

ORDINANCE NO.: 2008-025

Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 17, Planning, Land Development and Zoning, Article III, Zoning, Division 1, Generally, Sec. 17-54 Rules of construction; interpretation of types of districts; Division 8, District Descriptions; Use and Dimensional Regulations, Sec. 17-231 Districts enumerated (c); Sec. 17-258 Table of permitted uses (1) to add (h); Sec. 17-260 Warehousing (SIC 4227 and 424)(a)(3); Sec. 17-263 Retail trade (SIC 52-59) (b); Sec. 17-275 Lot size, setback and height requirements to add (k); Sec. 17-282 Antennas (b); Sec. 17-283 Wireless communication facilities TABLE 3; and to add Sec. 17-284-5P five points district; Sec. 17-285 MX-1 mixed-use district corridor/neighborhood; Sec. 17-286 Motor vehicle, boat and recreation vehicle dealers; Sec. 17-287 Used merchandise stores; Sec. 17-288 Offices and clinics of other health practitioners including therapeutic massage; Division 9, Supplementary District Regulations to add Sec. 17-321 -5P five points overlay district; Division 12, Signs, Sec. 17-407 Signs permitted in commercial and industrial districts (2)(a), (3)(a)(1) and (5)(a)(4); Article V, Historic Preservation and Architectural Review, Division I, Generally, Sec. 17-653 Design and development review commission (b)(9); Sec. 17-655 Administration to add (c) Administration of -5P design guidelines and re-letter Certificate conditions to (d)

BE IT ORDAINED by the Mayor and Council this 18th day of June, 2008, that the 1998 Code of Ordinances of The City of Columbia, South Carolina, Chapter 17, Planning, Land Development and Zoning to read as follows:

**Article III. Zoning
Division 1. Generally**

Sec. 17-54. Rules of construction; interpretation of types of districts.

(a) *Words to have customary meanings.* The words and phrases used in this article shall have their customary meanings, or shall be defined as defined in a standard dictionary, except for the specific words and phrases as defined in this article.

(b) *Tense.* The present tense includes the future tense.

(c) *Number.* The singular number includes the plural number, and the plural number includes the singular number.

(d) *Person.* The word "person" includes a firm, association, partnership, trust, company, corporation, or any other entity usually defined in legal usage as a person.

(e) *Shall and may.* The word "shall" is mandatory; the word "may" is permissive.

(f) *Used and occupied.* The word "used" or "occupied" includes the words "intended, designed or arranged to be used or occupied."

(g) *Lot.* The word "lot" includes the words "plot or parcel."

(h) *Structure.* The word "structure" includes the word "building."

(i) *Interpretation of types of districts or zones.* Types of districts or zones, when used as a descriptive term for purposes of identifying certain circumstances in which particular regulations are applied (as, for example, ". . . when such parking lot is contiguous to a residential district . . . ") are defined as follows:

(1) Residential districts include:

- a. D-1 development district;
- b. RS-1, RS-1A, RS-2 and RS-3 single-family residential districts;
- c. RD two-family residential district; and
- d. RG-1, RG-1A, RG-2 and RG-3 general residential districts.

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(2) Commercial districts include:

- a. C-1 office and institutional district;
- b. C-2 neighborhood commercial district;
- c. C-3 general commercial district;
- d. C-4 central area commercial district;
- e. C-5 central business district;
- f. C-6 limited commercial district; and
- g. -MU multiple use district.
- h. MX-1 mixed-use corridor/neighborhood district.

(3) Industrial districts include:

- a. M-1 light industrial district; and
- b. M-2 heavy industrial district.

(4) Other districts not enumerated in this subsection shall be interpreted by the zoning administrator as being either specifically residential, commercial or industrial, in any particular instance in keeping with the protective intent and purpose of this article as interpreted in the specific instance.

(j) *Interpretation of "contiguous" as applied to lots or districts.* The word "contiguous," as applied to lots or districts, shall be interpreted as meaning "sharing a common boundary of ten or more feet in length."

(k) *Interpretation of "on the premises of."* The phrase "on the premises of," as applied to accessory uses or structures, shall be interpreted to mean "on the same lot."

Division 8. District Descriptions; Use and Dimensional Regulations

Sec. 17-231. Districts enumerated.

(a) For the purpose of promoting the health, safety, morals and general welfare of the city, and for other purposes as enumerated in division 1 of this article, the city is hereby divided into districts, as enumerated in this division, within which are regulated and restricted the erection, construction, reconstruction, alteration, repair or use of buildings and other structures, the percentage of lot that may be occupied, the size of yards, courts and other open spaces, the density of population and the location and use of buildings, structures and land for trade, industry, residence or other purposes.

(b) The regulations in this article have been made with reasonable consideration of, among other things, the character of each district and its peculiar suitability for particular uses and with a view to encouraging the most appropriate use of land throughout the city.

(c) The regulations of this division shall apply uniformly to each class or kind of structure or land located within any of the following district classifications respectively:

- D-1 Development District
- RS-1 Single-Family Residential District
- RS-1A Single-Family Residential District
- RS-1B Single-Family Residential District
- RS-2 Single-Family Residential District

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- RS-3 Single-Family Residential District
- RD Two-Family Residential District
- RG-1 General Residential District
- RG-1A General Residential District
- RG-2 General Residential District
- RG-3 Townhouse and High-Rise Residential District
- UTD Urban Transitional District
- C-1 Office and Institutional District
- C-2 Neighborhood Commercial District
- C-3 General Commercial District
- C-3A General Commercial Overlay District
- C-4 Central Area Commercial District
- C-5 Central Business District
- C-6 Limited Commercial District
- MX-1 Mixed-Use Corridor/Neighborhood District
- M-1 Light Industrial District
- M-2 Heavy Industrial District
- PUD-R Residential Planned Unit Development District
- PUD-C Commercial Planned Unit Development District
- MU Multiple Use Areas
- AP Airport Height Restrictive Area
- FW Floodway Area
- FP Floodplain Area
- DP Design and Preservation Area
- S Sign Designated Area
- DD Design/Development District
- PD Planned Development Area
- 5P Five Points Overlay District

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Sec. 17-258. Table of permitted uses.

Uses permitted in the general zoning districts shall be as set forth in table 1 and as modified by special provisions, exceptions and conditions contained elsewhere in this article.

- (1) Symbols used in table 1 are as follows:
 - a. "x" means that the indicated use is permitted in the indicated district.
 - b. "e" means that the indicated use is permitted in the indicated district, subject to the granting of a special exception by the board of zoning appeals.
 - c. "a" means that the indicated use is permitted as an accessory use in the indicated districts.
 - d. "a/e" means that the indicated use is permitted as an accessory use in indicated districts, but is also permitted in those districts as a principal use if approved by the board of zoning appeals as a special exception.
 - e. "n.e.c." means "not elsewhere covered" in the Standard Industrial Classification Coding Manual.
 - f. "n.r." means "no requirement."
 - g. "c" means that the indicated use is permitted in the indicated district, provided the owner and/or tenant complies with the associated conditions set forth in this article.
 - h. "o" means indicated use is permitted in the indicated district as office only.
- (2) Any use not permitted in a district is expressly prohibited.
- (3) In residential districts, the following uses are prohibited:
 - a. Storage in connection with a trade;
 - b. Storage or long term parking of commercial vehicles or industrial storage in excess of one day; and
 - c. Storage of building materials except in connection with active construction.
- (4) A section number following the use category means that the use is allowed but must meet the conditions and requirements set forth in the referenced section.
- (5) The zoning administrator may utilize the Standard Industrial Classification Manual to determine the appropriate classification of land use.

Principal Uses		D-1	RS-1 RS-1A RS-1B RS-2 RS-3	R-D	RG-1	RG-1A	RG-2	RG-3	C-1	C-2	C-3	C-3A	C-4	C-5	C-6	M-1	M-2	UTD	MX-1	Off-Street Parking Requirements	
		DIVISION A. AGRICULTURE, FORESTRY AND FISHING																			
1	Agricultural production—Crops																				No requirement
	18	Horticultural specialties	x																		
		181 Ornamental floriculture and nursery products	x																		
		189 Horticultural specialties not elsewhere classified	x																		
	19	General farms, primarily crop	x																		
2	Agricultural production—Livestock		x																		

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Principal Uses		D-1	RS-1 RS-1A RS-1B RS-2 RS-3	RD	RG-1	RG-1A	RG-2	RG-3	C-1	C-2	C-3	C-3A	C-4	C-5	C-6	M-1	M-2	UTD	MX-1	Off-Street Parking Requirements	
7	Agricultural services																				
74	Veterinary services (section 17-256)								e	e	x	x	x			x			x	3 for each 1,000 square feet of gross floor area	
	741 With indoor kennels								e	e	x	x	x			x			x		
	742 With outdoor kennels								e	e	x	e	x			x			x		
78	Landscape and horticultural services																				
	781 Landscape counseling and planning								x	x	x	x	x			x		x	x	3 for each 1,000 square feet of gross floor area	
	782 Lawn and garden services										x	e				x		x		1.7 for each 1,000 square feet of gross floor area	
	783 Ornamental shrub and tree services											e				x		x			
8	Forestry																			No requirement	
9	Fishing, hunting and trapping								x												
	91 Commercial fishing								x												
	92 Fish hatcheries and preserves								x												
	97 Hunting and trapping, and game propagation								x												
DIVISION B: MINING																					
14	Mining and quarrying of nonmetallic minerals, except fuels																		x	No requirement	
DIVISION C: CONSTRUCTION																					
15	Building construction--General contractors and operative builders																				
	151 Office only								x	x	x	e	x	x	x	x			x	3 for each 1,000 square feet of gross floor area	
16	Construction other than building construction--General contractors																				
	161 Office only								x	x	x	e	x	x	x	x			x		
17	Construction--Special trade contractors																				
	171 Office only											e				x			x	a/e	
DIVISION D: MANUFACTURING																					
20	Food and kindred products																				
	205 Bakery products												x			x			x	1.7 for each 1,000 square feet of gross floor area	
21	Tobacco products																				
22	Textile mill products																				
23	Apparel and other finished products made from fabrics and similar materials																				
24	Lumber and wood products, except furniture																				
	241 Logging camps and logging contractors																				

