

**ORIGINAL  
STAMPED IN RED**

**ORDINANCE NO.: 2023-048**

*Amending The Unified Ordinance of the City of Columbia, South Carolina, Article 2: Administration, Sec. 17-2.5(e)(4)(12); Sec. 17-2.5(r)(2)(b); and, Article 3: Zoning Districts, Sec. 17-3.2(h)(3); Sec. 17-3.3(d)(3); and, Article 4: Use Regulations, Sec. 17-4.2(b) Table 17-4.2(b)(4) Table (4); Sec. 17-4.2(c)(3)(f)(3)(i) and (vi); Sec. 17-4.2(c)(3)(g); Sec. 17-4.2(c)(5); Sec. 17-4.2(c)(3)(c)(2)(iii); Sec. 17-4.2(c)(3)(c)(3)(ii); Sec. 17-4.2(c)(3)(f)(2)(iii, iv, and v); Sec. 17-4.3(b)(4); Table 17-4.3(b)(5); Sec. 17-4.3(d)(8); and, Article 5: Development Standards, Sec. 17-5.2(c)(2)(b); Sec. 17-5.2(d)(5); Sec. 17-5.8(d); Table 17-5.8(d)(3); Sec. 17-5.10(c)(7)(b)(2) and, Article 9: Definitions and Rules of Measurement, Sec. 17-9.2(b)(2); Sec. 17-9.3(a)(5)(f); Sec. 17-9.3(a)(5)(i)(5); and Sec. 17-9.4*

BE IT ORDAINED by the Mayor and Council this 2<sup>nd</sup> day of May, 2023, that The Unified Ordinance of the City of Columbia, South Carolina, Article 2: Administration, Sec. 17-2.5. Application-Specific Review Procedures and Decision Standards (e) Special Exception Permit (4) Special Exception Permit Decision Standards (12); Administration, Sec. 17-2.5. Application-Specific Review Procedures and Decision Standards (r) Administrative Adjustment (2) Applicability (b); Article 3: Zoning Districts, Sec. 17-3.2. Residential Base Zoning Districts (h) RD: Residential Two-Family District (3) Intensity and Dimensional Standards; Article 3: Zoning Districts, Sec. 17-3.3. Mixed-Use, Activity Center, and Corridor Base Zoning Districts (d) MU-2: Mixed-Use District (3) Intensity and Dimensional Standards; Article 4: Use Regulations, Sec. 17-4.2. Principal Uses (b) Principal Use Table - Table 17-4.2(B)(4); Article 4: Use Regulations, Sec. 17-4.2. Principal Uses (c) Standards for Specific Principal Uses (3) Commercial Uses (f) Vehicle Sales and Services Uses (3) Personal Vehicle Repair and Maintenance (i) and (vi); Article 4: Use Regulations, Sec. 17-4.2. Principal Uses (c) Standards for Specific Principal Uses (3) Commercial Uses (g) Visitor Accommodations Uses; Article 4: Use Regulations, Sec. 17-4.2. Principal Uses (c) Standards for Specific Principal Uses (5) Industrial Uses; Article 4: Use Regulations, Sec. 17-4.2. Principal Uses (c) Standards for Specific Principal Uses (3) Commercial Uses (c) Eating and Drinking Establishment Uses (2) Eating and Drinking Establishment, Type 1 (iii); Article 4: Use Regulations, Sec. 17-4.2. Principal Uses (c) Standards for Specific Principal Uses (3) Commercial Uses (c) Eating and Drinking Establishment Uses (3) Eating and Drinking Establishment, Type 2 (ii); Article 4: Use Regulations, Sec. 17-4.2. Principal Uses (c) Standards for Specific Principal Uses (3) Commercial Uses (f) Vehicle Sales and Services Uses (2) Gasoline Sales and Service Station (iii, iv, and v); Article 4: Use Regulations, Sec. 17-4.3. Accessory Uses and Structures (b) Accessory Use/Structure Table (4) Accessory Use/Structure Table for Base Zoning Districts - Table 17-4.3(B)(5) Accessory Use/Structure Table for Base Zoning Districts; Article 4: Use Regulations, Sec. 17-4.3. Accessory Uses and Structures (d) Standards for Specific Accessory Uses and Structures (8) Outdoor Seating/Activity Area (as accessory to an eating and drinking establishment use); Article 5: Development Standards, Sec. 17-5.2. Off-Street Parking, Bicycle Parking, and Loading (c) General Standards for Off-Street Parking and Loading Areas (2) Surfacing (b); Article 5: Development Standards, Sec. 17-5.2. Off-Street Parking, Bicycle Parking, and Loading (d) Off-Street Parking Space Standards (5) Maximum Number of Off-Street Parking Spaces; Article 5: Development Standards, Sec. 17-5.8 Fences and Walls (d) Height – Table 17-5.8(D)(3): Maximum Fence or Wall Height in Required Yards; Article 5: Development Standards, Sec. 17-5.10 Signs (c) Standards (7) Temporary Signs (b) Standards for Specific Types of Temporary Signs (2) Temporary Signs for Nonresidential Uses and in Nonresidential Districts; Article 9: Definitions and Rules of Measurement, Sec. 17-9.2. Rules of Measurement (b) Exceptions and Variations (2) Reduction of Minimum Setback Requirements to Block Face Average; Article 9: Definitions and Rules of Measurement, Sec. 17-9.3. Use Classification and Interpretation (a) Principal Use Classification System (5) Commercial Uses Classification (f) Personal Services Uses; Article 9: Definitions and Rules of Measurement, Sec. 17-9.3. Use Classification and Interpretation (a) Principal Use Classification System (5) Commercial Uses Classification (i) Vehicle Sales and Services Uses (5) Personal vehicle repair and maintenance; Article 9: Definitions and Rules of Measurement, Sec. 17-9.4. Definitions – Outdoor Seating/Activity Area (As Accessory to an Eating or Drinking Establishment; are amended as follows:

**Article 2: Administration**

**Sec. 17-2.5 Application-Specific Review Procedures and Decision Standards (e) Special Exception Permit (4) Special Exception Permit Decision Standards (12); all as attached.**

**Sec. 17-2.5 Application-Specific Review Procedures and Decision Standards (r) Administrative Adjustment (2) Applicability (b); and**

**Article 3: Zoning Districts**

**Sec. 17-3.2 Residential Base Zoning Districts (h) RD: Residential Two-Family District (3) Intensity and Dimensional Standards; and**

**Sec. 17-3.3 Mixed-Use, Activity Center, and Corridor Base Zoning Districts (d) MU-2: Mixed-Use District (3) Intensity and Dimensional Standards; all as attached.**

#### **Article 4: Use Regulations**

**Sec. 17-4.2 Principal Uses (b) Principal Use Table - Table 17-4.2(B)(4); and**

**Sec. 17-4.2 Principal Uses (c) Standards for Specific Principal Uses (3) Commercial Uses (f) Vehicle Sales and Services Uses (3) Personal Vehicle Repair and Maintenance (i) and (vi); and**

**Sec. 17-4.2 Principal Uses (c) Standards for Specific Principal Uses (3) Commercial Uses (g) Visitor Accommodations Uses; and**

**Sec. 17-4.2 Principal Uses (c) Standards for Specific Principal Uses (5) Industrial Uses; and**

**Sec. 17-4.2 Principal Uses (c) Standards for Specific Principal Uses (3) Commercial Uses (e) Eating and Drinking Establishment Uses (2) Eating and Drinking Establishment , Type 1 (iii); and**

**Sec. 17-4.2 Principal Uses (c) Standards for Specific Principal Uses (3) Commercial Uses (e) Eating and Drinking Establishment Uses (3) Eating and Drinking Establishment, Type 2 (ii); and**

