

Figure 27-5.211.C: Loading Area Configuration



Sec. 17-5.3 Landscaping

(a) Purpose and Intent

The purpose of this Section is to establish standards for landscaping that contributes to a high quality of life, enhances the appeal and economic value of properties in the City, and otherwise contributes to the public health, safety and welfare through:

- (1) Improved air quality;
- (2) Beneficial climate modification;
- (3) Reduction of glare, noise, odors and dust;
- (4) Reduction of stormwater runoff and flooding;
- (5) Screening of undesirable views;
- (6) Provision of buffers between incompatible land uses;
- (7) Shelter and food for birds and other wildlife;
- (8) The psychological benefits of experiencing nature in the City; and
- (9) The aesthetic enjoyment provided by the diversity and dynamism of the planted landscape.

(b) Applicability

(1) General

- a. Unless exempted in accordance with subsection (2) below, all development shall comply with the standards in this Section, as modified in accordance with Sec. 17-5.3(b)(5), Alternative Compliance.
- b. The standards in this Section are cumulative, unless otherwise stated in this Ordinance.

- c. If, during review of plans for historic consideration, a federal or state agency applies requirements that conflict with the standards in this Section, the requirements applied by the federal or state agency shall control.

(2) Exemptions

The following are exempt from the standards in this Section:

- a. Single-family detached dwellings, provided, the initial development of a subdivision of single-family dwellings is subject to the Sec. 17-5.3(h), Site Tree Density, and Sec. 17-5.4, Tree Protection.
- b. Public and private utilities, except when a Zoning Permit or subdivision approval is required. Such utilities may include but are not limited to storm drainage installation, street construction, water and sewer construction, and electric, gas, communications, and other similar service installations.
- c. Expansion of an existing structure that, combined with all expansions of the same structure during the preceding five-year period, equals less than 25 percent of the total gross floor area of the structure existing at the beginning of the five-year period and results in no increase or an increase of less than 25 percent of the vehicular surface area existing at the beginning of the five-year period.
- d. Renovation or reuse, not a more intense use, of an existing structure that, combined with all renovation and reuse of the same structure during the preceding five-year period, is valued at less than 50 percent of the recorded tax value of the building.

(3) Timing of Review

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

(4) Landscaping Plan Required

A landscaping plan shall be submitted with an application for development subject to the requirements of this Section. The landscaping plan shall depict how the proposed development complies with the standards in this Section. The landscaping plan shall comply with the requirements for landscaping plans set forth in the Procedures Manual and shall include utility and irrigation plans, if applicable, and documentation of existing trees and a tree protection plan as required by Sec. 17-5.4, Tree Protection. All landscaping plans for sites having an area greater than one acre shall be prepared by a registered landscape architect. Landscaping plans for sites having an area of one acre or less may be prepared by other design professionals with competency in landscape design when the design is incidental to their work.

(5) Alternative Compliance

a. Alternative Landscaping Plan

1. Where the application of the standards in this Section would result in unreasonable or impractical situations due to unusual site conditions, such as may be caused by streams, natural rock formations, topography, lot configuration, or utility easements, a committee comprised of the Zoning Administrator, the Land Development Administrator or designee, and the Planning Director, may approve an alternative landscaping plan on finding, by a simple majority, the alternative landscaping plan:
 - (i) Would result in landscaping of similar quality, effectiveness, durability, and performance as required by this Section;
 - (ii) Is consistent with the purpose and intent of this Section and the purpose of each applicable subsection in this Section, taking into account the proposed land use and the land use on abutting property; the amount, species, arrangement, and coverage of plant material proposed; the level of screening achieved; and the height, spread and canopy of the proposed plantings at maturity; and
 - (iii) Would not result in the removal of a grand tree which would otherwise be required to be preserved.
2. The committee's decision to approve or deny an alternative landscaping plan may be appealed to Board of Zoning Appeals, in accordance with Sec. 17-2.5(u), Appeal – Zoning.

b. Columbia Landscaping and Tree Fund

1. City Manager or designee shall administer the fund, and the Columbia Tree and Appearance Commission shall serve as an advisory board. The Columbia Landscape and Tree Fund shall be used for landscaping, streetscaping and beautification project upon public property within the City of Columbia.
2. Where unusual site conditions, such as may be caused by streams, natural rock formations, topography, lot configuration, or utility easements, make it impossible for proposed development to comply with the landscaping requirements in this Section, the proposed development may be approved only if it complies with the requirements in this Section to the extent practicable and all unmet requirements are compensated for through payment to the Columbia Landscaping and Tree Fund of 125 percent of the estimated cost of plant materials and installation. Estimates used to calculate the cost of plant materials and installation must be made not more than 90 days prior to the submission of the alternative landscaping plan. Three estimates provided with letterhead will be submitted for review and

approval. The payment shall be based on the average of the three estimates multiplied by 125%.

(c) General Landscaping Standards

Unless specified in this Ordinance to the contrary, all plantings and other improvements required by this Section shall comply with this subsection.

