

## **LAND MANAGEMENT ORDINANCE**

### **FAIRFIELD COUNTY, SOUTH CAROLINA**

AN ORDINANCE OF FAIRFIELD COUNTY, REGULATING THE LOCATION AND USE OF BUILDINGS, STRUCTURES, AND LAND, THE HEIGHT OF BUILDINGS AND OTHER STRUCTURES, THE SIZE OF YARDS, THE DENSITY AND DISTRIBUTION OF POPULATION; CREATING DISTRICTS FOR SAID PURPOSES AND ESTABLISHING THE BOUNDARIES THEREOF; DEFINING CERTAIN TERMS USED HEREIN; PROVIDING FOR THE METHOD OF ADMINISTRATION AND AMENDMENT; AND PROVIDING FOR THE IMPOSITION OF PENALTIES FOR THE VIOLATION OF THE PROVISIONS OF THIS ORDINANCE.

### **PREAMBLE**

IN ACCORDANCE WITH AUTHORITY CONFERRED BY THE GENERAL STATUTES OF SOUTH CAROLINA, 1976 CODE OF LAWS, TITLE 6, CHAPTER 29 OF THE COMPREHENSIVE PLANNING ENABLING ACT OF 1994, AS AMENDED, AND FOR THE PURPOSE OF PROMOTING PUBLIC HEALTH, SAFETY, MORALS, CONVENIENCE, ORDER, APPEARANCE, PROSPERITY, AND GENERAL WELFARE; LESSENING CONGESTION IN THE STREETS; SECURING SAFETY FROM FIRE; PROVIDING ADEQUATE LIGHT, AIR, AND OPEN SPACE; PREVENTING THE OVERCROWDING OF LAND; AVOIDING UNDUE CONCENTRATION OF POPULATION; FACILITATING THE CREATION OF A CONVENIENT, ATTRACTIVE AND HARMONIOUS COUNTY; PROTECTING AND PRESERVING SCENIC, HISTORIC AND ECOLOGICALLY SENSITIVE AREAS; FACILITATING THE PROVISION OF PUBLIC SERVICES, AFFORDABLE HOUSING, AND DISASTER EVACUATION, IN HARMONY WITH THE COMPREHENSIVE PLAN FOR FAIRFIELD COUNTY, SOUTH CAROLINA, THE COUNTY COUNCIL HEREBY ORDAINS AND ENACTS INTO LAW THE FOLLOWING ARTICLES AND SECTIONS, WHICH SHALL COMPRISE AND BE KNOWN AS THE LAND MANAGEMENT ORDINANCE OF FAIRFIELD COUNTY, SOUTH CAROLINA, AND SHALL BE APPLICABLE THROUGHOUT THE UNINCORPORATED AREA OF FAIRFIELD COUNTY, AS NOW OR HEREAFTER ESTABLISHED.

### **ESTABLISHMENT, PURPOSE, AND RULES FOR THE INTERPRETATION OF ZONING DISTRICTS**

#### **1.1 ESTABLISHMENT OF DISTRICTS**

For purposes of this Ordinance, the following zoning districts are hereby established:

**PRIMARY DISTRICTS**

- R-1 Single-Family Residential District
- R-2 Inclusive Residential District
- R-0 Residential-Office District
- B-1 Limited Business District
- B-2 General Business District
- I-1 Industrial District
- RC Rural Community District
- RD Rural Resource District
- RD-1 Rural Residential District

**SPECIAL PURPOSE DISTRICTS**

- PDD Planned Development District
- APD Airport Protection District
- DOD Design Overlay District

1.2 **PURPOSE OF DISTRICTS**

Collectively, these Districts are intended to advance the purposes of this Ordinance, as stated in the Preamble. Individually, each district is designed and intended to accomplish the following more specific objectives.

**PRIMARY DISTRICTS**

**R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT**

The purpose of this District is to foster, sustain, and protect areas in which the principal use of land is for single-family dwellings and support uses.

**R-2 INCLUSIVE RESIDENTIAL DISTRICT**

The R-2 District is intended to promote and accommodate housing development that meets the diverse economic and social needs of a diverse population. To this end, this District is designed and intended to allow for development of a variety of housing styles, types, and densities on small lots or in project settings, including

single-family, duplexes, triplexes, patio homes, townhouses, and manufactured homes, and to do so in a protected, compatible residential environment. The District is intended for application in areas accessible by major streets, and in proximity to commercial uses, employment opportunities, and community facilities.

#### R-O RESIDENTIAL-OFFICE DISTRICT

The R-O District is intended to accommodate a limited mix of uses, including office, institutional, and residential in areas whose character is changing, or where such a mix of uses is appropriate. It is designed principally for areas transitioning from rural or residential to more intensive, mixed-use development. A variety of housing styles is appropriate including single-family, duplexes, triplexes, patio homes, townhouses, condominiums, and apartments.

#### B1 LIMITED BUSINESS DISTRICT

The intent of this District is to meet the commercial and service needs generated by nearby residential areas. Goods and service normally available in this District are of the “convenience variety.” The size of this District should relate to surrounding residential markets and the location should be at or near major intersections, in proximity to and/or on the periphery of residential areas, existing or proposed.

#### B2 GENERAL BUSINESS DISTRICT

The intent of this District is to provide for and promote the development and maintenance of commercial and business uses strategically located to serve the traveling public, the resident population, and the larger region of which the county is a part. Toward this end, a wide range of business and commercial uses are permitted in this District.

#### I1 INDUSTRIAL DISTRICT

The intent of this District is to accommodate and protect, on individual lots or in business park settings, industrial and related wholesaling, distribution, warehousing, processing, office and administrative uses in an environment suited to such uses and operations, while promoting land use compatibility with the aid of performance standards. This District also is intended to protect for future development vacant sites and tracts with industrial potential.

#### RC RURAL COMMUNITY DISTRICT

The intent of this District is to sustain and support rural community centers as an integral part of the rural environment, serving the commercial, service, and social, and agricultural needs of nearby rural residents.

