference</u> <u>source not found.Sec. 26-6.3(c)</u>, <u>Error! Reference source not found.Lots</u>.

[2] There is no minimum lot width if vehicular access is provided to the rear of the lot from an abutting alley.

#### Section 26-3.3 (f) (page 3-20)

#### Amendment: The purpose of this amendment is to establish a "Density and Dimensional Standards" column for administrative and minor land development.

#### (f) R3: Residential 3 District

#### **General Description**

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

#### Concept



#### **Use Standards**

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

#### **Density and Dimensional Standards**

Standard		All Uses	
	Major	Administrative /	<u>Minor</u>
Density, max. (du/acre)	<u>6</u>	Density, max. (du/acre)	<u>6</u>
Gross Average Lot Area (sf)	<u>7,260</u>	Minimum Lot Area (sf)	<u>7,260</u>
Lot Area, min.   max. (sf)	<u>5,500   9,000 <sup>[1]</sup></u>	Lot Area, min.   max. (sf)	<u>N/A</u>
Lot Width, min. (ft)	<u>50 <sup>[2]</sup></u>	Lot Width, min. (ft)	<u>50 <sup>[2]</sup></u>
2 Front Yard Setback, min. (ft)	<u>20</u>	Front Yard Setback, min. (ft)	<u>20</u>
<u>3</u> Side Yard Setback, min. (ft)	<u>4   13</u>	Side Yard Setback, min. (ft)	<u>4   13</u>
<u>4</u> Rear Yard Setback, min. (ft)	<u>20</u>	Rear Yard Setback, min. (ft)	<u>20</u>
5 Building Height, max. (ft)	<u>45</u>	Building Height, max. (ft)	<u>45</u>
Density, max. (du/acre)		<del>6</del>	
Gross Average Lot Area (sf)		<del>7,260</del>	
<del>Lot Area, min.   max. (sf)</del>		<del>5,500   9,000 <sup>[1]</sup></del>	
+ Lot Width, min. (ft)		<del>50.<sup>[2]</sup></del>	
<b>Front Yard Setback, min. (ft)</b>		<del>20</del>	
Side Yard Setback, per side   comb	<del>pined, min. (ft)</del>	4 <del>  13</del>	
4 Rear Yard Setback, min. (ft)		<del>20</del>	
5 Building Height, max. (ft)		4 <del>5</del>	

NOTES:

[1] Lot area range applies only to property subdivided following the effective date of this Ordinance. See Error! Reference source not found., Error! Reference source not found..

[2] There is no minimum lot width if vehicular access is provided to the rear of the lot from an abutting alley.

#### Table 26-4.2(b): Principal Use Table (page 4-4)

Amendment: The purpose of this amendment is to permit manufactured homes in the Residential 3 (R3) zoning district, subject to the use-specific standards of subsection 26-4.2(d)(2)a.5 (proposed).

#### (b) Principal Use Table

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			Та	blo	e 2	26-	4.	2(k	<u>):</u>	Р	rin	cir	bal	U	se	Ta	abl	٩									
<b>P</b> = Permitted by r	iøht																		hla	nk (	ell	= n(	ot al	llow	ved		
<b>SE</b> = Permitted, subject to a																										gree	ment
Use Classification, Category, Type	OS							R4					MU3				INS		Ħ	CC-1	CC-2	CC-3			PD-EC		Use-Specif Standard Sec. 26-4.
Agricultural																											
Agriculture and Forestry	_	_	_	_	_	_	_	_	_	_	_	_	_	_	_	_	_	_	_	_	_	_	_	_	_	_	
Agriculture	Р	Р	Р	Р		Τ	Γ	1			1					Р		Р	Р					А	Α		
Community garden		SR			SR	SR	SR	SR	SR	SR	SR	SR	SE	SE	SE		SE		-	SR	SR	SR		A	A	А	(d)(1)a.1
Forestry	Р	P	P	Р														P	Р								(*/(-/**-
Poultry farm		SR	-															-	SR						-		(d)(1)a.2
Swine farm	+	SE				+	+	1											SE						1		(*/(±/4/2
Agriculture and Forestry Related		195	1	1	·	1	1		-										92			I					
Agriculture research facility	-	Р	Р	I		Г		1	1							Р	Р	Р	Р					А	Α	А	
Agritourism	SR		P	SR		$\vdash$	$\vdash$	-			Р					P	· ·	P	P					A	A		
Equestrian center				SR		+	+	1			Ė					· ·		· ·	L.					A	+ •		(d)(1)b.1
Farm distribution hub		P	P	51							Р					Р		Р	Р					· · ·	Р		(0)(1)0.1
Farm supply and machinery sales											-							-	•						<u> </u>		
and service		Ρ									Р		Р	Р	Ρ			Р	Ρ		Ρ	Ρ	Ρ				
Farm winery		SR	SR	SR																				А			(d)(1)b.2
Produce stand		P	P	SR							Р	Р	Р	Р	Р									A		А	(d)(1)b.2 (d)(1)b.3
Riding or boarding stable		P	P	P							Г	г	г	Г	г								Р				(u)(1)0.5
Rural retreat	SP	SR	_	_												SR	SB							A			(d)(1)b.4
Veterinary services (livestock)	эл	P	P	JL							Р					эл	л							A			(u)(1)0.4
	1	<u> </u>	<b>r</b>	I	<u> </u>	1	<u> </u>	<u> </u>	I	I	l r	L	L	I	L	L		L						I	<u> </u>	I	
Residential																											
Household Living																											
Dwelling, Live-Work		SR									SR	SR	SR	SR	SR					Ρ	Ρ	Ρ		А	А	А	(d)(2)a.1
Dwelling, Four-family									Ρ	Ρ										Ρ	Ρ	Ρ		А	Α	А	
Dwelling, Multi-family									Р	Ρ		Р	Р	Р	Р	SE					Ρ	Ρ		А	А	А	
Dwelling, Single-family detached	1	Р	Р	Ρ	Р	Р	Ρ	Р												Ρ	Ρ	Ρ		А	1	А	
Dwelling, Three-family				1		1		1	Р	Р										Ρ	Ρ	Р		А	1	А	
Dwelling, Townhouse	1			ĺ				1	SR	SR						SE				Ρ	Ρ	Ρ		А	А	А	(d)(2)a.2
Dwelling, Two-family				1		1		1	SR	_											Ρ	Р		А	1	А	(d)(2)a.3
Group home, Family	1	SR	SR	SR	SR	SR	SR	SR				SR	SR	SR	SR	SE				SR	SR	SR		А	А	А	(d)(2)a.4
Manufactured home	1			SR			SR	-																	1		(d)(2)a.5
Manufactured home park				SR		$\mathbf{T}$		1	SR													<u> </u>			1		(d)(2)a.6
Group Living	<u> </u>					·	·																				(- /(=):ite
Children's residential care home			SR	SE	SF	1			SE	SE	Р	Р					Р							Α		А	(d)(2)b.1
Continuing care community			SE	SE	SE	1	1	1		SR			SR	SR			-			Р	Ρ	Р		A	1	A	(d)(2)b.2
Dormitory			1	1	-	1	1	1		SR							SR				-	-		A	1	A	(d)(2)b.3
Fraternity or sorority house	+					+	+	1	Р	P							SE							A	1	A	(,(_),0.0
Group home, Large	+		SF	SE		+	+	1		SE	SF	SF			SE							Р		A	1	A	(d)(2)b.4
Rooming or boarding house	+	SF		SR		+	+	1		SE			SF	SF	-	SE	SF				Р	P		A	A	A	(d)(2)b.5