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Principal Uses		D-1	RS-1 RS-1A RS-1B RS-2 RS-3	R-D	RG-1	RG-1A	RG-2	RG-3	C-1	C-2	C-3	C-3A	C-4	C-5	C-6	M-1	M-2	UTD	MX-1	Off-Street Parking Requirements
25	Furniture and fixtures										e		e			X	X		e	1.7 for each 1,000 square feet of gross floor area
26	Paper and allied products															X	X			1.7 for each 1,000 square feet of gross floor area
27	Printing, publishing and allied industries										X		e	e		X	X		e	1.7 for each 1,000 square feet of gross floor area
28	Chemicals and allied products															X	X			1.7 for each 1,000 square feet of gross floor area
29	Petroleum refining and related industries															X	X			1.7 for each 1,000 square feet of gross floor area
30	Rubber and miscellaneous plastic products															X	X			1.7 for each 1,000 square feet of gross floor area
31	Leather and leather products															X	X			1.7 for each 1,000 square feet of gross floor area
32	Stone, clay, glass and concrete products															X	X			1.7 for each 1,000 square feet of gross floor area
33	Primary metal industries															X	X			1.7 for each 1,000 square feet of gross floor area
34	Fabricated metal products, except machinery and transportation equipment															X	X			1.7 for each 1,000 square feet of gross floor area
35	Machinery, except electrical															X	X			1.7 for each 1,000 square feet of gross floor area
36	Electrical and electronic machinery, equipment and supplies															X	X			1.7 for each 1,000 square feet of gross floor area
37	Transportation and equipment															X	X			1.7 for each 1,000 square feet of gross floor area
38	Measuring, analyzing and controlling instruments; photographic, medical and optical goods; watches and clocks															X	X			1.7 for each 1,000 square feet of gross floor area
39	Manufacturing industries, not elsewhere classified															X	X			1.7 for each 1,000 square feet of gross floor area
DIVISION E. TRANSPORTATION, COMMUNICATION, ELECTRIC, GAS AND SANITARY SERVICES																				
40	Railroad transportation																X			
	401 Railroads																X			
	402 Railway express service															X	X			
41	Local and suburban transit and interurban highway passenger transportation and service facilities for motor vehicle passenger transportation									e		e	e	e		X	X		e	1.7 for each 1,000 square feet of gross floor area
42	Motor freight transportation and warehousing															X	X			1.7 for each 1,000 square feet of gross floor area
	421 Trucking, local and long distance															X	X			1.7 for each 1,000 square feet of gross floor area
	4212 Local trucking without storage									e						X	X			1.7 for each 1,000 square feet of gross floor area
	4214 Local trucking with storage															X	X			1.7 for each 1,000 square feet of gross floor area
	422 Public warehousing															X	X			1.7 for each 1,000 square feet of gross floor area
	4227 Miniwarehouse (section 17-257)									e						X	X			1.7 for each 1,000 square feet of gross floor area
423	Terminal and joint terminal maintenance facilities for motor freight transportation															X	X			4 for each 1,000 square feet of gross floor area

Principal Uses		D-1	RS-1 RS-1A RS-1B RS-2 RS-3	R-D	RG-1	RG-1A	RG-2	RG-3	C-1	C-2	C-3	C-3A	C-4	C-5	C-6	M-1	M-2	UTD	MX-1	Off-Street Parking Requirements	
424	Private commercial storage (section 17-257)								a	a	x		x	a	a	x	x			1.7 for each 1,000 square feet of gross floor area	
43	U.S. Postal Service								e	e	e	x	e	e	e	x		e	e	4 for each 1,000 square feet of gross floor area	
44	Water transportation															x	x			1.7 for each 1,000 square feet of gross floor area	
45	Transportation by air															x	x				
46	Pipelines															x	x				
47	Transportation services															x	x			1.7 for each 1,000 square feet of gross floor area	
472	Arrangement of Transportation Services								x	x	x	x	x	x	x	x	x		x	3 for each 1,000 square feet of gross floor area	
48	Communication																				
481	Telephone communication (wire or radio)										x	x	x	x		x			x	3 for each 1,000 square feet of gross floor area	
482	Telegraph										x	x				x					
483	Radio and television broadcasting										x	x	x	x	x	x	x		e		
484	Cable									x						x					
489	Communication services, not elsewhere classified										x						x	x		1.7 for each 1,000 square feet of gross floor area	
49	Electric, gas and sanitary services																				
491	Electric substations	e	e	e	e	e	e	e	e	e	e	e	e	e	e	e	x	x	x	e	1.7 for each 1,000 square feet of gross floor area
492	Gas production and distribution																e	x			
493	Combination electric and gas, and other utility services																		x		
494	Water supply (section 17-258)	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
495	Sanitary services																				
	4952 Sewerage systems (section 17-259)	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	
	4953 Refuse systems																x				
DIVISION F. WHOLESALE TRADE																					
50	Wholesale trade--Durable goods																				
501	Motor vehicles and automotive parts and supplies										e						x	x		1.7 for each 1,000 square feet of gross floor area	
	5093 Scrap															e	e				
51	Wholesale trade--Nondurable goods																				
511	Paper and paper products										e						x	x		1.7 for each 1,000 square feet of gross floor area	
512	Drugs, drug proprietaries and druggists' sundries										e							x			

Principal Uses		D-1	RS-1 RS-1A RS-1B RS-2 RS-3	R-D	RG-1	RG-1A	RG-2	RG-3	C-1	C-2	C-3	C-3A	C-4	C-5	C-6	M-1	M-2	UTD	MX-1	Off-Street Parking Requirements	
513	Apparel--Goods and notions																				
514	Groceries and related products																				
515	Farm products--Raw materials																				
516	Chemicals and allied products																				
517 Petroleum and petroleum products																					
	5171 Petroleum bulk stations and terminals																				
	5172 Petroleum and petroleum products wholesalers, except bulk stations and terminals																				1.7 for each 1,000 square feet of gross floor area
518	Beer, wine and distilled alcoholic beverages																				
519	Miscellaneous nondurable goods																				
52 DIVISION G. RETAIL TRADE (section 17-260)																					
52 Building materials, hardware, garden supply and mobile home dealers																					
521	Lumber and other building materials dealers										e										1.7 for each 1,000 square feet of gross floor area
523	Paint, glass and wallpaper stores																				3.5 for each 1,000 square feet of gross floor area
525	Hardware stores																				3.5 for each 1,000 square feet of gross floor area
526	Retail nurseries, lawn and garden supply stores																				3 for each 1,000 square feet of gross floor area
527	Mobile home dealers																				3 for each 1,000 square feet of gross floor area
53 General merchandise stores																					
531	Department stores																				3.5 for each 1,000 square feet of gross floor area
533	Variety stores																				3.5 for each 1,000 square feet of gross floor area
539	Miscellaneous general merchandise stores																				3.5 for each 1,000 square feet of gross floor area
54 Food stores																					
541	Grocery stores																				3.5 for each 1,000 square feet of gross floor area
543	Fruit stores and vegetable markets																				1.7 for each 1,000 square feet of gross floor area
	5462 Retail bakeries--Baking and selling																				3.5 for each 1,000 square feet of gross floor area
	5463 Retail bakeries--Selling																				3 for each 1,000 square feet of gross floor area
549	Miscellaneous																				3 for each 1,000 square feet of gross floor area
55 Automotive dealers and gasoline service stations																					

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Principal Uses		D-1	RS-1 RS-1A RS-1B RS-2 RS-3	R-D	RG-1 1A	RG-2	RG-3	C-1	C-2	C-3	C-3A	C-4	C-5	C-6	M-1	M-2	UTD	MX-1	Off-Street Parking Requirements
551	Motor vehicle dealers (new and used) (17-286)								X		X				X			C	3 for each 1,000 square feet of gross floor area
552	Motor vehicle dealers (used only) (17-286)								X		X				X			C	3.5 for each 1,000 square feet of gross floor area
553	Auto and home supply stores (17-286)								X	X	X	X	X	X	X			C	3.3 for each 1,000 square feet of gross floor area
554	Gasoline service stations								e	e	e	e	e	e	X			e	3.5 for each 1,000 square feet of gross floor area
555	Boat dealers (17-286)								e	e					X			C	3.5 for each 1,000 square feet of gross floor area
556	Recreational and utility trailer dealers (17-286)								e	e					X			C	3 for each 1,000 square feet of gross floor area
56	Apparel and accessory stores								X	X	X	X	X	X	X			X	3 for each 1,000 square feet of gross floor area
57	Furniture, home furnishings and equipment stores								X	X	X	X	X	X	X			X	3 for each 1,000 square feet of gross floor area
58 Eating and drinking places																			
	5812 Eating places							a	X	X	X	X	X	X	X			X	8 for each 1,000 square feet of gross floor area
	5813 Drinking places (alcoholic beverages) (section 17-266)							e	e	e	e	X	X	e	X			e	12 for each 1,000 square feet of gross floor area
59 Miscellaneous retail																			
	591 Drugstores and proprietary stores							a	X	X	X	X	X	X	X			X	3.5 for each 1,000 square feet of gross floor area
	592 Liquor stores								e	X	X	X	X	X	X			X	3.5 for each 1,000 square feet of gross floor area
	5931 Used merchandise stores with weapons								e	e	e	e	e	e	e			e	3.5 for each 1,000 square feet of gross floor area
	5932 Used merchandise stores without weapons (17-287)								C	C	C	C	C	C	C			C	3.5 for each 1,000 square feet of gross floor area
	5933 Pawn shops								e	e	e	e	e	e	e			e	3.5 for each 1,000 square feet of gross floor area
	594 Miscellaneous shopping goods stores								X	X	X	X	X	X	X			X	3.5 for each 1,000 square feet of gross floor area
596 Non-store retailers																			
	5961 Mail order house								X	X	X	X	X	X	X			X	3 for each 1,000 square feet of gross floor area
	5962 Automatic merchandising machine operators								X	X					X				3 for each 1,000 square feet of gross floor area
598 Fuel and ice dealers																			
	5982 Fuel and ice dealers, except fuel oil dealers and bottled gas dealers								X		X				X				3.5 for each 1,000 square feet of gross floor area
	5983 Fuel oil dealers								e						X				1.7 for each 1,000 square feet of gross floor area
	5984 Liquefied petroleum gas (bottled gas) dealers								e						X				1.7 for each 1,000 square feet of gross floor area
599 Retail stores, not elsewhere classified																			