(1) Installation of Required Landscaping

- a. Unless a bond is provided in accordance with c below, all landscaping required by this Section shall be installed prior to the issuance of a Certificate of Occupancy.
- b. All plants shall be installed in a manner to ensure their best chance of survival and to reduce the potential expense of replacing damaged plant materials. Sufficient soil volume shall be provided for tree roots to allow for the tree's healthy growth and survival to its mature size; however, this requirement shall not be construed to require minimum soil volumes in excess of those required for interior planting areas by Sec. 17-5.3(f)(4)a.1(ii).
- c. If the season or weather conditions prohibit planting of trees or shrubs, the developer may provide a bond, an irrevocable letter of credit, or other financial surety in an amount equal to 125 percent of the cost of installing the required landscaping to guarantee the completion of the required planting. A Zoning Permit for the development shall be issued only on approval of the financial surety. All required improvements must be completed within the time period established in the development approval, or within 18 months of the date the developer provides financial surety, whichever period is shorter. The developer may request and the Land Development Administrator may grant, for good cause shown, one extension, not to exceed one year, of the period for completion. The financial surety shall be canceled and/or returned upon completion of the required landscaping. If the developer fails to complete all required improvements within the period for completion, as may be extended, the Land Development Administrator shall send written notice to the developer identifying the failure(s) and providing the developer a period of 30 days to complete the required improvements. If the required improvements are not completed within the 30-day period, the City may draw on the financial surety to complete the required improvements.

(2) Credit for Existing Vegetation

Existing vegetation in good health that meets all applicable standards in this Section may be used to satisfy any planting requirements, provided the vegetation is in fair or better condition (see Sec. 17-9.4, Definitions) and is protected before and during development in the same manner required for a protected tree in accordance with Sec. 17-5.4(f), Tree Protection During Construction.

(3) Species

- a. Vegetative material shall be adapted to the site conditions where it will be planted. The use of native, drought-tolerant vegetation is encouraged to reduce dependency upon irrigation. The selection of trees, shrubs, and other vegetative material from the list of suggested species maintained by the South Carolina Forestry Commission is encouraged.
- b. The use of species identified as invasive plant pest species by the South Carolina Exotic Pest Plant Council is prohibited.
- c. To curtail the spread of disease and insect infestation in a plant species, new shrub and tree plantings shall be of different genres in accordance with Table 17-5.3(c)(3): Required Shrub and Tree Genus Diversity. Where different genres of shrubs and trees are required in accordance with Table 17-5.3(c)(3), each required genus shall be planted in roughly equal proportions with the other required genres. Nothing in this subsection shall be construed to prevent the utilization of a greater number of different species than specified in Table 17-5.3(c)(3).

TABLE 17-5.3(C)(3): REQUIRED SHRUB AND TREE GENUS DIVERSITY	
MINIMUM NUMBER OF SHRUBS OR TREES REQUIRED ON SITE	MINIMUM NUMBER OF GENUSES OF SHRUBS OR TREES REQUIRED ON SITE
Shrubs	
40 or fewer	2
More than 40 but fewer than 70	3
70 or more	4
Trees	
20 or fewer	2
More than 20 but fewer than 40	3
40 or more	4

(4) Trees

- a. All shade trees planted in accordance with the requirements of this Section shall be a minimum of ten feet in height, and small-maturing trees a minimum of eight feet in height, when planted. Both shade trees and small-maturing trees must be at least two inches in caliper (measured one-half foot above ground level) when planted. Any new trees of above four-inch caliper size shall be measured 12 inches above the ground. The caliper size of a multi-trunk tree shall be deemed to be the average caliper size of the largest three leaders.

- b. The height-to-trunk caliper ratio, root ball sizes, or spread relationship for any tree to be planted shall meet the current "American Standards for Nursery Stock" as set forth by the American Association of Nurserymen.
- c. All multi-trunk trees must be "tree form" with a maximum of three to five stems or trunks and a minimum height of eight feet at planting.

(5) Shrubs

All shrubs planted to meet the requirements of this Section, unless required to be larger by another provision in this Section, shall be a minimum of three-gallon container size and 18 inches in height or spread (depending on whether the growth habit is upright or spreading) measured from the top of the root zone.

(6) Mulch

All planted materials are to be mulched, generally with an organic type of mulch such as shredded bark, ground wood chips (not sawdust), or pine straw. Mulch shall be applied as follows: for trees and shrubs, three to four inches deep at the base of shrubs and trees or from the trunk to the dripline for newly-planted trees; for ground cover and perennials, one to two inches deep sufficient in coverage to conserve moisture and suppress weeds without inhibiting growth of the landscape plants.

(7) Irrigation

An irrigation system shall be planned, installed, and maintained to ensure optimum moisture for healthy growth and survival. Use of existing vegetation, native plants, drought-tolerant plants, and water conserving irrigation techniques, such as use of a rain sensor, and re-use of rain water, is encouraged.

(8) Berms

Berms shall comply with the following design standards:

- a. The slope shall not exceed a two-to-one ratio (horizontal to vertical);
- b. The berm shall have a top width at least one-half the berm height; and
- c. The berm shall have a maximum height of eight feet above the toe of the berm.
- d. All berms, regardless of size, shall be stabilized with a ground cover or other suitable vegetation.
- e. Berms proposed to be placed along street right-of-way shall be designed and constructed to provide adequate sight distances at intersections and along the street.
- f. Berms shall not damage the roots of existing healthy vegetation designated to be preserved.

(9) Fences and Walls

Fences and walls shall comply with Sec. 17-5.8, Fences and Walls

(10) Sight Areas

Sight areas shall be maintained free of obstructions, including trees, shrubs, and other vegetation and fences, walls, and berms.

