

ORIGINAL

ORDINANCE NO.: 2025-096

Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 17, Article 2: Administration Sec. 17-2.3 Advisory and Decision-Making Bodies and Persons (e.) Design Development Review Commission, Section 17-2.5 Application-Specific Review Procedures and Decision Standards, Article 3: Zoning Districts, Sec.17-3.7 Overlay Districts, Article 5: Development Standards, Sec.17-5.10 Signs, Article 9: Definitions and Rules of Measurement, Sec. 17-9.4 Definitions as related to the reconfiguration of the Design Development Review Commission (DDRC)

BE IT ORDAINED by the Mayor and Council this 6th day of January, 2026, that the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 17, Article 2: Administration Sec. 17-2.3 Advisory and Decision-Making Bodies and Persons (e.) Design Development Review Commission, Section 17-2.5 Application-Specific Review Procedures and Decision Standards, Article 3: Zoning Districts, Sec.17-3.7 Overlay Districts, Article 5: Development Standards, Sec.17-5.10 Signs, Article 9: Definitions and Rules of Measurement, Sec. 17-9.4 Definitions as related to the reconfiguration of the Design Development Review Commission (DDRC) is amended to read as follows:

Article 2: Administration

Sec. 17-2.2. Summary Table of Development Review Responsibilities

(d) Approved Applications

TABLE 17-2.2: SUMMARY OF DEVELOPMENT REVIEW RESPONSIBILITIES									
D=DECISION R=RECOMMENDATION A=APPEAL <D>=PUBLIC HEARING									
APPLICATION TYPE	CITY COUNCIL	PLANNING COMMISSION	BOARD OF ZONING APPEALS	BOARD OF ZONING APPEALS – FORM-	DESIGN DEVELOPMENT REVIEW COMMISSION	ZONING ADMINISTRATOR	LAND DEVELOPMENT	CITY ENGINEER	SITE PLAN REVIEW TEAM
DISCRETIONARY APPROVALS									
Text Amendment	<D>	R				R			
Zoning Map Amendment	<D>	R			R[1]	R			
Planned Development	<D>	R				R			
Special Exception Permit			<D>						
Development Agreement	<D>	<R>							
HISTORIC PROPERTIES AND ARCHITECTURAL REVIEW									
Certificate of Design Approval – Historic Districts and Landmarks									
Minor					<A>	D			
Major					<D>	R			
Certificate of Design Approval – Design Districts									
Minor					<A>	D			
Major					<D>	R			
Bailey Bill					<D>				
LAND DEVELOPMENT									
Site Plan									
Minor		A					D		R
Major		D							R
Subdivision									
Minor Subdivision – Final Plat		A					D		
Major Subdivision									
Sketch Plan		A					D		
Preliminary Plat		D					R		R
Final Plat		A						D	
Street or Road Name Change		<D>					R		
PERMITS									
Conditional Use Permit			<A>			D			
Tree Removal Permit			<A>			D			
Forestry Permit			<A>			D			
Sign Permit			<A>			D			
Temporary Use Permit			<A>			D			
Zoning Permit			<A>			D			

TABLE 17-2.2: SUMMARY OF DEVELOPMENT REVIEW RESPONSIBILITIES									
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APPLICATION TYPE	CITY COUNCIL	PLANNING COMMISSION	BOARD OF ZONING APPEALS	BOARD OF ZONING APPEALS – FORM-	DESIGN DEVELOPMENT REVIEW COMMISSION	ZONING ADMINISTRATOR	LAND DEVELOPMENT	CITY ENGINEER	SITE PLAN REVIEW TEAM
RELIEF									
Administrative Adjustment			<A>			D			
Variance – Zoning			<D>	<D>[2]					
Variance – Land Development (Subdivision and Site Plan)		<D>							
Appeal – Zoning			<A>	<A>[3]					
Appeal – Land Development (Subdivision and Site Plan)		A							
INTERPRETATIONS									
Interpretation – Zoning			<A>	<A>[3]		D			
Interpretation – Land Development (Subdivision and Site Plan)		<A>					D		
NOTES:									
[1] Review and recommendation by the Design Development Review Commission is required only for a Zoning Map Amendment application that involves a Historic Districts and Landmarks Designation or a Design District Designation.									
[2] The Board of Zoning Appeals – Form-based Codes, hears and makes decisions on applications for Variance – Zoning from requirements specific to an adopted Form-based Code, such as the Bull Street PUD.									
[3] The Board of Zoning Appeals – Form-based Codes, hears and decides appeals from decisions of the Zoning Administrator in administering, enforcing, or interpreting provisions of this Ordinance specific to an adopted Form-based Code, such as the Bull Street PUD.									

Sec. 17-2.3 Advisory and Decision-Making Bodies and Persons

(a) City Council

To exercise its authority in accordance with State law, the City Council shall have the following powers and duties under this Ordinance:

- a. To review and decide the following:
 1. Text Amendments (Sec. 17-2.5(b));
 2. Zoning Map Amendments (including Historic Districts and Landmarks Designations and Design Districts Designations) (Sec. 17-2.5(c));

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Sec. 17-2.3. Advisory and Decision-Making Bodies and Persons

(e) Design Development Review Commission

- 5. The Chair, or, in the Chair’s absence, the acting Chair, may administer oaths and compel the attendance of witnesses by subpoena.
- 6. The Board of Zoning Appeals—Form-based Codes shall keep minutes of its proceedings in accordance with State law, showing, for each question, the vote of each member and any member that is absent or fails to vote. The Board shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Zoning Administrator and shall be a public record.

(f) Design Review Commission

Two boards of architectural review, both of which shall be under the umbrella known as the Columbia Design Review Commission (abbreviated "DRC" in this Ordinance), is established in accordance with State law under this Ordinance. “HP/DRC” refers to the Board established for matters involving Historic Districts and Landmarks, and “U/DRC” refers to the Board established for matters involving Urban Design Districts. Where only “DRC” (or “DDRC” as it has previously been known) is referenced, the provision will apply to both boards.

(1) Powers and Duties

The DRC shall have the following powers and duties under this Ordinance:

- a. To review and make recommendations to the City Council on the following:
 - 1. Zoning Map Amendments involving Historic Districts and Landmarks Designations or Design Districts Designations (Sec. 17-2.5(c));
- b. To review and decide applications for the following:
 - 1. HP/DRC Major Certificates of Design Approval – Historic Districts and Landmarks (Sec. 17-2.5(g)(5)) and
 - 2. U/DRC Major Certificates of Design Approval – Design District (Sec. 17- 2.5(h)(5)).
- c. To hear and decide appeals from decisions of the Zoning Administrator on the following:
 - 1. HP/DRC Minor Certificates of Design Approval – Historic Districts and Landmarks (Sec. 17-2.5(g)(4)) and
 - 2. U/DRC Minor Certificates of Design Approval – Design District (Sec. 17- 2.5(h)(4)).
- d. Plan and direct continuing studies of areas, physical features and improvements in the City relating to urban design, historic preservation, beautification, civic improvement and other considerations in furtherance of this Ordinance. In doing so, the DRC shall properly coordinate such plans and studies with the various departments and agencies of the City.

- e. Engage in educational activities related to promoting appropriate urban design, historic preservation, and the conservation of historic or aesthetic features of the City.
- f. Advise and assist the City Council, at the Council's request, to further the purposes of this Ordinance.

(2) Membership and Terms

a. Number, Appointment, and Qualifications

- 1. The HP/DRC shall consist of seven members, and the U/DRC shall consist of five members, all appointed by the City Council. No member shall hold any other public office or position in the City or County.

(i) Of the members appointed to the HP/DRC, at least one shall be an architect registered in the State, at least one shall be an individual with demonstrated preservation experience, at least one shall be a contractor or crafts person with hands-on experience working on historic structures, one shall be an architect with historic preservation experience, and the remainder, if any, shall be persons who, by reason of other experience or education, shall be qualified for service on the DRC.

(ii) Of the members appointed to the U/DRC, at least one member shall be an architect registered in the State of SC, at least one shall be an urban planner, at least one shall be a landscape architect or urban design professional, and at least one shall be a real estate developer or licensed real estate broker.

b. Terms

Members shall be appointed for three-year terms. Members may continue to serve until their successors are appointed.

c. Current Members

Members of the HP/DRC and the U/DRC on January 1, 2026 who have been appointed to continue serving from the 2025 DDRC shall continue to serve at the pleasure of the City Council until their respective terms expire according to the rules in place when they were appointed, unless they are removed in accordance with subsection d below.

d. Removal

The City Council may remove a member of the DRC for cause, after written notice and a public hearing. Cause may include, but is not limited to, nonattendance at meetings.

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Sec. 17-2.3. Advisory and Decision-Making Bodies and Persons

(g) Zoning Administrator

e. Vacancies

Vacancies, for whatever reason, shall be filled by the City Council for the balance of an unexpired term.