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Principal Uses			D-1	RS-1 RS-1A RS-1B RS-2 RS-3	R-D	RG-1	RG-1A	RG-2	RG-3	C-1	C-2	C-3	C-3A	C-4	C-5	C-6	M-1	M-2	UTD	MX-1	Off-Street Parking Requirements		
	5992	Florist								e	x	x	x	x	x	x	x				x	3.5 for each 1,000 square feet of gross floor area	
	5993	Cigar store and stands								e	x	x	x	x	x	x	x				x		
	5994	News dealers and newsstands								e	x	x	x	x	x	x	x				x		
	5999	Miscellaneous retail stores, not elsewhere classified								e	x	x	x	x	x	x	x				x		
DIVISION H. FINANCE, INSURANCE AND REAL ESTATE (60--67)										x	x	x	x	x	x	x	x	x	x	x	x	3 for each 1,000 square feet of gross floor area	
	6141	Non-depository personal credit institutions (pay day loan and/or title loan establishments)								e	e	e	e	e	e	e	e	e	e	e			
	6553	Cemetery subdividers and developers	e	e	e	e	e	e	e	x	x	x	x	x	x	x	x	x	x	x	0		
DIVISION I. SERVICES																							
70 Hotels, roominghouses, camps and other lodging places																							
	701	Hotels, motels and tourist courts										x	e	x	x	x					x	1 for each bedroom	
	701.1	Suite hotel (section 17-269)									e	x		x	x	x	x				x		
	701.2	Bed and breakfast hotel (section 17-268)			e						e	x		x	x	x	x				x		
	702	Roominghouses and boardinghouses						e		e	e												
	703	Camps and trilinger parks	e																			No requirements	
	704	Organization hotels and lodginghouses, on membership basis						e		x	x	x		x	x	x					x	1 for each 3 beds	
72 Personal services																							
721 Laundry, cleaning and garment services																							
	7211	Power laundries										e					x	x				1.7 for each 1,000 square feet of gross floor area	
	7212	Garment pressing and agents for laundries and dry cleaners								e	x	x	e	x	x	x	x				x		
	7213	Linen supply										x		x			x				0		
	7214	Diaper service										x		x			x				0		
	7215	Coin-operated laundries and dry cleaning				a	a	a	a	e	e	x	e	x	x	x	x	x				x	3.5 for each 1,000 square feet of gross floor area
	7216	Dry cleaning plants, except rug cleaning														x	x					1.7 for each 1,000 square feet of gross floor area	
	7217	Carpet and upholstery cleaning														x	x						
	7218	Industrial launderers														x	x						
	7219	Laundry and garment services not elsewhere classified										e				x	x					3.5 for each 1,000 square feet of gross floor area	
	722	Photographic studies, portrait								x	x	x	x	x	x	x	x			x	x	1.7 for each 1,000 square feet of	

Principal Uses		D-1	RS-1 RS-1A RS-1B RS-2 RS-3	R-D	RG-1	RG-1A	RG-2	RG-3	C-1	C-2	C-3	C-3A	C-4	C-5	C-6	M-1	M-2	UTD	MX-1	Off-Street Parking Requirements
																				gross floor area
723	Beauty shops							a	e	x	x	x	x	x	x	x		x	x	2.5 per chair or basin sink
724	Barbershops							a	e	x	x	x	x	x	x	x		x	x	
725	Shoe repair shops, shoeshine parlors and hat cleaning shops									x	x	x	x	x	x	x		x	x	1 for each 300 square feet of gross floor area
726	Funeral service and crematories								x		x	x	x		x			x	x	5 plus 1 for each 2 seats of main assembly room
729	Miscellaneous personal services, except massage parlors and spas								e	e	x		x	x	x	x			x	3.5 for each 1,000 square feet of gross floor area
	7298 Body piercing facilities and tattoo establishments										e						e		x	
	7299 Massage parlors, spas								e	e	e		e	e						
73	Business services																			
	7311 Advertising agencies								x	x	x		x	x	x	x		x	x	3 for each 1,000 square feet of gross floor area
	7312 Outdoor advertising agencies										e						x		o	
732	Consumer credit reporting agencies								x	x	x	x	x	x	x	x			x	3.5 for each 1,000 square feet of gross floor area
	7332 Blueprinting and photocopying services (section 17-261)								x	x	x		x	x	x	x		x	x	
	7333 Commercial photography, art and graphics								x	x	x		x	x	x	x		x	x	3 for each 1,000 square feet of gross floor area
	7399 Stenographic services and reproduction services not elsewhere classified								x	x	x	x	x	x	x	x			x	
734	Services to dwellings and other buildings																			
	7342 Disinfecting and extermination services											x	x	x				x		3 for each 1,000 square feet of gross floor area
	7349 Cleaning and maintenance services to dwellings and other buildings not elsewhere classified											x	x	x				x		
736	Personal supply services											x	x	x	x			x		
	7361 Employment agencies											x	x	x	x			x	x	
	7362 Temporary help supply services								x	x	x		x	x	x			x		
737	Computer and data processing services								x	x	x	x	x	x				x	x	
738	Miscellaneous business services																			
	7381 Detective agencies and protective services								e				x	x	x	x		e	x	3 for each 1,000 square feet of gross floor area
	7384 Photofinishing laboratories																	x	x	
	7389 Miscellaneous																	x	x	1.7 for each 1,000 square feet of gross floor area
	7391 Research and development laboratories																	x	x	

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Principal Uses		D-1	RS-1 RS-1A RS-1B RS-2 RS-3	R-D	RG-1	RG-1A	RG-2	RG-3	C-1	C-2	C-3	C-3A	C-4	C-5	C-6	M-1	M-2	UTD	MX-1	Off-Street Parking Requirements
7392	Management, consulting and public relations services								X	X			X	X	X	X			X	3 for each 1,000 square feet of gross floor area
7394	Equipment rental and leasing services									X			X	X	X	X			X	3 for each 1,000 square feet of gross floor area
7396	Trading stamp services									X			X	X	X	X			X	1.7 for each 1,000 square feet of gross floor area
7397	Commercial testing laboratories									X			X	X	X	X			X	3 for each 1,000 square feet of gross floor area
7399	Business services not elsewhere classified								e				X	X	X	X			X	3 for each 1,000 square feet of gross floor area
7399.1	Recycling centers (see section 17-270)																		X	
75 Automobile repair, services and garages																				
751 Automobile rental and leasing without drivers																				
7512	Passenger car rental and leasing without drivers									X			X			X			0	3 for each 1,000 square feet of gross floor area
7513	Truck rental and leasing without drivers									X			X			X			0	3 for each 1,000 square feet of gross floor area
7519	Utility trailer and recreational vehicle rental									X			X			X			0	3 for each 1,000 square feet of gross floor area
752 Automobile parking																				
7523	Parking lots	e	e	e	e	e	e	e	X	X		X	X	X	X	X			X	No requirements
7525	Parking structures								e	e		e	e	e	e	e			X	No requirements
753	Automotive repair shops										e	e	e			X			X	3.3 for each 1,000 square feet of gross floor area
754 Automotive services, except repair																				
7542	Carwashes									X		e	X			X				3.3 for each 1,000 square feet of gross floor area
7549	Automotive services, except repair and carwashes										e	e	e			X			X	3.3 for each 1,000 square feet of gross floor area
76 Miscellaneous repair services																				
762 Electrical repair shops																				
7621	Radio and mobile telephone installation shops								e			X	X	X	X	X				3.3 for each 1,000 square feet of gross floor area
7622	Radio and television repair shops									X		e	X		X	X			X	3.3 for each 1,000 square feet of gross floor area
7623	Refrigeration and air conditioning service and repair shops										X	e	X			X				3.3 for each 1,000 square feet of gross floor area
763	Watch, clock and jewelry repair								e	X		X	X	X	X	X			X	3.3 for each 1,000 square feet of gross floor area
764	Reupholstery and furniture repair								a	a		X	X	X	X	X			X	3.3 for each 1,000 square feet of gross floor area
769 Miscellaneous repair shops and related services																				
7692	Welding repair															X			X	3.3 for each 1,000 square feet of gross floor area