(11) Maintenance of Landscape Areas

a. General

1. It shall be the duty of the property owner to maintain all vegetation planted pursuant to, or protected by, this chapter in a healthy condition in accordance with this section and the tree ordinance guidelines developed by the City.
2. Landscape features and areas shall be maintained in accordance with the approved landscaping plan or alternative landscaping plan and shall present a healthy and orderly appearance free from refuse and debris.
3. All plant life shown on an approved landscaping plan or alternative landscaping plan shall be replaced with the same or a similar species if it dies, is seriously damaged, or removed, except any existing vegetation that does not comply with the standards in this Ordinance shall be replaced with vegetation that does comply with the standards in this Ordinance, in the event the existing vegetation is removed due to damage, disease, or death.

b. Maintenance Review

The Land Development Administrator, or designee, shall have the authority to review landscaping and require replanting if necessary to maintain the required landscape plants in good health.

c. Damage Due to Natural Occurrence

In the event that any vegetation or physical element functioning to meet the standards of this Section is severely damaged due to an unusual weather occurrence or natural catastrophe, or other natural occurrence such as damage by wild or domestic animals, the owner or developer shall be required to replant if the landscaping standards are not being met. The Land Development Administrator shall consider the type and location of the landscape buffer or required vegetation area as well as the propensity for natural re-vegetation in making a determination on the extent of replanting requirements. The owner shall have one growing season to replace or replant in accordance with the Land Development Administrator's determination.

d. Protection During Operations

1. The owner or developer shall take actions to protect trees and landscaping from damage during all facility and site operations.
2. Plants shall be maintained in a way that does not obstruct sight distances at roadway and drive intersections, obstruct traffic signs or devices, or interfere with the use of sidewalks or pedestrian trails.

3. If a planting area required by this Section is adjacent to parking or vehicular circulation areas. Curb stops, concrete curb, or other devices to prevent vehicular damage to required trees must be shown on the landscaping plan and installed prior to final inspection.

e. Maintain Shape

All required trees shall be allowed to reach their mature size and shall be maintained at their mature size. Except for trimming and pruning within a utility easement in accordance with applicable policies of the affected utility, required plants shall not be cut or severely pruned or otherwise damaged so that their natural form is impaired. Any tree (including, but not limited to crape myrtles) that has been severely pruned, sheared, topped, or shaped as a shrub, shall be considered as damaged vegetation in need of replacement in accordance with Sec. 17-5.3(c)(11)c, Damage Due to Natural Occurrence, and shall be replaced within one growing season with a tree at least four inches in caliper.

f. Natural Death

The natural death of existing vegetation within any required landscape area does not necessarily constitute a violation and does not require re-vegetation to replace the plant material unless the required landscape area no longer complies with the required standards of this section. In no instance shall this provision be construed to prevent re-planting if, in the opinion of the Zoning Administrator, the required performance standard of the landscaping is not being met.

(d) Transitional Buffer Yards

(1) Purpose

A transitional buffer yard is a landscaped area between two land uses designed to:

- a. Mitigate potential negative effects of different contiguous land uses;
- b. Prevent an adverse community appearance;
- c. Protect the character of an area; and
- d. Conserve the values of buildings and land.

(2) Applicability

- a. Unless exempted in accordance with subsection b below, all new development shall comply with standards in this subsection.
- b. Transitional buffer yards are not required:
 1. Between uses or lots within a single mixed-use development; and
 2. Between a proposed development and abutting right-of-way.

(3) Required Width and Plantings**a. Required Buffer Type**

Table 17-5.3(d)(3)a: Buffer Type Application, identifies whether a proposed use requires a transitional buffer yard, and, if a transitional buffer yard is required, what buffer type is required. Width and planting requirements for each buffer type are set forth in Sec. 17-5.3(d)(3)b, Minimum Width and Plantings.

TABLE 17-5.3(D)(3)A: BUFFER TYPE APPLICATION					
PROPOSED USE	EXISTING USE ON ABUTTING LAND [2]				
	SINGLE-FAMILY DETACHED OR TWO-FAMILY DWELLING	RESIDENTIAL USE, OTHER THAN SINGLE-FAMILY DETACHED OR TWO-FAMILY DWELLING, HAVING 10 OR FEWER UNITS	RESIDENTIAL USE NOT OTHERWISE LISTED	PUBLIC, CIVIC, AND INSTITUTIONAL USE OR COMMERCIAL USE, IF SITE AREA IS 25,000 SQ FT OR LESS	PUBLIC, CIVIC, AND INSTITUTIONAL USE OR COMMERCIAL USE NOT OTHERWISE LISTED, OR INDUSTRIAL USE
Single-family detached or two-family dwelling					
Residential use, other than single-family detached or two-family dwelling, having 10 or fewer units	Type B				
Residential use not otherwise listed	Type C	Type B	Type A	Type A	
Public, Civic, and Institutional use or Commercial use, if site area is 25,000 sq ft or less	Type C	Type B	Type A		
Public, Civic, and Institutional use or Commercial use not otherwise listed, or Industrial use	Type D	Type C	Type B	Type A	
NOTES: [1] A shaded cell indicates that a transitional buffer yard is not required. [2] Where establishment of a use abutting land is pending, the use is considered an existing use for purposes of this subsection if a building permit is issued for the use. If abutting land is vacant and no building permit has been issued for its use, its existing use shall be deemed to be the most intense use permitted by right in the zoning district where it is located.					

b. Minimum Width and Plantings

The standards for each transitional buffer yard type in this subsection shall apply where that buffer type is required in accordance with Table 17-5.3(d)(3)a: Buffer Type Application.