**Sec. 17-4.2 Principal Uses (c) Standards for Specific Principal Uses (3) Commercial Uses (f) Vehicle Sales and Services Uses (2) Gasoline Sales and Service Station (iii, iv, and v); and**

**Sec. 17-4.3 Accessory Uses and Structures (b) Accessory Use/Structure Table (4) Accessory Use/Structure Table for Base Zoning Districts - Table 17-4.3(B)(5) Accessory Use/Structure Table for Base Zoning Districts; and**

**Sec. 17-4.3 Accessory Uses and Structures (d) Standards for Specific Accessory Uses and Structures (8) Outdoor Seating/Activity Area (as accessory to an eating and drinking establishment use); all as attached**

#### **Article 5: Development Standards**

**Sec. 17-5.2 Off-Street Parking, Bicycle Parking, and Loading (c) General Standards for Off-Street Parking and Loading Areas (2) Surfacing (b); and**

**Sec. 17-5.2 Off-Street Parking, Bicycle Parking, and Loading (d) Off-Street Parking Space Standards (5) Maximum Number of Off-Street Parking Spaces; and**

**Sec. 17-5.8 Fences and Walls (d) Height – Table 17-5.8(D)(3): Maximum Fence or Wall Height in Required Yards; and**

**Sec. 17-5.10 Signs (c) Standards (7) Temporary Signs (b) Standards for Specific Types of Temporary Signs (2) Temporary Signs for Nonresidential Uses and in Nonresidential Districts; all as attached.**

#### **Article 9: Definitions and Rules of Measurement**

**Sec. 17-9.2 Rules of Measurement (b) Exceptions and Variations (2) Reduction of Minimum Setback Requirements to Block Face Average; and**

**Sec. 17-9.3 Use Classification and Interpretation (a) Principal Use Classification System (5) Commercial Uses Classification (f) Personal Services Uses; and**

**Sec. 17-9.3 Use Classification and Interpretation (a) Principal Use Classification System (5) Commercial Uses Classification (i) Vehicle Sales and Services Uses (5) Personal vehicle repair and maintenance; all as attached.**

**Sec. 17-9.4 Definitions – Outdoor Seating/Activity Area (As Accessory to an Eating or Drinking Establishment); and**

A copy of the proposed amendments to " The Unified Development Ordinance of the City of Columbia, South Carolina as adopted August 20, 2019" is attached hereto and incorporated herein by reference and available for inspection by contacting the City Clerk, City Hall, 3rd Floor, 1737 Main Street, Columbia, South Carolina, 29201; (803) 545-3045; cityclerk@columbiasc.net, or the Zoning Division, 1136 Washington Street, Columbia, South Carolina, 29201; (803) 545-3333.

Requested by:

Assistant City Manager Gentry

Approved by:

Cheresa B. Whitson  
City Manager

Approved as to form:

[Signature]  
City Attorney

Introduced: 4/18/2023  
Final Reading: 5/2/2023

[Signature]  
Mayor

ATTEST:

Erika D. M. Hammond  
City Clerk



## PLANNING COMMISSION

March 9, at 4:00pm

City Hall, 3<sup>rd</sup> floor Council Chambers, 1737 Main Street, Columbia, SC 29201

# AMENDMENTS TO THE UNIFIED DEVELOPMENT ORDINANCE Update Text

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Proposal: Amendments to the text of Chapter 17 of the Columbia Code of Ordinances entitled “Unified Development Ordinance of the City of Columbia, South Carolina”

Applicant: Hope Hasty, Zoning Administrator

Staff Recommendation: Approval

PC Recommendation: Pending

### DETAIL

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The Unified Development Ordinance was adopted by City Council on August 20, 2019 and took effect on August 30, 2021. As the code has been implemented in practice, staff has found some areas that need to be amended as well as certain items that need clarification. Staff is proposing amendments to correct inconsistencies and streamline the development process.

The requested amendments are as follows:

- Article 2
  - o Amend Administrative Adjustment language
  - o Remove number 12 from special exception decision standards
- Article 3
  - o Adjust density in RD district
  - o Adjust front yard setback in MU-2 district
- Article 4
  - o Permit two-family dwellings in NAC district
  - o Permit place of worship as a conditional use in the MU-2 district
  - o Remove car wash and auto detailing use reference from Personal Vehicle Repair and Maintenance conditions and add to permitted use table as a separate use category;
  - o Make bed and breakfast a permitted use in applicable districts and remove conditions
  - o Permit manufacturing, assembly, or fabrication, medium in MC district; remove conditions
  - o Remove outdoor seating (as an accessory to an eating and drinking establishment use) from Table 17-4.3(B)(5) and remove associated conditions and definition
  - o Remove distance threshold from Personal Vehicle Repair and Maintenance conditions and specify compliance with buffer requirements
  - o Remove several conditions from Gasoline and Service Station use

- Article 5
  - o Amend Maximum Number of Off-Street Parking Spaces section to remove inconsistencies
  - o Clarify alternative parking surface language
  - o Amend fence height for side/rear yards and secondary front yards
  - o Increase size for temporary signs in nonresidential districts
- Article 9
  - o Add reference to maximum setbacks in reduction of setbacks to block face average
  - o Amend definition of personal vehicle repair and maintenance to remove reference to car washes and add definition of car wash as a separate definition under personal service uses

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#### STAFF RECOMMENDATION

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Staff recommends the Planning Commission recommend to City Council to approve the request.

4. A Zoning Permit shall automatically expire and be void if the development described in the permit is not substantially completed within one year of the date the permit is issued, except as follows:
  - (i) In the case of a Special Exception, development shall be substantially completed within any time limit established in accordance with Sec. 17-2.5(e), Special Exception Permit; or
  - (ii) In the case of development which may reasonably be expected to require more than one year for completion, the ZA may specify a time limit in excess of one year at the time of original issuance of the Zoning Permit.
5. Upon written application submitted by the applicant at least 30 days prior to the expiration of the approval of a Zoning Permit and upon a showing of good cause, the ZA may grant one extension of the time frame of approval not to exceed six months.

**d. Notification to Applicant of Decision**

Required (see Sec. 17-2.4(i), Notification to Applicant of Decision).

**e. Appeal**

Optional (see Sec. 17-2.4(j), Appeal).

**(4) Zoning Permit Decision Standards**

An application for a Zoning Permit shall be approved upon a finding that the applicant demonstrates that the proposed development complies with all applicable standards in this Ordinance and all other applicable City codes and regulations.

**(r) Administrative Adjustment**

**(1) Purpose**

The purpose of this subsection is to establish a uniform mechanism for the ZA to approve minor deviations from the dimensional or design standards of this Ordinance in specific circumstances in order to better accomplish the purposes of this Ordinance.

**(2) Applicability**

- a. The procedures and standards in this subsection apply to the review of and decision on applications for administrative adjustments.
- b. An administrative adjustment may be requested and granted for up to ten percent of any numeric parking standard set out in Sec. 17-5.2(d)(1), Minimum Number of Off-Street Parking Spaces, ten percent of any fence height standard set out in Table 17-5.8(d)(3), Maximum Fence or Wall Height in Required Yards, and up to 20 percent of any numeric dimensional standard governing lot width, lot area, building height, or building setback set out in Article 3: Zoning Districts.