Principal Uses			D-1	RS-1 RS-1A RS-1B RS-2 RS-3	R-D	RG-1	RG-1A	RG-2	RG-3	C-1	C-2	C-3	C-3A	C-4	C-5	C-6	M-1	M-2	UTD	MX-1	Off-Street Parking Requirements	
	7699	Repair shops, not otherwise classified								e	x			x		e	x			e	gross floor area	
78 Motion pictures																						
	781	Motion picture production										x		x	x	x					x	1 for each 5 seats in the main auditorium or 1 for each 50 square feet of space used for seating
	7832	Motion picture theaters except drive-in								e	e	x		x	x	e	x				x	
	7833	Drive-in motion picture theaters										e					e					No requirements
79 Amusement and recreation services except motion pictures																						
	791	Dance studios and schools								x	x	x	x	x	x	x	x			x	x	5 for each 1,000 square feet of gross floor area
	793	Bowling alleys and billiard and pool establishments									e	x		x	x		x				x	5 for each bowling lane or 1 for each 200 square feet of gross floor area
794 Commercial sports																						
	7941	Professional sports clubs and promoters										x		x	x		x					3 for each 1,000 square feet of gross floor area
	7948	Racing including track operation										x					x					1.5 for each 1,000 square feet of gross floor area
799 Miscellaneous amusement and recreation services																						
	7991	Physical Fitness Facilities and Yoga Studios								e	x	x	x	x	x	x	x			x	x	5 for each 1,000 square feet of gross floor area
	7992	Public golf courses	e	e	e	e	e	e	e	x		x					x					5 for each hole
	7993	Coin-operated amusement devices										x		x	x	x	x				x	5 for each 1,000 square feet of gross floor area
	7996	Amusement parks										x		x	x		x					1 for each 75 square feet of exhibit or amusement area
	7997	Membership sports and recreation clubs	e	e	e		e	e	e	e	e	x		x	x		x				x	5 for each 1,000 square feet of gross floor area
	7999	Amusement and recreation services not elsewhere classified										x		x			x				e	
	7999.1	Bingo parlors										e		e			e					
80 Health services																						
	801	Offices of physicians								x	x	x	x	x	x	x	x			x	x	5 for each 1,000 square feet of gross floor area
	804	Offices and Clinics of Other Health Practitioners including Therapeutic Massage (17-288)								c	c	c	c	c	c	c	c			c	c	
	805	Nursing and personal care facilities				e	e	e	e	x		x		x	x	x					e	1 for each 6 beds
	806	Hospitals								x		x	x	x	x						x	1 for each 2 beds (not including

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Principal Uses		D-1	RS-1 RS-1A RS-1B RS-2 RS-3	R-D	RG-1	RG-1A	RG-2	RG-3	C-1	C-2	C-3	C-3A	C-4	C-5	C-6	M-1	M-2	UTD	MX-1	Off-Street Parking Requirements
																				bassinets)
807	Medical and dental laboratories								x	x	x	x	x	x	x	x		x	x	1.7 for each 1,000 square feet of gross floor area
81	Legal services								x	x	x	x	x	x	x	x		x	x	3 for each 1,000 square feet of gross floor area
82	Educational services																			
821	Elementary and secondary schools	e	e	e	e	e	e		x	x	x	x	x	x	e				e	2 per classroom, plus 2 per office, plus 1 for every 5 seats in main auditorium
822	Colleges, universities, professional schools and junior colleges								x		x	x	x	x	x				x	1 for each 5 seats in the main assembly hall plus 4 for each classroom plus 2 for each office
823	Libraries and information centers	e	e	e	e	e	e		x	x	x	x	x	x		e		x	x	3 for every 1,000 square feet of gross floor area
824	Correspondence schools and vocational schools																			
	8244	Business and secretarial schools							x	e	x	x	x	x		x			x	1 for each 5 seats in the main assembly hall plus 4 for each classroom plus 2 for each office
	8249	Vocational schools except vocational high schools not elsewhere classified							x		x	x	x	x		x			x	
83	Social services																			
832	Individual and family social services								x	x	x	x	x	x				x	x	3 for each 1,000 square feet of gross floor area
833	Job training and vocational rehabilitation services								x	x	x	x	x	x		x		x	x	
835	Day care facilities (section 17-262)	e	e	e	e	e	e	e	e	e	e	e	e	e	e	e		e	e	1 per every 4 students
836	Residential care (section 17-263)	e	e	e	e	e	e	e	e	e	e		e	e					e	1 per every 4 residents subject to state law
84	Museums, art galleries, botanical and zoological gardens																			
841	Museums and art galleries								x	e	x	x	x	x	x	x		x	x	3 for each 1,000 square feet of gross floor area
842	Arboreta, botanical and zoological gardens	e							e	e	x	x	x	x		x		x	x	
86	Membership organizations																			
861	Business associations								x	x	x	x	x	x	x	x		x	x	3 for each 1,000 square feet of gross floor area
862	Professional membership								x	x	x	x	x	x	x	x		x	x	
863	Labor unions and similar labor organizations								x		x	x	x	x	x	x	x	x	x	
864	Civic, social and fraternal associations								x	x	x	x	x	x	x	x		x	x	
865	Political organizations								x	x	x	x	x	x	x	x		x	x	
866	Religious organizations	e	e	e	e	e	e	e	x	x	x	x	x	x	x	x		x	x	

Principal Uses		D-1	RS-1 RS-1A RS-1B RS-2 RS-3	R-D	RG-1	RG-1A	RG-2	RG-3	C-1	C-2	C-3	C-3A	C-4	C-5	C-6	M-1	M-2	UTD	MX-1	Off-Street Parking Requirements	
88 Private households																					
8811 Dwellings																					
	8811.1	Detached one-family	x	x	x	x	x	x	x	e	e	e							x	<u>x</u>	2 for each dwelling unit
	8811.2	Attached one-family				x	x	x		e	e								x	<u>x</u>	
		Townhouses (section 17-265)						x		e										<u>x</u>	
		Two-family			x	x	x		x	e	e	e								<u>x</u>	
		Multifamily				x	x	x		e	e	e	e							<u>x</u>	Under 500 square feet: 1.5/DU 501 to 750 square feet: 1.75/DU Over 750 square feet: 2/DU
		Group development			e		x	x	x	e	e	e	e							<u>x</u>	
		High-rise (section 17-304)							x	x		e	x	x	x					<u>x</u>	
		Mid-rise (section 17-264)								x		e		x	x	x				<u>x</u>	
	8811.3	Mobile home parks subject to article VI, division 2, of this chapter					e	e													2 per mobile home accommodation
	8811.4	Dormitories								e		e		x	x					<u>e</u>	1 for each bedroom
	8811.5	Fraternity and sorority houses				e	e	e		e		e		e	e					<u>e</u>	
89 Miscellaneous services																					
	891	Engineering, architectural and surveying services								x	x	x	x	x	x	x	x		x	<u>x</u>	3 for each 1,000 square feet of gross floor area
	892	Noncommercial educational, scientific and research organizations								x	x	x	x	x	x	x	x		x	<u>x</u>	
	893	Accounting, auditing and bookkeeping services								x	x	x	x	x	x	x	x		x	<u>x</u>	
DIVISION J. PUBLIC ADMINISTRATION																					
91 Executive, legislative and general government except finance																					
	911	Executive offices								x	x	x	x	x	x	x				<u>x</u>	3 for each 1,000 square feet of gross floor area
	912	Legislative bodies								x	x	x	x	x	x					<u>x</u>	
	919	General government not elsewhere classified								x	x	x	x	x	x	x				<u>x</u>	
92 Justice, public order and safety																					
	921	Courts								x		x	x	x	x					<u>x</u>	3 for each 1,000 square feet of gross floor area
922 Public order and safety																					
	9223	Correctional institutions										e					e	e			1 for each 6 inmates
	9224	Fire protection	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x	x		<u>x</u>	1 for each employee on shift
93 Public finance, taxation and monetary policy																					
	93	Public finance, taxation and monetary policy								x	x	x	x	x	x	x				<u>x</u>	3 for each 1,000 square feet of gross floor area
94 Administration of human resources programs																					
	94	Administration of human resources programs								x	x	x	x	x	x	x				<u>x</u>	

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Principal Uses		D-1	RS-1 RS-1A RS-1B RS-2 RS-3	R-D	RG-1	RG-1A	RG-2	RG-3	C-1	C-2	C-3	C-3A	C-4	C-5	C-6	M-1	M-2	UTD	MX-1	Off-Street Parking Requirements	
95	Administration of environmental quality and housing programs								x	x	x	x	x	x	x				x	x	
96	Administration of economic programs								x	x	x	x	x	x	x					x	

Sec. 17-260. Warehousing (SIC 4227 and 424).

(a) *Private commercial storage (SIC 424)*. Warehousing, or other storage of wares, is permitted in the various districts as follows:

(1) *C-1 and C-6 districts*. In C-1 and C-6 districts, warehousing is permitted as an accessory use not involving over 2,000 square feet of area;

(2) *C-2 districts*. In C-2 districts, warehousing is permitted as an accessory use not involving over 2,000 square feet of area, and as a special exception it may be permitted as an accessory use not involving over 3,000 square feet of area;

(3) *C-3, C-4, and MX-1 districts*. In C-3, C-4, and MX-1 districts, warehousing is allowed as a permitted principal use or as an accessory use not involving over 8,000 square feet of area, and as a special exception involving not over 12,000 square feet of area; and

(4) *C-5 district*. In the C-5 district, warehousing is a permitted accessory use, but it must not involve the storage of goods to be wholesaled in excess of 2,000 square feet of gross floor space.

(b) *Miniwarehousing (SIC 4227)*. Miniwarehouses are allowed subject to the following provisions:

(1) *Buffer yard*. Where the lot is adjacent to a residential zoning district, a buffer yard shall be provided on the property line adjacent to the residential zoning district in accordance with section 17-313 and table 3.

(2) *Fencing or walls*. Fencing or walls shall be required around the open perimeter of the project. The fence or wall shall be a minimum of six feet in height. Where the lot is adjacent to a residential zoning district, the fence or wall shall be constructed of materials approved by the board of zoning appeals.

(3) *Setback*. Any side of the building providing doorways to storage areas shall be set back from the property line not less than 25 feet (in addition to that setback required in subsection (b)(1) of this section, if applicable).

(4) *Parking requirements*. Off-street parking shall be required as follows:

a. One space for each ten storage cubicles. This parking requirement can be accomplished with the parking lanes as set forth in subsection (b)(5) of this section;

b. Two spaces for the manager's quarters; and

c. One space for every 50 storage cubicles, to be located at the project office for use of prospective clients.

(5) *Driveway widths*. On-site driveway widths shall be required as follows:

a. All one-way driveways shall provide for one ten-foot parking lane and one 15-foot travel lane. Traffic direction and parking shall be designated by signing or painting.

b. All two-way driveways shall provide for one ten-foot parking lane and two 12-foot travel lanes.

c. The parking lanes may be eliminated when the driveway does not serve storage cubicles.