1. Minimum Width

Unless reduced in accordance with Sec. 17-5.3(d)(3)c, Reduction in Buffer Width, the minimum required width of a transitional buffer yard shall be as follows:

- (i) Type A: 10 feet;
- (ii) Type B: 20 feet;
- (iii) Type C: 30 feet; and
- (iv) Type D: 40 feet.

2. Required Width and Plantings Table

Plantings shall be provided in a transitional buffer yard in the amount shown in Table 17-5.3(d)(3)b: Required Plantings by Buffer Width and Type, based on the width and type of buffer required.

TABLE 17-5.3(D)(3)B: REQUIRED PLANTINGS BY BUFFER WIDTH AND TYPE								
BUFFER WIDTH (FT) [3] [4]	MINIMUM NUMBER OF SHRUBS AND AGGREGATE CALIPER INCHES (ACI) OF TREES PER 100 LINEAR FEET [2]							
	TYPE A		TYPE B		TYPE C		TYPE D	
	SHRUBS	TREES (ACI)	SHRUBS	TREES (ACI)	SHRUBS	TREES (ACI)	SHRUBS	TREES (ACI)
10	20	12						
20	14	10	40	14				
30	12	8	28	12	60	16		
40 or more	8	8	24	12	36	14	80	20
NOTES: [1] Buffer widths that are less than the minimum allowed are shaded in this table. [2] The actual required number of shrubs or ACI of trees is determined by dividing the number of linear feet of the transitional buffer yard by 100, multiplying the result by the number of shrubs or ACI, as appropriate, required per 100 linear feet, and rounding to the nearest whole number. [3] If a proposed transitional buffer yard width falls between two adjacent widths listed in this table (higher listed width and lower listed width), the required ACI of trees shall be the required ACI for the lower listed width, and the required number of shrubs shall be determined by multiplying by 0.1 the difference between the proposed width in feet and the lower listed width, multiplying the result by the difference between the number of shrubs listed for the higher listed width and number of shrubs listed for the lower listed width, adding the result to the number of shrubs required for the lower listed width, and rounding to the nearest whole number. For example, a proposed Type A transitional buffer yard with a width of 25 feet requires 10 ACI of trees (the same as a 20-foot buffer) and 13 shrubs $((5 \times 0.1) \times (14 - 12) + 12)$ per 100 linear feet. [4] Any transitional buffer yard that is less than 15 feet in width shall include a wall made of brick, stone, or stucco that is at least 6 feet in height.								

c. Reduction in Buffer Width

The required width of a transitional buffer yard may be reduced in accordance with this subsection, provided, only one width reduction is allowed along any length of a transitional buffer yard.

1. Fence or Masonry Wall Included

The width of a transitional buffer yard may be reduced by the amount shown in Table 17-5.3(d)(3)c: Width Reduction From Fence or Wall, if a fence or wall that complies with the corresponding height and materials requirements in Table 17-5.3(d)(3)c: Width Reduction From Fence or Wall, and Sec. 17-5.8, Fences and Walls, is located in the transitional buffer yard along the length of the transitional buffer yard.

TABLE 17-5.3(D)(3)C: WIDTH REDUCTION FROM FENCE OR WALL

FENCE OR WALL MATERIALS	ZONING DISTRICT	MINIMUM FENCE OR WALL HEIGHT [1]	TRANSITIONAL BUFFER YARD WIDTH REDUCTION ALLOWED (AS A PERCENTAGE OF THE REQUIRED WIDTH)	MINIMUM WIDTH OF TRANSITIONAL BUFFER YARD AFTER REDUCTION
Wood	Any district	8 feet	25	15 feet
Brick, Stone, or Stucco	Any district	4 feet	25	15 feet
	Any district	6 feet	50	10 feet
	DAC	8 feet	50	5 feet

NOTES:

[1] Fence or wall height shall be measured from the side of the fence facing away from the property being screened.

2. Berm

The width of a transitional buffer yard may be reduced by 25 percent if a berm having a height of at least four feet is provided.

3. Grade Elevation Change

The width of a transitional buffer yard may be reduced by 25 percent if the transitional buffer yard includes a grade change that achieves a screening effect similar to a wall or a fence, if:

- (i) The grade change is at least six feet;
- (ii) The grade change has a slope of three-to-one (horizontal to vertical) or less, or is retained by a retaining wall that meets all applicable engineering standards;
- (iii) The developing property has an elevation that is lower than properties from which it is to be screened; and
- (iv) Required plantings are located at the top of the slope in the transitional buffer yard.

d. Reduction in Plantings

The required plantings in a transitional buffer yard may be reduced along any length of the transitional buffer yard where a fence or wall is included in accordance with Sec. 17-5.3(d)(3)c.1, Fence or Masonry Wall Included, as provided in d.1 or d.2 below, provided, only one reduction for shrubs is allowed along any length of a transitional buffer yard:

1. Wooden fence or brick, stone, or stucco wall: 50 percent reduction in the number of required shrubs.
2. Brick, stone, or stucco wall having a height of at least six feet: shrubs are not required, and up to 50 percent of required trees in the transitional buffer yard may be small-maturing trees.