**Article 2: Administration**

**Sec. 17-2.5. Application-Specific Review Procedures and Decision Standards**

**(e) Special Exception Permit**

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- (ii) Approve the application subject to conditions of approval; or
    - (iii) Deny the application.
  - 2. The Board's decision shall be in writing and shall include findings of fact and conclusions of law.
  - 3. Subject to Sec. 17-1.9, Vested Rights, The Board may include as a condition of approval a time limit within which the action for which the Special Exception Permit is required shall be begun or completed, or both. Failure to begin or complete, or begin and complete, such an action within the time limit shall void the Special Exception Permit.
  - 4. Any violation of a condition of approval of a Special Exception Permit shall be deemed a violation of this Ordinance and shall void the Special Exception Permit.
- f. Notification to Applicant of Decision**  
Required (see Sec. 17-2.4(i), Notification to Applicant of Decision).
- g. Appeal**  
Optional (see Sec. 17-2.4(j), Appeal). Appeals from a final decision of the Board of Zoning Appeals on an application for a Special Exception Permit are governed by S.C. Code § 6-29-820 through S.C. Code § 6-29-850.

**(4) Special Exception Permit Decision Standards**

The Board of Zoning Appeals shall approve an application for a Special Exception Permit only upon a finding that the following standards are met:

- 1. The proposed special exception complies with all applicable zoning district-specific standards in Article 3: Zoning Districts;
- 2. The proposed special exception complies with all applicable use-specific standard in Article 4: Use Regulations;
- 3. The proposed special exception will not have a substantial adverse impact on vehicular traffic or vehicular and pedestrian safety;
- 4. Adequate provisions are made for parking and for loading and unloading;
- 5. The proposed special exception will not have a substantial adverse impact on adjoining properties in terms of environmental factors such as noise, lights, glare, vibration, fumes, odors, obstruction of air or light, and litter;
- 6. The proposed special exception will not have a substantial adverse impact on the aesthetic character of the area, to include a review of the orientation and spacing of buildings;
- 7. The proposed special exception will not have a substantial adverse impact on public safety or create nuisance conditions detrimental to the

public interest or conditions likely to result in increased law enforcement response;

8. The establishment of the proposed special exception does not create a concentration or proliferation of the same or similar types of special exception use, which concentration may be detrimental to the development or redevelopment of the area in which the special exception use is proposed to be developed;
9. The proposed special exception is consistent with the character and intent of the underlying zoning district as indicated in the zoning district purpose statement, and with any applicable overlay zoning district or adopted plan goals and requirements;
10. The proposed special exception is appropriate for its location and compatible with the permitted uses adjacent to and in the vicinity of the property;
11. The proposed special exception is compatible with the general character of the district in which it is proposed; and
- ~~12. The proposed special exception will not have an adverse impact on the land values of surrounding properties; and~~
12. The proposed special exception will not adversely affect the public interest.

## (f) Development Agreement

### (1) Purpose

Development Agreements are a mechanism for providing regulatory certainty, establishing a schedule for development, and assisting both developers and the City coordinate the provision of adequate public facilities to serve development, coordinate the phasing of development, and administer and manage efforts to maintain open space and environmentally sensitive lands. The purpose of this subsection is to establish a uniform procedure and standards for the City to enter into Development Agreements with developers.

### (2) Applicability

- a. The procedures and standards in this subsection apply to the establishment of a Development Agreement between a developer and the City in accordance with S.C. Code § 6-31-10 et seq.
- b. In order for a Development Agreement to be established in accordance with this subsection, the land that is the subject of the proposed Development Agreement must have a contiguous area of at least 25 acres not including any special flood hazard areas.

### (3) Development Agreement Procedure

Figure 17-2.5(f) identifies the standard review procedures from Sec. 17-2.4, Standard Review Procedures, that apply to Development Agreements. Additions

**Article 3: Zoning Districts**

Sec. 17-3.2. Residential Base Zoning Districts

(h) RD: Residential Two-Family District

**(h) RD: Residential Two-Family District**

**(1) Purpose**

The purpose of the Residential Two-Family (RD) District is to provide lands that accommodate a mix of single-family dwellings and two-family dwellings at moderate densities. The district also accommodates parks and recreation centers, government offices, and minor utility facilities. District regulations discourage development that substantially interferes with the quiet residential nature of the district.



**(2) Use Standards**

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

**(3) Intensity and Dimensional Standards**

Standard	Two-Family	All Other Uses
Lot Area, min. (sf.)	7,500 <sup>[1]</sup>	5,000
<b>1</b> Lot Width, min. (ft.)		50
<b>2</b> Lot Depth, min. (ft.)		70
Lot Coverage, max. (% of site area)		50
Density, max. (du/acre)		<u>&amp; N/A</u>
<b>3</b> Front Yard Setback, min. (ft.)		20
<b>4</b> Side Yard Setback, min. (ft.)		5
<b>5</b> Rear Yard Setback, min. (ft.)		10
<b>6</b> Building Height, max. (ft.)		40

Notes: ft. = feet sf. = square feet du. = dwelling unit

<sup>[1]</sup>—Applies to the development lot as a whole rather than individual lots under individual units.

**Article 3: Zoning Districts**

Sec. 17-3.3. Mixed-Use, Activity Center, and Corridor Base Zoning Districts

(d) MU-2: Mixed-Use District

**(d) MU-2: Mixed-Use District**

**(1) Purpose**

The purpose of the Mixed-Use (MU-2) District is to provide lands that accommodate medium-density, walkable mixed-use development in a gridded street pattern.

Allowed uses include single-family, two-family, townhouse, and multi-family development, as well as a moderate range of neighborhood-serving mixed-use, retail, office, and personal services development.



**(2) Use Standards**

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

**(3) Intensity and Dimensional Standards**

Standard	Townhouse	Single-Family and Two-Family	Multi-Family and Mixed Use	All Other Uses
Lot Area, min. (sf.)	8,000[1]/1,500[2]	5,000	10,000	5,000
<b>1</b> Lot Width, min. (ft.)	75[1]/18[2]	50	75	50
<b>2</b> Lot Depth, min. (ft.)		50		N/A
Lot Coverage, max. (% of site area)			N/A	
Density, max. (du/acre)			N/A	
<b>3</b> Front Yard Setback (ft.)	Min.		<del>15</del> 0	
	Max.		15	N/A
<b>4</b> Side Yard Setback, min. (ft.)	[3]		5	
<b>5</b> Rear Yard Setback, min. (ft.)			10	
<b>6</b> Building Height, max. (ft.)			60	

Notes: ft. = feet sf. = square feet du. = dwelling unit

[1] Applies to the development lot as a whole rather than individual lots under individual units.

[2] Applies to individual lots under individual units.

[3] A minimum of five feet required between end units and side yard and ten feet between end units and any secondary front yard.







TABLE 17-4.2(B)(4): PRINCIPAL USE TABLE FOR BASE ZONING DISTRICTS																											
P = PERMITTED BY RIGHT    C = ALLOWED CONDITIONAL    S = ALLOWED AS SPECIAL EXCEPTION    BLANK CELL = PROHIBITED																											
Principal Use Category	Principal Use Type	Residential Districts								Mixed-Use, Activity Center, and Corridor Districts							Institutional and Campus Districts				Industrial Districts			Use-Specific Standards			
		T/C	LL-R	RSF-1	RSF-2	RSF-3	RD	RD-MV	RM-1	RM-2	MU-1	MU-2	NAC	CAC	RAC	O-I	DAC	GC	MC	INS-GEN	INS-U/M	INS-ZOO	INS-T/U		LI	HI	EC
	Utility facility, minor	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
<b>COMMERCIAL USES</b>																											
Animal Care Uses	Animal shelter													S			S							P	P		
	Kennel													C	C	C	C	C	C					C	C	C	Sec. 17-4.2(c)(3)a.1
	Veterinary hospital or clinic											C	C	C	C	C	C	C					C	C	C	Sec. 17-4.2(c)(3)a.2	
Commercial Services Uses	Equipment rental														C		P	C		C			P	P		Sec. 17-4.2(c)(3)b.1	
	Laboratory, testing or research														P		P	P	P	P			P	P	P		
	Lawn, tree, or pest control services																P			P			P	P			
	Linen or uniform supply														P			P		P			P	P			
	Self-service storage														C	C		C	C	C			C	C		Sec. 17-4.2(c)(3)b.2	
	Sign fabricating establishment																			P			P	P			
Eating and Drinking Establishment Uses	Eating establishment only										C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Sec. 17-4.2(c)(3)c.1	
	Eating and drinking establishment, Type 1										C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Sec. 17-4.2(c)(3)c.2	
	Eating and drinking establishment, Type 2										S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	Sec. 17-4.2(c)(3)c.3	
Funeral and Mortuary Services Uses	Crematory																							P	P		
	Funeral home or mortuary										P	P	P	P	P	P	P	P									