#### RD RURAL RESOURCE DISTRICT

The intent of this District is to conserve, sustain, and protect forest and agricultural areas. The retention of open lands, woodlands, and farmlands, which make up a large part of this area, are essential to clean air, water, wildlife, many natural cycles, and a balanced environment, among other things. Even more essential from an economic perspective are the agricultural lands and farming operations in this district. Also provided by this District is a rural environment preferred by many people over subdivision and higher density urban or community settings.

#### RD-1 RURAL RESIDENTIAL DISTRICT

The intent of this District is to encourage rural residential and expanding urban development in accord with the Comprehensive Plan, while maintaining to the extent practical and feasible the District's rural resources. Agricultural uses deemed incompatible with rural residential development are disallowed in this District.

### **SPECIAL PURPOSE DISTRICTS**

#### PDD PLANNED DEVELOPMENT DISTRICT

The intent of the Planned Development District is to encourage flexibility in the development of land in order to promote its most appropriate use; and to do so in a manner that will enhance public health, safety, morals, and general welfare.

Withing the PDD District, regulations adapted to unified planning and development are intended to accomplish the purpose of zoning and other applicable regulations to an equivalent or higher degree that where such regulations are designed to control unscheduled development on individual lots or tracts, promote economical and efficient land use, provide an improved level of amenities, foster a harmonious variety of uses, encourage creative design, and produce a better environment.

In view of the substantial public advantage of "planned development", it is the intent of these regulations to promote and encourage or require development in this form where appropriate in character, timing, and location, particularly for large undeveloped tracts.

#### APD AIRPORT PROTECTION DISTRICT

The intent of the Airport Protection District is fivefold: (1) to protect the interests of the Fairfield County Airport (2) to protect and promote the general health, safety, economy, and welfare of the airport's environs, (3) to prevent the impairment and promote the utility and safety of the airports, (4) to promote land use compatibility between the airports and surrounding development, and (5) protect the character

and stability and enhance the environment of areas impacted by airport operations.

#### DOD DESIGN OVERLAY DISTRICT

The intent of the Design Overlay District is to promote unified planning and development along the County's major corridors, improve and enhance the aesthetic quality of land uses fronting on these corridors, and preserve the scenic quality of the County's gateways.

### 1.3 ESTABLISHMENT OF OFFICIAL ZONING MAPS

The boundaries of the Use Districts established by this Ordinance are shown on official zoning maps, which maps shall be maintained by the Zoning Administrator. The official zoning map and all amendments, certifications, and other matters entered on the official zoning map are hereby made a part of this Ordinance and have the same legal effect as if fully set out herein.

### 1.4 AMENDMENTS TO THE OFFICIAL ZONING MAPS

Amendments to the official zoning maps shall be adopted by Ordinance as provided for herein. Promptly after the adoption of an amendment, the Zoning Administrator shall alter or cause to be altered the official zoning maps to indicate the amendment and shall enter the date of adoption and the effective date of the Ordinance amending the map.

### 1.5 RULES FOR INTERPRETATION OF DISTRICT BOUNDARIES

Where uncertainty exists as to the boundaries of a district shown on the official zoning maps, the following rules shall apply:

- A. Boundaries indicated as approximately, following the centerlines of streets, highways, railroad tracks, alleys, or public utility easements shall be construed to follow such centerlines.
- B. Boundaries indicated as approximately, following platted lot or tract lines shall be construed as following such lines, whether public or private.
- C. Boundaries indicated as approximately, following political boundaries shall be construed as following such boundaries.
- D. Boundaries indicates as approximately, following the centerlines of natural barriers such as streams, shall be construed to follow such centerlines.
- E. Boundaries indicated as parallel to, or extensions of features indicated in Subsections A through D above, shall be determined by the Zoning Administrator.

Where uncertainties continue to exist after the application of the above rules an appeal may be taken to the Board of Zoning Appeals.

## **ARTICLE 2. DISTRICT REGULATIONS**

### **2.1 ESTABLISHMENT OF REGULATIONS**

The uses permitted in the Primary Zoning Districts established by Article 1 and the dimensional requirements of each are set forth in this Article.

Section 2.3 (Table 1) sets forth lot area, yard, setback, height density, and impervious surface requirements for all districts. Section 2.5 establishes regulations for the Airport Protection District; Section 2.6 establishes regulations for the Planned Development District, and Section 2.7 establishes regulations for the Design Overlay District.

### **2.2 USE REGULATIONS**

#### **2.2.1 INTERPRETATION**

The Zoning Administrator is responsible for interpretation of the Table of Permitted Uses, titled Schedule of Permitted and Conditional Uses.

#### **A. Unlisted Principal Uses**

1. The Zoning Administrator is authorized to determine the most appropriate Use Category when a specific use type cannot be classified into a Use Category. The following considerations may be used in making similar use interpretations:
  - a. The actual or projected characteristics of the activity in relationship to the stated characteristics of each use category;
  - b. The relative amount of site area or floor space and equipment devoted to the activity;
  - c. Relative amounts of sales from each activity;
  - d. The customer type for each activity(ex. retail or wholesale);
  - e. Hours of operation;
  - f. Building and site arrangement;
  - g. Vehicles used with the activity;
  - h. The manner in which uses are classified by commonly used business classifications reference sources, such as the North American Industrial Classification System (NAICS) or the Land Based Classification System (LBCS);
  - i. The relative number of vehicle trips generated by the use; and/or
  - j. How the use advertises itself.

#### **B. Developments with Multiple Principal Uses**

1. When all principal uses of a development fall within one Use Category, the entire development is assigned to that Use Category. A development that contains a coffee shop, bookstore, and bakery, for example would be classified in the retail category because all of the development's principal uses are in that category. When the principal uses of a development fall within different use categories, each principal uses is classified in the

applicable category and each use shall be subject to all applicable regulations for that category.

C. Overlay Districts

1. For purposes of managing environmentally sensitive or visually important geographic areas, certain overlay districts have been established in Section 2.7, to impose design, uses, or other standards in addition to the requirements of the underlying base district.