(6) *Prohibited uses*. Retail or wholesale uses and storage of hazardous materials shall be prohibited in miniwarehouses, and notice of such prohibition shall be given to customers by a conspicuous sign posted at the entrance of the property, or by provisions in the lease agreement, or both.

(7) *Storage of vehicles, boats, etc.* Any outdoor storage area for vehicles, trailers, campers, boats or the like shall be separate from any structures and located to one side of or to the rear of the development. In no case shall these spaces be construed to meet the parking requirements of this subsection.

(8) *Lighting*. All lights shall be shielded to direct light onto the uses established and away from adjacent property, but lighting may be of sufficient intensity to discourage vandalism and theft.

Sec. 17-263. Retail trade (SIC 52-59).

(a) *C-2 district*. In C-2 zoning districts, any retail trade activities must not occupy in excess of 5,000 square feet in area. Retail trade occupying between 5,000 and 10,000 square feet may be permitted as a special exception. Retail trade occupying in excess of 10,000 square feet is prohibited. Gasoline pumps may be added as an accessory use by special exception.

(b) *C-6 and MX-1 districts*. In C-6 and MX-1 zoning districts, all retail trade activities are allowed as a permitted use up to 10,000 square feet in area. Retail trade occupying more than 10,000 square feet may be allowed as a special exception by the board of zoning appeals.

Sec. 17-275. Lot size, setback and height requirements.

Lot, setback and height requirements shall comply with table 2 unless modified by special provisions, exceptions and conditions contained elsewhere in this article.

TABLE 2. SCHEDULE OF MAJOR HEIGHT AND AREA REQUIREMENTS

District	Minimum Lot Area per Unit (square feet)			Minimum Yard Requirements (feet)			Minimum Lot Width (feet)	Maximum Height (feet)	Percent Maximum Lot Coverage
	First Unit	Each Additional Unit	Approximate Maximum Density (units per acre)	Front	Rear	Side			
D-1	40,000	NA	1.1	35	15	10	150	40	25
RS-1	15,000	NA		35	15	8	90 h	40	30
RS-1A	12,000	NA	3.6	35	15	6	75 h	40	30
RS-1B	10,000	NA	4.4	25	10	5	60 h	40	30
RS-2	8,500	NA	5.1	25	10	5	60 h	40	30
RS-3	5,000	NA	8.7	20	10	5	50 h	40	30
RD g	5,000	2,500 f	5.8	25	10	5	50 h	40	50
RG-1 g	5,000	5,000	8.7	25	10	5	50 h	40	40
RG-1A g	5,000	3,600	11.7	25	10	5	50 h	40	40
RG-2 g	5,000	2,500	16.4	25	10	5	50 h	40	40
RG-3 gj	NA a	NA	NA	25	25	25	150	6x b	40
C-1 g	5,000	2,500	16.4	25	10	5	NA h	50 c	50
C-2	NA	NA	NA	25	10	0 or 3	NA	50 c	NA
C-3	NA	NA	NA	25	10	0 or 3	NA	50 c	NA
C-3A	0	NA	0	25	10	0 or 3	0	50	50
C-4	NA	NA	NA	NA	NA	0 or 3	NA	NA	NA
C-5	NA	NA	NA	NA	NA	NA	NA	NA	NA
C-6	NA	NA	NA	NA	NA	0 or 3	NA	50 c	NA
M-1	NA	NA	NA	25	0 e	0 d	NA	50 c	NA
M-2	NA	NA	NA	25	0 e	0 d	NA	50 c	NA
UTD	5,000	NA	8.7	25	10	5	50	40	30
<u>MX-1</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>0 - 10^k</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>50'</u>	<u>N/A</u>

Note: Detached single-family units shall require 5,000 square feet per unit and the density shall meet the same requirements for the first unit.

Footnotes:

- a Minimum lot area for a high-rise residential development shall be one acre.
- b The height of a high-rise residential development shall not exceed six times the distance from the property line adjacent to the street to the face of the building.
- c Buildings between the height of 50 and 75 feet may be allowed provided there is an increase of one foot in side, front and rear yards over the minimum requirements for each additional three feet in height.
- d No side yard is required except that a landscaped buffer must be provided in accordance with this article.
- e No rear yard is required except that a landscaped buffer must be provided in accordance with this article.
- f A minimum lot area of 7,500 square feet is required for a duplex.
- g Detached single-family dwellings shall be required to have 5,000 square feet per unit. The density shall meet the same requirements for the first unit.
- h Residential lots shall have a minimum lot depth of 70 feet.
- j Minimum lot area of 5,000 square feet is required for single-family units. Minimum yard requirement for single-family units is: rear--ten feet, and side--five feet.
- k Principal structures shall be no more than ten feet from a front lot line.

Sec. 17-282. Antennas.

- (a) In all zoning districts, any antenna of any height shall comply with all yard and setback requirements.
- (b) In C-1, C-2, C-3, C-3A, C-4, C-5, C-6, UTD, M-1, M-2 and MX-1 zoning districts, antennas may be placed at any location not visible from any adjacent public street. Antennas may be placed on top of a principal structure less than 30 feet in height provided that screening is provided with materials compatible with the principal structure at least equal in height to the antenna. Antennas may be placed on top of flat-roofed structures which exceed 30 feet in height. Antennas erected upon any pitched-roof structure, regardless of the height of the structure, must be screened with materials compatible with the principal structure, the screening to be not less than equal in height to the antenna. In these districts, dish type antenna measuring less than three feet in diameter may be placed at any location on a principal structure except for the building facade or any street-oriented side wall.
- (c) In D-1, RS-1, RS-1A, RS-1B, RS-2, RS-3, RD, RG-1, RG-1A, RG-2 and RG-3 zoning districts, no antenna shall be permitted between the front of a principal structure and any adjacent public street, and in the case of corner lots, the side of a principal structure and the street. No dish type antenna more than 18 inches in diameter shall be placed on the roof or other portion of a building so as to be visible from any adjacent public street.

Sec. 17-283. Wireless communication facilities.

- (a) *Intent.* It is the intent of this section to provide a definition of wireless communication facilities and to provide regulations for placement of them.
- (b) *Definitions.* For the purposes of this section, the following words or phrases shall have the following meanings:
 - (1) *Co-location* means the placement of two or more provider's wireless communication antenna upon the same wireless communication facility.

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(2) A *communication tower* is a guy-wire communication tower, a lattice communication tower, or a monopole communication tower only.

(3) *DDRC* is an abbreviation for "design development review commission".

(4) A *guy-wire communication tower* is a ground-mounted tower supported by guys extending from various points upon the tower to anchors at the base of the tower that supports wireless communication antenna.

(5) A *lattice communication tower* is a ground-mounted, many-legged, self-supporting tower created by the joining of structural members that supports wireless communication antenna.

(6) *Monopole communication tower* is a ground-mounted, pole-shaped, self-supporting tower that supports wireless communication antenna.

(7) A *stealth wireless communication facility* is a structure fabricated in a manner that aesthetically masks its appearance as a wireless communication facility, including but not limited to a flagpole, tree, light standard, and bell tower.

(8) A *support structure* is a structure that supports wireless communication antenna and/or an equipment building or cabinet including but not limited to an existing structure, guy-wire communication tower, lattice communication tower, a monopole communication tower, and stealth communication facility.

(9) *Wireless communication antenna* is the one or more components of a wireless communication facility that directly radiate and/or receive any signal related to AM, FM, two-way, private, and commercial-free radio services; to television services; to telephone, pager, and beeper services; and to data or internet services.

(10) An *equipment building or cabinet* is an accessory structure that contains equipment necessary for the proper operation of wireless communication antenna and in all other ways conforms to the definition of Accessory Building or Use within section 17-55.

(11) A *wireless communication facility* is the principal use that consists of a wireless communication antenna, support structure, and/or an equipment building or cabinet.

(12) *WCF* is an abbreviation for "wireless communication facility".

(c) *Districts where permitted, height, and setbacks.* WCFs may be located in accordance with, and built to a height outlined within, Table 3, "Permissibility of and Bulk Requirements for Wireless Communication Facilities According to Support Structure," except that:

(1) Where a new communication tower or a new stealth WCF would be visible from property listed within the National Register of Historic Places, the South Carolina State Historic Preservation Officer must issue a letter stating that the design would have no adverse effect before the zoning administrator or his or her designee shall issue a zoning permit;

(2) Where a new communication tower or a new stealth WCF would be visible from property listed within a locally designated architectural conservation district, historic commercial district, or landmark district, the DDRC must review and approve the design of the structure against the standards outlined within subsection (e) below before the zoning administrator or his or her designee shall issue a zoning permit;

(3) Where a new communication tower or a new stealth WCF would be visible from property designated as a local landmark, the DDRC must review and approve the design of the structure against the standards outlined within subsection

(e) below before the zoning administrator or his or her designee shall issue a zoning permit; and

(4) Where the above sub-sections would require a "no adverse effect" letter from the State Historic Preservation Officer and review and approval by the DDRC, both requirements shall be fulfilled before the zoning administrator or his or her designee shall issue a zoning permit.

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(5) Procedure to determine "visible." To determine whether or not a proposed WCF would be visible as the term is used within subsections (c)(1)—(3) above, apply a line of site six feet above grade from the property line of any property that would be within a 1,000-foot radius from the proposed WCF. To be certain, stealth WCFs are considered visible in totality even though the associated wireless communication antenna and/or equipment building or cabinet may not be easily discernable.

(6) Applicability of supplementary districts. Any permissibility, location, or height restrictions of a supplementary district located within Division 9 of this Article shall supersede Table 3, except for WCFs located within DD "Design Development" and DP "Design Preservation" areas which are included within Table 3.

(7) Expansion of nonconformity. Notwithstanding section 17-201 et seq., which regulates nonconformities, no WCF proposed upon an existing structure permitted in accordance with Table 3 shall be construed to expand or otherwise exacerbate an existing nonconformity.