Article 4: Use Regulations  
 Sec. 17-4.2. Principal Uses  
 (b) Principal Use Table

TABLE 17-4.2(B)(4): PRINCIPAL USE TABLE FOR BASE ZONING DISTRICTS																										
P = PERMITTED BY RIGHT    C = ALLOWED CONDITIONAL    S = ALLOWED AS SPECIAL EXCEPTION    BLANK CELL = PROHIBITED																										
Principal Use Category	Principal Use Type	Residential Districts								Mixed-Use, Activity Center, and Corridor Districts								Institutional and Campus Districts				Industrial Districts			Use-Specific Standards	
		T/C	LL-R	RSF-1	RSF-2	RSF-3	RD	RD-MV	RM-1	RM-2	MU-1	MU-2	NAC	CAC	RAC	O-1	DAC	GC	MC	INS-GEN	INS-U/M	INS-ZOO	INS-T/U	LI		HI
Office Uses	Business/Professional office										P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
	Contractor's office													P	P	P	P	P	P						P	P
Personal Services Uses	Bank, retail											P	P	P	P	P	P	P								
	Beauty salon or barbershop										P	P	P	P	P	P	P	P		P						P
	Body piercing or tattoo establishment											C	C	C	C			C	C					C		
	Dry cleaning pick-up								C	C	C	C	C	C	C		C	C	C	S	C			C	C	C
	Laundry, coin-operated										P	P	P	P	P		P	P	P		P			P	P	
	Nail salon										P	P	P	P	P		P	P	P		P					P
	Non-depository personal credit institution															C		C	C	C				C	C	
	Repair of personal goods											P	P	P	P		P	P	P		P			P	P	
	<a href="#">Car wash</a>											<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>					<u>P</u>	<u>P</u>	<u>P</u>
Recreation/ Entertainment Uses	Amusement park														P			P						P		
	Arena, stadium, or outdoor theater															P		P	P	P	P	P		P		
	Banquet hall												P	P	P		P	P	P		P					P
	Performing arts center												P	P	P	S	P	P	P	P	P	P				
	Recreation facility, indoor, not elsewhere listed											C	C	C	C		C	C	C		S	C		C		S
	Recreation facility, outdoor, not elsewhere listed										P	P	S	P	P		P	P	P		S	P				S
	Sexually-oriented business																							S	S	

**TABLE 17-4.2(B)(4): PRINCIPAL USE TABLE FOR BASE ZONING DISTRICTS**

**P = PERMITTED BY RIGHT      C = ALLOWED CONDITIONAL      S = ALLOWED AS SPECIAL EXCEPTION      BLANK CELL = PROHIBITED**

Principal Use Category	Principal Use Type	Residential Districts								Mixed-Use, Activity Center, and Corridor Districts								Institutional and Campus Districts				Industrial Districts			Use-Specific Standards			
		T/C	LL-R	RSF-1	RSF-2	RSF-3	RD	RD-MV	RM-1	RM-2	MU-1	MU-2	NAC	CAC	RAC	O-I	DAC	GC	MC	INS-GEN	INS-U/M	INS-ZOO	INS-T/U	LI		HI	EC	
Retail Sales Uses	Building supplies and equipment store												C/S	P			S	S							P			Sec. 17-4.2(c)(3)e.1
	Consumer goods store									P	P	C/S	P	P		C	P	C	P	P	P				P		P	Sec. 17-4.2(c)(3)e.1
	Convenience store												S	S	S		S	S	S		S				S		S	Sec. 17-4.2(c)(3)e.1; Sec. 17-4.2(c)(3)e.2
	Farmers' market	P	P							P	P	C/S	P	P	P	C	P	C	P	P	P	P	P	P	P		P	Sec. 17-4.2(c)(3)e.1
	Fuel sales (bulk)																S								P	P		Sec. 17-4.2(c)(3)e.1
	Grocery store or food market							S	S	P	P	C	P	P		P	C	P		P						P		Sec. 17-4.2(c)(3)e.1
	Liquor store												S	S	S		S	S	S						S			Sec. 17-4.2(c)(3)e.1
	Pawn shop												S	S	S		S	S	S									
Vehicle Sales and Services Uses	Commercial fuel depot																							P	P	P		
	Commercial vehicle repair and maintenance																			P				P	P	P		
	Commercial vehicle sales and rentals																C								C			Sec. 17-4.2(c)(3)f.1
	Gasoline sales and service station											C	C	C		C	C	C							C	C		Sec. 17-4.2(c)(3)f.2
	Personal vehicle repair and maintenance												C	C		S	C								C	C		Sec. 17-4.2(c)(3)f.3



TABLE 17-4.2(B)(4): PRINCIPAL USE TABLE FOR BASE ZONING DISTRICTS																											
P = PERMITTED BY RIGHT    C = ALLOWED CONDITIONAL    S = ALLOWED AS SPECIAL EXCEPTION    BLANK CELL = PROHIBITED																											
Principal Use Category	Principal Use Type	Residential Districts						Mixed-Use, Activity Center, and Corridor Districts						Institutional and Campus Districts				Industrial Districts			Use-Specific Standards						
		T/C	LL-R	RSF-1	RSF-2	RSF-3	RD	RD-MV	RM-1	RM-2	MU-1	MU-2	NAC	CAC	RAC	O-I	DAC	GC	MC	INS-GEN		INS-U/M	INS-ZOO	INS-T/U	LI	HI	EC
Manufacturing uses	Manufacturing, assembly, or fabrication, light									P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 17-4.2(c)(5)a.1	
	Manufacturing, assembly, or fabrication, medium																		C/SP						P	P	Sec. 17-4.2(c)(5)a.1
	Manufacturing, assembly, or fabrication, heavy																								P		
Resource Extraction Uses	Mining																								S		
Waste-Related Uses	Composting facility																								S	P	
	Junk, salvage, scrap, or wrecking yard																								S	S	
	Recycling center																								S	S	Sec. 17-4.2(c)(5)a.1
	Refuse processing facility																								S	C	Sec. 17-4.2(c)(5)b.2
	Refuse disposal																									P	
NOTES:																											
[1] Whether a wireless communication facility is permitted, prohibited, or requires a Special Exception Permit in a particular zoning district depends on the type of tower and its height (see Sec. 17-4.2(c)(2)a.1, Wireless Communication Facilities (Cell Tower)).																											

**7. Non-depository personal credit institution**

An establishment that provides loans to individuals with personal checks or titles as collateral, but that does not engage in deposit banking.

**8. Repair of personal goods**

An establishment that provides repair services for personal goods, such as shoe repair shops; tailor and alteration shops; watch, clock, and jewelry repair; and radio and television repair.