(3) Officers, Rules of Proceeding, and Meetings

a. Officers

1. The DRC shall elect one of its members Chair and another Vice- Chair, each for a term of one year.

b. Rules of Proceeding

The DRC shall adopt rules for the conduct of business.

c. Meetings

1. Meetings of the DRC shall be held at the call of the Chair and at such other times as the DRC may determine.
2. Public notice of meetings of the DRC shall be provided in accordance with State law and this Ordinance.
3. Four members of the DRC shall constitute a quorum for the conduct of business.
4. The Chair shall preside over all DRC meetings. The Vice-Chair shall serve as acting chair and preside over DRC meetings in the absence of the Chair. If both the Chair and Vice-Chair are absent, the DRC shall vote to determine who shall serve as acting Chair for the meeting.
5. The Chair or, in the Chair's absence, the acting Chair, may administer oaths and compel the attendance of witnesses by subpoena.
6. The DRC shall keep minutes of its proceedings in accordance with State law, showing the vote of each member upon each question, or if absent or failing to vote, indicating that fact. The DRC shall keep records of its examinations and other official actions, all of which shall be filed within a reasonable time in the office of the Zoning Administrator. The records of the DRC shall be a public record.

(f) Zoning Administrator

The Zoning Administrator, abbreviated as "ZA" in this Ordinance, is designated by the City Manager to administer and enforce all provisions of this Ordinance, except Article 6: Land Development (Subdivision) Standards. The Zoning Administrator may delegate any administrative, decision, or review authority under this Ordinance to any professional-level City staff. Any such delegation shall be specified in the Procedures Manual.

(1) Powers and Duties

The Zoning Administrator shall have the following powers and duties under this Ordinance:

Conditions of approval must relate in both type and extent to the anticipated impacts of the proposed development.

(h) Decision-Making Body Hearing, Review, and Decision

If an application is subject a final decision by the City Council, the Planning Commission, the Board of Zoning Appeals, the Board of Zoning Appeals – Form-based Codes, or the Design Review Commission in accordance with Sec. 17-2.2, Summary Table of Development Review Responsibilities, such decision-making body shall review and make a final decision on the application in accordance with the requirements in this subsection.

(1) General

The decision-making body shall hold any required public hearing on the application in accordance with Sec. 17-2.2, Summary Table of Development Review Responsibilities. At the hearing, the decision-making body shall consider the application, relevant support materials, staff report, any advisory body recommendations, and any public comments. It shall then make one of the decisions authorized for the particular type of application, based on the review standards applicable to the application type, as set forth in Sec. 17-2.5, Application-Specific Review Procedures and Decision Standards.

a. Statement of Basis

The decision-making body shall clearly state the basis or rationale for the decision.

b. Timing

The decision-making body shall take action as promptly as reasonably possible in consideration of the interests of the applicant, affected parties, and citizens of the City.

(2) Remand

Before making its decision, the decision-making body may remand the application to the advisory body or to the ZA or LDA, as applicable, for further consideration of any issue.

(3) Conditions of Approval

If permitted for the particular type of application in accordance with Sec. 17-2.5, Application-Specific Review Procedures and Decision Standards, approval of an application may be with conditions. Conditions of approval must relate in both type and extent to the anticipated impacts of the proposed development.

(4) Effect of Approval

Approval of a development application in accordance with this Ordinance authorizes only the particular use, plan, or other specific activity approved, and not any other development requiring separate application and approval. In the event that one development approval or permit is a prerequisite to another development approval or permit (e.g., variance approval prior to a site plan

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(i) Notification to Applicant of Decision

approval), development may not take place until all required approvals or permits are obtained. Approval of one development application does not necessarily guarantee approval of any subsequent development application.

(5) Lapse of Approval

- a. Development approvals and permits shall expire as provided in Sec. 17-2.5, Application-Specific Review Procedures and Decision Standards, for each type of development approval or permit. If no expiration period is provided for the specific type of development approval or permit, and if no expiration period is imposed as part of the approval by the decision-making body or person, the development approval or permit shall expire if a Zoning Permit authorizing the approved development is not obtained within two years.
- b. Subsection a above shall not apply where a vested right has been established in accordance with Sec. 17-1.9, Vested Rights.
- c. A change in ownership of the land that is the subject of a development approval or permit shall not affect the established expiration time period for the development approval or permit.

(i) Notification to Applicant of Decision

Within a reasonable period of time after a final decision on a development application, the ZA or LDA, whichever received the application, shall notify the applicant of the decision in writing in accordance with the requirements of State law and shall make a copy of the decision available to the public at either the ZA's office or LDA's office, as applicable, during normal business hours.

(j) Appeal

- (1) An appeal from a final decision by the City Council, the Planning Commission, the Board of Zoning Appeals, the Board of Zoning Appeals – Form-based Codes, or the Design Review Commission shall be to a court of competent jurisdiction in accordance with requirements of State law.
- (2) Unless otherwise provided in Sec. 17-2.5, Application-Specific Review Procedures and Decision Standards, an appeal from an order, requirement, decision, or determination made by the ZA in the review of a development application or the enforcement of this Ordinance shall be in accordance with Sec. 17-2.5(u), Appeal – Zoning.
- (3) Unless otherwise provided in Sec. 17-2.5, Application-Specific Review Procedures and Decision Standards, any appeal from an order, requirement, decision, or determination made by the LDA in the review of a development application shall be in accordance with Sec. 17-2.5(v), Appeal – Land Development (Subdivision).

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

(c) Zoning Map Amendment

- (v) The ZA in accordance with a motion adopted by the City Council or the Planning Commission; or
 - (vi) The owner of the property that is the subject of the application or an authorized agent of the owner.
 - 2. The property that is the subject of the application must have a minimum land area of at least two acres or must be extending an existing district boundary
- c. Determination of Application Completeness**
Required (see Sec. 17-2.4(d), Determination of Application Completeness).
- d. Staff Review and Action**
Required (see Sec. 17-2.4(e), Staff Review and Action).
- e. Scheduling of Public Hearing and Public Notification**
Required (see Sec. 17-2.4(f), Scheduling of Public Hearing and Public Notification).
- f. Advisory Body Review and Recommendation**
Required (see Sec. 17-2.4(g), Advisory Body Review and Recommendation).
 - 1. Within 30 days from the date that an application is referred to it, the Planning Commission shall submit its report and recommendation to the City Council. The recommendation of the Planning Commission shall be advisory only. If the Planning Commission does not submit its report within the prescribed time, the City Council may proceed to act on the proposed amendment without further awaiting the recommendations of the Planning Commission.
 - 2. The Planning Commission's recommendation shall address:
 - (i) Whether the application complies with Sec. 17-2.5(c)(4), Zoning Map Amendment Decision Standards;
 - (ii) The need and justification for the change;
 - (iii) The effect of the change, if any, on the property and on surrounding neighborhoods; and
 - (iv) The relationship of the proposed zoning map amendment to the purposes of the general planning program, with appropriate consideration as to whether the proposed change will further the purposes of this Ordinance and the Comprehensive Plan.
 - 3. If the proposed zoning map amendment involves the establishment or a change in the boundaries of a design district in which the standards and procedures in Sec. 17-2.5(h), Certificate of Design Approval – Design Districts, apply, the Design Review Commission U/DRC shall, prior to the Planning Commission's review of the proposed

amendment, if practicable, review the application and prepare a report that includes:

- (i) A recommendation for the design district boundary location; and
- (ii) A recommendation for general standards for urban design control and other regulatory standards for the design district consistent with the purposes of this Ordinance.

4. If the proposed zoning map amendment involves the establishment or a change in the boundaries of the Historic Preservation Overlay district, the Design Review Commission HP/DRC shall, prior to the Planning Commission's review of the proposed amendment, if practicable, review the application and prepare a report that includes:

- (i) A recommendation for the location of the overlay district boundary; and
- (ii) A recommendation for general standards for urban design, historic preservation control, and other regulatory standards, consistent with the general purpose of the Historic Preservation Overlay and the differences in significance and purpose between landmarks, landmark districts, architectural conservation districts, historic commercial districts, and protection areas, as set forth in Sec. 17-3.7(i), OV-HP: Historic Preservation Overlay District

g. Decision-making Body Hearing, Review, and Decision

Required (see Sec. 17-2.4(h), Decision-Making Body Hearing, Review, and Decision).

1. The City Council shall review and make a decision on the application in accordance with Sec. 17-2.5(c)(4), Zoning Map Amendment Decision Standards, within 180 days after the public hearing on the application. If no action is taken by the City Council within 180 days after the public hearing, the proposed amendment shall be considered disapproved. The City Council's decision shall be one of the following:
 - (i) Adopt by ordinance the proposed zoning map amendment;
 - (ii) Adopt by ordinance a revised zoning map amendment, only if the revisions are first submitted to the Planning Commission for review and recommendation in accordance with State law; or
 - (iii) Deny the proposed zoning map amendment.
2. If the City Council's adoption of the zoning map amendment involves the establishment or a change in the boundaries of a design district in which the standards and procedures in Sec. 17-2.5(h), Certificate of Design Approval – Design Districts, apply, or the establishment or a change in the boundaries of the Historic Preservation Overlay district, any corresponding establishment or amendment of the standards and

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

(c) Zoning Map Amendment

design guidelines for the district that are recommended by the HP/DRC shall be adopted by the City Council by ordinance, concurrently with the zoning map amendment, as an amendment to the text of this ordinance. Such amendment to the text of this Ordinance shall incorporate the standards and design guidelines in whole or by reference and may include other provisions determined by the City Council to be appropriate.

h. Notification to Applicant of Decision

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

i. Appeal

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

j. Designation on Official Zoning Map

If a zoning map amendment is adopted by the City Council, the ZA shall place the amendment on the Official Zoning Map within a reasonable period of time after its adoption.