		•	Та	ble	e 2	.6-	4.2	2(k	<b>)</b> :	Pr	in	ciŗ	bal	U	se	Та	abl	e									
<ul> <li>P = Permitted by right</li> <li>SR = Permitted by right, subject to special requirements</li> <li>blank cell = not allowed</li> <li>SE = Permitted, subject to approval of special exception permit</li> <li>A = Allowed, subject to approved PD Plan and PD Agreement</li> </ul>																											
Use Classification, Category, Type	os	AG	HM	RT	R1	R2	R3	R4	R5	R6	RC	MU1	MU3	MU2	GC	EMP	INS	LI	H	CC-1	CC-2	CC-3	CC-4	PD	PD-EC	PD-TND	Use-Specific Standards Sec. 26-4.2
Public, Civic, and Institutio	nal																										
Community Service																											
Animal shelter		SR	SR												SR		Ρ	SR					Ρ	А		А	(d)(3)a.1
Community food services											Ρ	Ρ	Ρ	Ρ	Ρ		Ρ	Ρ			Ρ	Ρ	Ρ	А	А	А	
Community recreation center	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	SR	Ρ	Ρ	Ρ	SR	Ρ	SE		SR	Ρ	Ρ		А	А	А	(d)(3)a.2
Correctional facility																	Ρ	SE	SE								

#### Section 26-4.2 (d) (2) 5 Manufactured Home

- (1) Manufactured Home
  - **a.** Manufactured homes must meet the standards set by the Federal Manufactured Housing Construction and Safety Standards Act of 1974, as amended.
  - **b.** The tongue, axles, transporting lights, and removable towing apparatus must be removed upon final placement of the manufactured home on the lot.
  - c. Subject to additional requirements in subsection (d) below, manufactured home skirting or a continuous, permanent masonry foundation, unpierced except for openings required by the building code for ventilation, utilities, and access, shall be installed under the manufactured home.
  - **d.** In the R1 and R2 districts, the following standards apply in addition to the standards in subsections (a) through (c) above:
    - 1. Except on a corner lot, the manufactured home shall be oriented so that the side containing the front entrance door is no more than 20 degrees from parallel to the front property line. For purposes of this section, the front entrance door is the entrance door leading directly to a living room, foyer, or hall.
    - 2. A continuous, permanent masonry foundation, unpierced except for openings required by the building code for ventilation, utilities and access, shall be installed under the manufactured home. The foundation shall be excavated and shall be exposed no more than 12 inches above grade.
    - **3.** The manufactured home shall have a length that does not exceed four times its width, excluding additions.
    - **4.** The front entrance shall include a porch measuring a minimum of six feet by six feet horizontally.
    - 5. The exterior siding shall consist predominately of vinyl or aluminum horizontal lap siding that does not exceed the reflectivity of gloss white paint, wood, or hardboard, comparable in composition, appearance, and durability to the exterior siding commonly used in standard residential construction.
    - 6. The manufactured home's roof pitch shall have a minimum vertical rise of three feet for each twelve feet of horizontal run (3:12) and the roof shall be finished

with a type of material that is commonly used in standard residential construction.

e. In the R3 district, the following standards apply in addition to the standards in subsections (a) through (c) above:

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6-Manufactured homes are permitted where there are manufactured homes on lots that comprise 50 percent or more of the lots on the same side of the block as the lot in question.

#### Section 26-3.3 (g) (page 3-22)

### Amendment: The purpose of this amendment is to establish a minimum lot area for this district, consistent with the district's density requirements.

#### **R4: Residential 4 District**

#### **General Description**

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

#### Concept



#### **Use Standards**

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

Standard	All Uses
Density, max. (du/acre)	9
Lot Area, min. (sf)	4,840
Lot Width, min. (ft)	50 [1]
Front Yard Setback, min. (ft)	20
Side Yard Setback, per side   combined, min. (ft)	4   13
Rear Yard Setback, min. (ft)	15
Building Height, max. (ft)	45

[1] There is no minimum lot width if vehicular access is provided to the rear of the lot from an abutting alley.

#### Section 26-3.3 (h) (page 3-24)

# Amendment: The purpose of this amendment is to establish a minimum lot area for this district, consistent with the district's density requirements and to establish provisions for the development of nonconforming parcels.