2.2.2 ORGANIZATION OF USES

A. General

1. The Schedule of Permitted and Conditional Uses is organized by use classifications and use categories.

a. Use Classifications

- i. The Schedule of Permitted and Conditional Use Table of Section 2.3 organizes land uses into seven (7) classifications and includes residential uses; public and institutional uses; commercial uses; industrial uses; agricultural uses; accessory uses; and temporary uses. Use classifications are further divided into use categories.

b. Use Categories

- i. Use categories classify land uses and activities based on common functional, product, or physical characteristics. Characteristics include the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered, and site conditions. The use categories are intended to provide a systematic basis for assigning present and future land uses into appropriate zoning districts. Principal uses are assigned to the use category that most describes the nature of the principal uses.

B. Abbreviations in Use Table

1. Permitted Uses

Where the letter "P" is shown, the use to which it refers is permitted as a use by right in the indicated district, provided it complies fully with all applicable development standards of this Ordinance.

2. Permitted with Supplemental Standards

Where the letter "C" is shown, the use to which it refers is conditionally permitted in the indicated district, subject to applicable requirements set out in Article 3.

### 3. Prohibited Uses

Where the letter "N" is shown, the use to which it refers is not permitted in the indicated district.

## 2.3 TABLE OF PERMITTED AND CONDITIONAL USES

TABLE 1: SCHEDULE OF PERMITTED AND CONDITIONAL USES BY ZONING DISTRICTS										
P= Permitted; C=Conditional Use; N= Not Allowed										
Zoning Districts	R-1	R-2	R-O	B-1	B-2	I-1	RC	RD	RD-1	Supplemental Standards
<b>RESIDENTIAL</b>										
<b>HOUSEHOLD LIVING</b>										
Single-Family, detached	P	P	P	P	P	N	P	P	P	
Duplex	N	P	P	N	P	N	N	P	P	
Triplex & Quadplex	N	C	C	N	C	N	N	N	N	<b>Section 3.1.1</b>
Multi-Family, Apartments	N	N	C	N	C	N	N	N	N	Section 3.1.2
Townhouses	N	N	C	N	C	N	N	N	N	Section 3.1.3
Patio Homes	C	C	C	N	C	N	N	N	N	Section 3.1.4
Residential designed, Manufactured Home	N	C	N	N	C	N	C	C	C	Section 3.1.5
Standard designed, Manufactured Home	N	N	N	N	N	N	C	C	C	Section 3.1.5
Manufactured Home Parks	N	C	N	N	N	N	C	N	N	Section 3.1.6
Modular Homes	P	P	P	P	P	N	P	P	P	
Mixed-Use Building	N	N	P	P	P	N	N	N	N	<b>Section 3.1.7</b>



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Zoning Districts	P= Permitted; C=Conditional Use; N= Not Allowed									
	R-1	R-2	R-O	B-1	B-2	I-1	RC	RD	RD-1	Supplemental Standards
Tiny Home Village	C	C	C	N	C	N	C	N	N	Section 3.1.8
<b>GROUP LIVING</b>										
Community Care for Elderly	C	C	C	C	C	N	C	C	C	Section 3.1.2
Mental Health, and Substance Abuse Facilities	N	P	P	P	P	N	P	N	N	
Rooming & Boarding Houses, Dormitories, Group Housing	N	C	C	C	P	N	N	N	N	Section 3.1.2
<b>PUBLIC AND INSTITUTIONAL USES</b>										
<b>CIVIC</b>										
Animal Shelter	N	N	N	N	N	P	P	N	N	
Civic Meeting Facility	N	N	P	P	P	N	P	N	N	
Correctional Institutions	N	N	N	N	P	P	P	P	P	
Libraries	N	N	P	P	P	P	P	N	N	
Public Safety Facility	P	P	P	P	P	P	P	P	P	
Religious Organizations	P	P	P	P	P	P	P	P	P	
All Other Civic organizations	N	N	P	P	P	P	P	P	P	
<b>DAYCARE</b>										

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Zoning Districts	P= Permitted; C=Conditional Use; N= Not Allowed									Supplemental Standards
	R-1	R-2	R-O	B-1	B-2	I-1	RC	RD	RD-1	
Day Care Home	P	P	P	P	P	N	P	P	P	
Day Care Center	C	C	C	P	P	N	P	C	C	Section 3.2.1
<b>EDUCATION</b>										
Elementary, Middle, & High Schools	P	P	P	P	P	N	P	N	N	
Jr. Colleges, Colleges, Universities, Professional Schools	N	N	P	N	P	P	P	N	N	
School Business or Trade	N	N	P	P	P	P	P	N	N	
Educational Support Services	N	N	P	P	P	P	P	N	N	
Other Schools and Instruction	N	N	P	P	P	P	P	N	N	
<b>PARKS &amp; OPEN SPACE</b>										
Arboretum or Botanical Garden	N	N	N	P	P	N	P	P	P	
Cemeteries, Columbarium or Mausoleum	N	N	N	N	P	P	P	P	P	
Parks	P	P	P	P	P	P	P	P	P	
Zoos	N	N	N	N	P	N	N	N	N	
<b>UTILITIES &amp; COMMUNICATIONS</b>										
Antenna	N	N	N	N	C	C	C	C	C	Section 3.2.2
Telecommunication Towers	N	N	N	N	C	C	C	C	C	Section 3.2.2

TABLE 1: SCHEDULE OF PERMITTED AND CONDITIONAL USES BY ZONING DISTRICTS

P= Permitted; C=Conditional Use; N= Not Allowed Zoning Districts	R-1	R-2	R-O	B-1	B-2	I-1	RC	RD	RD-1	Supplemental Standards
	Hydro, Fossil fuel & electronic power	N	N	N	N	N	P	N	P	
Solar Energy, Small Scale	N	N	C	P	P	P	C	C	C	Section 3.2.3
Solar Energy Conversion, Large Scale	N	N	N	N	N	C	N	C	C	Section 3.2.4
Utility, Major	N	N	N	N	P	P	P	N	N	
Utility, Minor	P	P	P	P	P	P	P	P	P	
Wind Energy Conversion, Small Scale	N	N	N	C	C	C	C	C	C	Section 3.2.4
Wind Energy Conversion, Large Scale	N	N	N	N	N	C	N	N	N	Section 3.2.4
<b>COMMERCIAL USES</b>										
<b>ENTERTAINMENT &amp; RECREATION</b>										
Commercial Recreation & Entertainment, Indoor	N	N	P	P	P	N	P	N	N	
Commercial Recreation & Entertainment, Outdoor	N	N	N	N	C	N	C	N	N	<b>Section 3.3.1</b>
Golf Course	P	P	P	N	P	N	N	N	N	
Limited Event Venue	N	N	C	C	N	N	N	C	C	Section 3.3.2
Marinas	N	N	N	P	P	N	P	P	P	
Motion pictures & Sound Industries	N	N	N	P	P	P	N	N	N	
Shooting Range, Indoor	N	N	C	C	C	N	C	N	N	<b>Section 3.3.3</b>

