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**ORDINANCE NO.: 2021-062**

*Amending The Unified Ordinance of the City of Columbia, South Carolina, Article 3: Zoning Districts, Sec. 17-3.7 Overlay Districts, (c) OV-A: Airport Safety Overlay District and Article 4: Use Regulations, Sec. 17-4.2. Principal Uses (c) Standards for Specific Principal Uses (1) Residential Uses, b. Group Living Uses, 2. Private Dormitory, and Table 17-4.2(C)(2)A.1: Permissibility of Bulk Requirement for Wireless Communication Facilities According to Support Structure*

BE IT ORDAINED by the Mayor and Council this 7th day of September, 2021, that The Unified Ordinance of the City of Columbia, South Carolina, Article 3: Zoning Districts, Sec. 17-3.7 Overlay Districts, (c) OV-A: Airport Safety Overlay District and Article 4: Use Regulations, Sec. 17-4.2. Principal Uses (c) Standards for Specific Principal Uses (1) Residential Uses, b. Group Living Uses, 2. Private Dormitory, and Table 17-4.2(C)(2)A.1: Permissibility of Bulk Requirement for Wireless Communication Facilities According to Support Structure are amended to read as follows:

**Article 3: Zoning Districts**

**Sec. 17-3.7. Overlay Districts**

**(c) OV-A: Airport Safety Overlay District**

**(1) Purpose**

The purpose of the Airport Safety (OV-A) Overlay District is to establish standards of safety for lands in the immediate vicinity of airports. District standards protect people and property by limiting physical obstructions which can interfere with aircraft maneuverability and normal operations at Jim Hamilton - L.B. Owens Field Airport, and encourage compatible land uses.

**(2) Applicability**

The standards and requirements in this section apply to development located in the OV-A District, in addition to base zoning district standards. In instances where there is a conflict between the standards in this district and the base district, the standards in the OV-A District shall control.

**(3) Modifications of Otherwise Applicable Development Standards**

**a. Maximum Height**

No structure or tree within the OV-A shall be erected, altered, allowed to grow, or maintained to a height in excess of 35 feet.

**b. Prohibited Uses**

The following uses are prohibited within the OV-A District:

1. Conversion of non-residential uses for residential purposes.
2. Any use categorized as Group Living in Table 17-4.2(B)(4).
3. Establishment of Household Living Uses outside of a Residential Base Zoning District

**c. Public Notification Requirements**

Public disclosure regarding proximity to the airport and potential aircraft operation and noise impacts shall be required in accordance with this Subsection for newly created lots within a subdivision plat when such lots are located within the OV-A district.

1. The following statement shall be recorded on all newly created residential lots: "This property is located within the Airport Safety Overlay District and is subject to aircraft operations and aircraft noise. Please contact the City of Columbia Zoning Division for more information on potential impacts and to review the City's Airport Safety Overlay District regulations."

2. In addition, the subdivision owner shall provide public notice regarding proximity to the airport and potential aircraft operation and noise impacts to all prospective purchasers through a written disclosure statement.

**Article 4: Use Regulations**

**Sec. 17-4.2. Principal Uses**

**(c) Standards for Specific Principle Uses**

**(1) Residential Uses**

**b. Group Living Uses**

**2. Private Dormitory**

(i) Private dormitories shall comply with the following standards:

(a) Not be located within 600 feet of:

(a) A RSF-1, RSF-2, RSF-3, RD, RD-MV, MU-1, RM-2, or MU2 district; or

(b) A Planned Development district where the majority of the dwelling units are detached single- or two-family dwellings.

(b) Have a maximum density of 150 bedrooms per acre; however, the Board of Zoning Appeals may grant a Special Exception Permit in accordance with Sec. 17-2.5(e), Special Exception Permit, to exceed this density. The Board of Zoning Appeals shall not grant such a Special Exception Permit if the application does not include an operation and management plan that describes, at a minimum, the following:

(a) Uses and activities that will occur in conjunction with the dormitory use;

- (b) Hours and operation of non-residential services;
  - (c) Security plan including provisions for common and parking areas;
  - (d) Noise control;
  - (e) Provisions for transportation including location for loading/unloading of shuttles or buses, if applicable;
  - (f) Location of entrances and exits;
  - (g) Location and management of parking for residents and visitors;
  - (h) Location of amenities and their relationship and compatibility with adjacent uses.
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- (c) There shall not be more than one person occupying a bedroom;
  - (d) A minimum of 75 percent of required bicycle parking in all districts shall be located in an enclosed and secured area.
  - (e) Sidewalks that are a minimum of five feet in width shall be provided along all streets;
  - (f) An on-site manager shall be on the premises 24 hours a day, seven days a week.
  - (g) Comply with any designated historic or design overlay district design guidelines.
  - (h) A private dormitory within the DAC or MC district shall not have more than 60 percent of the total number of dwelling units designed for occupancy by more than three unrelated adults.
- (ii) A variance from any of the provisions of this section is prohibited;
  - (iii) Private dormitories are not allowed within Planned Development (PD) districts, except for parcels located within the Bull Street Planned Unit Development, which are subject only to sections (i)(a)(a), (i)(c), and (i)(f) above.