(4) Zoning Map Amendment Decision Standards

The advisability of amending the Official Zoning Map is a matter committed to the legislative discretion of the City Council and is not controlled by any one factor. In determining whether to adopt or disapprove a proposed zoning map amendment, the City Council may consider many factors, including but not limited to whether, and the extent to which, the proposed amendment:

1. Is consistent with the goals and policies of the Comprehensive Plan and other applicable plans and planning documents adopted by the City;
2. Would allow a range of uses that are compatible with the uses allowed on other property in the immediate vicinity;
3. Is appropriate for the land;
4. Addresses a demonstrated community need;
5. Is consistent with the overall zoning program as expressed in future plans for the City;
6. Would avoid creating an inappropriately isolated zoning district unrelated to adjacent and surrounding zoning districts;
7. Would allow the subject property to be put to a reasonably viable economic use;
8. Would result in development that can be served by available, adequate, and suitable public facilities (e.g., streets, potable water, sewerage, stormwater management);
9. Would avoid creating significantly adverse impacts on the natural environment, including but not limited to water, air, noise, stormwater

- (i) Repairs to individually designated landmarks which utilize large quantities of replacement material;
- (ii) Major alterations which alter the exterior appearance or materials of individually designated landmarks and contributing historic buildings in landmark districts, architectural conservation districts, historic commercial districts, and protection areas;
- (iii) New construction in the Historic Preservation Overlay district which is visible from the street;
- (iv) Signage for all individually designated landmarks;
- (v) Demolition of all contributing historic buildings and all individually designated landmarks, except that listed in subsection a above;
- (vi) Site improvements for individually designated landmarks;
- (vii) Relocation of contributing buildings and landmarks; and
- (viii) Development identified as requiring review by the HP/DRC in the applicable adopted standards and guidelines.
- (ix) Change to an approved design which substantially changes a feature or features reviewed and approved by the HP/DRC.

(4) Procedure for Minor Certificate of Design Approval – Historic Districts and Landmarks

Figure 17-2.5(g)(4) identifies the standard review procedures from Sec. 17-2.4, Standard Review Procedures, that apply to applications for a Minor Certificate of

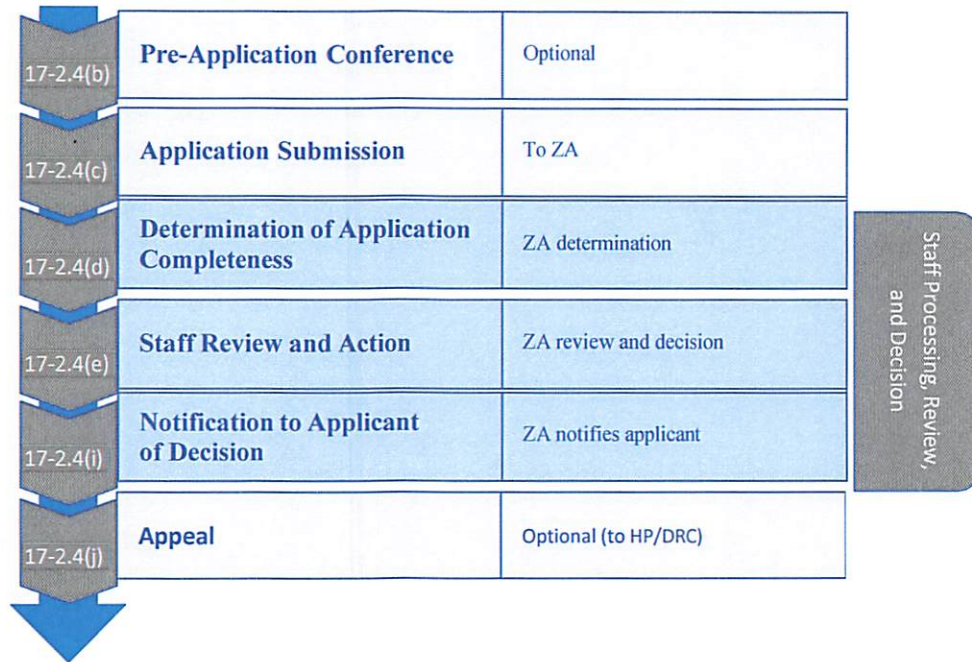
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Sec. 17-2.5. Application-Specific Review Procedures and Decision Standards

(g) Certificate of Design Approval – Historic Districts and Landmarks

Design Approval – Historic Districts and Landmarks. Additions or modifications to the standard review procedures are identified in this subsection.

Figure 17-2.5(g)(4): Summary of Minor Certificate of Design Approval – Historic Districts and Landmarks Procedure



- a. Pre-Application Conference**
Optional (see Sec. 17-2.4(b), Pre-Application Conference).
- b. Application Submission**
Required (see Sec. 17-2.4(c), Application Submission).
- c. Determination of Application Completeness**
Required (see Sec. 17-2.4(d), Determination of Application Completeness).
- d. Staff Review and Action**
Required (see Sec. 17-2.4(e), Staff Review and Action). The ZA shall review and make a decision in whole or in part on the application in accordance with Sec. 17-2.5(g)(6), Decision Standards for Certificate of Design Approval – Historic Districts and Landmarks. The decision shall be one of the following:
 - (i) Approve the application as submitted;
 - (ii) Approve the application subject to conditions of approval; or
 - (iii) Deny the application.
- e. Notification to Applicant of Decision**
Required (see Sec. 17-2.4(i), Notification to Applicant of Decision).

f. Appeal

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

1. Appeal to HP/DRC

Any appeal of the ZA's decision to approve, approve subject to conditions, or deny an application for a Certificate of Design Approval – Historic Districts and Landmarks or portion thereof shall be to the Design Development Review Commission (HP/DRC).

2. Notice of Appeal

Within 30 days of receipt of notice of the ZA's decision, any party aggrieved by the decision may appeal the decision by submitting a notice of appeal to the ZA specifying the grounds of the appeal.

3. Transmittal of Record and Scheduling of Public Hearing

Upon receipt of the notice of appeal, the ZA shall forthwith transmit the notice of appeal and all papers constituting the record upon which the decision was made to the HP/DRC and schedule a public hearing in accordance with Sec. 17-2.4(f), Scheduling of Public Hearing and Public Notification.

4. Hearing and Decision

(i) The HP/DRC shall conduct a public hearing, review the application and all relevant materials and testimony, and make one of the following decisions within a reasonable time:

- (a) Affirm the decision being appealed (in whole or in part);
- (b) Modify the decision being appealed (in whole or in part);
- (c) Reverse the decision being appeals (in whole or in part); or
- (d) Remand the matter to the ZA if the HP/DRC determines that the record is insufficient for review.

(ii) The HP/DRC's final decision shall be in writing, with findings of fact and conclusions of law separately stated.

5. Rehearing on a Remanded Matter

If the HP/DRC remands the matter to the ZA, it must at the same time set a rehearing on the remanded matter without further public notice for a time certain within 60 days unless otherwise agreed to by the parties. The HP/DRC must maintain a list of persons who express an interest in being informed when the remanded matter is set for rehearing, and notice of the rehearing must be mailed to these persons prior to the rehearing. The HP/DRC's rehearing shall be in accordance with subsection 4 above.

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

(g) Certificate of Design Approval – Historic Districts and Landmarks

6. Further Appeal

Appeal from the HP/DRC’s decision on an appeal from the ZA’s decision shall be to the County circuit court in accordance with S.C. Code § 6-29-900 et seq.

(5) Procedure for Major Certificate of Design Approval – Historic Districts and Landmarks

Figure 17-2.5(g)(5) identifies the standard review procedures from Sec. 17-2.4, Standard Review Procedures, that apply to applications for a Major Certificate of Design Approval – Historic Districts and Landmarks. Additions or modifications to the standard review procedures are identified in this subsection.

Figure 17-2.5(g)(5): Summary of Major Certificate of Design Approval – Historic Districts and Landmarks Procedure



- a. **Pre-Application Conference**
Optional (see Sec. 17-2.4(b), Pre-Application Conference).
- b. **Application Submission**
Required (see Sec. 17-2.4(c), Application Submission).
- c. **Determination of Application Completeness**
Required (see Sec. 17-2.4(d), Determination of Application Completeness).

d. Staff Review and Action

Required (see Sec. 17-2.4(e), Staff Review and Action).

e. Scheduling of Public Hearing and Public Notification

Required (see Sec. 17-2.4(f), Scheduling of Public Hearing and Public Notification).

f. Decision-making Body Hearing, Review, and Decision

Required (see Sec. 17-2.4(h), Decision-Making Body Hearing, Review, and Decision). The Design Review Commission (HP/DRC) shall review and make a decision in whole or in part on the application in accordance with Sec. 17-2.5(g)(6), Decision Standards for Certificate of Design Approval – Historic Districts and Landmarks. In its review of the application, the HP/DRC shall examine the architectural design, the exterior surface treatment, the arrangement and location of buildings and structures on the site in question and their relation to other buildings and structures within the district involved, and other pertinent factors affecting the appearance and efficient functioning of the district. The HP/DRC’s decision shall be one of the following:

- (i) Approve the application as submitted;
- (ii) Approve the application subject to conditions of approval; or
- (iii) Deny the application.

g. Notification to Applicant of Decision

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

h. Appeal

Optional (see Sec. 17-2.4(j), Appeal). An appeal from the HP/DRC’s decision may be made by any person having a substantial interest in the decision, or any officer or agent of the City, to the County Circuit Court in accordance with State law. The appeal shall be filed within 30 days after the affected party receives actual notice of the decision of the HP/DRC. The decision of the DRC is valid and actionable until it is overturned by a court of competent jurisdiction.