**9. Car Wash**

An establishment that washes, cleans, or otherwise protects the exterior or interior surfaces of personal vehicles

**g. Recreation/Entertainment Uses**

The Recreational/Entertainment Uses category includes use types providing indoor or outdoor facilities for recreation or entertainment-oriented activities by patrons or members. Use types include: amusement park; arena, stadium, or outdoor theater; banquet hall; performing arts center; indoor recreation facility; outdoor recreation facility; and sexually-oriented business. It does not include recreational facilities that are accessory to parks (categorized as Parks and Open Space uses), or that are reserved for use by a particular residential development's residents and their guests (e.g., accessory community swimming pools and other recreation facilities). Accessory uses may include offices, concessions, snack bars, and maintenance facilities.

**1. Amusement park**

An outdoor facility designed for entertainment purposes which may include structures or buildings, motorized or non-motorized rides, games, and booths for the conduct of sporting events or games. Accessory uses may include office, retail and other commercial uses commonly established in such facilities and related parking facilities.

**2. Arena, stadium, or outdoor theater**

A building or structure designed or intended for use for spectator sports, entertainment events, expositions, and other public gatherings. Such uses may or may not include lighting facilities for illuminating the field or stage area, concessions, parking facilities, and maintenance areas. Examples include sports stadiums, amphitheatres, and drive-in movie theaters.

**3. Banquet hall**

A facility available for lease by individuals or groups for private events such as banquets, weddings, or other similar functions, where access by the general public is restricted.

**4. Performing arts center**

A facility for the viewing of live performances of theater, dance, music, or other similar arts.

5. **Personal vehicle repair and maintenance**

Establishments, excluding vehicle paint finishing shops, that repair, install, or maintain the mechanical components or the bodies of autos, small trucks or vans (payload capacity not exceeding 5,000 pounds), motorcycles, motor homes, or recreational vehicles including recreational boats, ~~or that wash, clean, or otherwise protect the exterior or interior surfaces of these vehicles.~~
6. **Personal vehicle sales and rentals**

Establishments that provide for the sale (including auctions) or rental of new or used autos, small trucks or vans (payload capacity not exceeding 5,000 pounds), trailers, motorcycles, motor homes, or recreational vehicles including recreational boats. Typical examples include automobile dealers, auto malls, and car rental agencies.
7. **Vehicle equipment supplies sales and rentals**

Establishments related to the sale, lease, or rental of new or used parts, tools, or supplies for the purpose of repairing or maintaining vehicles, including distribution of products from the same premises that sells, leases, or rents vehicles.
8. **Vehicle paint and finishing shop**

Uses that apply paint to the exterior or interior surfaces of vehicles by spraying, dipping, flow-coating, or other similar means.
9. **Vehicle towing and wrecker service**

An establishment providing the service of transporting individual motor vehicles and providing temporary storage of the vehicles, whether operable or temporarily inoperable, in an impound yard or storage area. This does not include junk, salvage, scrap, or wrecking yards.
- j. **Visitor Accommodation Uses**

The Visitor Accommodation Uses category includes use types providing lodging units or rooms for short-term stays of typically less than 30 days for rent, lease, or interval occupancy. Use types include: bed and breakfast, campground, and hotel or motel. This use category does not include rooming houses or boardinghouses, which are generally occupied for tenancies of a month or longer, and are categorized in the Group Living Uses category. Accessory uses may include pools and other recreation facilities, restaurants, bars, limited storage, laundry facilities, gift shops, supporting commercial activities, meeting facilities, and offices.

  1. **Bed and breakfast**

An owner-occupied single-family detached dwelling offering lodging accommodations, including breakfast, for periods of two consecutive weeks or less to paying guests.

(5) Industrial Uses

~~a. Manufacturing Uses~~

~~1. Manufacturing, Assembly, or Fabrication, Light or Medium~~

~~In the MC zoning district, manufacturing, assembly, or fabrication, light or medium, are allowed as a permitted principal use up to 10,000 gross square feet in area. Such uses occupying more than 10,000 gross square feet may be allowed with approval of a special exception in accordance with Sec. 17-2.5(e), Special Exception Permit.~~

ab. Waste-Related Uses

1. Recycling Center

A recycling center shall comply with the following standards:

- (i) Stocks and supplies shall be either stored inside enclosed buildings or screened by solid walls, opaque fences, dense evergreen shrubbery or the like, so that they are not visible from any public street or from the ground level of adjacent property used for residential or office purposes.
- (ii) Any required front yard shall not be used for storage.
- (iii) The side yard setback for storage areas and buildings adjacent to residential or office uses shall be at least 25 feet.
- (iv) Adequate ingress and egress shall be provided.
- (v) Adequate off-street parking and storage shall be provided to accommodate vehicles serving or being served by the recycling center.

2. Refuse Processing Facility

A refuse processing facility shall comply with the following standards:

- (i) All separation and processing operations, including storage of solid waste, shall be confined to the interior of a wholly enclosed building.
- (ii) The facility shall have all applicable State permits approved.
- (iii) Processing of solid waste must begin within 24 hours of it reaching the site.

- (i) A vehicle storage area shall not be located closer than 500 feet from any residential district, school, or day care facility.
- (ii) The number of vehicles stored on-site shall be limited to 20 vehicles.
- (iii) Vehicles shall not be stored for more than 90 days.
- (iv) Vehicles shall be stored to the rear of the principal structure, behind a wooden fence or masonry wall that is at least 8 feet in height.

~~g. Visitor Accommodations Uses~~

~~1. Bed and Breakfast~~

~~A bed and breakfast shall comply with the following standards:~~

- ~~(i) Shall only be located in a single family detached dwelling;~~
- ~~(ii) Contain no more than ten rooms that are offered for rent to guests.~~
- ~~(iii) Not allow the rental of a room to a guest for more than 14 consecutive days during any 30-day period;~~
- ~~(iv) Serve only breakfast to paying guests.~~
- ~~(v) On-site parking shall not be located within the front yard or at any location in front of the principal structure.~~

(4) Agricultural Uses

a. Agriculture and Forestry Uses

1. Community Garden

Community gardens shall comply with the following standards:

- (i) Accessory buildings shall be limited to sheds for the storage of tools, greenhouses, and seasonal farm stands. The combined area of all buildings and other structures, excluding greenhouses, shall not exceed 15 percent of the area of the parcel. Greenhouses may not exceed 75 percent of the area of the parcel.
- (ii) Areas used for communal composting shall be limited to 20 percent of the area of the parcel.
- (iii) Perimeter fences, including trellises, are allowed in community gardens, subject to the standards in Sec. 17-5.8, Fences and Walls.
- (iv) Before issuance of a permit for a community garden, it shall have an established set of operating rules addressing the governance structure of the garden, hours of operation, assignment of garden plots, and maintenance and security requirements and responsibilities.

(4) Accessory Use/Structure Table for Base Zoning Districts

TABLE 17-4.3(B)(5): ACCESSORY USE/STRUCTURE TABLE FOR BASE ZONING DISTRICTS																											
P = PERMITTED BY RIGHT      S = ALLOWED AS SPECIAL EXCEPTION      BLANK CELL = PROHIBITED																											
Accessory Use/Structure	Residential Districts											Mixed-Use, Activity Center, and Corridor Districts						Institutional and Campus				Industrial Districts			Use-Specific Standards		
	T/C	LL-R	RSF-1	RSF-2	RSF-3	RD	RD-MV	RM-1	RM-2	MU-1	MU-2	NAC	CAC	RAC	OI	DAC	GC	MC	INS-GEN	INS-U/M	INS-ZOO	INS-T/U	LI	HI		EC	
Accessory dwelling unit	C	C	C	C	C	C	C	C	C	C	C																Sec. 17-4.3(d)(1)
Automated teller machine (ATM)		C								C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Sec. 17-4.3(d)(2)
Community garden	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Sec. 17-4.3(d)(3)
Drive-through facility – Personal Service/Retail Sales										C	C	C	C	C	C	C	C										Sec. 17-4.3(d)(4)
Drive-through facility - Other										S			S	C		C				C	C	C	C	C	C	C	Sec. 17-4.3(d)(4)
Family child care home (as accessory to a single-family dwelling)			C	C	C	C	C	C	C	C																	Sec. 17-4.3(d)(5)
Home occupation	C	C	C	C	C	C	C	C	C	C	C		C	C	C	C	C	C	C	C					C		Sec. 17-4.3(d)(6)
Outdoor display of merchandise (as accessory to a retail sales use or wholesale sales)										C	C	C	C	C	C	C	C			C			C	C	C		Sec. 17-4.3(d)(7)
<del>Outdoor seating (as accessory to an eating and drinking establishment use)</del>											€	€	€	€	€	€	€	€	€	€	€	€	€	€	€	€	<del>Sec. 17-4.3(d)(8)</del>
Solar energy conversion system (small-scale)	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Sec. 17-4.3(d)(9)
Storage, outdoor	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Sec. 17-4.3(d)(10)
Swimming pool	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Sec. 17-4.3(d)(11)