#### (h) R5: Residential 5 District

#### **General Description**

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

#### Concept



#### **Use Standards**

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

Density and Dimensional Standards	
Standard	All Uses
Density, max. (du/acre)	12
Lot Area, min. (sf)	<u>7,260<sup>[2]</sup></u>
1 Lot Width, min. (ft)	50 [1]
2 Front Yard Setback, min. (ft)	25
3 Side Yard Setback, per side   combined, min. (ft)	7   14
4 Rear Yard Setback, min. (ft)	20
5 Building Height, max. (ft)	45

NOTES:

[1] There is no minimum lot width if vehicular access is provided to the rear of the lot from an abutting alley.

[2] A two-family dwelling shall be permitted on a nonconforming lot, subject to section 26-7.4.

#### Section 26-3.3 (i) (page 3-26)

# Amendment: The purpose of this amendment is to establish a minimum lot area for this district, consistent with the district's density requirements and to establish provisions for the development of nonconforming parcels.

#### (i) R6: Residential 6 District

#### **General Description**

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

#### Concept



#### **Use Standards**

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

All Uses
18
<u>4,840<sup>[3]</sup></u>
50 [1]
25
7   14
20
Taller of 3 stories or 45 feet / 5 stories / 6 stories <sup>[2]</sup>

NOTES:

[1] There is no minimum lot width if vehicular access is provided to the rear of the lot from an abutting alley.

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

[3] A two-family dwelling shall be permitted on a nonconforming lot, subject to section 26-7.4.

#### Section 26-3.8 (g) (page 3-101)

#### Amendment: The purpose of this amendment is to correct the referenced sections from 26-3.7 (g) to 26-3.8(g).

#### (g) MI-O: Military Installation Overlay District

#### (1) Purpose

The purpose of this section is to protect future residents and employees in proximity to Fort Jackson, McCrady Training Center, and McEntire JNGB, by establishing standards to avoid or mitigate aircraft obstructions, noise impacts, and land use incompatibilities, and to promote the public health, safety, and welfare of the citizens of Richland County.

#### (2) Applicability

- Development on land in the MI-O District shall comply with the standards in this section (Sec. <u>26-3.7(g)</u>26-3.8(g)).
- b. Compliance with the provisions of this section (Sec. <u>26-3.7(g)26-3.8(g)</u>) does not constitute compliance with other local, federal, or state require-ments related to land use impacts on aviation, and all such require-ments are in addition to the requirements of this section.
- **c.** Unless otherwise provided expressly herein, for purposes of applying the provisions of this section (Sec. <u>26-3.7(g)26-3.8(g)</u>) to parcels lying only partially within a military installation zone, only the portion of the parcel within the zone shall be subject to the requirements of the applicable military installation zone.
- Unless provided for otherwise by its express terms, this section (Sec. 26-3.7(g)26-3.8(g)) does not necessitate the removal, change, or alteration to any nonconforming use structure, land use, or tree existing on the effective date of this Ordinance. Such nonconformities are governed by Article 26-7: Nonconformities.

#### (3) Sub-Districts (Military Installation Overlay Zones)

The MI-O District includes the following nine sub-districts, the boundaries of which are identified in Appendix 26-B: Military Installation Overlay Zone Map.

#### a. Military Installation Overlay Zone 1 (MI-O Zone 1)

MI-O Zone 1 projects from both the north and south ends of the runway at McEntire JNGB and includes lands designated by the military as being within a Clear Zone and of being at greatest risk of an aircraft accident.

#### b. Military Installation Overlay Zone 2 (MI-O Zone 2)

MI-O Zone 2 projects from both the north and south ends of the runway at McEntire JNGB and includes lands designated by the military as being within Accident Potential Zone 1 (APZ 1) and of being at a higher risk of an aircraft accident than surrounding lands or those within the MI-O Zone 3 sub-district.

#### c. Military Installation Overlay Zone 3 (MI-O Zone 3)

MI-O Zone 3 projects from both the north and south ends of the runway at McEntire JNGB and includes lands designated by the military as being within Accident Potential

Zone 2 (APZ 2) and of being at a higher risk of an aircraft accident than surrounding lands.

#### d. Military Installation Overlay Zone 4 (MI-O Zone 4)

MI-O Zone 4 includes lands around McEntire JNGB that have been identified by the military as likely to experience noise impacts in excess of 80 dB DNL, resulting from operations and training at McEntire JNGB.

#### e. Military Installation Overlay Zone 5 (MI-O Zone 5)

MI-O Zone 5 includes lands around McEntire JNGB that have been identified by the military as likely to experience noise impacts of between 75-79 dB DNL, resulting from operations and training at McEntire JNGB.

#### f. Military Installation Overlay Zone 6 (MI-O Zone 6)

MI-O Zone 6 includes lands around McEntire JNGB that have been identified by the military as likely to experience noise impacts of between 70-74 dB DNL, resulting from operations and training at McEntire JNGB.

#### g. Military Installation Overlay Zone 7 (MI-O Zone 7)

MI-O Zone 7 includes lands around McEntire JNGB that have been identified by the military as likely to experience noise impacts of between 65-69 dB DNL, resulting from operations and training at McEntire JNGB.

#### h. Military Installation Overlay Zone 8 (MI-O Zone 8)

MI-O Zone 8 includes lands located south of Fort Jackson and McCrady Training Center that have been identified by the military as likely to experience noise impacts averaging between 115 and 130 dB, resulting from operations and training at these military installations.

#### i. Military Installation Overlay Zone 9 (MI-O Zone 9)

See Sec. 26-3.214(g)(6)26-3.8(g)(6), Military Installation Zone 9 (MI-O Zone 9)

#### (4) Use Standards

Within the MI-O District, uses allowed shall be those allowed in the underlying district(s) in accordance with Error! Reference source not found.Sec. 26-4.2(b), Error! Reference source not found.Principal Use Table, except as modified by Table 26-3.7(g)26-3.8(g)(4): Modifications of Use Permissions, and by subsections b and c below.