(6) Decision Standards for Certificate of Design Approval – Historic Districts and Landmarks

The ZA or the HP/DRC, as applicable, shall approve any application for a Certificate for Design Approval – Historic Districts and Landmarks that complies with the standards in this subsection.

a. General

- 1. No proposed building or structure shall be approved, separately or in relation to its premises as proposed to be arranged, landscaped or constructed, which would adversely affect the primary character of the district involved or the setting of public or quasi-public historical

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(g) Certificate of Design Approval – Historic Districts and Landmarks

buildings or landmarks on which public or private monies have been or are proposed to be spent.

2. No application shall be approved unless a determination is made that, considering the exterior appearance and arrangement of buildings, structures and premises in the district involved, approval of the application is consistent with the following purposes:
 - (i) To enhance the attractiveness and functioning of the district in keeping with its purpose and intent;
 - (ii) To encourage the orderly and harmonious development of the district; and
 - (iii) To enhance and protect the public and private investment and general value of lands and improvements within the district.
3. If, consistent with the standards in this subsection, the HP/DRC finds it desirable to impose less restrictive requirements on development than would otherwise apply in accordance with any other provision of this Ordinance, such deviation shall be referred to the Zoning Board of Adjustment for review as a Special Exception Permit.

b. Standards for Structure and Site Design

1. General

The decision on a Certificate of Design Approval – Historic Districts and Landmarks application shall be based upon the requirements set forth in the standards or design guidelines adopted by the City Council for the applicable Architectural Conservation District, Historic Commercial District, Protection Area, Landmark District, or Landmark.

2. Landmarks, Districts Lacking Established Standards, and Specified Districts

If the City Council has not established standards or design guidelines for the district involved, or if the application pertains to individual landmarks, the Governor's Mansion Protection Area, Elmwood Park Architectural Conservation District, or the Landmark District, the Secretary of the Interior's Standards for Rehabilitation, as amended and listed below (the "Standards"), shall serve as the basis for the HP/DRC's decision, taking into account the designation level of the landmark or district.

- (a) For landmark districts and individual landmarks, the historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
- (b) In architectural conservation districts and protection areas, the historic character of a district shall be retained and

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(g) Certificate of Design Approval – Historic Districts and Landmarks

- (c) The estimated market value of the property in its current condition; after demolition, after renovation of the existing property for continued use, and with proposed redevelopment;
 - (d) An estimate from an architect, developer, real estate consultant, appraiser, or other real estate professional experienced in rehabilitation as to the economic feasibility of rehabilitation or reuse of the existing structure(s) on the property;
 - (e) In a request for a demolition of a landmark, a detailed feasibility study of the property may be required that may include, but is not limited to, a market analysis, estimates for renovation by historic preservation specialists, a study for potential reuse alternatives, etc.
 - (f) Specific written substantiation of any current negotiations to sell, rent, or lease property, including all efforts to market and/or sell the property, how long it was listed, the price at which it was listed, and comparables in the market.
 - (g) All appraisals obtained within the previous two (2) years by the owner or applicant in connection with the purchase, financing or ownership of the property.
- (iii) The HP/DRC or its staff may require the applicant to provide additional information dealing with the standards or the required application materials in this subsection.

d. Standards for Relocation

Like a demolition, the relocation of a historic building should be an action of last resort. When a structure is moved, the community loses a part of its history, which cannot be replaced. Accordingly, such requests are reviewed very deliberately and require detailed information.

- (i) A decision on a Certificate of Design Approval – Historic Districts and Landmarks application for the relocation of a building, structure, or object shall be based the following standards:
 - (a) A landmark or a contributing building, structure, or object shall not be relocated unless the HP/DRC finds:
 - (a) Demolition of the building, structure, or object would be approved in accordance with Sec. 17-2.5(g)(6)c, Standards for Demolition, were it not for the relocation; or
 - (b) The applicant demonstrates the existence of the building, structure, or object is threatened by a severe environmental hazard.

- (b) Relocation of a noncontributing building, structure, or object shall be approved or disapproved in accordance with the standards in Sec. 17-2.5(g)(6)c, Standards for Demolition.
- (c) The relocation of a building, structure, or object into the Historic Preservation Overlay district is permitted only if it is determined that the relocated building, structure, or object will be in accordance with the guidelines that apply to new construction in the new location and will be appropriate for the proposed context.

e. Standards for Driveway and Vehicular Parking Area Design

The decision on a Certificate of Design Approval – Historic Districts and Landmarks application that involves construction or alteration of a driveway or other vehicular parking area that is located within a base residential zoning district along the primary frontage or secondary frontage of a lot shall be based on the following standards:

- (i) Unless a showing of extraordinary and exceptional conditions pertaining to the piece of property can be shown, the amount of allowable area paved for the use of a driveway or a vehicular parking area shall be limited to a width of 12 feet measured with a straight line that runs parallel to the front or secondary front lot line.
- (ii) The designated vehicular parking area or driveway shall be placed so as to minimize its visual impact on the primary structure.
- (iii) Driveways and vehicular parking areas shall be compatible with the existing building and the site and setting of the historic district, taking into account the level of designation. Unless other materials are approved by the HP/DRC after a finding of fact that the materials in question are historically correct for the subject property, materials shall be limited to:
 - (a) In a protection area: brick pavers, concrete pavers, granite, concrete, asphalt, sand, gravel, or crushed stone.
 - (b) In an architectural conservation district: brick pavers, granite and concrete.
 - (c) In a landmark district or for individual landmarks: brick pavers, granite and concrete..

(h) Certificate of Design Approval – Design Districts

(1) Purpose

The purpose of this subsection is to establish a uniform mechanism for ensuring that proposed changes to exterior architectural features or attachments of appurtenances to structures within any design district is consistent with the standards that are specific to the district.

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 (h) Certificate of Design Approval – Design Districts

- (c) Site improvements consisting of any change to the paving, steps, fencing or masonry walls;
- (d) Change in roof pitch;
- (e) Change in exterior materials; or
- (f) Addition of or modification to signage.

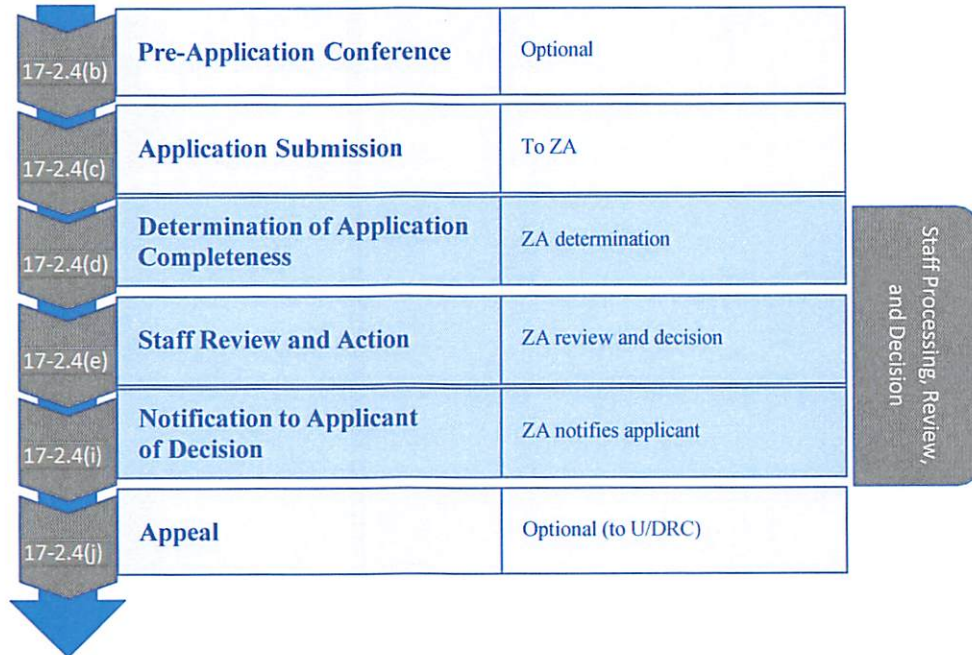
b. Major Certificate

An application for a Major Certificate of Design Approval – Design Districts shall be reviewed and decided in accordance with Sec. 17-2.5(j)(5), Procedure for Major Certificate of Design Approval – Design Districts, for any activity that requires a Certificate of Design Approval – Design Districts in accordance with Sec. 17-2.5(h)(2) above that is not listed in subsection a above and any change to an approved design which results in a substantial change to a feature that was reviewed and approved by the U/DRC.

(4) Procedure for Minor Certificate of Design Approval – Design Districts

Figure 17-2.5(h)(4) identifies the standard review procedures from Sec. 17-2.4, Standard Review Procedures, that apply to applications for a Minor Certificate of Design Approval – Design Districts. Additions or modifications to the standard review procedures are identified in this subsection.