(c) General Standards for All Accessory Uses and Structures

All accessory uses and accessory structures shall:

- (1) Directly serve the principal use or structure;
- (2) Be customarily accessory and clearly incidental and subordinate to the principal use and structure;
- (3) Be subordinate in area, extent, and purpose to the principal use or structure;

~~(8) Outdoor Seating/Activity Area (as accessory to an eating and drinking establishment use)~~

~~Outdoor seating/and activity areas as an accessory use to any eating and drinking establishment shall comply with the following standards:~~

- ~~a. No sound production or reproduction machine or device (including, but not limited to musical instruments, loud speakers, and sound amplifiers) shall be played in the outdoor seating area at volumes that violate the noise ordinance.~~
- ~~b. Hours of operation of the outdoor seating area shall be the same as those for the eating and drinking establishment.~~
- ~~c. Food preparation shall occur only within the enclosed principal building containing the eating or drinking establishment.~~
- ~~d. The outdoor seating area shall not obstruct the movement of pedestrians along sidewalks or through areas intended for public use.~~
- ~~e. No tables, chairs, umbrellas, or other furnishings or equipment associated with the outdoor seating area shall be attached, chained, or otherwise affixed to any curb, sidewalk, tree, post, sign, or other fixture within the outdoor seating area.~~

**(9) Solar Energy Conversion System (small scale)**

Small-scale solar energy conversion systems are permitted as an accessory use, subject to the following standards:

- a. Solar energy equipment may be located on the roof of a principal or accessory structure, on the side of such structures, on a pole, or on the ground in accordance with Sec. 17-4.3(c), General Standards for All Accessory Uses and Structures. Building-integrated photovoltaic systems are permitted in all districts subject to all necessary permit and Building Code requirements.
- b. Solar collectors may extend up to 18 inches above the maximum building height permitted in the zoning district or the existing roof surface, whichever is higher.
- c. The property owner shall be responsible for negotiating with other property owners in the vicinity to establish any solar easement designed to protect solar access for the system, and for recording any such solar easement with the Register of Deeds.
- d. Solar energy equipment shall not produce unreasonable glare on neighboring properties.

**(10) Storage, Outdoor**

- a. In residential zoning districts, the following uses are prohibited:
  - 1. Storage in connection with a trade;

- (b) Open storage of recreational vehicles (RVs) and pleasure boats of the type customarily maintained by persons for their personal use is allowed within a self-service storage facility use provided that the following standards are met:
  - (a) The minimum lot area shall be one acre.
  - (b) The storage shall occur only within a clearly delineated and designated area located to the rear of the principal structure and screened so as to not be visible from adjacent streets.
  - (c) The storage shall not occur within a required yard.
- (c) Individual storage bays or private postal boxes within a self-service storage facility use shall not be considered premises for the purpose of assigning a legal address.
- (d) No more than one security or caretaker quarters may be developed on the site.
- (e) Except as otherwise authorized in this subsection, all property stored on the site shall be enclosed entirely within enclosed buildings.
- (f) Hours of public access to a self-service storage facility abutting a residential zoning district or residential use shall be restricted to the hours between 6:00 A.M. and 10:00 P.M.

**c. Eating and Drinking Establishment Uses**

**1. Eating Establishment Only**

An eating establishment that does not serve alcohol on the premises shall comply with the following standards:

**(i) Size**

In the NAC District, establishments under 5,000 square feet are allowed as a permitted use, and establishments in excess of 5,000 square feet may be allowed as a special exception.

**2. Eating and Drinking Establishment, Type 1**

A Type 1 eating and drinking establishment shall comply with the following standards:

(i) **Location**

If alcohol is sold on the premises, the establishment shall be located at least the minimum distance established in state law from any place of worship, school, or playground.

(ii) **Size**

In the NAC District, establishments under 5,000 square feet are allowed as a permitted use, and establishments in excess of 5,000 square feet may be allowed as a special exception.

~~(iii) **Outdoor Seating/Activity Areas**~~

~~(a) Outdoor seating/activity areas shall comply with Sec. 17-4.3(d)(8), Outdoor Seating/Activity Area (as accessory to an eating and drinking establishment use), and Sec. 17-5.6(c), Neighborhood Compatibility Standards.~~

(iv) **Hours of Operation**

The establishment shall operate no later than 12:00 AM.

(v) **On-site Brewing**

A Type 1 eating and drinking establishment that produces ales, beers, meads, and similar beverages for sale on the premises shall comply with the following standards.

(a) The establishment shall produce no more than 15,000 barrels or 475,000 gallons per year of ales, beers, meads, and similar beverages.

(b) The minimum area of the eating, drinking, and entertainment area of the establishment shall be 45 percent of the total square footage of the establishment, or 1,500 square feet, whichever is greater.

(c) Outdoor storage is prohibited. This prohibition includes the use of portable storage units, cargo containers, and tractor trailers.

(d) Access and loading areas facing any street, adjacent residential use or residential zoning district, shall have the doors closed at all times, except during the movement of raw materials, other supplies, and finished products into and out of the building.

(e) Crushing and fermentation operations shall be managed in such a way that byproducts are contained and disposed of in a way that does not result in spill-over impacts on adjacent property, public spaces, or public rights-of-way.

**3. Eating and Drinking Establishment, Type 2**

A Type 2 eating and drinking establishment shall comply with the following standards:

**(i) Location**

If alcohol is sold on the premises, the establishment shall be located at least the minimum distance established in state law from any place of worship, school, or playground.

~~**(ii) Outdoor Seating/Activity Areas**~~

~~(a) Outdoor seating/activity areas shall comply with Sec. 17-4.3(d)(8), Outdoor Seating/Activity Area (as accessory to an eating and drinking establishment use) and Sec. 17-5.6(c), Neighborhood Compatibility Standards.~~

**(iii) Special Exception**

If a Type 2 eating and drinking establishment is proposed to be located in a new building or in an existing building that has not been used as a Type 2 eating and drinking establishment within the previous 12 consecutive months, or if an expansion of an existing Type 2 eating and drinking establishment is proposed, the Type 2 eating and drinking establishment shall only be permitted as a special exception in accordance with Sec. 17-2.5(e), Special Exception Permit. In addition to the requirements for the special exception, the applicant shall provide the following information and the Board shall make it a part of the conditions of approval of the special exception permit:

- (a) Days and hours of operation
- (b) Staffing schedule
- (c) Menu and hours of food service
- (d) Parking for customers and employees
- (e) Type of entertainment and duration
- (f) Seating Plan, drawn to scale that demonstrates proposed occupancy and seating layout.