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Zoning Districts	P= Permitted; C=Conditional Use; N= Not Allowed									Supplemental Standards
	R-1	R-2	R-O	B-1	B-2	I-1	RC	RD	RD-1	
Shooting Range, Outdoor	N	N	N	N	C	N	N	C	N	Section 3.3.3
Vehicular race & testing tracks	N	N	P	N	C	C	N	N	N	Section 3.3.4
All other Entertainment or Recreation	N	N	N	N	P	N	N	N	N	
<b>FOOD AND BEVERAGE</b>										
Bar or Other Drinking place	N	N	N	P	P	N	P	N	N	
Craft Alcohol Production	N	N	C	C	P	P	C	N	N	Section 3.3.5
Restaurant, Indoor	N	N	N	P	P	P	P	N	N	
Restaurant, Drive-Through	N	N	N	P	P	P	P	P	P	
Special food services	N	N	N	P	P	N	P	N	N	
<b>LODGING</b>										
Bed & Breakfast Inns	C	C	C	C	P	N	C	C	C	Section 3.3.6
Camps & RV Parks	N	N	N	N	C	N	C	C	C	Section 3.3.7
Hotels & Motels	N	N	N	N	P	P	N	N	N	
<b>MEDICAL</b>										
General Medical	N	N	P	P	P	N	P	P	N	
Hospitals	N	N	N	N	P	P	N	N	N	
Medial & Diagnostic Laboratory	N	N	P	P	P	P	N	N	N	

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Zoning Districts	P= Permitted; C=Conditional Use; N= Not Allowed									
	R-1	R-2	R-O	B-1	B-2	I-1	RC	RD	RD-1	Supplemental Standards
Other Ambulatory Health Care Services	N	N	P	P	P	P	P	N	N	
<b>OFFICE/SERVICE</b>										
Animal Shelter	N	N	N	N	N	P	N	P	P	
Crematories	N	N	N	N	N	P	N	N	N	
Funeral Homes & Death Care Services	N	N	N	P	P	P	N	N	N	
General Office	N	N	P	P	P	P	P	N	N	
Veterinary Services	N	N	N	P	P	P	P	P	P	
Kennels	N	N	N	P	P	P	P	C	C	Section 3.3.8
<b>PARKING</b>										
Automotive parking lots & garages	N	N	P	P	P	P	P	N	N	
<b>PERSONAL SERVICE</b>										
General Personal Service	N	N	P	P	P	N	P	N	N	
All other Personal Services	N	N	P	P	P	N	N	N	N	
<b>RETAIL</b>										
Building Material Dealers	N	N	N	N	P	P	P	N	N	
Convenience Stores w/out gasoline sales	N	N	N	P	P	N	P	P	P	
Convenience Stores w/ gasoline sales	N	N	N	P	P	P	P	P	P	

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	R-1	R-2	R-O	B-1	B-2	I-1	RC	RD	RD-1	Supplemental Standards
Farmer's Markets	N	N	N	P	P	N	P	P	P	
Flea Markets	N	N	N	N	P	N	P	P	P	
Nursery	N	N	P	P	P	N	P	P	P	
General Retail (Under 10,000 square feet)	N	N	N	P	P	N	P	N	N	
General Retail, Large (Over 10,000 square feet)	N	N	N	N	P	P	P	N	N	
Liquor	N	N	N	P	P	N	P	N	N	
Manufactured home dealers	N	N	N	N	P	N	N	N	N	
Pawn Shops	N	N	N	N	P	N	P	N	N	
Sexually Oriented Business	N	N	N	N	C	N	N	N	N	Section 3.3.9
Truck stops	N	N	N	N	P	P	N	N	N	
Vendors	N	N	N	C	C	N	C	C	C	Section 3.3.10
<b>TRANSPORTATION</b>										
Air Transportation	N	N	N	N	P	P	N	P	P	
Pipeline Transportation	N	N	N	N	P	P	P	P	P	
Rail Transportation	N	N	N	N	P	P	N	P	P	

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P= Permitted; C=Conditional Use; N= Not Allowed Zoning Districts	R-1	R-2	R-O	B-1	B-2	I-1	RC	RD	RD-1	Supplemental Standards
	Transit and ground passenger transportation	N	N	N	P	P	P	P	P	
Truck Transportation and Storage	N	N	N	N	P	P	N	N	N	
Scenic & Sightseeing Transportation	N	N	N	P	P	P	N	P	P	
<b>VEHICLE SALES AND SERVICE</b>										
Auto Repair, Major	N	N	N	N	C	P	N	N	N	Section 3.3.11
Auto Repair, Minor	N	N	N	P	P	N	P	N	N	
Auto parts and accessories	N	N	N	N	P	N	P	N	N	
Car Wash	N	N	N	P	C	P	N	N	N	Section 3.3.12
Gasoline stations	N	N	N	N	P	P	P	N	N	
Vehicle Sales and Rental	N	N	N	N	P	N	N	N	N	
All other Vehicle Sales and Services	N	N	N	N	P	P	P	P	P	
<b>INDUSTRIAL USES</b>										
<b>INDUSTRIAL &amp; MANUFACTURING</b>										
Artisan Manufacturing	N	N	C	C	P	P	C	C	C	Section 3.4.1
General Manufacturing	N	N	N	N	N	C	N	N	N	Section 3.4.2
Light/Limited Manufacturing, Assembly, & Fabrication	N	N	N	N	N	C	C	N	N	Section 3.4.2
Intensive Manufacturing	N	N	N	N	N	C	N	N	N	Section 3.4.2