Figure 17-2.5(h)(4): Summary of Minor Certificate of Design Approval – Design Districts Procedure



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(h) Certificate of Design Approval – Design Districts

- a. Pre-Application Conference**
Optional (see Sec. 17-2.4(b), Pre-Application Conference).
- b. Application Submission**
Required (see Sec. 17-2.4(c), Application Submission).
- c. Determination of Application Completeness**
Required (see Sec. 17-2.4(d), Determination of Application Completeness).
- d. Staff Review and Action**
Required (see Sec. 17-2.4(e), Staff Review and Action). The ZA shall review and make a decision in whole or in part on the application in accordance with Sec. 17-2.5(h)(6), Decision Standards for Certificate of Design Approval – Design Districts. The decision shall be one of the following:
 - (i) Approve the application as submitted;
 - (ii) Approve the application subject to conditions of approval; or
 - (iii) Deny the application.
- e. Notification to Applicant of Decision**
Required (see Sec. 17-2.4(i), Notification to Applicant of Decision).
- f. Appeal**
Optional (see Sec. 17-2.4(j), Appeal). Any appeal of the ZA’s decision to approve, approve subject to conditions, or deny an application for a Certificate of Design Approval – Design Districts shall be to the Design Development Review Commission (U/DRC).
 - 1. Notice of Appeal**
Within 30 days of receipt of notice of the ZA’s decision, any party aggrieved by the decision may appeal the decision by submitting a notice of appeal to the ZA specifying the grounds of the appeal.
 - 2. Transmittal of Record and Scheduling of Public Hearing**
Upon receipt of the notice of appeal, the ZA shall forthwith transmit the notice of appeal and all papers constituting the record upon which the decision was made and schedule a public hearing in accordance with Sec. 17-2.4(f), Scheduling of Public Hearing and Public Notification.
 - 3. Hearing and Decision**
 - (i) The U/DRC shall conduct the public hearing, review the application and all relevant materials and testimony, and make one of the following decisions:
 - (a) Affirm the decision being appealed (in whole or in part);
 - (b) Modify the decision being appealed (in whole or in part);
 - (c) Reverse the decision being appeals (in whole or in part); or

(d) Remand the matter to the ZA if the U/DRC determines that the record is insufficient for review.

(ii) The U/DRC's final decision shall be in writing, with findings of fact and conclusions of law separately stated.

4. Rehearing on a Remanded Matter

If the U/DRC remands the matter to the ZA, it must at the same time set a rehearing on the remanded matter without further public notice for a time certain within 60 days unless otherwise agreed to by the parties. The U/DRC must maintain a list of persons who express an interest in being informed when the remanded matter is set for rehearing, and notice of the rehearing must be mailed to these persons prior to the rehearing. The U/DRC's rehearing shall be in accordance with subsection 4 above.

5. Further Appeal

Appeal of the U/DRC's decision on an appeal from the ZA's decision shall be to the County circuit court in accordance with S.C. Code § 6-29-900 et seq.

(5) Procedure for Major Certificate of Design Approval – Design Districts

Figure 17-2.5(h)(5) identifies the standard review procedures from Sec. 17-2.4, Standard Review Procedures, that apply to applications for a Major Certificate of

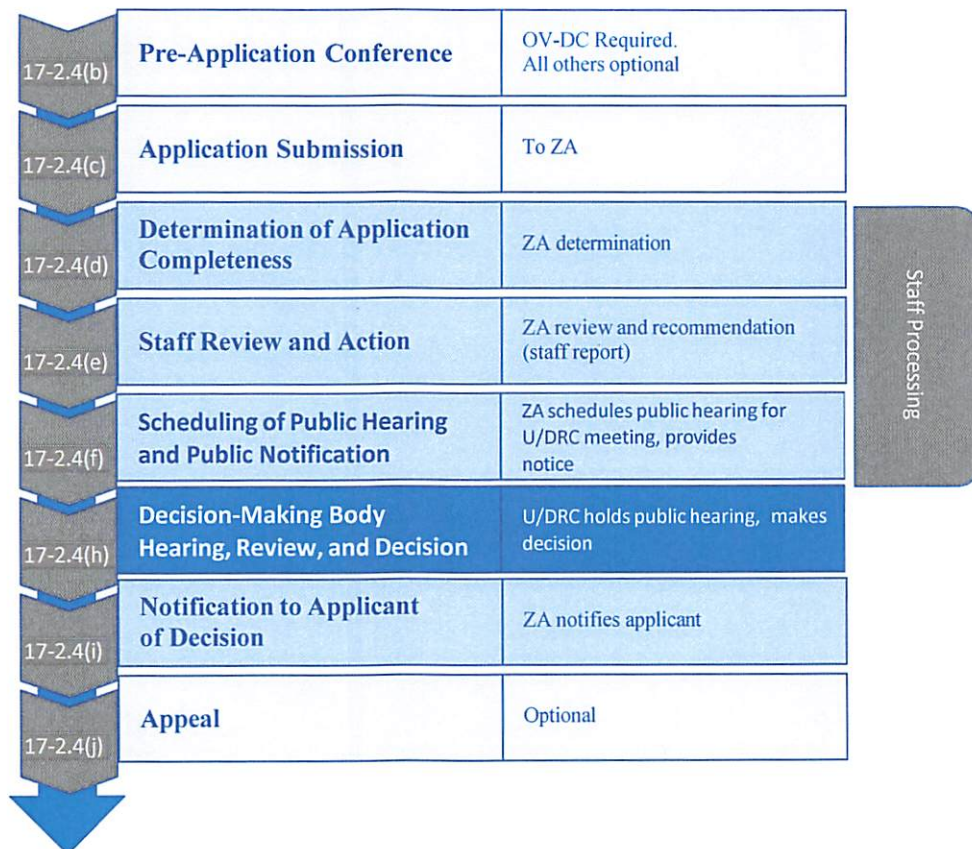
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Sec. 17-2.5. Application-Specific Review Procedures and Decision Standards

(h) Certificate of Design Approval – Design Districts

Design Approval – Design Districts. Additions or modifications to the standard review procedures are identified in this subsection.

Figure 17-2.5(h)(5): Summary of Certificate of Design Approval – Design Districts (Major) Procedure



- a. Pre-Application Conference**
OV-DC Required. All others optional (see Sec. 17-2.4(b), Pre-Application Conference).
- b. Application Submission**
Required (see Sec. 17-2.4(c), Application Submission).
- c. Determination of Application Completeness**
Required (see Sec. 17-2.4(d), Determination of Application Completeness).
- d. Staff Review and Action**
Required (see Sec. 17-2.4(e), Staff Review and Action).
- e. Scheduling of Public Hearing and Public Notification**
Required (see Sec. 17-2.4(f), Scheduling of Public Hearing and Public Notification).

f. Decision-making Body Hearing, Review, and Decision

Required (see Sec. 17-2.4(h), Decision-Making Body Hearing, Review, and Decision). The Design Development Review Commission (U/DRC) shall review and make a decision in whole or in part on the application in accordance with Sec. 17-2.5(h)(6), Decision Standards for Certificate of Design Approval – Design Districts. The U/DRC’s decision shall be one of the following:

- (i) Approve the application as submitted;
- (ii) Approve the application subject to conditions of approval; or
- (iii) Deny the application.

g. Notification to Applicant of Decision

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

h. Appeal

Optional (see Sec. 17-2.4(j), Appeal). An appeal from the U/DRC’s decision may be made by any person having a substantial interest in the decision, or any officer or agent of the City, to the County circuit court in accordance with S.C. Code § 6-29-900 et seq. The appeal must be filed within 30 days after the affected party receives actual notice of the decision of the U/DRC.

(6) Decision Standards for Certificate of Design Approval – Design Districts

An application for a Certificate of Design Approval – Design Districts shall be approved upon a finding that the proposed activity is in accordance with the design guidelines adopted by the City Council for the design district in which the proposed activity is located, either the Downtown Columbia Design Overlay, North Main Corridor Design Overlay, or Five Points Design Overlay.

(i) Site Plan

(1) Purpose

The purpose of this subsection is to establish a uniform mechanism to ensure that the layout and general design of proposed development complies with the standards of this Ordinance and all other applicable City regulations.

(2) Applicability

- a. The procedures and standards in this subsection apply to the review of and decision on applications for Site Plan approval.
- b. Site Plan approval is required prior to the issuance of a Zoning Permit for any development, unless exempted in accordance with subsection c below.
- c. The following is exempted from the requirements of this subsection:
 - 1. Development on a single-family residential lot; and

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

(y) Bailey Bill – Special Tax Assessment Created

(y) Bailey Bill – Special Tax Assessment Created

(1) Purpose

It is the purpose of this division to:

- a. Encourage the restoration of historic properties;
- b. Promote community development and redevelopment;
- c. Encourage sound community planning; and
- d. Promote the general health, safety, and welfare of the community.

(2) Eligible Properties

In order to be eligible for the special tax assessment, historic properties must received preliminary and final certification.

- a. To receive preliminary certification a property must meet the following conditions:
 - (i) The property has received historic designation.
 - (ii) The proposed rehabilitation work receives approval from the Design Review Commission (HP/DRC).
- b. To received final certification, a property must have met the following conditions:
 - (i) The property has received preliminary certification.
 - (ii) The minimum expenditures for rehabilitation were incurred and paid.
 - (iii) The completed rehabilitation received approval from the secretary to the HP/DRC as being consistent with the plans approved by HP/DRC as part of preliminary certification

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(y) Bailey Bill – Special Tax Assessment Created

features to protect the historic integrity of the historic property and its environment.