**(iv) Administrative Review for Existing Business at Time of Adoption**

Any Type 2 eating and drinking establishment that was in operation prior to August 30, 2021 is permitted to continue operation as originally permitted until such time there is a change of ownership that requires zoning compliance review of the business license for the same use. Upon application for the change of ownership for the same use, the applicant shall provide the information required in part 3 (iii) of this section to the Zoning Administrator prior to any business license approvals.

**(v) On-site Brewing**

A Type 2 eating and drinking establishment that produces ales, beers, meads, and similar beverages for sale on the premises shall comply with the following standards.

#### OPERATOR

For purposes of Sec. 17-4.2(c)(3)d.S, Sexually-Oriented Businesses, any person on the premises of a sexually oriented business who causes the business to function or who puts or keeps in operation the business or who is authorized to manage the business or exercise overall operational control of the business premises. A person may be found to be operating or causing to be operated a sexually oriented business regardless of whether that person is an owner, part owner, or licensee of the business.

#### ORIENTED TOWARD

Placed with the most important parts facing toward.

#### OUTBUILDING

A shed, garage, or other building that is accessory to a principal use on the same lot.

#### OUTDOOR DISPLAY OF MERCHANDISE (AS ACCESSORY TO A RETAIL SALES USE OR WHOLESALE SALES)

Outdoor display of merchandise is the placement of products or materials for sale outside the entrance of a retail or wholesale sales establishment.

#### OUTDOOR ENTERTAINMENT

See "Entertainment, Outdoor."

#### ~~OUTDOOR SEATING/ACTIVITY AREA (AS ACCESSORY TO AN EATING OR DRINKING ESTABLISHMENT)~~

~~Outdoor seating/activity areas as accessory to an eating or drinking establishment is the provision of on-site outdoor seating or entertainment areas by an eating or drinking establishment where food or beverages are served for consumption or where outdoor entertainment takes place. The accessory use also may include outdoor seating areas on public sidewalks in front of the establishment.~~

#### OUTPARCEL

A remaining parcel platted in a commercial subdivision but set aside for future development or some other purpose specified on the plat.

#### PARAPET

That portion of a wall that extends above the roof line.

#### PARCEL

See "Lot."

#### PARKING AREA

An outdoor area containing off-street parking, including any appurtenant driving areas, such as aisles and driveways.

#### PARKING LOT

See "Surface Parking or Parking Lot."

#### PARKING SPACE

An area provided for parking a licensed motorized vehicle in operating condition in accordance with Sec. 17-5.2, Off-Street Parking, Bicycle Parking, and Loading.

owner, operator, manager, or a local representative of the parent company will conduct, at a minimum, daily onsite litter pickup as well as litter pick-up along sidewalks adjacent to the site.

**(c) Sign Pledge Program**

The owner, operator, manager, or a local representative of the parent company provides written verification they will comply with the standards in Sec. 17-5.10, Signs.

**(d) Crime Prevention and Awareness Program**

The owner, operator, manager, or a local representative of the parent company provides written verification they have contacted the City of Columbia Police Department regarding participation in a crime prevention/awareness program.

**(e) Neighborhood Communication Program**

The owner, operator, manager, or a local representative of the parent company has provided written verification they will provide local contact information to the adjoining neighborhood associations or business for the documentation of any problems they may have with current business practices that impact adjacent neighborhoods or businesses.

**f. Vehicle Sales and Services Uses**

**1. Commercial Vehicle Sales and Rentals and Personal Vehicle Sales and Rentals**

- (i)** Except for personal vehicle rentals, in the DAC and MC zoning districts, no merchandise or equipment shall be displayed or stored outside the store.
- (ii)** No vehicles or other similar items shall be displayed on the top of a building.
- (iii)** No materials for sale or rent other than vehicles shall be displayed between the principal structure and the adjoining street.

**2. Gasoline Sales and Service Station**

A gasoline sales and service station shall comply with the following standards:

- (i)** Gasoline pumps, canopies, and associated service areas are prohibited in any established front yard in the NAC, CAC, and RAC districts.
- (ii)** If located on a corner lot, the lot shall have an area of at least 30,000 square feet and a frontage of at least 200 feet on each street side. In all other cases, the lot shall have an area of at least 15,000 square feet and a lot width of at least 150 feet.

~~(iii) The gasoline sales and service station shall have no more than two vehicular access points. Access points shall be located at least 150 feet from each other and from any intersecting street right-of-ways, and at least 15 feet from any other lot line.~~

~~(iv) Vehicular access points shall be no more than 36 feet wide.~~

~~(v) The site shall be designed to ensure safe and adequate vehicle stacking, circulation, and turning movements.~~

**3. Personal Vehicle Repair and Maintenance**

A personal vehicle repair and maintenance establishment shall comply with the following standards:

(i) ~~Be located at least 250 feet from a Residential zoning district, school, or day care facility. Must provide adequate screening, to include a privacy fence or wall, if adjacent to a residential zoning district.~~

(ii) All sales and installation operations shall be conducted in an enclosed building with no outdoor storage.

(iii) Service activity on any motor vehicle shall be completed within a 14 day period and the vehicle shall not be stored on the site for longer than this same period.

(iv) The demolition or junking of motor vehicles is prohibited.

(v) Vehicles shall not be parked or stored as a source of parts or for the purpose of sale or lease/rent.

~~(vi) Car wash and auto detailing uses shall be designed such that vehicle stacking, circulation, and turning movements do not create obstructions to vehicular or pedestrian movement along adjacent streets, through parking areas, and in front of buildings. All washing activity shall occur within an enclosed structure.~~

(vii) Wrecked or inoperative vehicles shall not be stored on the site without valid work or repairs orders.

(viii) A safety curb shall be installed around the perimeter of all paved areas.

(ix) The operation of the site (e.g., parking, vehicle queuing) shall not block the sidewalk, street, or any portion of the public right-of-way, or impede a pedestrian or bicycle pathway.

**4. Vehicle Paint and Finishing Shop**

The storage of paint and vehicles on-site shall be completely screened from the view of pedestrians and motorists in the right-of-way by a wooden fence or masonry wall.

**5. Vehicle Towing and Wrecker Service**

Vehicle storage areas for vehicle towing and wrecker service shall comply with the following standards:

**(2) Surfacing**

**a. General**

Except as provided for in subsection b, c, or d below, all off-street parking and loading areas shall be surfaced with asphalt, concrete, brick, stone, pavers, or an equivalent hard, dustless, and bonded surface material. Use of surfacing that includes recycled materials (e.g., glass, rubber, used asphalt, brick, block, and concrete) is encouraged. These surfaces shall be maintained in a smooth, well-graded, clean, orderly, and dust-free condition.

**b. Special Exception for Alternative Surface**

Within all zoning districts except the DAC District, the Board of Zoning Appeals may, as a special exception, permit an alternative surface for parking ~~spaces~~ areas.

**c. Pervious or Semi-pervious Surfacing**

The use of pervious or semi-pervious parking lot surfacing materials—including, but not limited to—pervious asphalt and concrete, open joint pavers, and reinforced grass/gravel/shell grids may be approved for off-street parking and loading areas, provided such surfacing is subject to an ongoing maintenance program (e.g., sweeping, annual vacuuming). Any pervious or semi-pervious surfacing used for aisles within or driveways to parking and loading areas shall be certified as capable of accommodating anticipated traffic loading stresses and maintenance impacts.