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	R-1	R-2	R-O	B-1	B-2	I-1	RC	RD	RD-1	Supplemental Standards
Asphalt Plant	N	N	N	N	N	C	N	N	N	Section 3.4.3
Mining and Extraction Activities	N	N	N	N	N	C	N	N	N	Section 3.4.4
Wrecking, scrap and salvage	N	N	N	N	P	C	N	N	N	Section 3.4.5
Outdoor storage	N	N	N	N	C	C	N	N	N	Section 3.4.6
<b>WAREHOUSE, STORAGE &amp; DISTRIBUTION</b>										
Mini-Warehouses	N	N	N	N	P	P	P	N	N	
Self Service Storage (Climate Controlled, other)	N	N	C	N	C	N	C	N	N	Section 3.4.7
Warehouse/Distribution Facility	N	N	N	N	P	P	N	N	N	
<b>WASTE-RELATED SERVICE</b>										
Hazardous Waste Facilities	N	N	N	N	N	N	N	C	C	Section 3.4.8
Resource Recovery Facilities	N	N	N	N	N	C	N	C	C	Section 3.4.9
Solid Waste Incinerators	N	N	N	N	N	C	N	N	N	
Solid Waste Landfill	N	N	N	N	N	C	N	C	C	Section 3.4.10
Waste Collection	N	N	N	N	P	P	P	P	P	
All Other Waste Management	N	N	N	N	N	C	N	C	C	Section 3.4.5
<b>AGRICULTURE</b>										
Agritourism	N	N	N	P	P	N	P	P	P	



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	R-1	R-2	R-O	B-1	B-2	I-1	RC	RD	RD-1	Supplemental Standards
Concentrated Animal Feeding Operations, CAFOs (Sec. 3.1)	N	N	N	N	N	N	N	P	N	Section 3.5.1
Agricultural Facility	N	N	N	N	N	P	P	P	P	
Swine operations	N	N	N	N	N	N	N	P	P	
Horses & other equine	C	C	N	N	N	P	C	P	P	Section 3.5.2
Other animal production	N	N	N	N	N	P	P	P	P	
Support activities for agricultural/forestry	N	N	N	N	P	P	P	P	P	
<b>ACCESSORY USES</b>										
<b>RESIDENTIAL USES</b>										
Accessory Apartments	C	C	C	C	C	NA	C	C	C	Section 3.6.2
Bathhouses & Cabanas	P	P	P	P	P	NA	P	P	P	Section 8.5
Domestic animal shelters	P	P	P	P	P	NA	P	P	P	Section 8.5
Family Day Care Home	P	P	P	P	P	NA	P	P	P	Section 3.6.3
Non-commercial greenhouses	P	P	P	P	P	NA	P	P	P	Section 8.5
Storage building/workshop/Sheds	P	P	P	P	P	NA	P	P	P	Section 8.5
Swimming pool, tennis courts	P	P	P	P	P	NA	P	P	P	Section 8.5
Detached garages	P	P	P	P	P	NA	P	P	P	Section 8.5
Non-commercial greenhouse	P	P	P	P	P	NA	P	P	P	Section 8.5

TABLE 1: SCHEDULE OF PERMITTED AND CONDITIONAL USES BY ZONING DISTRICTS

Zoning Districts	P= Permitted; C=Conditional Use; N= Not Allowed									Supplemental Standards
	R-1	R-2	R-O	B-1	B-2	I-1	RC	RD	RD-1	
Home Occupation	C	C	C	C	P	NA	C	C	C	Section 3.6.4
Shipping Containers	N	N	N	N	C	NA	C	C	C	Section 3.6.6
Roof Mounted Solar Panels	P	P	P	P	P	P	P	P	P	
Ground Mounted Solar Panels	C	C	C	C	C	C	C	P	P	Section 3.6.7
<b>NON-RESIDENTIAL</b>										
ATM Machines	N	N	P	P	P	P	P	N	N	
Buildings, structures	P	P	P	P	P	P	P	P	P	
Open Storage	N	N	N	N	C	P	C	C	C	Section 3.6.5
Shipping Containers	N	N	C	N	C	P	C	C	C	Section 3.6.6
Solar panels	C	C	C	C	C	C	C	P	P	
Wind Energy Conversion, Small Scale	N	N	C	C	C	C	C	N	N	
<b>TEMPORARY USES</b>										
All Temporary Uses	C	C	C	C	C	C	C	C	C	Section 3.7

2.4 DIMENSIONAL REQUIREMENTS

<b>Table 2. Dimensional Requirements: Schedule of Lot Area, Yard, Setback, Height, Density, and Impervious surface Ratio, by Zoning Districts</b>									
<b>DISTRICTS</b>	<b>R-1</b>	<b>R-2</b>	<b>R-0</b>	<b>B-1</b>	<b>B-2</b>	<b>I-1</b>	<b>RC</b>	<b>RD</b>	<b>RD-1</b>
<b>Minimum Lot Area ( in Square Feet)*</b>									
Residential	15,000	10,000, (A)	10,000, (A)	10,000	10,000, (A)	NA	20,000	(D)	(D)
Non-residential	30,000	20,000	10,000	10,000	10,000	10,000	20,000	(D)	(D)
Width at Building line (ft.)	75	50, (A)	50, (A)	80	80	75	100	150	150
<b>Minimum Yard &amp; Building Setback (measurement in feet from property line)*</b>									
<i>Front</i>									
Arterial Street	50	50	50	50	50	50	50	50	50
Collector Street	35	35	35	35	35	35	35	35	35
Local or Rural Street	25	25	25	25	25	25	25	25	25
<i>Side</i>									
Residential	7.5	5	5	5	5	NA	7.5	20	20
Non-residential	25	25	10	5	(C)	(E)	7.5	20	20
<i>Rear</i>									
Residential	20	15	15	15	15	NA	20	30	30
Non-residential	40	40	15	15	5	(E)	20	30	30

<b>Maximum Height (ft.) (B)</b>	40	40	45	45	None	None	40	40	40
<b>Maximum Impervious Surface Area Ratio</b>	35%	45%	50%	55%	65%	75%	25%	20%	20%
<b>Maximum Density (G)*</b>	2.5	4	7	4	7	NA	2	1	1

**Notes to Table 2:** NA = Not applicable

\*Modification of dimensional requirements allowed as specified for Conservation Subdivision Option (See Section 7.4) and see Article 3 for requirements for patio homes, tiny homes, townhomes and attached housing. For accessory structure setback requirements see Article 8.