(viii) New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

- b. Work to be reviewed:
- (i) Repairs to the exterior of the designated building.
 - (ii) Alterations to the exterior of the designated building.
 - (iii) New construction on the property on which the building is located.
 - (iv) Alterations to interior primary public spaces.
 - (v) Any remaining work where the expenditures for such work are being used to satisfy the minimum expenditures for rehabilitation.
- c. Minimum expenditures for rehabilitation means the owner or the owner's estate rehabilitates the building, with expenditures for rehabilitation exceeding 20 percent of the fair market value of the building. Fair market value means the appraised value as certified to the HP/DRC by a real estate appraiser licensed by the State of South Carolina, the sales price as delineated in a bona fide contract of sale within 12 months of the time it is submitted, or the most recent appraised value published by the Richland County Tax Assessor.
- d. Expenditures for rehabilitation means the actual cost of rehabilitation relating to one or more of the following:
- (i) Improvements located on or within the historic building as designated.
 - (ii) Improvements outside of but directly attached to the historic building which are necessary to make the building fully useable (such as vertical circulation) but shall not include rentable/habitable floorspace attributable to new construction.
 - (iii) Architectural and engineering services attributable to the design of the improvements.
 - (iv) Costs necessary to maintain the historic character or integrity of the building.
- e. The special tax assessment may apply to the following:
- (i) Structure(s) rehabilitated.
 - (ii) Real property on which the building is located.

- f. To be eligible for the special tax assessment, rehabilitation must be completed within two years of the preliminary certification date. If the project is not complete after two years, but the minimum expenditures for rehabilitation have been incurred, the property continues to receive the special assessment until the project is completed or until the end of the special assessment period, whichever shall first occur.

(5) Process

- a. There is a fee of \$150.00 required for final certification for each application for review of rehabilitation work of single-family and/or duplex structures and \$300.00 for all other structures. Fees are payable to the City of Columbia, and final certification will not be given without payment of this fee.
- b. Owners of property seeking approval of rehabilitation work must submit a rehabilitation historic property application with supporting documentation and application fee prior to beginning work.
- c. Upon receipt of the completed application, the proposal shall be placed on the next available agenda of the HP/DRC to determine if the project is consistent with the standards for rehabilitation. After the HP/DRC makes its determination, the owner shall be notified in writing. Upon receipt of this determination the owner may:
 - (i) If the application is approved, begin rehabilitation;
 - (ii) If the application is not approved, he may revise such application in accordance with comments provided by the HP/DRC.
- d. Once preliminary certification is granted to an application, substantive changes must be approved by the HP/DRC. Unapproved substantive changes are conducted at the risk of the property owner and may disqualify the project from eligibility. Additional expenditures will not qualify the project for an extension on the special assessment.
- e. Upon completion of the project, the project must receive final certification in order to be eligible for the special assessment. The secretary to the HP/DRC will inspect completed projects to determine if the work is consistent with the approval granted by the HP/DRC. Final certification will be granted when the completed work meets the Standards and verification is made that expenditures have been made. Upon receiving final certification, the property will be assessed for the remainder of the special assessment period on the fair market value of the property at the time the preliminary certification was made or the final certification was made, whichever occurred earlier.
- f. For the remainder of the special assessment period after final certification, the property owner shall notify the HP/DRC of any additional work, other than ordinary maintenance. The HP/DRC will review the work at a regularly scheduled hearing and determine whether the overall project is

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(y) Bailey Bill – Special Tax Assessment Created

consistent with the standards for rehabilitation. If the additional work is found to be inconsistent the property owner may withdraw his request and cancel or revise the proposed additional work.

- g.** When the property has received final certification and has been assessed as rehabilitated historic property, it remains so certified and must be granted the special assessment until the property becomes disqualified by any one of the following:

 - (i)** Written notice from the owner to the HP/DRC and the auditor requesting removal of the preferential assessment;
 - (ii)** Removal of the historic designation by City Council; or
 - (iii)** Rescission of the approval of rehabilitation by the HP/DRC because of alterations or renovation by the owner or the owner's estate which causes the property to no longer possess the qualities and features which made it eligible for final certification.
- h.** The City shall, upon final certification of a property, notify the Richland County Assessor, Auditor and Treasurer that such property has been duly certified and is eligible for the special tax assessment.
- i.** If an application for preliminary or final certification is filed by May 1 or the preliminary or final certification is approved by August 1, the special assessment authorized herein is effective for that year. Otherwise, it is effective beginning with the following year.

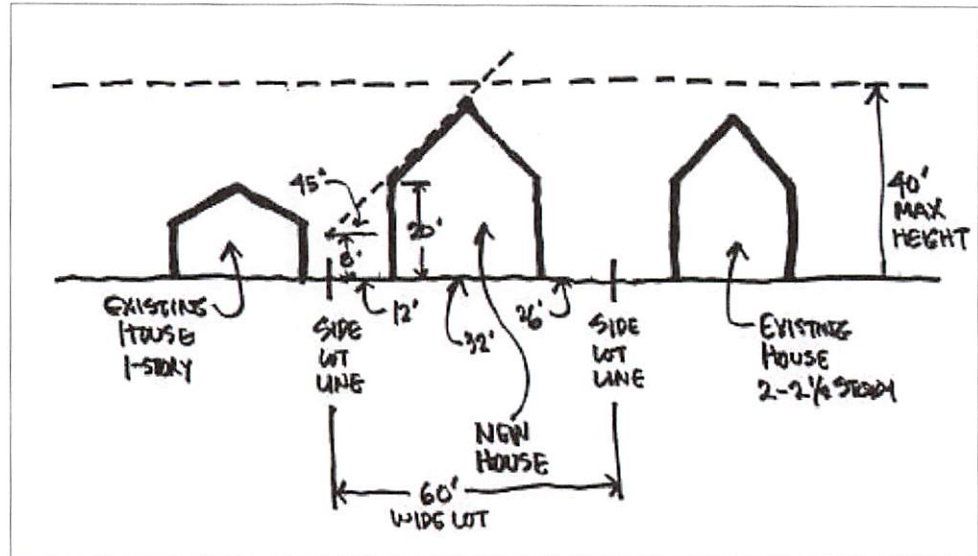
 - (i)** The special assessment only begins in the current or future tax years as provided for in this section. In no instance may the special assessment be applied retroactively.
- j.** Once the HP/DRC has granted the special property tax assessments authorized herein, the owner of the property shall make application to the Richland County Auditor for the special assessment provided for herein.

Article 3: Zoning Districts

Sec. 17-3.7. Overlay Districts

(k) OV-CCP: Community Character Protection Overlay District

Figure 17.3.7(1)(3)e: Maximum Height



(4) Limits to Demolition

a. General

1. The City shall not issue a demolition or relocation permit for any structure fifty (50) years old or more within any geographic area to which this overlay applies without prior review and approval by the Design Review Commission
[MA14](HP/DRC).
2. The following demolitions and relocations are exempt from this section:
 - (i) Structures deemed noncontributing by City staff as determined by criteria in c.2(i) below.
 - (ii) Partial demolitions where City staff determines that the portion of the structure to be demolished does not contribute to the design integrity of the structure.
 - (iii) The structure poses an immediate threat to the public safety as determined by the Building Official.
3. The age of the structure shall be established by the records maintained by the Richland County Assessor's Office. If the age of the structure cannot be established by the records maintained by the Assessor's Office, the applicant for a demolition or relocation permit shall present other documentation to the City to establish the age of the structure.

b. Public Notice Requirement

The property upon which the structure is located shall be posted with notice of the application to demolish or relocate at least 15 days prior to the consideration by the HP/DRC.

c. Review by HP/DRC

1. The HP/DRC shall approve a request for demolition or relocation only if it finds one or more of the following:
 - (i) The physical integrity of the structure is compromised to such a degree that it is no longer salvageable and/or represents a hazardous or unsafe condition.
 - (ii) The structure does not contribute to the historical architectural character of the district.
 - (iii) The structure or property cannot be put to any reasonable economic beneficial use for which it is or may otherwise be adapted without approval of demolition.
2. For applications to demolish or relocate a structure, the HP/DRC shall apply the following criteria for review:
 - (i) Determination of the architectural significance and whether it contributes to the character of the district. The Commission shall consider the structure in relation to the street and the district as a whole. The architectural significance is defined by being fifty (50) years or older and meeting at least one of the following criteria:
 - (a) Individually listed in or has been determined eligible for listing in the National Register of Historic Places.
 - (b) Contributes to a Historic District listed in the National Register of Historic Places.
 - (c) A building which exemplifies an architectural style or type characterized by innovation, rarity, uniqueness, or overall quality of design, detail, materials, or craftsmanship.
 - (d) An excellent example of a style or type of building which is rare within Columbia or its historic context.
 - (e) The significant work of an architect or builder of local, regional, or national importance.
 - (ii) The existing structural condition as assessed by a licensed engineer or architect with experience in historic rehabilitation projects.
 - (iii) A determination of the building use and economic viability. The applicant shall submit information, prepared by qualified professionals, sufficient to demonstrate the following:
 - (a) The current use does not generate a reasonable economic return;
 - (b) The appropriate and reasonable alternate uses in the building could not generate a future reasonable economic return; and

(m) OV-HSV: Height and Setback View Corridor Protection Overlay District

(1) Purpose:

The purpose of the Height and Setback View Corridor Protection Overlay (OV-HSV) District is to support the goals of the area plans with regard to compatible height and setbacks as identified through area plans.

(2) Applicability

- a. The standards and requirements in this section apply to development located in the OV-HSV District.
- b. The OV-HSV District consists of two types of sub-districts: height overlay sub-districts (Height Districts) and setback overlay sub-districts (Setback Districts).