**TABLE 17-4.2(C)(2)A.1: PERMISSIBILITY OF BULK REQUIREMENT FOR WIRELESS COMMUNICATION FACILITIES ACCORDING TO SUPPORT STRUCTURE**

SUPPORT STRUCTURE	ZONING DISTRICTS	PERMITTED/TYP E OF REVIEW	MAXIMUM HEIGHT (IN FEET)	MINIMUM SETBACK FROM RESIDENTIAL DISTRICTS [1] (IN FEET)	MINIMUM SETBACK FROM PUBLIC ROW [2] (IN FEET)
<b>1. New guy-wire communication tower or new lattice communication tower</b>	LL-R, RSF-1, RSF-2, RSF-3, RD, RD-MV, RM-MU-1, RM-2, MU-2	Not permitted	N/A		
	O-I, GC, RAC				
	DAC, MC, NAC, CAC				
	LI, HI, INS-GEN, INS-U/M, INS-ZOO, INS-T/U,		Zoning Administrator	225' [3]	500'
	OV-CC, OV-ID, OV-5P, OV-NMC, OV-HP	Not permitted	N/A		
<b>2. New Monopole Communication Tower</b>	LL-R, RSF-1, RSF-2, RSF-3, RD, RD-MV, RM-MU-1, RM-2, MU-2	Not permitted	N/A		
	O-I, GC, RAC	Not permitted	N/A		
	O-I, GC, RAC	Special exception	180'	300'	50'
	DAC, MC, NAC, CAC	Zoning Administrator	225'	300'	0'
	LI, HI, INS-GEN, INS-U/M, INS-ZOO, INS-T/U,	Zoning Administrator	225'	300'	0'
	OV-CC, OV-ID, OV-5P, OV-NMC, OV-HP	Not permitted	N/A		
<b>3. New LOW- PROFILE stealth wireless communication facility (aka cell tower)</b>	LL-R, RSF-1, RSF-2, RSF-3, RD, RD-MV, RM-MU-1, RM-2, MU-2	Special exception [4]	60'	District minimum yard setback [6]	District minimum yard setback [6]
	MU-1, RM-2, MU-2	Special exception [4]	80'		
	O-I, GC, RAC	Special exception [4]	100' [5]		
	DAC, MC, NAC, CAC	Special exception [4]	As permitted above with staff review subject all requirements of this Section.		
	LI, HI, INS-GEN, INS-U/M, INS-ZOO, INS-T/U,				
	OV-CC, OV-ID, OV-5P, OV-NMC, OV-HP				
<b>4. New HIGH-PROFILE stealth wireless communication facility (aka cell tower)</b>	LL-R, RSF-1, RSF-2, RSF-3, RD, RD-MV, RM-MU-1, RM-2, MU-2	Not permitted	N/A		
	MU-1, RM-2, MU-2	Special exception [4]	180'	300'	District minimum yard setback [6]
	O-I, GC, RAC	Special exception [4]		150' [7]	
	DAC, MC, NAC, CAC			150'	
	LI, HI, INS-GEN, INS-U/M, INS-ZOO, INS-T/U,			150'	
	OV-CC, OV-ID, OV-5P, OV-NMC, OV-HP	As permitted above with staff review subject all requirements of this Section.			
<b>5. Existing structure</b>	LL-R, RSF-1, RSF-2, RSF-3, RD, RD-MV, RM-	Zoning Administrator	Support structure	N/A	0'

**TABLE 17-4.2(C)(2)A.1: PERMISSIBILITY OF BULK REQUIREMENT FOR WIRELESS COMMUNICATION FACILITIES ACCORDING TO SUPPORT STRUCTURE**