Table 26-3.7(g)26-3.8(g)(4blank cell = no change in usS[number] = no change in use permissions fromX = prohibited, regardless of	se perm underl appl	iissions † ying dis† y	from un trict, ex	derlying	g distric e standa	t Irds in n	ote [ <i>nu</i> l	mber]				
MI-O Zone												
Use Classification, Category, Type		2	3	4	5	6	7	8				
Agricultural			-		-							
Agriculture and Forestry												
Agriculture	Х			Х	Х	S[10]	S[10]	S[11]				
Community garden	Х	S[10]		Х	Х	S[10]	S[10]					

Table <del>26-3.7(g)26-3.8(g</del> )(4	): Moo	dificati	ions of	Use P	Permis	sions		
<b>blank cell</b> = no change in u								
<b>S</b> [ <i>number</i> ] = no change in use permissions from			trict, exe	cept the	e standa	ards in n	ote [ <i>nur</i>	nber]
V - prohibited recordless	appl			dorbin	a dictria			
X = prohibited, regardless o	of use pe	ermissic	ons in un	deriyin	g distric	л.		
				MI-O	Zone			
Use Classification, Category, Type	1	2	3	4	5	6	7	8
For weather :	_	-		-	-	-		U
Forestry Boultry form	X	v	v	X X	X	S[10]	S[10]	v
Poultry farm Swine farm	X X	X X	X X	X	X X	X X	X] X	X X
Agriculture and Forestry Related			^					^
Agriculture research facility	X	X	S[7]	Х	X	S[4]	S[4]	
Farm distribution hub	X	X	S[12]	X	X	S[2]	5[4]	
Farm supply and machinery sales and service	X	X	S[12]	X	X	S[2]		
Produce stand	X	~	5[12]	X	X	S[10]	S[10]	
Rural retreat	X	Х	Х	X	X	S[2]	5[10]	
Veterinary services (livestock)	X	S[7]	S[7]	X	X	S[4]	S[4]	
All other Agriculture and Forestry Related	~	5[7]	5[7]	~	~	5[7]	5[7]	
uses	Х	S[9]	S[12]	Х	Х	S[2]		Х
							<u> </u>	
Residential								
Household Living	1	1				1	1 1	
Dwelling, Single-family detached	Х	Х	S[1]	Х	Х	S[3]	S[3]	Х
All other Household Living uses	Х	Х	Х	Х	Х	S[3]	S[3]	
Group Living	1	1		1		1	1 1	
All Group Living uses	Х	Х	Х	Х	Х	S[3]	S[3]	Х
Institutional								
Community Service								
Animal shelter	Х	Х	S[7]	Х	Х	S[2]		
Community food services	Х	Х	S[7]	Х	Х	S[2]		
Government office	Х	Х	S[7]	Х	Х	S[2]		
Membership organization facility	Х	Х	S[9]	Х	Х	S[2]		
Public recreation facility	Х	Х	S[9]	Х	Х	S[4]	S[4]	
Public safety facility	Х	Х	S[7]	Х	Х	S[2]		
All other Community Service uses	Х	Х	Х	Х	Х	S[3]	S[3]	Х
Education								
All Education Uses	Х	Х	Х	Х	Х	S[3]	S[3]	Х
Funeral and Mortuary Services								
Cemetery	Х	S[8]	S[8]	Х	Х	S[4]		
Funeral home or mortuary	Х	Х	Х	Х	Х	S[3]	S[3]	
Parks and Open Space		_				-		
Park or greenway	Х	S[9]	S[9]	Х	Х	S[4]	S[4]	
All other Parks and Open Space uses	Х	Х	Х	Х	Х	S[3]	S[2]	Х
Transportation		-			1	-		
All Transportation uses	Х	S[6]		Х	Х	S[4]		
Utilities and Communication		<b>I</b> .	1			<b>I</b> .	, ,	
All Utilities and Communication uses	S[5]	S[5]	S[5]	Х	Х	S[4]		
Commercial								
Animal Services								
Kennel	Х	Х	S[7]	Х	Х	S[2]		
Pet grooming	Х	Х	X	Х	Х	S[2]		Х
Veterinary hospital or clinic	Х	Х	S[7]	Х	Х	S[2]		
Commercial services								
Auction house	Х	Х		Х	Х	S[2]		
	i	i			i			