(3) Height Overlay Sub-districts (Height Districts)

The requirements of this section have resulted from a contextual study of building height and architectural patterns in the mapped height overlay sub-district (Height District). The requirements of this section reflect the predominant building height trends of the areas to which they are applied, and reinforce the principles cited in the adopted plans for each area. The requirements of this section are intended to clarify acceptable heights of buildings in areas of the City that have been assigned a Height District. The Design Review Commission (HP/DRC) may adjust heights in defined Height Districts in limited circumstances when based on architectural merit.

a. General Requirements

1. A Height District shall have heights measured in stories or feet, as specified.
2. For maximum height specified in feet, the measurement shall be taken from the highest curb elevation adjacent to the site to the highest point of the structure. For maximum height specified in stories, the measurement shall be taken from the main floor finished elevation.
3. Where heights are specified in stories or feet, the measurement shall be from finished floor to finished floor.
4. Any area under a structure in excess of six feet shall be counted as a story.
5. The HP/DRC is empowered to require a downward adjustment of one-half story in the number of stories based on the number of stories of structures that predominate in the structure's immediate surroundings.
6. Floors shall be measured in the following manner:
 - (i) The maximum height of any residential floor shall be 12 feet, unless otherwise specified. Any dimension above this shall

(m) OV-HSV: Height and Setback View Corridor Protection Overlay District

constitute a second floor. The HP/DRC may grant a waiver up to 14 feet on the first or second floor, based on architectural merit and context.

- (ii) The minimum height of any residential floor shall not be less than 10 feet; however, there is no minimum height for floors in a single family residence, duplex or townhouse.
 - (iii) The maximum height of any nonresidential first floor shall be 20 feet, unless otherwise specified. Any dimension above this height shall constitute a second floor. The Design Review Commission may grant a waiver up to 25 feet on the main floor based on architectural merit and context.
 - (iv) The minimum height of any nonresidential floor shall not be less than 14 feet, unless otherwise specified.
7. The HP/DRC is empowered to require downward adjustments to floor heights, based on context of the structure with its immediate surroundings.
 8. Appurtenances to a building shall not be permitted to exceed the maximum height, unless otherwise specified.
 9. If any portion of a structure subject to the jurisdiction of the HP/DRC is within 50 feet of a designated landmark, such portion of that structure shall not exceed the height of such existing structures unless approved by the HP/DRC based on architectural merit and context.
 10. Mechanical equipment on a roof shall be visually screened from the street with parapets or other types of visual screens of the minimum height necessary to conceal the same. The equipment shall be screened from view from surrounding streets within 1,000 feet of the equipment.
 11. Parking garages shall not exceed the height of the principal building on the site. Parking garages shall not be constrained by floor to floor height requirements, but stand-alone and integrated parking garages shall appear from the street to conform to the number of stories permitted in the height district in which it is located.
 12. In a Height District where additional height may be awarded on the basis of architectural merit and context, if the property is not subject to the jurisdiction of the HP/DRC through other sections of this Ordinance, the owner requesting the additional height must submit the plans to the HP/DRC. An applicant seeking modification based upon architectural merit and context shall provide studies and drawings as requested by the HP/DRC.
 13. Communication towers shall not exceed the maximum building height limits of Height Districts that include a maximum height limit in feet, or

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Sec. 17-3.7. Overlay Districts

(m) OV-HSV: Height and Setback View Corridor Protection Overlay District

a height limit equal to 10 feet per story for Height Districts that do not specify a maximum height in feet.

14. "Architectural merit" means a project that reflects exemplary architectural and urban design, utilizes the highest level of materials and finishes and contributes to the public realm.

b. OV-HSV H80/30: Height District 80/30.

1. In all areas mapped with this Height District, the following standards apply:
 - (i) There shall be no structure, including appurtenant parts of a structure, except for elevator penthouses or mechanical penthouses, exceeding a height of 80 feet, nor shall any structure fronting on any street be lower than the height of 30 feet.
 - (ii) All portions of a structure above the 55 foot level shall be set back at least 25 feet from all street right-of-way lines.

(4) Setback Overlay Sub-districts (Setback Districts).

The requirements of this section have resulted from a contextual study of building setbacks and urban design goals in the mapped setback overlay sub-district (Setback District). The requirements of this section reflect the predominant setback trends of the areas and urban design principles cited in the adopted plans for each area. The requirements of this section are intended to clarify acceptable setbacks and build to lines of buildings in areas of the City that have been assigned a Setback District. The U/DRC may adjust setbacks in defined Setback Districts in limited circumstances when based on architectural merit.

a. General requirements:

1. The U/DRC is empowered to require an adjustment of ½ the maximum requirement based upon analysis of the immediate surroundings and Architectural merit.
2. "Architectural merit" means a project that reflects exemplary architectural and urban design, utilizes the highest level of materials and finishes and contributes to the public realm.

b. OV-HSV S8/10: Setback District 8-10

In order to encourage a well defined public realm and to provide a buffer for pedestrians between the curb line and the sidewalk zone of not less than 8 feet, the follow standards apply in the OV-HSV S8/10 Setback District:

1. No structure, including appurtenant parts of a structure, except for balconies and Juliet balconies, shall be placed within eight feet the property line fronting Huger Street, and no structure shall be place more than ten feet from the property line fronting Huger Street.
2. Minimum front yards shall be used for wider sidewalks, trees, and other amenities coordinating with urban design standards of the district.

the HP/DRC issues a Certificate of Design Approval – Historic Districts and Landmarks, finding that the sign conforms to at least one of the guidelines for retaining historic signs listed within "The Preservation of Historic Signs" Preservation Brief, issued by the National Park Service, U.S. Department of the Interior.

(6) Permanent Signs

a. General Standards for Permanent Signs

1. Maximum Total Display Surface Area

Unless otherwise expressly stated in this Section, the total maximum display surface area of all permanent signs shall be as listed in Table 17-5.10(c)(6)a.1: Total Maximum Display Surface Area of Permanent Signs, for the zoning district in which the lot is located.

TABLE 17-5.10(C)(6)A.1: TOTAL MAXIMUM DISPLAY SURFACE AREA OF PERMANENT SIGNS		
ZONING DISTRICT AND LOT CONFIGURATION		MAXIMUM DISPLAY SURFACE AREA
Any Residential base district		On each street frontage: 20 square feet [1]
O-I, NAC, MU-1	Lot containing multiple establishments and multiple storefronts	For each storefront: one square foot for each linear foot of building frontage of the principal building occupied by the storefront
	Any other lot	On the lot: 150 square feet plus one square foot for each linear foot of building frontage of the principal building in excess of 150 feet that has a principal entrance
MU-2, GC, DAC, MC, CAC, RAC any Institutional and Campus district	Lot containing multiple establishments and multiple storefronts	For each storefront: two square foot for each linear foot of building frontage of the principal building occupied by the storefront
	Any other lot	On the lot: 300 square feet plus two square feet for each linear foot of building frontage of the principal building in excess of 150 feet that has a principal entrance
Any Industrial district	Lot containing multiple establishments and multiple storefronts	For each storefront: one square foot for each linear foot of building frontage of the principal building occupied by the storefront
	Any other lot	On the lot: 500 square feet plus 1.5 square feet for each linear foot of building frontage of the principal building in excess of 500 feet that has a principal entrance
NOTES:		
[1] For each street frontage, an additional 20 square feet of display surface area is allowed for a sign containing changeable copy.		

2. Maximum Number of Signs

The maximum number of permanent signs permitted for each street frontage for each business located on a lot shall be as listed in Table 17-5.10(c)(6)a.2: Maximum Number of Signs Per Street Frontage.

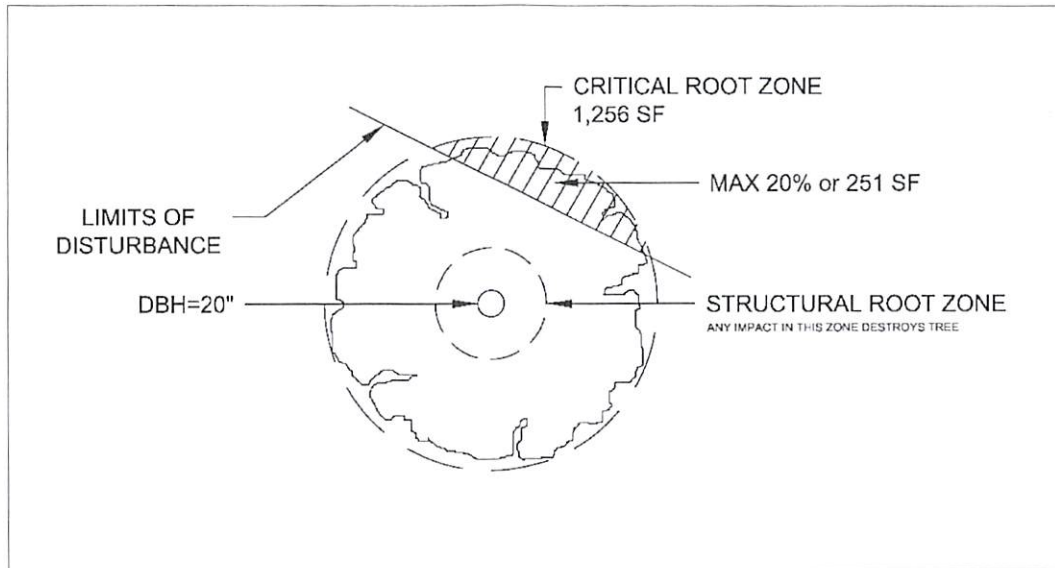
Article 9: Definitions and Rules of Measurement

Sec. 17-9.4. Definitions

(b) Interpretation of Unlisted Uses

CRITICAL ROOT ZONE, NET

In urban environments where root zones may sometimes be obstructed with barriers, i.e. roads and building foundations, etc., the root zone may be reduced in size. The reduced root zone after impact is called the Net Critical Root Zone and is used to determine whether a tree is saved or lost. In order for a tree to be preserved, the net critical root zone may be no greater than 20 percent.