- A. For Duplexes minimum lot size is the same as a single-family use and minimum lot width is 60 feet. See Article 3 for minimum lot size, setbacks and additional standards for patio homes, tiny homes, townhomes and other forms of attached housing.
- B. Measurement from the average finished grade at the building line to the highest point of a flat roof or midpoint of a pitched roof. Agricultural buildings are exempt from height limits.
- C. 5 feet one side only. Where side setback, not required, is provided, it shall be not less than 3 feet.
- D. 43,560 Sq. Ft. for lots on individual waste water disposal systems (septic tanks); 21,750 Sq. Ft. for lots on public or community water and sewer systems, provided said lots front on a public street, and meet all other minimum Dimensional Requirements.
- E. 20 feet, except where the proposed use abuts a residential district or a residential use on a local classified street, where a 40 foot setback shall be required, plus 3.5 feet for each additional floor over the first.
- F. Measurement in dwelling units per gross acre.

## 2.5 APD, AIRPORT PROTECTION DISTRICT

### 2.5.1 PERMITTED USES

This is an “overlay” zone. As such, permitted uses are determined by the “underlying” or primary zone. These regulations temper and modify the development standards of the primary district to the extent necessary to achieve compatible development. They do not determine or regulate the use of property. However, primary zone use regulations notwithstanding, no use may be made of land or water within the Airport Protection District in such a manner as to create electrical interference with navigational signals or radio communication between the airport and aircraft, make it difficult for pilots to distinguish between airport lights and others, result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, create bird strike hazards, or otherwise in any way endanger or interfere with the landing, takeoff, or maneuvering of aircraft intending to use the airport.

### 2.5.2 HEIGHT LIMITATIONS

Except as otherwise provided by this Ordinance, no structure or tree shall be erected, altered, allowed to grow, or be maintained within the APD, Airport Protection District to a height in excess of the applicable height limits herein established for the following described areas within the APD.

#### A. Utility Runaway Visual Approach Surface Area

This area begins at and corresponds with the width of the Primary surface (runway) and is 250 feet wide. Within this area, the height limitations rise uniformly at a 20:1 slope (20 feet horizontally to foot vertically) to a width of 1,250 feet at a horizontal distance of 5,000 feet from the primary surface along the extended runway centerline.

#### B. Runway Larger Than Utility Visual Approach Surface Area

This area begins at and corresponds with the width of the Primary surface area and is 250 feet wide. Within this area the Height limitations rise uniformly at a 20:1 slope to a width of 1,500 feet at a horizontal distance of 5,000 feet from the primary surface along the extended runway centerline.

#### C. Precision Instrument Runway Approach Area

This area begins at and corresponds with the width of the Primary surface and is 1,000 feet wide. Within this area the Height limitations rise uniformly at a 50:1 slope for a horizontal Distance of 10,000 feet, and then at 40:1 slope for a horizontal distance of 16,000 feet. The centerline of this area is the continuation of the runway centerline.

#### D. Horizontal Area

This area is established 150 feet above the airport elevation by swinging arcs of 10,000 feet radii from the center of each end of the primary surface of each

runway and connecting the adjacent arcs by drawing lines tangent to those arcs.

E. Conical Area

The conical area slopes upward and outward from the Periphery of the horizontal area at a 20:1 slope for a horizontal distance of 4,000 feet.

F. Transitional Area

The transitional area slopes upward and outward 7 feet Horizontally for each foot vertically beginning at the sides of and at the same elevation as the primary surface and the approach surface and extending to a height of 150 feet above the airport.

2.5.3 MEASUREMENT AND MAPS

Measurements to determine the above shall be calculated using the Airport Layout Plan, on file in the office of the Building Official.

2.5.4 RELATIONSHIP OF APD TO SANITARY LANDFILLS

Various studies and observations have resulted in the conclusion that sanitary landfills attract birds, and that birds in the vicinity of airports create potential hazards to aircraft operations. Aircraft accidents have resulted when aircraft collided with low-flying birds, particularly during takeoff and landing. In order to prevent such an occurrence in Fairfield County, the following regulations shall apply with regard to location of landfills:

- A. No landfill shall be located within 10,000 feet of the airport runway.
- B. Landfills located further than 10,000 feet from the runway within the conical surface previously described, will be reviewed for permitting on a case-by-case basis by the County Council in consultation with the Airport Commission.

2.5.5 VARIANCES

Any person desiring to erect or increase the height of any structure, or permit the growth of any tree, or use property not in accordance with the regulations prescribed in this section may apply to the Board of Zoning Appeals for a variance from these regulations. The application for a variance shall be accompanied by a determination from the Federal Aviation Administration as to the effect of the proposal on the operation of air navigation facilities and the safe, efficient use of navigable airspace.

Such variance shall be allowed where it is found that a literal application or enforcement of the regulations will result in unnecessary hardship and relief granted will not be contrary to the public interest, will not create a hazard to air navigation, will do substantial justice, and will be in accordance with the spirit of this Article. Additionally, no application for a variance to the requirements of this Section may be considered by the Board of Zoning Appeals unless a copy of the

application has been furnished to the Fairfield County Airport Commission for advice as to the aeronautical effects of the variance. If the Airport Commission does not respond to the application within thirty (30) days after receipt, the Board may act on its own to grant said variance.

## 2.6 PDD, PLANNED DEVELOPMENT DISTRICT

### 2.6.1 ESTABLISHMENT OF PDD

A PDD shall be established on the official Zoning Map by the same procedure as for amendments generally (Section 10.5 through 10.8), and in accord with the requirements of this section.