|

$blank \ cell = no \ change \ in use \ permissions \ from \ underlying \ district, \ except \ the \ standards \ in note \ [number] \ apply \ X = prohibited, \ regardless \ of use \ permissions \ in underlying \ district. \ except \ the \ standards \ in note \ [number] \ apply \ X = prohibited, \ regardless \ of use \ permissions \ in underlying \ district. \ except \ the \ standards \ in note \ [number] \ apply \ X = prohibited, \ regardless \ of use \ permissions \ in underlying \ district. \ except \ the \ standards \ in note \ [number] \ apply \ X = prohibited, \ regardless \ of use \ permissions \ in underlying \ district. \ except \ the \ standards \ in note \ [number] \ apply \ X = prohibited, \ regardless \ of use \ permissions \ in underlying \ district. \ except \ the \ standards \ in note \ [number] \ apply \ X = prohibited, \ regardless \ of use \ permissions \ in underlying \ district. \ except \ the \ standards \ in note \ [number] \ apply \ except \ except \ apply \ except \ apply \ except \ apply \ $
S[number] = no change in use permissions from underlying district, except the standards in note [number] apply X = prohibited, regardless of use permissions in underlying districtUse Classification, Category, Type12345678Bank, RetailXXS[7]XXS[2]CateringXXS[7]XXS[2]0Contractor's officeXXS[7]XXS[2]0Linen or uniform supplyXXS[7]XXS[2]0Medical, dental, and health practitionerXXXXXS[2]X
$\begin{array}{c c c c c c c c c c c c c c c c c c c $
MI-O Zone           Use Classification, Category, Type         1         2         3         4         5         6         7         8           Bank, Retail         X         X         S[7]         X         X         S[2]            Catering         X         X         S[7]         X         X         S[2]            Contractor's office         X         X         S[7]         X         X         S[2]            Linen or uniform supply         X         X         S[7]         X         X         S[2]            Medical, dental, and health practitioner         X         X         X         X         S[2]         X
Use Classification, Category, Type         1         2         3         4         5         6         7         8           Bank, Retail         X         X         S[7]         X         X         S[2]             Catering         X         X         S[7]         X         X         S[2]             Contractor's office         X         X         S[7]         X         X         S[2]            Linen or uniform supply         X         X         S[7]         X         X         S[2]            Medical, dental, and health practitioner         X         X         X         X         S[2]         X
Use Classification, Category, Type         1         2         3         4         5         6         7         8           Bank, Retail         X         X         S[7]         X         X         S[2]             Catering         X         X         S[7]         X         X         S[2]             Contractor's office         X         X         S[7]         X         X         S[2]            Linen or uniform supply         X         X         S[7]         X         X         S[2]            Medical, dental, and health practitioner         X         X         X         X         S[2]         X
Bank, Retail         X         X         S[7]         X         X         S[2]           Catering         X         X         S[7]         X         X         S[2]           Catering         X         X         S[7]         X         X         S[2]           Contractor's office         X         X         S[7]         X         X         S[2]           Linen or uniform supply         X         X         S[7]         X         X         S[2]           Medical, dental, and health practitioner         X         X         X         X         S[2]         X
Catering         X         X         S[7]         X         X         S[2]           Contractor's office         X         X         S[7]         X         X         S[2]           Linen or uniform supply         X         X         S[7]         X         X         S[2]           Medical, dental, and health practitioner         X         X         X         X         S[2]         X
Contractor's office         X         X         S[7]         X         X         S[2]           Linen or uniform supply         X         X         S[7]         X         X         S[2]           Medical, dental, and health practitioner         X         X         X         X         S[2]         X
Linen or uniform supply     X     X     S[7]     X     X     S[2]       Medical, dental, and health practitioner     X     X     X     X     S[2]     X
Medical, dental, and health practitioner         X         X         X         X         S[2]         X
Office X X S[7] X X S[2]
Non-depository personal credit institution X X S[7] X X S[2]
Self-service storage facility     X     S[7]     S[7]     X     X     S[4]
Sightseeing tour services     X     X     S[7]     X     X     S[4]
All other Commercial Services uses X S[7] S[7] X X S[2]
Eating and Drinking Establishments
Restaurant, Carry-out X X X X S[2]
All other Eating and Drinking Establishments
uses X X X X X S[2]
Recreation/Entertainment
Arena, stadium, or outdoor theater X X X X X X X X X X X
Commercial recreation, Outdoor X X X X X X X X X X
Golf course         X         S[9]         S[9]         X         X         S[9]         X
Hunt club X X X X X X X X
Marina X S[9] S[9] X X S[4]
Performing arts center X X X X X X X X X X X
Racetrack or drag strip         X         X         X         X         S[3]         S[2]         X
Shooting range, Indoor X X S[9] X X S[2]
Shooting range, Outdoor X X X X X X X X X X
All other Recreation/Entertainment uses X X X X X X S[2]
Retail Sales
Building supply sales     X     X     S[12]     X     X     S[2]
Consumer goods store, Large X X X X X X X
Convenience store         X         X         S[12]         X         X         S[2]
Drugstore X X X X X X S[2]
Farmers' market   X   X   X   X   S[2]
Flea market X X X X X X X
Manufactured home sales X X S[12] X X S[2]
Outdoor power equipment store         X         X         S[12]         X         X         S[2]
Pawnshop         X         X         S[12]         X         X         S[2]
All other Retail Sales uses X X S[12] X X S[2]
Traveler Accommodations
All Traveler Accommodations uses     X     X     X     X     S[3]     S[3]     X
Vehicle Sales and Services
Car wash         X         X         S[7]         X         X         S[2]
Heavy vehicle wash X X S[7] X X S[2]
Heavy vehicle wash         X         X         S[7]         X         X         S[2]           Parking, Commercial         X         X         S[6]         X         S[4]         S[4]
Parking, Commercial X X S[6] X S[4] S[4]
Parking, Commercial         X         X         S[6]         X         S[4]         S[4]           Vehicle fueling station         X         X         S[12]         X         X         S[2]

#### 

Table 26-3.7(g)26-3.8(g)(4): Modifications of Use Permissions															
<b>blank cell</b> = no change in u	<b>blank cell</b> = no change in use permissions from underlying district														
<b>S</b> [ <i>number</i> ] = no change in use permissions from							ote [ <i>nui</i>	mber]							
	appl	y													
<b>X</b> = prohibited, regardless of	of use pe	ermissic	ons in ur	nderlyin	g distric	t									
Use Classification, Category, Type				MI-O	Zone										
Use classification, category, type	1	2	3	4	5	6	7	8							
Industrial															
Extraction															
All Extraction uses	Х	Х	Х	Х	Х	Х	Х	Х							
Freight Movement, Warehousing, and Wholes	ale Dist	ribution	I												
Warehouse/Distribution facility	Х	Х	S[7]	Х	Х	S[4]	S[4]								
Motor freight facility	Х	Х	S[7]	Х	Х	S[4]	S[4]								
Rail transportation facility	Х	Х	S[7]	Х	Х	S[4]	S[4]								
Timber and timber products wholesale sales	Х	Х	S[7]	Х	Х	S[4]	S[4]								
Industrial Service			_	_	-		_								
Contractor's yard	Х	Х	S[7]	Х	Х	S[2]	S[2]								
Fuel sales (non-vehicular)	Х	Х	S[7]	Х	Х	S[2]	S[2]								
Large vehicle and commercial and industrial	x	x	S[7]	x	х	S[2]	S[2]								
equipment repair	^	^	5[7]	^	^	5[2]	5[2]								
Remediation services	Х	Х	S[7]	Х	Х	S[4]	S[4]								
Production of Goods	-	-			•	-									
Artisan goods production	Х	X]	S[7]	Х	Х	S[2]	S[2]								
All other Production of Goods uses	Х	Х	S[7]	Х	Х	S[4]	S[4]								
Waste and Recycling Facilities															
Scrapyard	Х	Х	Х	Х	Х	Х	Х								
All other Waste and Recycling Facilities uses	Х	Х	Х	Х	Х	Х	Х								
NOTES															