CUL-DE-SAC

A street having one end open to traffic and the other end terminated by a vehicular turnaround; a dead-end street.

DAMAGE OR ABUSE (TO VEGETATION)

Any intentional or negligent act that endangers survivability of a tree or other plant material, including but not limited to, such damage inflicted upon the root system of a tree by application of toxic substances, the operation of machinery, the change of natural grade by excavation or filling above the root system or around the trunk of a tree, pruning, damages from injury or fire inflicted on trees that result in or permit pest infestation, or actual cutting of the tree.

DATUM

The term "the datum" used in Sec. 17-3.7(c), OV-A: Airport Safety Overlay District, shall mean sea level elevation unless otherwise specified.

DBH

See "Diameter-at-Breast-Height (DBH)"

DRC

"Design Review Commission." Formerly known as the "DDRC" or Design Development Review Commission.

HP/DRC

Historic Preservation/Design Review Commission for Historic Districts and Landmarks (see Sec. 17-2.3(e)).

U/DRC

Urban Design Review Commission for Urban Design Districts (see Sec. 17-2.3(e)).

DECIDUOUS

A plant which sheds its foliage at the end of each growing season. Not evergreen.

DECORATIVE LIGHTING

Light fixtures used for decorative effects, like accent lights for buildings.

DEMOLITION

The razing of any exterior architectural feature or structure, including its ruin by neglect of necessary maintenance or repairs, or either.

DESIGN DEVELOPMENT REVIEW COMMISSION

The Design Development Review Commission of the City of Columbia, South Carolina to be superseded by the DRC when adopted.

DEVELOPER

Any person, including a governmental agency, undertaking development.

DEVELOPMENT AGREEMENT

See Sec. 17-2.5(f), Development Agreement.

DEVELOPMENT LOT AS A WHOLE

The entire parcel proposed for a two-family or townhouse development, containing all parcels proposed to be owned in common and all proposed individual lots under two-family or townhouse units.

DHEC

The South Carolina Department of Health and Environmental Control.

DIAMETER-AT-BREAST-HEIGHT (DBH)

The diameter of a tree measured in inches 54 inches above the ground. If the tree splits into multiple trunks at a height below 54 inches, but above the ground, the diameter is measured at the narrowest point beneath the split.

DISPLAY AREA

An outdoor area for storage or display of merchandise for sale or lease, whether permanent or temporary, containerized or openly displayed.

DISPLAY SURFACE AREA

That area of a sign including the entire area within a regular geometric shape or combination of regular geometric shapes enclosing all of the elements of informational or representational matter displayed, including blank masking or any surface shape intended to convey ideas, information or meaning. Sign support structures not bearing

informational or representational matter shall not be included in computation of display surface area. Only one side of a double-faced sign shall be included in calculating the display surface area.

DRIP LINE

The perimeter of a tree's spread measured at the outermost tips of the branches and extending downward to the ground.

DRIVE-THROUGH FACILITY

A facility used to provide products or services to customers who remain in their vehicles, whether through a window or door in a building, a machine in a building or detached structure (e.g., ATM), or via a mechanical device (e.g., a pneumatic tube system). In addition to the pick-up window or door, drive-through service facilities also may include remote menu boards and ordering stations. Use types that commonly have drive-through service include banks, fast food restaurants, and drugstores.

DRIVEWAY

An area improved in accordance with **Error! Reference source not found., Error! Reference source not found.**, leading from a street or alley to a parking space.

DRUGSTORE (AS AN ACCESSORY USE)

The filling and sale of prescription drugs and the sale of medical supplies, nonprescription medicines, and related goods and services, as an accessory use.

DWELLING

Any building or part of building designed, occupied or intended for human occupancy, not to include a hotel or motel, lodging house, hospital or other accommodation used more or less for transient occupancy.

DWELLING UNIT

Any dwelling designed, occupied or intended for occupancy by a single-family unit. A structure or part of a structure shall be considered a dwelling unit where any one of the following elements are proposed or present:

- (1) A full bath, except where (a) the full bath is the primary use of the structure, and (b) no other area of the structure may be readily inhabited (i.e. a stand-alone bath house);
- (2) A range, oven, stove, broiler, or other like cooking appliance generally designed for permanent installation;
- (3) A separate power meter, except where the building official has determined that power could not be safely supplied from an existing meter; or
- (4) A separate water meter or connection to a well.

EASEMENT

A grant by a landowner to another landowner or to the public, of a right to occupy or use designated land for specific purposes, such as access, drainage, conservation, the location

MARQUEE

A permanent roofed structure attached to and supported by a building.

MASONRY WALL

A wall constructed of brick, stone or stucco.

MAXIMUM EXTENT PRACTICABLE

No feasible or practical alternative exists, as determined by the decision-maker, and all possible efforts to comply with the standards or regulation to minimize potential harmful or adverse impacts have been undertaken by an applicant. Economic considerations may be taken into account but shall not be the overriding factor in determining "maximum extent practicable."

MINOR ALTERATION

A change to a building or site that does not qualify as a major alteration, as determined by the Design Development Review Commission or the Land Development Administrator.

MIXED-USE DEVELOPMENT

A tract of land or structure developed for both residential and nonresidential uses. Such uses may be vertically integrated within a multi-story building or horizontally integrated within a single story building or on a lot or development site.

MOBILE HOME

A movable or portable dwelling unit over 32 feet in length and over eight feet in width, constructed to be towed on its own chassis, designed without a permanent foundation, and capable of supporting year round occupancy, which may include one more components that can be retracted for towing purposes and subsequently expanded, or which may consist of two or more units separately towable but designed to be joined into one integral unit. The term "mobile home" shall not include prefabricated, modular or unitized dwellings placed on permanent foundations, nor shall it include travel trailers, campers or similar units designed for recreation or other short term uses.

MODEL SALES HOME/UNIT

A dwelling, dwelling unit, or other marketable unit of a new development that is used for real estate sales or leasing activities associated with the development pending construction of the development and the initial sales of homes or units in the development.

MONOPOLE COMMUNICATION TOWER

A ground-mounted, pole-shaped, self-supporting tower that supports wireless communication antenna.

MULCH

A protective covering consisting of organic materials (layer of wood chips, pine straw, hay or other material) placed on the surface of the soil around plants to retain moisture, inhibit weeds growth, impede erosion, shield roots from freezing and aid in plant growth.

NATIVE SPECIES

A plant that is a part of the balance of nature that has developed over hundreds or thousands of years in a particular region or ecosystem. This includes species that are

Article 9: Definitions and Rules of Measurement

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(b) Interpretation of Unlisted Uses

PUBLIC BICYCLE-SHARING SERVICE

A system operated under the auspices of a program administered and/or approved by the City of Columbia whose function is to provide the general public with opportunities to rent bicycles on a short-term basis for use within the city or region.

PUBLIC BICYCLE-SHARING STATION

A bicycle sharing facility placed or constructed by a Public Bicycle-Sharing Service on public or private property where bicycles are stored and from which members of the public may rent bicycles as part of a Public Bicycle-Sharing Service including objects or equipment necessary for or appurtenant to its operation.

PUBLIC HEARING

A meeting that is open to the public and advertised in advance as required by the S.C. Code and this Ordinance, at which members of the public are allowed to speak on the subject of the public hearing. Advisory and decision-making bodies are required to conduct public hearings before a decision is made on certain applications.

QUORUM

The minimum number of City Council, Planning Commission, Board of Zoning Appeals, Board of Zoning Appeals – Form-based Codes, or Design Development Review Commission members that must be present in order to conduct official business or take official action.

RAINWATER CISTERN OR BARREL

A catchment device to capture rain water from a roof or other surface before it reaches the ground, which may be either above or below ground level.

RECYCLING DROP-OFF STATION

A location providing designated containers (commonly known as drop-off stations) for the collection of recyclable materials. Materials are stored in containers temporarily until they are transported to a separate processing facility.

REGISTER OF DEEDS

The Register of Deeds for Richland County, South Carolina, or the Register of Deeds for Lexington County, South Carolina. May be abbreviated *ROD*.

REGULARLY

For purposes of Sec. 17-4.2(c)(3)d.5, Sexually-Oriented Businesses, the consistent and repeated doing of an act on an ongoing basis.

REGULATORY FLOOD

A flood that is expected to occur in the future and cause damage, based on past flooding events.

REGULATORY FLOOD PROTECTION ELEVATION

The elevation of the regulatory flood, which can be influenced by topography, anticipated hydraulic conveyance capacity, and encroachment into areas subject to flooding.

RELOCATION

For purposes of Sec. 17-2.5(g), Certificate of Design Approval – Historic Districts and Landmarks, the moving of a building, structure, or object on the same lot or to another lot.

Requested by:

Assistant City Manager Palen

Approved by:

Cheresa B. Wilson
City Manager

Approved as to form:

[Signature]
City Attorney

Introduced: 12/16/2025
Final Reading: 01/06/2026

Mayor
[Signature]

ATTEST:

Quika Dell Hammond
City Clerk