(8) Stability of nonconforming structures. Notwithstanding section 17-201 et seq., which regulates nonconformities, where an applicant proposing to use an existing structure for a WCF provides documentation from a certified structural engineer that the existing structure cannot support the WCF, and where the existing structure does not comply with the use or bulk requirements (i.e. height, setbacks) of the zoning ordinance, the applicant may request a special exception from the board of zoning appeals to demolish the existing structure and rebuild it. To grant such a special exception, the board of zoning appeals shall find that the new structure is similar in all outwardly appearances to the original structure. To be certain, this provision does not negate any reviews and approvals that would otherwise be required by Table 3 of this section, and this provision does not authorize an increase in or additional height to the existing structure except as allowed within Table 3 of this section.

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TABLE 3.
PERMISSIBILITY OF BULK REQUIREMENT FOR WUREKESS COMMUNICATION FACILITIES
ACCORDING TO SUPPORT STRUCTURE

<i>Support Structure (Number for Reference Only)</i>	<i>Zoning Districts</i>	<i>Permitted?</i>	<i>Maximum Height in Feet</i>	<i>Minimum Setback from Single-family Residential Districts (See Note 1)</i>	<i>Minimum Setback from General Residential Districts (See Note 2)</i>	<i>Minimum Setback from Public ROW (See §17-283 (m))</i>
1. New guy-wire communication tower or new lattice communication tower	D-1, RS-1, RS-1A, RS-1B, RS-2, RS-3, RD	No	n/a			
	RG-1, RG-1A, RG-1B, RG-2, RG-3, UTD					
	C-1, C-2, C-3, C-3A, MX-1					
	C-4, C-5, C-6					
	M-1, M-2	Yes	225'	500'	500'	1' for every 1' of structure height
		By special exception and subject to §17-283 (d) 1	300'	500'	500'	1' for every 1' of structure height
Any with DD or DP Appendage	No	n/a				
2. New Monopole Communication Tower	D-1, RS-1, RS-1A, RS-1B, RS-2, RS-3, RD	No	n/a			
	RG-1, RG-1A, RG-1B, RG-2, RG-3, UTD	No	n/a			
	C-1, C-2, C-3, C-3A, MX-1	By Special Exception, Subject to §17-283 (d) 1	180'	300'	300'	50'
	C-4, C-5, C-6	Yes	225'	300'	300'	0'
	M-1, M-2	Yes	225'	300'	300'	0'
	Any with DD or DP Appendage	No	n/a			

<i>Support Structure (Number for Reference Only)</i>	<i>Zoning Districts</i>	<i>Permitted?</i>	<i>Maximum Height in Feet</i>	<i>Minimum Setback from Single-family Residential Districts (See Note 1)</i>	<i>Minimum Setback from General Residential Districts (See Note 2)</i>	<i>Minimum Setback from Public ROW (See §17-283 (m))</i>
3. New LOW-PROFILE stealth wireless communication facility	D-1, RS-1, RS-1A, RS-1B, RS-2, RS-3, RD	By special exception and subject to §17-283 (d) 1 and 2.	60'	District minimum yard setback (See Note 3)		District minimum front yard setback (see note 3)
	RG-1, RG-1A, RG-1B, RG-2, RG-3, UTD	By special exception and subject to §17-283 (d) 1 and 2	80'			
	C-1, C-2, C-3, C-3A, MX-1	By special exception and subject to §17-283 (d) 1 and 2	100' (see note 4)			
	C-4, C-5, C-6					
	M-1, M-2					
	Any with DD or DP Appendage	By special exception, subject to §17-283 (d) 1, and subject to review and approval by DDRC in accordance with §17-283 (e)	Same height and setback requirements as underlying zoning district			
4. New HIGH-PROFILE stealth wireless communication facility	D-1, RS-1, RS-1A, RS-1B, RS-2, RS-3, RD	No	n/a			
	RG-1, RG-1A, RG-1B, RG-2, RG-3, UTD	By special exception and subject to §17-283 (d) 1 and 2	180'	300'	n/a	District minimum front yard setback (see note 3)
	C-1, C-2, C-3, C-3A, MX-1	By special exception and subject to §17-283 (d) 1 and 2		300'	150'	
	C-4, C-5, C-6			150'	150'	
	M-1, M-2			150'	150'	
	Any with DD or DP Appendage	By special exception, subject to §17-283 (d) 1, and subject to review and approval by DDRC in accordance with §17-283 (e)	Same height and setback requirements as underlying zoning district			

<i>Support Structure (Number for Reference Only)</i>	<i>Zoning Districts</i>	<i>Permitted?</i>	<i>Maximum Height in Feet</i>	<i>Minimum Setback from Single-family Residential Districts (See Note 1)</i>	<i>Minimum Setback from General Residential Districts (See Note 2)</i>	<i>Minimum Setback from Public ROW (See §17-283 (m))</i>
5. Existing structure ≤ 40' high and increase or add height ≤ 10'	D-1, RS-1, RS-1A, RS-1B, RS-2, RS-3, RD	By special exception and subject to §17-283 (d) 1 and 2	Support structure ≤ 10' above height of existing structure	n/a	0'	
	RG-1, RG-1A, RG-1B, RG-2, RG-3, UTD	By special exception and subject to §17-283 (d) 1 and 2				
	C-1, C-2, C-3, C-3A, MX-1	Yes				
	C-4, C-5, C-6					
	M-1, M-2					
Any with DD or DP Appendage	Where underlying zoning district is "yes" or "by special exception", DDRC approval also required (§17-283 (e))	Same height and setback requirements as underlying zoning district				
6. Existing structure > 40' high and increase or add height ≤ 10'	D-1, RS-1, RS-1A, RS-1B, RS-2, RS-3, RD	Yes for co-location upon existing communication towers and no increase to height of tower; all others by special exception and subject to 17-283(d)(1)	Support structure ≤ 10' above height of existing structure	n/a	0'	
	RG-1, RG-1A, RG-1B, RG-2, RG-3, UTD	Yes for co-location upon existing communication towers and no increase to height of tower; all others by special exception and subject to 17-283(d)(1)				
	C-1, C-2, C-3, C-3A, MX-1	Yes				
	C-4, C-5, C-6					
	M-1, M-2					
Any with DD or DP Appendage	Where underlying zoning district is "yes" or "by special exception", DDRC approval also required (§17-283 (e))	Same height and setback Requirements as underlying zoning district				

<i>Support Structure (Number for Reference Only)</i>	<i>Zoning Districts</i>	<i>Permitted?</i>	<i>Maximum Height in Feet</i>	<i>Minimum Setback from Single-family Residential Districts (See Note 1)</i>	<i>Minimum Setback from General Residential Districts (See Note 2)</i>	<i>Minimum Setback from Public ROW (See §17-283 (m))</i>
7. Existing structure ≤ 40' High and Increase or Add Height > 10' and ≤ 20'	D-1, RS-1, RS-1A, RS-1B, RS-2, RS-3, RD	No	n/a			
	RG-1, RG-1A, RG-1B, RG-2, RG-3, UTD	By special exception and subject to §17-283 (d) 1 and 2	Support structure ≤ 20' above height of existing structure	n/a	0'	
	C-1, C-2, C-3, C-3A, MX-1	By special exception and subject To 17-283(d)(1)				
	C-4, C-5, C-6					
	M-1, M-2					
Any with DD or DP appendage	Where underlying zoning district is "yes" or "by special exception", DDRC approval also required (§17-283 (e))	Same height and setback requirements as underlying zoning district				
8. Existing structure > 40' high and increase or add height > 10' and ≤ 20'	D-1, RS-1, RS-1A, RS-1B, RS-2, RS-3, RD	By special exception and subject to §17-283 (d) 1 and 2	Support structure ≤ 20' above height of existing structure	n/a	0'	
	RG-1, RG-1A, RG-1B, RG-2, RG-3, UTD	By Special Exception and subject to §17-283 (d) 1 and 2				
	C-1, C-2, C-3, C-3A, MX-1	Yes				
	C-4, C-5, C-6					
	M-1, M-2					
Any with DD or DP appendage	Where underlying zoning district is "yes" or "by special exception", DDRC approval also required (§17-283 (e))	Same height and setback requirements as underlying zoning district				

<i>Support Structure (Number for Reference Only)</i>	<i>Zoning Districts</i>	<i>Permitted?</i>	<i>Maximum Height</i>	<i>Minimum Setback from Single-family Residential Districts (See Note 1)</i>	<i>Minimum Setback from General Residential Districts (See Note 2)</i>	<i>Minimum Setback from Public ROW (See §17-283 (m))</i>
9. Existing structure ≤ 40' high and increase or add height > 20'	D-1, RS-1, RS-1A, RS-1B, RS-2, RS-3, RD	No	n/a			
	RG-1, RG-1A, RG-1B, RG-2, RG-3, UTD	No	n/a			
	C-1, C-2, C-3, C-3A, MX-1	By special exception and subject to §17-283 (d) 1 and 2	Support structure ≤ 1 times the height of existing structure	n/a		0'
	C-4, C-5, C-6					
	M-1, M-2					
Any with DD or DP Appendage	Where underlying zoning district is "yes" or "by special exception", DDRC approval also required (§17-283 (e))	Same height and setback requirements as underlying zoning district				
10. Existing structure > 40' High and Increase or Add Height > 20'	D-1, RS-1, RS-1A, RS-1B, RS-2, RS-3, RD	No	n/a			
	RG-1, RG-1A, RG-1B, RG-2, RG-3, UTD	By special exception and subject to §17-283 (d) 1 and 2	Support structure ≤ 40' above height of existing structure	n/a		0'
	C-1, C-2, C-3, C-3A, MX-1	By special exception and subject To 17-283(d)(1)				
	C-4, C-5, C-6					
	M-1, M-2					
Any with DD or DP appendage	Where underlying zoning district is "yes" or "by special exception", DDRC approval also required (§17-283 (e))	Same height and setback requirements as underlying zoning district				

Sec. 17-284. –5P five points district.