(4) Location

a. Transitional buffer yards shall:

1. Be located on the site of the proposed development, between the property line and any vehicular use areas, buildings, storage, service areas, or other areas of activity on the property; and
2. Extend along the entire property line of the abutting use.

b. Transitional buffer yards may be located in required front, side, or rear yards.

c. Vegetative screening and fencing in a transitional buffer yard shall not be located inside a utility or drainage easement unless:

1. The easement is an overhead easement; or
2. All of the following requirements are met:
 - (i) The easement holder has consented to and the Zoning Administrator has approved the location of the vegetative screening and fencing in the easement;
 - (ii) The vegetative screening and fencing is maintained in accordance with the terms of consent and any applicable maintenance provisions;
 - (iii) Trees planted within 15 feet of an overhead power line shall be small-maturing trees; and

d. In those portions of the transitional buffer yard where small-maturing trees are provided in lieu of shade trees in accordance with c.2(iii) above, either the number of required trees per 100 linear feet (see Sec. 17-5.3(d)(3)b, Minimum Width and Plantings) shall be multiplied by two, or a wood fence or masonry wall that meets the height and materials standards in Sec. 17-5.8, Fences and Walls, shall be provided.

(5) Development Within Transitional Buffer Yards

a. Development within a transitional buffer yard shall be limited to the following:

1. Fences and walls;
 2. Retaining walls;
 3. Sidewalks, trails, and bike paths, provided they intersect the transitional buffer yard at a 90-degree angle; and
 4. Driveways and parking lot aisles necessary to comply with Sec. 17-5.1(c)(2), Cross Access Between Adjoining Developments; and
 5. Stormwater areas that incorporate Low Impact Development (LID) practices using plant material to manage stormwater.
- b. Development within a transitional buffer yard shall not reduce the general separation of land uses or interfere with the required plantings.

(6) Modification or Waiver for Development Abutting Park or Greenway

If a required transitional buffer yard abuts a park or greenway, the Zoning Administrator may modify or waive any requirement in this subsection on finding that the required transitional buffer yard would otherwise be inconsistent with purposes of this subsection.

(7) Planting and Materials Standards

Trees, shrubs, fences and walls, and berms required by this subsection shall comply with Sec. 17-5.3(c), General Landscaping Standards, unless otherwise specified in subsections a through c below.

a. General

1. Trees, shrubs, fences and walls, and berms shall be arranged in a manner that provides the maximum possible visual separation between adjacent land uses, including the massing of shrubs in rows or groups as needed to achieve the maximum screening effect.
2. If a fence or wall or berm is located in a transitional buffer yard, all required trees and shrubs shall be located in an abutting planting area that is at least five feet in width along the length of the transitional buffer yard.

b. Trees

1. Trees shall be shade trees, except:
 - (i) Trees located within 15 feet of an overhead power line shall be small-maturing trees; and
 - (ii) Up to 50 percent of required trees where a brick, stone, or stucco wall having a height of at least six feet is included may be small-maturing trees.
2. At least 50 percent of required trees shall be evergreen species in unreduced buffers.

c. Shrubs

1. Shrubs shall be evergreen species expected to reach a height of six feet or greater within five years of planting.
2. Shrubs shall be a minimum of three feet in height when planted.

(e) Street Protective Yards

(1) Purpose

A street protective yard is a landscaped area abutting and parallel to a recorded public street right-of-way designed to:

- a. Provide more pleasing views along travel ways;
- b. Provide for continuity of vegetation;
- c. Reduce the amount of impervious surface and thereby reduce stormwater runoff;
- d. Provide shade; and
- e. Preserve a remnant of Columbia's natural vegetative cover.

(2) Applicability

All new development shall comply with the standards in this subsection, except:

- a. Development that consists solely of a change in land use; and
- b. Development, other than vehicular surface areas, in a zoning district that has a minimum front yard setback of zero feet.

(3) Location

Street protective yards shall be located on the site of the proposed development wherever it abuts an existing or proposed street right-of-way.

(4) Minimum Width

- a. If the minimum front yard setback is greater than ten feet, the minimum width of the street protective yard shall be the width of the minimum front yard setback or 20 feet, whichever is smaller.
- b. If the minimum front yard setback is between zero and ten feet, the minimum width of the street protective yard shall be 10 feet; provided, if the minimum front yard setback is zero feet and ground floor programming is proposed, the minimum width of the street protective yard shall be the minimum width providing adequate planting areas for the healthy growth of required trees to maturity, in accordance with any applicable guidelines and streetscape standards.
- c. Except as provided in b above, notwithstanding any other provision in this Ordinance, a street protective yard shall not have a width of less than five feet as measured from the recorded public street right-of-way abutting the site of the proposed development.

(5) Minimum Area

A street protective yard shall have a minimum area of ten feet times the linear feet of the site of the proposed development that abuts an existing or proposed street right-of-way.