NOTES:

[1] Maximum density shall not exceed one dwelling unit per acre.

[2] Development is conditioned on design and construction providing for an average minimum Noise Level Reduction (NLR) of average minimum 25 dBA throughout the facility or dwelling. NLR criteria will not eliminate outdoor noise problems. However, building location and site planning, and design and use of berms and barriers can help mitigate outdoor exposure, particularly from near ground level sources.

- [3] Development is conditioned on design and construction providing for an average minimum Noise Level Reduction (NLR) of average minimum 30 dBA throughout the facility or dwelling. NLR criteria will not eliminate outdoor noise problems. However, building location and site planning, and design and use of berms and barriers can help mitigate outdoor exposure, particularly from near ground level sources.
- [4] Development is conditioned on design and construction providing for an average minimum Noise Level Reduction (NLR) of average minimum 25 dBA in the portions of these buildings where the public is received, office areas, noise-sensitive areas and land uses, employee lounge areas, or where the normal noise level is low.
- [5] Underground facilities or utilities only, if approved by the McEntire coordinating official.
- [6] No passenger terminals or aboveground transmission lines.
- [7] Office uses that do not involve the regular reception of customers are allowed. Meeting places, auditoriums, and similar structures are prohibited.
- [8] Chapels are prohibited.
- [9] Clubhouses and other enclosed gathering places are prohibited.
- [10] Residential units are subject to the applicable requirements for the Residential categories, including any applicable noise level reduction requirements.
- [11] Animal production is not allowed.
- [12] Accessory uses and structures are allowed only in association with principal uses allowed in accordance with this section.
- [13] Development conditional upon approval from McEntire coordinating official.

- **b.** In MI-O Zone 3, a commercial use shall comply with the following standards:
  - 1. Maximum building footprint of 15,000 square feet;
  - 2. Minimum side yard setbacks of ten feet; and
  - **3.** Maximum lot coverage of 35%.
- c. In MI-O Zone 2, a commercial use shall comply with the following standards:
  - 1. Maximum building footprint of 8,000 square feet;
  - 2. Minimum side yard setbacks of fifteen feet; and
  - **3.** Maximum lot coverage of 20%.

#### (5) Noise Reduction Standards

- Uses identified in Sec. 26-3.7(g)26-3.8(g)(4), Use Standards, as requiring noise level reduction that are located within MI-O Zone 4, MI-O Zone 5, MI-O Zone 6, MI-O Zone 7, and MI-O Zone 8 shall not be approved unless:
  - The applicant provides a testing certificate from a qualified acoustical consultant, architect or engineer licensed in the state of South Carolina, as provided by law, that all structures associated with the noise-sensitive use will achieve an average minimum dBA reduction equal to or greater than the required minimum noise level reduction; or
  - 2. In lieu of the required test, the applicant submits an engineering judgment signed and sealed by an engineer licensed in the state of South Carolina, that in his or her opinion a structure built according to submitted plans will meet the minimum required noise level reduction, based on the construction standards in section 4 or section 5, as applicable, in Appendix D of the "Guidelines for Sound Insulation of Residences Exposed to Aircraft Operations," prepared for the Department of the Navy, by Wyle Research and Consulting, Arlington Virginia, April 2005, on file with the Office of Legislative Services.
- b. For purposes of applying the noise level reduction provisions of this section (Sec. 26-3.7(g)26-3.8(g)(5)) to parcels lying in more than one MI-O sub-district, only the portion of the parcel within the sub-district is subject to the requirements applicable to that sub-district. However, where a portion of a building or room lies within more than one MI-O sub-district, or which is only partially within an MI-O sub-district, the more restrictive noise level reduction requirements apply to the entire building or room.
- c. The Building Inspector may require, prior to granting a certificate of occupancy for a building subject to the requirements of this this section (Sec. 26-3.7(g)26-3.8(g)(5)), at the expense of the owner, field tests by a qualified acoustical consultant, architect or engineer licensed in the state of South Carolina, to verify the noise level reduction of the building, or as provided by law.

#### (6) Military Installation Zone 9 (MI-O Zone 9)

#### a. General

1. For purposes of complying with the Federal Defense Facilities Utilization Integrity Protection Act of South Carolina, MI-O Zone 9 is designated as the County's federal military installation overlay zone.

- 2. All parcels, and portions thereof, within MI-O Zone 9 are subject to the provisions of this section (Sec. 26-3.7(g)26-3.8(g)(6)).
- **3.** The following positions will be designated and maintained by the respective military installations:
  - (a) Fort Jackson coordinating official;
  - (b) McCrady coordinating official; and
  - (c) McEntire coordinating official.