The 5P overlay district is intended to enhance the urban village character within the area known as Five Points. This character is defined by attributes such as mixed uses, pedestrian oriented buildings and signage, urban open spaces, and eclectic expressions of architecture and signage. Development within the 5P area must comply with design guidelines adopted by City Council on June 18, 2008, entitled "Future Five, Design Development Guidelines, January, 2008."

The 5P area consists of approximately 65 acres in the area generally bounded to the north by Gervais Street, to the west by the Southern RR, to the south by parcels fronting Blossom Street, to the east by Hilton Street and continuing in a straight line northerly to Lee Street, along Pavilion Street, continuing north mid block behind Pavilion Street to Stark Street, along Walnut Street to Senate Street and behind parcels fronting Harden Street to Gervais Street.

The 5P area is further delineated as Upper Five Points and Lower Five Points. Upper Five Points is described as the area north of Greene Street, but not to include parcels or portions of parcels fronting Greene Street. Lower Five Points includes all parcels south of Greene Street, in addition to the parcels or portions of parcels north of Greene that abut the Greene Street right-of-way.

These boundaries are outlined on the official City of Columbia zoning map.

Sec. 17-285. MX-1 mixed-use district corridor/neighborhood.

The MX-1 district is intended to accommodate the development of a wide range of residential and compatible non-residential uses along corridors and in neighborhood commercial contexts. To promote development that exhibits the physical design characteristics of pedestrian-oriented streets, the district provides flexibility from conventional use and bulk requirements of other zoning districts.

Sec. 17-286. Motor vehicle, boat, and recreation vehicle dealers.

Motor vehicle dealers (new and used), Motor vehicle dealers (used only), Boat dealers, Auto and home supply stores, and Recreational and Utility Trailer dealers are permitted in MX-1 districts provided that no merchandise or equipment shall be displayed or stored outside of an enclosed structure.

Sec. 17-287. Used merchandise stores.

Used Merchandise Stores are permitted in C-3, C-3A, C-4, C-5, C-6, and MX-1 districts, subject to the following conditions:

- (1) No merchandise or equipment shall be displayed or stored outside of an enclosed structure;
- (2) If donations are accepted, merchandise shall only be received during normal business hours, and signs shall be posted alerting donors that donations are not accepted except during normal business hours,
- (3) No weapons or ammunition of any type, including knives, shall be sold, bartered, traded, or otherwise processed.

Sec. 17-288. Offices and clinics of other health practitioners including therapeutic massage.

(a) Offices And Clinics Of Other Health Practitioners including Therapeutic Massage are permitted in C-1, C-2, C-3, C-3A, C-4, C-5, C-6, and MX-1 district provided that a massage therapist must show proof of licensure through the SC Department of Labor, Licensing, and Regulation.

Division 9. Supplementary District Regulations

Sec. 17-322. -5P five points overlay district.

(a) Applicability/establishment. The 5P overlay district shall be established as a district which overlays the general use zoning districts. The extent and boundaries of the 5P districts are indicated on the official zoning map for the City of Columbia.

(b) Conditional uses. Structured parking is allowed as-of-right, provided that 50 percent of the first floor of each street frontage notwithstanding space encumbered by required ingress and egress is occupied by permitted and accessory uses.

(c) Supplemental district regulations

(1) Building Height:

a. Lower Five Points:

1. Maximum building height is 50 feet.
2. No portion of a building shall be higher than 35 feet when that building or portion thereof is within 30 feet of a residential zoning district.

b. Upper Five Points:

1. The maximum building height is 50 feet within 200 feet of any residential zoning district, at the time of adoption of this ordinance.
2. The maximum building height beyond 200 feet of a residential zoning district shall be 75 feet, provided that the portion of the building above 50 feet is set back 1 foot from the front lot line for each additional 2.5 feet in height.
3. No portion of a building shall be higher than 35 feet when that building or portion thereof is within 30 feet of a residential zoning district.

(2) Off-street parking requirements: Parking requirements listed in *Section 17-258, Table of Permitted Uses*, shall be reduced by 20 percent for all uses within the 5P district.

(3) Reduction for existing conditions:

Where a property does not have the area available to provide off-street parking spaces because of existing conditions that were lawful at the time of establishment (e.g. an existing building covers the entire parcel), those non-residential uses listed upon Table 1 of section 17-258 with the exception of vehicle-related uses (SIC 55 and 75) with an off-street parking requirement equivalent to 3.5 parking spaces for each 1000 square feet of gross floor area or less shall only be required to provide as many off-street parking spaces as may physically fit upon the property.

(4) Signage size allowance:

Total allowable square footage of signage for a building may be increased by 25 percent if internally illuminated signage is not used for any sign for any business located within that building.

Division 12. Signs

Sec. 17-407. Signs permitted in commercial and industrial districts.

Signs are permitted in the C-1, C-2, C-3, C-4, C-5, C-6, MX-1, M-1 and M-2 districts subject to the following provisions:

(1) *Signs permitted in residential districts.* Signs excluded from regulation by definition, temporary signs, home occupation signs, permanent subdivision signs, group residential use signs and nonresidential use signs shall be permitted as for residential districts; provided, however, that signs meeting the requirements in this section shall also be permitted and that the least restrictive requirements for either residential or nonresidential districts shall prevail in nonresidential districts.

(2) *Display surface area.*

- (a) The total maximum display surface area of all business signs shall not exceed the following number of square feet for any individual lot:
 - 1. C-1, C-2, C-6, MX-1: 150 square feet.
 - 2. C-3, C-4, C-5: 300 square feet.
 - 3. M-1, M-2: 500 square feet.
- (b) Only one side of a double-faced sign shall be considered in computing allowable display surface area.
- (c) Notwithstanding the provisions of paragraph 2(a) of this section, in C-4 and C-5 districts, wall signs exceeding 300 square feet may be installed subject to the following restrictions: for wall signs installed on a building floor level or story five or more levels above grade, the maximum display surface area may be increased by 30 square feet for each floor level in excess of five levels to the level of the site of the sign, up to a maximum sign size of 600 square feet per building face; the total display surface area of all such signs shall not exceed 1,200 square feet for any building; the total display surface area of all wall signs shall not exceed 20 percent of the total exterior surface wall area of the individual building.
- (d) Signs may contain changeable copy provided the copy shall remain fixed for a period of six seconds between changes.
- (e) Where the changeable copy consists of light emitting diodes (LEDs), incandescent or low-voltage lamps or bulbs, or cathode ray tubes (CRTs), the actual change between sign copy shall be instant. Where copy changes by an automated other than those processes listed above (e.g. rotating panels, slats, or discs), the actual change between sign copy shall be accomplished within 2 seconds or less.

(3) *Number of signs.*

- a. No more than the following number of signs shall be permitted for each street frontage for each business located on a lot:
 - 1. C-1, C-2, C-6, MX-1: Three total signs, only one freestanding sign.
 - 2. C-3, C-4, C-5: Four total signs, only one freestanding sign.
 - 3. M-1, M-2: Four total signs, only one freestanding sign.
 - 4. UTD: Three total signs, only one freestanding sign (non-illuminated), and no portable signs.
 - 5. C-3A: Three total signs, only one freestanding sign, and no portable signs.

Mobile signs used as business or advertising signs shall be subject to this subsection (3)a.

- b. In addition to the signs permitted under subsection (3)a of this section, one portable sign shall be permitted for each street frontage.
- c. In addition to the signs permitted under subsections (3)a and b of this section, one sign not exceeding five square feet in area and located over the doorway to each service bay of a service station identifying the service provided therein shall be permitted.
- d. All signs permitted by subsections (3) a, b and c of this section shall be subject to inclusion within the limitations upon display surface area.
- e. Only one side of a double-faced sign shall be considered when computing the number of signs.

(4) *Location.*

- a. *Vision clearance.* No sign shall encroach upon vision clearance as established in sections 17-277 and 17-402.

- b. *Location in front yard setback.* Signs may be located within front yard setbacks as provided by section 17-402.
- c. *Wall signs.* Wall signs may be located anywhere on any wall of a building.
- d. *Projecting signs.* Projecting signs may project over public rights-of-way only where front yards of less than five feet in depth are provided, subject to the following regulations:
 - 1. Such signs shall not extend more than two-thirds of the distance between the building and the curblin or nearest edge of the street surface, whichever is least.
 - 2. No portion of any such sign shall be less than 12 feet above the surface of the street right-of-way.
 - 3. If the front yard provided is increased by any means to exceed five feet, any such sign projecting over any public right-of-way shall be removed.
- e. *Signs on marquees or canopies.* Signs on marquees or canopies projecting into a public right-of-way are subject to the provisions concerning projecting signs in subsection (4)d of this section, except that the length of projection in no case shall exceed the length of projection of the marquee or canopy to which they are attached, and further provided that such signs may not extend more than 24 inches below or more than four feet above the marquee or canopy to which they are attached.
- f. *Freestanding signs.* Freestanding signs may be located within required front yard setbacks as provided by sections 17-402 and 17-277; however, no part of any freestanding sign or its supporting structure shall extend beyond a property line of the lot on which it is located.
- g. *Location near residential district.* No sign within a commercial or industrial district shall be erected within ten feet from any residential district boundary line unless such sign would meet the sign requirements for nonresidential uses permitted within the residential district to which it is adjacent.

(5) *Height.*

- a. *Freestanding signs.* No part of any freestanding sign or its supporting structure may exceed the following height:
 - 1. C-1, C-2, C-3A, C-6: 15 feet.
 - 2. C-3, C-4, C-5: 50 feet.
 - 3. M-1, M-2: 70 feet.
 - 4. UTD, MX-1: Four feet.
- b. *Projecting signs.* No projecting sign shall project more than 20 feet above the highest point of the roof of the structure to which it is attached.