(6) Minimum Plantings

A street protective yard shall comply with the following landscaping standards:

- a. A street protective yard shall contain at least one shade tree for every 40 linear feet of street protective yard or fraction thereof, excluding portions of the street protective yard where driveways are located and areas necessary to avoid intrusion in to sight areas.
- b. A street protective yard shall contain a minimum of one shade tree, provided, street trees that comply with Sec. 17-6.2(c)(9), Street Trees, shall count toward this requirement.
- c. At least 60 percent of the street protective yard area not used for shade trees or for pedestrian or vehicular access shall be covered in shrubs, ground cover, small-maturing trees, or turf, and all other portions of the street protective yard shall be mulched. A minimum of 75 percent of the area designated on the landscaping plan for grass or ground cover shall be covered by established grass or ground cover within one calendar year from the time of planting.
- d. Within 20 feet of an overhead power line, small-maturing trees spaced between 20 and 30 feet apart on center, unless otherwise necessary to avoid intrusion into sight areas, shall be substituted for required shade trees.

(7) Development Within Street Protective Yards

Development in a street protective yard shall be limited to the following:

- a. Fences and walls;
- b. Retaining walls;
- c. Flagpoles, lamp or address posts, mailboxes, and similar features;
- d. Sidewalks, trails, and bike paths;
- e. Driveways or parking lot aisles having a width of 35 feet or less, provided the centerline of the driveway or parking lot aisle forms a 90-degree angle with the boundary between the site and the right-of-way; and
- f. Stormwater areas treated as site amenities in accordance with Sec. 17-5.5, Open Space.

(f) Vehicular Surface Areas

(1) Purpose

The standards set forth in this subsection for the provision of landscaping in and around vehicular surface areas (parking lots) are designed to:

- a. Enhance their appearance;
- b. Provide shade to reduce heat and glare reflected by paving;
- c. Reduce stormwater runoff;
- d. Filter particulate and gaseous pollutants from the air; and
- e. Reduce the glare of headlights and noise on surrounding properties.

(2) Applicability

The following shall comply with the standards in this subsection:

- a. Any new vehicular surface area (parking lot) whether principal or accessory use;
- b. Any new, additional, or expanded portion of an existing vehicular surface area; and
- c. Any existing vehicular surface area that is used to satisfy the off-street parking requirements for a new building, ~~or~~ the expansion of an existing building, or the renovation costs exceeding 50% of the taxable building value of an existing building.

(3) Street Protective Yards for Vehicular Surface Areas

- a. A street protective yard located between a vehicle surface area, other than a parking structure, and a street right-of-way shall comply with the standards in Sec. 17-5.3(e), Street Protective Yards, as modified by 1 or 2 below, provided, 1 and 2 below shall not apply where a vehicular surface area is located behind a building from the street right-of-way:
 - 1. The street protective yard shall include an opaque screen along the length of the street protective yard, excluding portions of the street protective yard where driveways or sight areas are located, that is between two and one-half and three feet in height and that consists of:
 - (i) Evergreen shrubs that measure at least two feet in height at the time of planting and reach a mature height of or may be maintained at a height of two-and-one-half to three feet within one year of planting; or
 - (ii) A wall composed of brick, stone, or stucco, which may be combined with decorative metal, such as wrought iron, if the wall achieves opacity at an average height of between two and one-half and three feet.
 - 2. Where a street protective yard includes a brick, stone, or stucco wall in accordance with 1(ii) above:
 - (i) The minimum width of the street protective yard is reduced by 50 percent, provided the street protected yard shall not at any point be less than five feet in width;

- (ii) The required number of shrubs is reduced by two-thirds, if all required shrubs are planted between the wall and the right-of-way; and
 - (iii) Up to forty percent of required shrubs may be deciduous shrubs having a maximum height of three feet.
 - b. A street protective yard located between a parking structure and a street right-of-way shall comply with the standards in Sec. 17-5.3(e), Street Protective Yards, as modified by the following standards:
 - 1. The minimum width of the street protective yard shall be the width of the minimum front yard setback or 20 feet, whichever is smaller.
 - 2. The minimum area of the street protective yard shall be:
 - (i) Where the minimum front yard setback is zero feet, the area necessary to provide adequate planting areas for the healthy growth of required trees to maturity;
 - (ii) In all other cases, the smaller of the area of the required front yard or the area of the front yard defined by a 20-foot setback.

(4) Interior Planting Areas

A vehicular surface area, other than a parking structure, shall include interior planting areas that comply with the standards in this subsection.

a. Size

- 1. An interior planting area shall have a minimum of either:
 - (i) Up to 275 square feet of area for each tree in the planting area; or
 - (ii) A volume of low compacted, absorbing soil equal to:
 - (a) 1,000 cubic feet for each large maturing (height of 50 or more feet) tree in the planting area;
 - (b) 650 feet for each medium maturing (height greater than 30 feet and less than 50 feet) tree in the planting area; and
 - (c) 300 feet for each small maturing (height of 30 or fewer feet) tree in the planting area.
- 2. A planting area shall not measure less than five feet in any horizontal dimension, not including any curb width.

b. Configuration

- 1. In an off-street surface parking area other than a vehicular display area, at least 25 percent of the area of every vehicular parking space shall be located within 40 feet of the tree trunk of a shade tree in a planting area. Distances between trees and portions of parking spaces separated by an intervening building may not be considered in meeting this requirement.
- 2. Planting areas shall be located only in the following locations:

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(f) Vehicular Surface Areas

- (i) Within or adjacent to the parking lot area as tree islands;
 - (ii) At the ends of parking bays;
 - (iii) Inside medians that are five feet or greater in width; and
 - (iv) As part of continuous street protective yards or transitional buffer yards between rows of cars.
3. Off-street surface parking areas with 200 or more spaces shall be organized into a series of smaller modules visually separated by planting areas that are located at least every eight parking bays and that are at least nine feet wide (see Figure 17-5.3(f)(5)b: Organization of Surface Parking Area into Modules).