Additionally, a prefix and number indicating the particular district, as for example "PDD-02-1" (Zone-Year-Number), shall identify each PDD, together with whatever other identification appears appropriate.

### 2.6.2 PERMITTED USES IN PDD

Any use or combination of uses meeting the objectives of this section may be established in a PDD upon review and approved amendatory action by the Planning Commission and County Council. Once approved, the proposed use(s) and no others shall be permitted. Said uses shall be identified and listed on the basis of classification, i.e., retail, office, wholesale, residential, multi-family residential, single-family detached housing, manufactured housing, etc. The list of approved uses shall be binding on the applicant and any successor in title, so long as the PDD zoning applies to the land, unless otherwise amended by Ordinance.

### 2.6.3 DEVELOPMENT STANDARDS

#### A. Minimum Area Required

1. Minimum area requirements for establishing a PDD shall be five (5) acres.

#### B. Overall Site Design Criteria

1. Overall site design shall be harmonious in terms of landscaping, enclosures of principal and accessory uses, size of structures, street patterns, and use relationships. Variety in building types, heights, facades, setbacks, and size of open spaces shall be encouraged.

#### C. Specific Site Design Criteria

1. Residential density, setbacks, impervious surface ratios, and building heights shall be determined by the scale of the project in relation to its surroundings and its impact on existing and proposed support facilities, i.e. transportation, water, and sewerage systems, recreation facilities, fire and police protection, etc.
2. Additionally design criteria shall be as prescribed in Article 7 of this Ordinance.

#### D. Parking and Loading

1. Off-street parking and loading spaces for each PDD shall comply with the requirements of Section 2.3, Table 1 and Article 6 of this ordinance.
- E. Buffer Areas
  1. Buffer areas shall be required for peripheral uses only and shall be provided in accord with the minimum requirements for adjacent uses prescribed by Section 4.1. Buffer areas are not required for internal use.
- F. Landscaping and Common Open Space
  1. Landscaping and open space requirements for each PDD shall comply with the provisions of Sections 4.3 and 4.4 of this Ordinance.
- G. Signage
  1. Signage shall be in harmony and scale with and reflective of the proposed PDD.
- H. Open Space
  1. 20% Open Space is required. A stormwater pond cannot be used in the calculation of open space.
- I. Pedestrian Infrastructure
  1. Sidewalks or multiuse paths shall be provided on both sides of the street except where serving a cul-de-sac or dead end road with 5 or fewer homes or a Rural Street that provides access to residential lots less than 1 dwelling unit per acre..
- J. Neighborhood Commercial
  1. Neighborhood commercial uses are allowed as long as they meet buffering and setback requirements.

#### 2.6.4 PLAN REQUIREMENTS

Preliminary plan requirements, final pre-construction plan requirements and final as-built plat requirements shall be as prescribed in Section 10.8 of this Ordinance.

#### 2.6.5 FINANCIAL GUARANTEES

Where public improvements and/or "common" amenities or infrastructure are proposed, such improvements shall be installed in accord with a development schedule to be approved as part of the PDD Plan.

Where proposed or required improvements have not been completed by the applicant/developer prior to the scheduled target date and certified by the Zoning Administrator, the applicant/developer may provide financial guarantees acceptable to the County to ensure the proper installation of such required improvements. The nature and duration of the guarantees shall be structured to achieve this goal without adding unnecessary costs to the developer.

#### 2.6.6 ACTION BY PLANNING COMMISSION AND COUNCIL

Action by the Planning Commission and/or Council may be:

- A. to approve the Plan and application to establish a PDD,



- B. to include specific modifications to the Plan, or
- C. to deny the application to rezone or establish a PDD.

If the Plan and/or rezoning are approved, the applicant shall be allowed to proceed in accord with the approved PDD Plan as supplemented or modified in a particular case and shall conform to any time or priority limitations established for initiating and/or completing the development in whole, or in specified stages. If the application is denied, the applicant shall be so notified.

#### 2.6.7 ADMINISTRATIVE ACTION

After a PDD Plan has been approved and the zone classification established on the official zoning map, building and sign permits shall be issued in accord with the approved Plan as a whole or in stages, or portions thereof, as approved. Said permits shall be issued in the same manner as for building and sign permits generally.

#### 2.6.8 CHANGES IN APPROVED PDD PLANS

Except as provided below, approved PDD plans shall be binding on the owner and any successor in title.

Minor changes in approved PDD site plans may be accommodated by the Building Official with review and concurrence by the County Attorney, on application by the applicant, upon making a finding that such changes are:

- A. In accord with all applicable regulations in effect at the time of the creation of the PDD District; or
- B. In accord with all applicable regulations currently in effect.

Major changes to an approved PDD shall require consent of the Planning Commission. In reaching a decision as to whether the change is minor or substantial enough to require reference back to the Planning Commission for approval, the Building Official shall use the following criteria:

- A. Any increase 10 percent or greater in intensity or use shall constitute a modification requiring Planning Commission approval. An increase in intensity of use shall be considered to be an increase in usable floor area; an increase in the number of dwelling or lodging units; or an increase in the amount of outside land area devoted to sales, displays, or demonstrations.
- B. Any change in parking areas resulting in an increase or reduction of ten (10) percent or more in the number of spaces approved shall constitute a change requiring Planning Commission approval.
- C. Structural alterations significantly affecting the basic size, form, style and location of a building, as shown on the approved Plan, shall be considered a change requiring Planning Commission approval.

- D. Any reduction in the amount of open space or buffer area resulting in a decrease of more than five percent or any substantial change in the location or characteristics of open space, shall constitute a change requiring Planning Commission approval.
- E. Any change in use from one use group to another shall constitute a change requiring Planning Commission approval.
- F. Substantial changes in pedestrian or vehicular access or circulation shall constitute a change requiring Planning Commission approval.

#### 2.6.9 EXPIRATION OF TIME LIMITS ON PDD AMENDMENTS

If a time limit is set as part of the establishing agreement and action is not taken within the time limit set, the Building Official shall review the circumstances and recommend to the Planning Commission.