(6) *Political campaign signs.* Signs announcing candidates seeking public office or relating to any election or public referendum shall be permitted in all zoning districts of the city, in addition to other permitted signs in any particular zoning district, subject to the following provisions:

- a. These signs shall be confined wholly to placement on private property;
- b. These signs shall be removed within seven days after the election or referendum for which they were prepared has been decided; and
- c. Signs located in required front yards must comply with sections 17-402 and 17-277.

Article V. Historic Preservation and Architectural Review
Division 1. Generally

Sec. 17-653. Design and development review commission.

(a) *Established.* There is hereby created a board of architectural review pursuant to S.C. Code 1976, § 6-29-890, which shall be known as the Columbia Design and Development Review Commission (referred to in this article as the "DDRC" or the "commission"), which shall serve the functions and in the capacities set forth in this Code.

(b) *Purpose and duties.* The purposes of the commission shall be as follows:

- (1) Advise the city council upon the designation of landmarks, landmark districts, architectural conservation districts, and protection areas.
- (2) Carry out those regulatory duties relating to subsection (b)(1) of this section as set forth in this section.
- (3) 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 article, and in doing so, properly coordinate such plans and studies with the various departments and agencies of the city.
- (4) Engage in educational activities related to the furtherance of this article in order to promote appropriate urban design, historic preservation and conservation of historic or aesthetic features of the city.
- (5) Advise, assist and represent the best interest of the city in matters relating to coordination of and assistance to other public bodies and private interests in activities related to this article.
- (6) Advise and assist the city council in acquisition of any gift, grant, purchase, bequest, devise, lease, fee simple or lesser interest, development right, easement (including scenic easement), covenant or other contractual right which may accrue to the furtherance of the purposes of this article.
- (7) Advise the city council in actions of eminent domain taken in furtherance of the purposes of this article.
- (8) Upon request of the city council, manage, control and maintain any property related to the purpose of this article or to the purposes of the commission.
- (9) Administer the design guidelines for the -DD and -5P areas.

(c) *Membership.* The membership of the commission shall be as follows:

- (1) *Number of members; qualifications of members.* The commission shall consist of not more than ten members, of whom at least one shall be an architect registered in the state, at least one shall be a lawyer admitted to practice before the supreme court of the state, at least one shall be experienced as an architectural historian, at least one shall be experienced as a city planner, at least one shall be a real estate developer or licensed real estate broker, and 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 such commission.
- (2) *Appointment of members; terms; vacancies.* Every such member shall be appointed by the city council and shall serve at the pleasure of the council for a term of three years. The commission may submit a list of recommended nominees to fill vacancies for consideration by the city council. No member of the commission may be appointed to serve for more than two successive terms.
- (3) *Removal of members; compensation.* Members may be removed at any time with or without cause. Any member who fails to attend two consecutive meetings of the commission without giving five days' advance written notice of conflict to the chairman and secretary of the commission shall be deemed to have abandoned his membership on the

commission. No member shall receive compensation for his service on the commission, but he may be reimbursed for his actual expenses necessarily incurred in the performance of his official duties.

(d) *Rules of procedure; officers; records.* The procedures of the commission shall be as follows: The commission shall adopt, and from time to time may amend, bylaws concerning its internal management. Such bylaws and amendments must be approved by resolution of the city council. The commission shall elect one of its members as chairman and another as vice-chairman. The city manager shall designate an employee of the city to serve as its secretary. The records of the commission shall set forth every determination made by the commission, the vote of every member participating in such determination and the absence or failure to vote of every other member.

Sec. 17-655. Administration.

Upon adoption of urban design and historic preservation regulations by the city council, administration of the regulations shall take place as follows:

(a) *Administration of historic preservation regulations.*

(1) *Certificate of design approval.* No construction, reconstruction, addition, alteration, relocation, repair, or demolition of any structure or site improvement, erection or replacement of any sign, marquee, awning or other exterior architectural feature, or attachment of any appurtenance to a landmark or to any structure within a designated landmark district, architectural conservation district, historic commercial district or protection area shall be permitted unless a certificate of design approval has been appropriately issued therefore under the terms of the regulations adopted by the city council. For actions which do not require DDRC certificate of design approval, as set forth in subsection (2) of this section, a zoning permit shall serve as a certificate of design approval. Interior alterations which require zoning and building permits do not require a certificate of design approval. A certificate of design approval shall be required whether or not a building permit is required.

(2) *Issuance of certificate of design approval.* Issuance of a certificate of design approval shall be based upon the requirements adopted by the city council. Issuance shall be governed as follows:

a. Issuance by the staff of the DDRC is permitted for:

1. Minor repairs which require a building permit but do not alter the exterior appearance of a building.
2. Major repairs to buildings in all historic districts using like materials.
3. Major repairs to individually designated landmarks using like materials at the option of staff and as set forth in this section.
4. Additions to buildings, new structures and fencing in rear areas of property not visible from the street.
5. Alterations of exterior appearance to noncontributing or nonhistoric buildings in historic districts.
6. Signage for buildings in all historic districts except those that are individually designated as landmarks.
7. Demolition of noncontributing buildings in historic districts.

b. Issuance shall be by the DDRC after a duly held public hearing for:

1. Major repairs to individually designated landmarks which utilize large quantities of replacement material.
2. Actions, including site improvements, which alter the exterior appearance of individually designated historic buildings and contributing historic buildings in historic districts.
3. New construction in historic districts which is visible from the street.
4. Signage for all individually designated landmarks.

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5. Demolition of all contributing historic buildings and all individually designated landmarks.

All actions in historic commercial districts which are subject to review by the DDRC shall also be subject to the review of a subcommittee appointed by the mayor and council. This subcommittee shall consist of seven individuals who are deemed to have a substantial interest in the functioning of the particular historic commercial district. This subcommittee shall only serve in an advisory capacity to the DDRC concerning applications for certificates of design approval made for properties in the particular district they represent. The subcommittee members shall also be appointed and serve as stated in subsections 17-653(c)(2) and (3).

- c. Certificates of design approval which may be issued by the staff may be deferred for commission action, and any issuance or denial of a certificate of design approval may be appealed to the commission by any party at interest.

(b) *Administration of -DD area design guidelines.*

- (1) *Issuance of zoning and building permits.* No zoning permit or building permit shall be issued for any construction, reconstruction, alteration, repair or demolition of any structure, erection or replacement of any sign marquee, awning or other exterior architectural feature, or attachment of any appurtenance to any structure within the -DD design/development area unless a certificate of design approval has been issued therefore under the terms of the design guidelines as adopted by the city council. Interior alterations which require zoning and building permits do not require a certificate of design approval.

- (2) *Issuance of certificate of design approval.* Issuance of a certificate of design approval shall be based upon the requirements set forth in design guidelines adopted by the city council. Issuance shall be governed as follows:

- a. Issuance by the staff of the DDRC is permitted for any project involving construction of new buildings of less than 50,000 square feet or renovation or new construction of less than \$500,000.00;
- b. Issuance shall be by the DDRC after a duly held public hearing for any project involving construction of new buildings of greater than 50,000 square feet or renovation or new construction of more than \$500,000.00.
- c. Certificates of design approval which may be issued by the staff may be deferred for commission action, and any issuance or denial of a certificate of design approval may be appealed to the commission by any party at interest.

(c) *Administration of -5P design guidelines*

- (1) *Issuance of zoning and building permits.* No zoning or building permit shall be issued for any construction, reconstruction, or alteration of any structure, erection or replacement of any sign, awning, or other exterior architectural feature, or attachment of any appurtenance to any structure within the -5P area unless a certificate of design approval has been issued therefore under the terms of the design guidelines as adopted by the city council. Interior alterations which require zoning and building permits do not require a certificate of design approval.

- (2) *Issuance of certificate of design approval.* Issuance of a certificate of design approval shall be based on the requirements set forth in design guidelines adopted by the city council. Issuance shall be governed as follows:

- a. Issuance by the staff of the DDRC is permitted for any project involving construction of new buildings of less than 5,000 square feet, and less than 35 feet in height, and for renovations or new construction not exceeding \$660,000 as listed on the permit. This dollar figure shall change monthly in accordance with the latest monthly non-preliminary Producer Price Index (PPI) for "materials and components for construction" as published by the U.S. Department of Labor, Bureau of Labor Statistics. The base figure for this calculation is \$660,000 as of December 2007.
- b. Issuance shall be by the DDRC after a duly held public hearing for any project involving construction of new buildings of greater than 5,000 square feet, or with a height of greater than 35 feet, or renovation or new construction of more than \$660,000 as listed on the permit. This dollar figure shall change monthly in

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accordance with the latest monthly non-preliminary Producer Price Index (PPI) for "materials and components for construction" as published by the U.S. Department of Labor, Bureau of Labor Statistics. The base figure for this calculation is \$660,000 as of December 2007.


c. Certificates of design approval which may be issued by the staff may be deferred for commission action, and any issuance or denial of a certificate of design approval may be appealed to the commission by any party of interest.

d) *Certificate conditions.* Appropriate conditions may be attached to the certificate of design approval as the commission may find necessary or desirable to effect the purposes of this article, and the commission may modify or remove any such conditions. (1) *Appeals.* Appeals from actions of the staff of the DDRC shall be taken to the DDRC.


(1) Appeals from actions of the DDRC shall be taken to a court of competent jurisdiction within a period of 30 days following the date of determination of the action appealed.

Requested by:

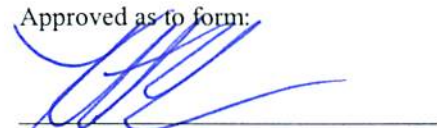
Development Services Administrator


MAYOR

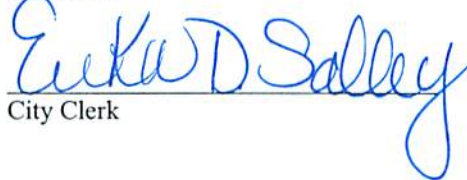
Approved by:


City Manager

Approved as to form:


City Attorney

ATTEST:


City Clerk

Introduced: 6/4/2008
Final Reading: 6/18/2008