SUPPORT STRUCTURE	ZONING DISTRICTS	PERMITTED/TYP E OF REVIEW	MAXIMUM HEIGHT (IN FEET)	MINIMUM SETBACK FROM RESIDENTIAL DISTRICTS [1] (IN FEET)	MINIMUM SETBACK FROM PUBLIC ROW [2] (IN FEET)
< 40' high and increase or add height < 10'	MU-1, RM-2, MU-2	Zoning Administrator	< 10' above height of existing structure		
	O-I, GC, RAC	Zoning Administrator			
	DAC, MC, NAC, CAC				
	LI, HI, INS-GEN, INS-U/M, INS-ZOO, INS-T/U,				
OV-CC, OV-ID, OV-5P, OV-NMC, OV-HP	As permitted above with staff review subject all requirements of this Section.				
<b>6. Existing structure &gt; 40' high and increase or add height &lt; 10'</b>	LL-R, RSF-1, RSF-2, RSF-3, RD, RD-MV, RM-MU-1, RM-2, MU-2	Zoning Administrator for re-location upon existing communication towers and no increase to height of tower; otherwise special exception	Support structure < 10' above height of existing structure	N/A	0'
	O-I, GC, RAC	Zoning Administrator			
	DAC, MC, NAC, CAC				
	LI, HI, INS-GEN, INS-U/M, INS-ZOO, INS-T/U,				
OV-CC, OV-ID, OV-5P, OV-NMC, OV-HP	As permitted above with staff review subject all requirements of this Section.				
<b>7. Existing structure &lt; 40' High and Increase or Add Height &gt; 10' and &lt; 20'</b>	LL-R, RSF-1, RSF-2, RSF-3, RD, RD-MV, RM-MU-1, RM-2, MU-2	Not permitted	N/A		
	O-I, GC, RAC	Zoning Administrator	Support structure < 20' above height of existing structure	N/A	0'
	DAC, MC, NAC, CAC				
	LI, HI, INS-GEN, INS-U/M, INS-ZOO, INS-T/U,				
OV-CC, OV-ID, OV-5P, OV-NMC, OV-HP	As permitted above with staff review subject all requirements of this Section.				
<b>8. Existing structure &gt; 40' high and increase or add height &gt; 10' and &lt; 20'</b>	LL-R, RSF-1, RSF-2, RSF-3, RD, RD-MV, RM-1	Zoning Administrator	Support structure < 20' above height of existing structure	N/A	0'
	MU-1, RM-2, MU-2	Zoning Administrator			

	O-I, GC, RAC DAC, MC, NAC, CAC LI, HI, INS-GEN, INS-U/M, INS-ZOO, INS-T/U, OV-CC, OV-ID, OV-5P, OV-NMC, OV-HP	Zoning Administrator				
			As permitted above with staff review subject all requirements of this Section.			
<b>9. Existing structure</b>	LL-R, RSF-1, RSF-2, RSF-3, RD, RD-MV, RM-1, RM-2, MU-1, MU-2	Not permitted			N/A	

**TABLE 17-4.2(C)(2)A.1: PERMISSIBILITY OF BULK REQUIREMENT FOR WIRELESS COMMUNICATION FACILITIES ACCORDING TO SUPPORT STRUCTURE**

SUPPORT STRUCTURE	ZONING DISTRICTS	PERMITTED/TYP E OF REVIEW	MAXIMUM HEIGHT (IN FEET)	MINIMUM SETBACK FROM RESIDENTIAL DISTRICTS [1] (IN FEET)	MINIMUM SETBACK FROM PUBLIC ROW [2] (IN FEET)
<b>&lt; 40' high and increase or add height &gt; 20'</b>	O-I, GC, RAC	Zoning Administrator	Support structure < 1 times the height of existing structure	N/A	0'
	DAC, MC, NAC, CAC				
	LI, HI, INS-GEN, INS-U/M, INS-ZOO, INS-T/U,				
	OV-CC, OV-ID, OV-5P, OV-NMC, OV-HP				
		As permitted above with staff review subject all requirements of this Section.			
<b>10. Existing structure &gt; 40' High and Increase or Add Height &gt; 20'</b>	LL-R, RSF-1, RSF-2, RSF-3, RD, RD-MV, RM-1, RM-2, MU-1, MU-2	Not permitted			N/A
	MU-1, RM-2, MU-2	Zoning Administrator	Support structure < 40' above height of existing structure	N/A	0'
	O-I, GC, RAC	Zoning Administrator			
	DAC, MC, NAC, CAC				
	LI, HI, INS-GEN, INS-U/M, INS-ZOO, INS-T/U,				
	OV-CC, OV-ID, OV-5P, OV-NMC, OV-HP		As permitted above with staff review subject all requirements of this Section.		

NOTES:  
[1] Includes the LL-R, RSF-1, RSF-2, RSF-3, RD, RD-MV, RM-1, RM-2, MU-1, and MU-2 districts, PUDs that are principally residential, and property zoned similarly within Richland or Lexington Counties.  
[2] A letter from a registered professional structural engineer may be required in accordance with Sec. 17-4.2(c)(2)a.1(iv)(i) below.  
[3] A new guy-wire communication tower or new lattice communication tower having a height of between 225 feet and 300 feet may be only be approved as a special exception.  
[4] Subject to Sec. 17-4.2(c)(2)a.1(vi)(e) below.  
[5] Height may be increased by 30 feet only where the applicant demonstrates to the Board of Zoning Appeals that the additional height is necessary to accommodate the collocation and that the structure is designated and engineered to accommodate additional WCFs.  
[6] See Article 3: Zoning Districts.  
[7] A 300' minimum setback is required from the RSF-1, RSF-2, RSF-3, RD, RD-MV, and RM-1 districts.

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

Requested by:

Assistant City Manager Gentry



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Mayor

Approved by:



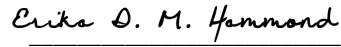
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City Manager

Approved as to form:



\_\_\_\_\_  
City Attorney

ATTEST:



\_\_\_\_\_  
City Clerk

Introduced: 8/17/2021  
Final Reading: 9/7/2021