#### b. Notification by Zoning Administrator

- At least 30 calendar days prior to any hearing by the County on any of the following applications pertaining to land within MI-O Zone 9, the Zoning Administrator shall request from each installation coordinating official a written recommendation, with supporting facts, with regard to Sec. <u>26-3.7(g)26-</u><u>3.8(g)(6)</u>d, Review Criteria, relating to the use of the property which is the subject of review:
  - (a) Amendment to or adoption of a new element to the comprehensive plan;
  - (b) Text Amendment (Sec. 26-2.5(a));
  - (c) Zoning Map Amendment (Sec. 26-2.5(b));
  - (d) Special Exception (Sec. 26-2.5(d));
  - (e) Variance (Sec. 26-2.5(p)); and
  - (f) Appeal of Administrative Decision (Sec. 26-2.5(r)).
- 2. Once any of the following applications pertaining to land within MI-O Zone 9 is determined to be complete, the Zoning Administrator shall notify each installation coordinating official of the application submission and the anticipated date of a final decision and invite comments with regard to Sec. 26-3.7(g)26-3.8(g)(6)d, Review Criteria, relating to the use of the property which is the subject of review:
  - (a) Minor Subdivision (Sec. 26-2.5(f)(6)b);
  - (b) Major Subdivision (Sec. 26-2.5(f)(6)c);
  - (c) Land Disturbance Permit (with approved SWPPP) (Sec. 26-2.5(I));
  - (d) Permitted Use with Special Requirements (Sec. 26-2.5(h));
  - (e) Planned Development (Sec. 26-2.5(c));
  - (f) Sign Permit (Sec. 26-2.5(j));
  - (g) Temporary Use Permit (Sec. 26-2.5(m)); and
  - (h) Certificate of Zoning Compliance (Sec. 26-2.5(n)).

#### c. Actions by Zoning Administrator Following Notification

- Upon receipt of any written recommendations or comments from installation coordinating officials, the Zoning Administrator shall make the recommendations or comments a part of the public record and shall investigate and make recommendations of findings addressing the review criteria in Sec. <u>26-3.7(g)26-3.8(g)(6)d</u>, Review Criteria.
- **2.** If an installation coordinating official does not submit a recommendation or comments, by the date of the public hearing or final decision, there is a

presumption that the proposed land use application does not have any adverse effect relative to the review criteria in Sec.  $\frac{26-3.7(g)}{26-3.8(g)}$ (6)d, Review Criteria.

#### d. Review Criteria

In evaluating any land use application for which notification is required in accordance with Sec.  $\frac{26-3.7(g)26-3.8(g)}{26-3.8(g)}$ (6)b, Notification by Zoning Administrator, the Zoning Administrator and the installation coordinating officials shall consider the following criteria with respect to the proposed application:

- 1. Whether the application, if approved, will permit a use that is suitable in view of its location relative to a military installation and its location in MI-O Zone 9 or other military installation zones.
- 2. Whether the application, if approved, will adversely affect the existing use or usability of nearby property within MI-O Zone 9.
- **3.** Whether the subject property has a reasonable economic use as currently zoned;
- 4. Whether the application, if approved, will result in a use which causes or may cause a safety concern with respect to excessive or burdensome use of existing streets, transportation facilities, utilities, or schools where adjacent or nearby property is used as a military installation;
- **5.** Whether the application, as proposed, is in conformity with the policy and intent of the comprehensive plan given the proximity of a military installation; and
- 6. Whether there are other existing or changing conditions affecting the use of the nearby property, such as a military installation, which give supporting grounds for either approval or disapproval of the application as proposed.

#### e. Additional Notification Regarding Capital Improvements

At least 60 days before any official consideration by the County Council to fund or plan for a transportation, water, or sewer capital improvement that would expand the development capacity within MI-O Zone 9, the Capital Projects Manager shall notify the installation coordinating officials and shall identify the location and timing of the proposed capacity-expanding capital improvements.

#### Section 26-4.2 (d) (2) 5. (page 4-14)

### Amendment: The purpose of this amendment is to correct the provision that incorrectly references the R2 zoning district as allowing manufactured homes.

#### 5. Manufactured Home

- (a) Manufactured homes must meet the standards set by the Federal Manufactured Housing Construction and Safety Standards Act of 1974, as amended.
- (b) The tongue, axles, transporting lights, and removable towing apparatus must be removed upon final placement of the manufactured home on the lot.
- (c) Subject to additional requirements in subsection (d) below, manufactured home skirting or a continuous, permanent masonry foundation, unpierced except for openings required by the building code for ventilation, utilities, and access, shall be installed under the manufactured home.
- (d) In the R1 and R2 districts, the following standards apply in addition to the standards in subsections (a) through (c) above:
  - 1. Except on a corner lot, the manufactured home shall be oriented so that the side containing the front entrance door is no more than 20 degrees from parallel to the front property line. For purposes of this section, the front entrance door is the entrance door leading directly to a living room, foyer, or hall.
  - 2. A continuous, permanent masonry foundation, unpierced except for openings required by the building code for ventilation, utilities and access, shall be installed under the manufactured home. The foundation shall be excavated and shall be exposed no more than 12 inches above grade.
  - **3.** The manufactured home shall have a length that does not exceed four times its width, excluding additions.
  - **4.** The front entrance shall include a porch measuring a minimum of six feet by six feet horizontally.
  - 5. The exterior siding shall consist predominately of vinyl or aluminum horizontal lap siding that does not exceed the reflectivity of gloss white paint, wood, or hardboard, comparable in composition, appearance, and durability to the exterior siding commonly used in standard residential construction.
  - 6. The manufactured home's roof pitch shall have a minimum vertical rise of three feet for each twelve feet of horizontal run (3:12) and the roof shall be finished with a type of material that is commonly used in standard residential construction.

#### Section 26-4.3 (b) (page 45)

#### Amendment: The purpose of this amendment is to establish the minimum side yard setback for each respective zoning designation as the required rear yard setback for accessory structures.

#### (b) General Standards for All Accessory Uses and Structures

#### (1) Comply with Applicable Requirements

Accessory uses and structures shall comply with all applicable provisions of this Ordinance. Except as otherwise provided in this Ordinance, accessory uses and structures shall be treated as a permitted use in the zoning district in which they are located.

#### (2) Location

#### a. Front Yard

Except as otherwise provided in this section, an accessory structure or use shall not be located in front of the building line of the principal structure.