Figure 17-5.3(f)(5)b: Organization of Surface Parking Area into Modules



c. Minimum Plantings

- 1. A minimum of 60 percent of a planting area shall contain living plants, trees, shrubs, groundcover or turf, and all other portions of the planting area shall be mulched. A minimum of 75 percent of the area designated on the landscaping plan for grass or ground cover shall be covered by established grass or ground cover within one calendar year from the time of planting.
- 2. Cumulatively, the planting areas shall contain a minimum of one shade tree for every 3,200 square feet of total vehicular surface area or fraction thereof.

3. Each planting area shall contain at least one shade tree, provided, small-maturing trees shall be substituted for shade trees within 15 feet of overhead power lines;
4. Shade trees shall be spaced a minimum of 40 feet apart, or, if planted groups, a minimum of 25 feet apart;
5. Small-maturing trees shall be spaced a minimum of 30 feet apart, or, if planted in groups, a minimum of 15 feet apart.
6. Trees shall not be planted within ten feet of a tree located in the public right-of-way.
7. Planting areas shall be protected from vehicle damage by the installation of curbing, wheel stops, or other comparable methods. The placement of plant material shall allow for a minimum two-and-one-half foot bumper overhang from the face of curbing, wheel stops, or other comparable devices. This standard shall not be construed to prohibit the use of planting areas as stormwater management devices.

(5) Vehicular Display Areas

A vehicular display area shall comply with the standards in Sec. 17-5.3(f)(4), Interior Planting Areas, provided

- a. No stored vehicle shall be located farther than 40 feet from the edge of any landscaped planting area; and
- b. Small maturing trees may be substituted for required shade trees within interior landscaped planting areas.

(6) Planted Medians

A vehicular surface area, other than a parking structure, that has an area greater than two acres shall include planted medians that comply with the standards in subsections a through d below.

a. Number

One planted median is required for every two acres of vehicular surface area, rounded to the closest two-acre increment.

b. Size

1. Each planted median shall contain a minimum of 840 square feet of planted space.
2. A planted median shall have a minimum of either:
 - (i) Up to 275 square feet of area for each tree in the planting area; or
 - (ii) A volume of low compacted, absorbing soil equal to:
 - (a) 1,000 cubic feet for each large maturing (height of 50 or more feet) tree in the planting area;

- ### (g) Site Landscaping

Site landscaping is landscaping that is not required for vehicular surface area landscaping, transitional buffer yard landscaping, or street protective yard landscaping, that is designed to soften the visual impact of building foundations and provide for the even dispersal of trees across a development site.

- a.** Unless exempted in accordance with b below, all development shall comply with the standards in this subsection.
- b.** The following are exempt from the standards in this subsection:
 1. Development that consists solely of a change in land use;
 2. Single-family detached dwellings;
 3. Two-family dwellings;
 4. Townhouses;
 5. Agricultural uses; and
 6. Development on a lot that is located within a district having a maximum front yard setback requirement, and that does not contain any vehicular surface areas.

(3) Minimum Plantings

Site landscaping shall be provided in the amount listed in Table 17-5.3(g)(3): Required Site Landscaping Plantings, that corresponds to the proposed use.

TABLE 17-5.3(G)(3): REQUIRED SITE LANDSCAPING PLANTINGS	
USE TYPE	REQUIRED PLANTINGS PER SITE [1]
Residential use other than mixed-use dwelling	16 caliper inches of shade trees (including at least 2 evergreen trees) per acre + at least 2 shrubs per each 10 feet of building perimeter
Public, Civic, and Institutional use	14 caliper inches of shade trees (including at least 2 evergreen trees) per acre + at least 1 shrub per each 10 feet of building perimeter
Commercial use or mixed-use dwelling	10 caliper inches of shade trees (including at least 1 evergreen tree) per acre, + at least 2 shrubs per each 10 feet of outer building perimeter
Industrial use	4 caliper inches of shade trees (including at least 1 evergreen tree) per acre + at least 1 shrub per every ten feet of building wall facing a public right-of-way
NOTES:	
[1] Each evergreen tree meeting the minimum size standards of this subsection shall count as two caliper inches towards the total number of required shade tree caliper inches	

(4) Planting Standards

Trees and shrubs used to meet the requirements in Table 17-5.3(g)(3): Required Site Landscaping Plantings, shall comply with the standards in subsections a and b below.

a. Trees

Trees shall be dispersed across a site in accordance with good planting practice and the following priority listing:

1. In yards between a building façade and a street right-of-way where no vehicular surface area landscaping is required;
2. Between a building and an adjacent lot with an existing use that provides more than 50 percent of the vegetative material associated with a required transitional buffer yard;
3. Between a building façade and an abutting lot with the same or a more intense zoning district classification where no transitional buffer yard is required;
4. Within open-space set-aside areas with no existing or reforested trees;
5. Adjacent to on-site areas of pedestrian or vehicular circulation where no other vegetative material is required (e.g., drive-throughs or stacking lanes); or
6. Other areas near accessory structures or accessory uses.

b. Shrubs

1. A minimum of 50 percent of required shrubs shall be evergreen shrubs.

2. Required shrubs shall be placed around each building perimeter with emphasis placed on the building foundation visible from the public right-of-way, at the following distances from the building:
 - (i) A maximum of three feet from the building if there is no sidewalk located between the planting area and the building wall; or
3. A maximum of 15 feet from the building if there is a sidewalk located between the planting area and the building wall.