### 2.7 DOD, DESIGN OVERLAY DISTRICT

#### 2.7.1 ESTABLISHMENT, DEFINITION

The Design Overlay District includes two distinct sub-districts (DOD1 – SC 34 and Peach Road and DOD2 – US 21 Scenic Overlay). The DOD1 – SC 34 and Peach Road Overlay is hereby established adjacent to and along SC 34, between the town limits of Ridgeway and Winnsboro; and adjacent to and along Peach Road from Ridgeway to US 321, extending from the rights-of-way of these roads one lot deep on both sides of the road or a distance of 200 feet, whichever is less. The DOD2 – US 21 Scenic Overlay is hereby established adjacent to and along US 21 between the Richland County line to the Town of Ridgeway and from the Town of Ridgeway to Camp Welfare Road in the northern part of the County.

The Overlay Districts impose requirements and standards over and above, or in addition to, those imposed by the primary or underlying zone district, and in all instances shall be satisfied in full prior to the issuance of a building or use permit.

#### 2.7.2 PERMITTED USES

Permitted uses within the Overlay Districts are determined primarily by the underlying Zoning District. However, the following uses are declared to be incompatible with the purpose of this district as stated in Section 2.7-1, and are therefore disallowed, irrespective of primary or underlying Zone District regulations permitting such uses:

- A. Truck (stops) and freight terminals,
- B. Flea markets,
- C. Wrecking, scrap and salvage operations,
- D. Pawn Shops,
- E. Car wash,
- F. Tattoo Parlors,
- G. Hazardous waste treatment and disposal facilities,

- H. Resource recovery facilities
- I. Manufactured home parks

### 2.7.3 GENERAL DESIGN STANDARDS FOR DETERMINING APPROPRIATENESS

At a minimum, the following general design standards shall be considered considering an application for appropriateness:

- A. Height - The height of any proposed alteration or construction should be compatible with the style and character of surrounding structures.
- B. Exterior Building Material - No portion of a building constructed of unadorned masonry or metal siding should be visible from the road.
- C. Utility Lines - All new utility lines should be placed underground, where practical and feasible.
- D. Landscaping - Landscaping should be integrated into the design and layout of the site, and the off-street parking area.
- E. Signage - Except for Temporary Signs covered by Section 5.5 and signs located on properties within 750' of the Interstate (I-77) right-of-way, signage permitted in the Design Overlay District shall be limited to one monument sign for each lot or parcel upon which a business, institutional, or multi-family use is located, and one wall sign for each business located on the site.
- F. The monument sign shall not exceed 20 square feet in area or eight (8) feet in height, and shall display only the name or identification of the business and/or products sold on site. Outdoor advertising or off premise signs shall be prohibited. No monument sign may be located closer than 10 feet to the nearest property line.
- G. Landscaping, consisting of a mixture of evergreen and deciduous shrubs and ground cover shall be provided at the base of each monument sign.
- H. The wall sign may be painted on or supported by the wall; provided the sign face does not extend over one foot from the wall and is no larger than 20 square feet in area.

### 2.7.4 DOD1 - SC 34 AND PEACH ROAD DESIGN STANDARDS

- A. Setbacks
  - 1. For new buildings on properties greater than 5 acres a front setback of 60 feet is required.
- B. Landscaping and Buffers
  - 1. For properties less than 5 acres, Bufferyard 1, in accordance with Section 4.1.4, shall be planted along the street frontage.
  - 2.
  - 3. For properties greater than 5 acres, Bufferyard 2, in accordance with Section 4.1.4, shall be planted along the street frontage.
  - 4. 50% of required trees in bufferyards shall be canopy trees if there are no overhead powerlines present.

5. Bufferyards are not required in areas within 50 feet of a preserved Significant Tree (greater than 24" DBH) or in areas where a tree preservation buffer of 25 feet in width is preserved.

#### 2.7.5 DOD 2 - US 21 SCENIC OVERLAY DESIGN STANDARDS

##### A. Permitted Uses

1. The following uses are not permitted within the DOD2:
  - a. Telecommunication towers
2. Building height
  - a. The maximum height of structures in the DOD2 is 35 feet. This does not include agricultural related buildings such as silos.

##### B. Landscaping and Buffers

1. For properties less than 5 acres Bufferyard 1, in accordance with Section 4.1.4, shall be planted along the street frontage.
2. For properties greater than 5 acres, Bufferyard 2, in accordance with Section 4.1.4, shall be planted along the street frontage.
- 3.

- ##### C. Bufferyards are not required in areas within 50ft of a preserved Significant Tree (greater than 24" DBH) or in areas where a tree preservation buffer of 25 feet in width is preserved. Residential subdivisions greater than 5 acres shall preserve existing trees within 50 feet of the front property line along at least 70% of the frontage.

#### 2.7.6 APPLICATIONS AND REQUIRED MATERIALS

Applications for land development shall be submitted through the office of the Building Official/Zoning Administrator for review and action in accordance with Article 10.

By general rule or by specific request in a particular case, the Zoning Administrator may require submission of any or all of the following information in connection with the application: architectural plans, site plans, landscaping plans, plans for the erection of signs and appropriate detail as to character and exterior lighting arrangements, elevations of all portions of buildings and structures with important relationships to public view and indications as to construction materials, ornamentation, colors and the like, and such other exhibits and data as determined necessary.

#### 2.7.7 APPLICATIONS AND REQUIRED MATERIALS

##### A.

## 2.8 WINNSBORO MILLS OVERLAY DISTRICT

### 2.8.1 PURPOSE

The Winnsboro Mills Overlay District contains residential parcels that are smaller than their zoning districts' minimum lot size. Therefore, the zoning districts' design standards pertaining to lot size, lot width, and applicable setbacks to the primary structure should not apply to the parcels in this Overlay District.

### 2.8.2 LOT SIZE, LOT WIDTH AND SETBACKS

When reviewing applications for building permits and land subdivision, the County shall first determine the average lot size, lot width and setbacks on existing developed residential parcels adjacent to the property. This average shall be the standard applied and enforced as part of the approval process for building permits and land subdivision.

### 2.8.3 OVERLAY MAP

The map shown below shall serve as the official description of the location of the Winnsboro Mills Overlay District.