#### b. Side Yard

Accessory uses and structures may be permitted in side yards, provided that their placement shall comply with the minimum required side yard setback in the district where they are located.

#### c. Rear Yard

Accessory uses and structures are permitted in rear yards, provided an accessory use or structure shall not be located within five feet of any property line. provided that their placement shall comply with the minimum required side yard setback in the district where they are located.

#### (3) Maximum Height

Accessory structures shall not exceed the height limitations that apply to principal buildings in the district in which they are located, unless otherwise exempted.

#### (4) Maximum Floor Area and Lot Coverage

- **a.** Except as otherwise provided by subsections b and c below, the total gross floor area of all accessory structures on any lot in a Residential district shall not exceed 50 percent of the gross floor area of the principal building on the lot or 1,200 square feet, whichever is greater. Accessory structures shall not cover more than 30 percent of the rear yard.
- **b.** The total gross floor area of all accessory structures on any lot in the RT District that is at least two acres shall not exceed a maximum total area of 50 percent of the gross floor area of the principal building or 2,500 square feet.
- c. There are no size restrictions for accessory structures that are associated with agricultural uses in the RT District, provided that the lot size is greater than two acres and that a 100-foot setback is maintained from all property lines.

#### Section 26-4.4 (c) (4) (page 4-56)

#### Amendment: The purpose of this amendment is to permit temporary events in the Agricultural (AG) and Homestead (HM) zoning districts, subject to the specific standards of section 26-4.4(d)(8).

#### Table 26-4.4(c): Temporary Uses and Structures Table

Table 26-4.4(b): Temporary Uses and Structures Table         P = Permitted by right (temporary use permit not required)       T = Permitted, subject to approval of a temporary use permit         blank = not allowed       A = Allowed, subject to approved PD Plan and PD Agreement																											
Temporary Use or Structure	os	AG	НM	RT	R1	R2	R3	R4	RS	R6	RC	MU1	MU3	MU2	CC	EMP	INS	П	H	CC-1	CC-2	CC-3	CC-4	PD	PD-EC	PD-TND	Use- Specific Standards Sec. 26-4.4
Construction site office and storage		т	т	т	т	т	т	Т	Т	т	т	т	Т	Т	т	Т	т	Т	Т	Т	Т	Т	т	т	Т	Т	(d)(1)
Farmers' market, temporary		Т	Т	т							Т	Т	Т	Т	Т	Т	Т	Т		Т	Т	Т		А	А	А	(d)(2)
Food truck			Ρ	Ρ	Ρ	Ρ	Ρ	Ρ	Ρ	Ρ	Ρ	Ρ	Ρ	Ρ	Ρ	Ρ	Ρ	Ρ	Ρ	Ρ	Ρ	Ρ	Ρ	Ρ	Ρ	Ρ	(d)(3)
Garage/Yard sale		Ρ	Ρ	Ρ	Ρ	Ρ	Ρ	Ρ	Ρ	Ρ	Ρ	Ρ	Ρ	Ρ	Ρ	Ρ	Ρ			Ρ	Ρ	Ρ		Ρ	Ρ	Ρ	(d)(4)
Portable storage container		Ρ	Ρ	Ρ	Ρ	Ρ	Ρ	Ρ	Ρ	Ρ	Ρ	Ρ	Ρ	Ρ	Ρ	Ρ	Ρ	Ρ	Ρ	Ρ	Ρ	Ρ	Ρ	Ρ	Ρ	Ρ	(d)(5)
Real estate office (model home)		Т	Т	Т	Т	Т	Т	Т	Т	Т	Т	Т	Т	Т	Т	Т	Т	Т	Т	Т	Т	Т	Т	Т	Т	Т	(d)(6)
Real estate office (trailer or modular unit)		т	т	т	т	т	т	т	Т	т	т	т	Т	т	т	Т	т	Т	т	т	т	т	т	А	A	А	(d)(7)
Temporary event	Т	Τ	Ţ								Т	Т	Т	Т	Т	Т	Т	Т	Т		Т	Т	Т	Т	Т	Т	(d)(8)
Temporary sale											Ρ	Ρ	Ρ	Ρ	Ρ	Ρ	Ρ	Ρ	Ρ		Ρ	Ρ	Ρ	Ρ	Ρ	Ρ	
Temporary use of accessory structure as principal dwelling		т	т	т	т	т	т	т	Т	т		т	т	т	т	Т				т	Т	т		т	Т	Т	(d)(9)

#### (8) Temporary Event

- **a.** All additional permits and inspections required by the building code or fire officials must be received.
- b. In approving a temporary use permit for the temporary event, the Zoning Administrator is authorized to impose such conditions upon the premises benefited by the permit as may be necessary to reduce or minimize any potential adverse impacts upon other property in the area, as long as the condition relates to a situation created or potentially created by the proposed temporary event. The Zoning Administrator is authorized, where appropriate, to require:
  - 1. Provision of temporary parking facilities, including vehicular access and egress.
  - 2. Control of nuisance factors, such as but not limited to, the prevention of glare or direct illumination of adjacent properties, noise, vibrations, smoke, dust, dirt, odors, gases, and heat.
  - **3.** Regulation of temporary buildings, structures and facilities, including placement, height and size, location of equipment and open spaces, including buffer areas and other yards.
  - 4. Provision of sanitary and medical facilities.
  - 5. Provision of solid waste collection and disposal.
  - 6. Provision of security and safety measures.
  - 7. Use of an alternative location or date for the proposed special event.

- 8. Modification or elimination of certain proposed activities.
- **9.** Regulation of operating hours and days, including limitation of the duration of the special event to a shorter time period than that requested or specified in this subsection.
- **10.** Submission of a performance guarantee to ensure that any temporary facilities or structures used for such proposed temporary event will be removed from the site within a reasonable time following the event and that the property will be restored to its former condition.



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