**Figure 17-5.2(c)(2): Use of Pervious Materials in a Parking Lot**



**d. Certain Residential Uses**

Off-street parking spaces and driveways for single-family detached, two-family, and townhouse dwellings may, in-lieu of surfacing in accordance with a or c above,

1. Be covered with pervious material such as crushed stone, gravel, or mulch, if such material is:

**(5) Maximum Number of Off-Street Parking Spaces**

For ~~a multifamily dwelling, mixed-use dwelling, or~~ any use in the ~~Office Uses or Retail Sales Uses~~ category, the maximum number of off-street parking spaces shall not exceed 125 percent of the minimum number of off-street parking spaces required for that use in Table 17-5.2(d)(1): Minimum Number of Off-Street Parking Spaces, except as may be allowed through approval of an alternative parking plan in accordance with Sec. 17-5.2(f)(2), Provision over Maximum Allowed. If there is no requirement for a minimum number of off-street parking spaces for the use in Table 17-5.2(d)(1): Minimum Number of Off-Street Parking Spaces, the maximum number of off-street parking spaces shall not exceed 120 percent of the minimum number of off-street parking spaces required for that use in ~~the GC, NAC, CAC, RAC, and MC~~ districts, except as may be allowed through approval of an alternative parking plan in accordance with Sec. 17-5.2(f)(2), Provision over Maximum Allowed.

## Sec. 17-5.8 Fences and Walls

### (a) Purpose

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

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

### (b) Applicability

#### (1) General

Unless exempted in accordance with (2) below, the standards in this Section apply to any construction or replacement of fences or walls.

#### (2) Exemptions

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

- a. Fences and walls required for support of a principal or accessory structure;
- b. Temporary fences and barricades around construction sites;
- c. Fences for tree protection (temporary and permanent);
- d. Landscaping berms installed without fences; and
- e. Fences and walls necessary for soil erosion and control.

#### (3) Timing of Review

Review for compliance with the standards in this Section shall occur during review of a development application for a site plan (major or minor) (Sec. 17-2.5(i)) or zoning permit (Sec. 17-2.5(q)), as appropriate.

### (c) General Standards

- (1) Fences and walls that comply with the standards in this subsection are allowed anywhere on a lot, or on a property line between privately-owned lots.
- (2) A fence or wall shall not unreasonably impede visibility of street traffic from vehicles or exiting driveways.
- (3) Gates shall not swing outward over a sidewalk or into the right-of-way.
- (4) Nothing in this Section shall be construed to prevent the installation of temporary fencing to protect existing trees, limit sedimentation, or control erosion.

**(d) Height**

- (1) Notwithstanding any provision in this subsection, a fence or wall shall not extend into a street intersection sight area (see Sec. 17-9.4, Definitions).
- (2) A fence or wall located in a required yard shall comply with the height standards in Table 17-5.8(d)(3): Maximum Fence or Wall Height in Required Yards.

TABLE 17-5.8(D)(3): MAXIMUM FENCE OR WALL HEIGHT IN REQUIRED YARDS	
REQUIRED YARD	MAXIMUM HEIGHT OF FENCE OR WALL <del>[1]</del>
Side or rear yard	<del>7 feet</del> 8 feet
Second front yard on corner lot	4 feet <del>[2]</del> 6 feet
Front yard, other than second front yard on corner lot	4 feet
NOTES: <del>[1] A retaining wall may exceed the maximum heights in this table if it does not unreasonably impede visibility of street traffic from vehicles exiting driveways</del> <del>[2] The Zoning Administrator may permit a fence up to 6 feet in height if adjacent structures have a similar setback.</del>	

- (3) Fence posts and wall columns may extend above the maximum fence heights established in Table 17-5.8(d)(3): Maximum Fence or Wall Height in Required Yards, by 36 inches, provided no part of a fence or wall shall have a height greater than eight feet.

**(e) Materials**

Hazardous fences, except in accordance with Sec. 8.1 of the Code of Ordinances, and fences constructed of fabric materials, fiberboard, garage door panels, plywood, rolled plastic, or vinyl or plastic tarps are prohibited.

**(f) Maintenance**

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

- (iii) A yard sign shall not exceed six feet in height.
- (iv) A yard sign shall not be displayed for more than 120 consecutive days or for a cumulative amount of time exceeding 180 days in any 12-month period.

## 2. Temporary Signs for Nonresidential Uses and in Nonresidential Districts

For any use other than a use in the Residential use classification (see Sec. 17-4.2(b), Principal Use Table) and in any district other than a Residential base zoning district (see Sec. 17-3.2, Residential Base Zoning Districts), up to two temporary signs having a combined display surface area not exceeding ~~12~~ 48 square feet are allowed per street frontage, in addition to any other temporary signage allowed in accordance with this Sec. 17-5.10(c)(7), other than sandwich board signs, provided the temporary sign shall:

- (i) Be located on the lot and not in the right-of-way;
- (ii) Not exceed six feet in height if placed on the ground; and
- (iii) Not be displayed for more than six consecutive months.

## 3. Mobile Signs

One mobile sign shall be permitted for each street frontage that does not have a freestanding sign or other temporary signage, subject to the standards in Sec. 17-5.10(c)(6)a.4, Freestanding Signs. Any mobile sign used on the same lot for more than 45 days per year will be considered a permanent freestanding sign.

## 4. Signs Located on Proposed Subdivision Sites

Temporary signs may be erected on the premises of land for which an application for a subdivision has been determined complete in accordance with Sec. 17-2.5(j), Subdivision, provided the signs shall:

- (i) Not exceed 50 square feet in total display surface area;
- (ii) Be set back at least 20 feet from any property line;
- (iii) Be spaced at least 500 feet apart; and
- (iv) Be removed not more than 30 days from such time as 75 percent of the lots are conveyed.

## 5. Signs Located on Construction Sites

Temporary signs may be placed on a parcel upon which construction activities of any type are being performed, in addition to any other temporary signage allowed in accordance with this Sec. 17-5.10(c)(7), in accordance with the following standards:

- (i) If the construction activities do not include the construction of a new building, the total display surface area of the signs shall not exceed 12 square feet;

**b. Front Yard**

A front yard shall be measured at right angles to a straight line joining the foremost points of the side lot lines, or, in the case of a corner lot, the foremost points of a side lot line and a front lot line, on any frontage. The foremost point of the side lot line, in the case of rounded property corners at street intersections, shall be assumed to be the point at which the side and front lot lines would have met without that rounding. Front and rear lines of a required front yard shall be parallel.

**c. Side Yard**

A side yard shall be measured at right angles to a straight line joining the ends of the front and rear lot lines on the same side of the lot. The inner side yard line of a required side yard shall be parallel to the straight line so established. In the case of through lots, side yards shall extend from the rear lines of the required front yards. In the case of corner lots, the yards remaining after front yards have been established shall be considered to be the side yards.

**d. Rear Yard**

A rear yard shall be measured at right angles to a straight line joining the rearmost points of the side lot lines. The forward rear yard line of a required rear yard shall be parallel to the straight lines so established.

**(7) Building Height**

The height of a building shall be determined by measuring from the average finished ground elevation at the base of the structure to the highest point of the roof of the structure.

**(b) Exceptions and Variations**

**(1) Reduction of Minimum Lot Area or Width to Block Face Average**

If the average area or width of existing lots located on the same block face and in the same zoning district is less than the minimum lot area or minimum lot width, as appropriate, applied to a lot by the standards in Article 3: Zoning Districts, the minimum lot area or minimum lot width, as appropriate, applicable to the lot shall be reduced to such average.

**(2) ~~Reduction~~ Adjustment of Minimum or Maximum Setback Requirements to Block Face Average**

If the average front yard, side yard, or rear yard on improved yards located on the same block face and in the same zoning district is less than the minimum or more than the maximum required front yard, side yard, or rear yard, as appropriate, applied to a lot by the standards in Article 3: Zoning Districts, the minimum or maximum required front yard, side yard, or rear yard, as appropriate, applicable to the lot ~~may shall~~ be reduced adjusted to such average.