(h) Site Tree Density

(1) Purpose

The site tree density standards in this subsection are designed to:

- a. Encourage the preservation of existing trees;
- b. Replenish removed vegetation; and
- c. Establish a minimum level of tree cover.

(2) Applicability

- a. Unless exempted in b below, all development shall comply with the standards in this subsection.
- b. The following are exempt from the standards in this subsection:
 1. Timber harvesting that the Zoning Administrator determines is a commercial timber operation (see Sec. 17-9.4, Definitions), if notification is provided, a forestry plan is submitted, and the timber harvesting complies with best management practices published by the South Carolina Forestry Commission, in accordance with Sec. 17-5.4(g), Timber Harvesting, provided, any development application for the parcel of land where a commercial timber operation occurs that is submitted within three years of the conclusion of the commercial timber operation shall be denied.
 2. Development on a lot that is located within a district having a maximum front yard setback requirement, and that does not contain any vehicular surface areas.

(3) Minimum Density Factor for the Site

- a. On a site of development subject to this subsection, the following minimum density factor for a site (DFS) is required :
 1. Single-family residential subdivisions: 20 units per acre.
 2. All development other than single-residential subdivisions: 30 units per acre.

(4) Determination of Required Planting

The density factor for a site (DFS) is a measurement of the tree coverage on a site, based on the amount of tree trunk diameter per acre and the species of tree. The number and type of trees that must be planted to comply with the minimum DFS is determined by:

- a. Multiplying the number of site acres by the applicable minimum DFS;
- b. Applying any credit for remaining trees (see Sec. 17-5.3(h)(5), Credit for Remaining Trees) toward the DFS; and
- c. Determining a combination of trees that will meet or exceed any remaining DFS using Table 17-5.3(h)(4): Conversion from Caliper to Density Factor Units for New Trees.

TABLE 17-5.3(H)(4): CONVERSION FROM CALIPER TO DENSITY FACTOR UNITS FOR NEW TREES		
CALIPER IN INCHES	DENSITY FACTOR UNITS [1]	
	SOFTWOOD TREE (E.G. PINE, RED CEDAR)	HARDWOOD TREE (E.G. OAK, ELM)
1	0.0	0.0
2	0.5	1.0
3	0.8	1.5
4 or more	1.0	2.0
NOTES:		
[1] A Palmetto tree, at least 8 feet tall, equals one density factor unit.		

(5) Credit for Remaining Trees

For each tree in fair or better condition indicated on the landscaping plan as remaining on the site following development, including any trees used to comply with the requirements in Sec. 17-5.4, Tree Protection, the landscaping plan shall show the diameter-at-breast-height (DBH). Credit toward the minimum DFS for such trees shall be determined by converting the DBH of each tree to a unit that is compatible with the DFS using Table 17-5.3(h)(5): Conversion of DBH to Density Factor Units for Trees Remaining on Site, and then summing the results to obtain the total credit for remaining trees on the site.

TABLE 17-5.3(H)(5): CONVERSION OF DBH TO DENSITY FACTOR UNITS FOR TREES REMAINING ON SITE		
DIAMETER-AT-BREAST-HEIGHT (DBH) IN INCHES	DENSITY FACTOR UNITS	
	SOFTWOOD TREE (E.G. PINE, RED CEDAR)	HARDWOOD TREE (E.G. OAK, ELM)
Less than 6	0	0

TABLE 17-5.3(H)(5): CONVERSION OF DBH TO DENSITY FACTOR UNITS FOR TREES REMAINING ON SITE		
DIAMETER-AT-BREAST-HEIGHT (DBH) IN INCHES	DENSITY FACTOR UNITS	
	SOFTWOOD TREE (E.G. PINE, RED CEDAR)	HARDWOOD TREE (E.G. OAK, ELM)
6 to 8	1.5	3
9 to 11	2.4	4.8
12 to 14	3.2	6.4
15 to 17	3.8	7.6
18 to 20	4.4	8.8
21 to 23	5.2	10.4
24 to 26	10.2	20.4
27 to 29	12.9	25.8
30 to 32	15.6	31.2
33 to 35	18.9	37.8
36 to 38	22.5	45
39 to 41	26.1	52.2
42 to 44	30.3	60.6
45 to 47	34.5	69
48 to 50	39.3	78.6
Greater than 50	42.3	84.6

(6) Additional Credits

- a. The Zoning Administrator may credit trees relocated within the site toward the DFS by multiplying by 0.7 the density factor units calculated for the DBH of each tree to be relocated in accordance with Table 17-5.3(h)(5): Conversion of DBH to Density Factor Units for Trees Remaining on Site.
- b. Trees used to comply with other landscaping standards in this Section, including but not limited to those that apply to transitional buffer yards, street protective yards, vehicular surface areas, and site landscaping, may also be credited toward the DFS.
- c. Trees used to comply with Sec. 17-5.4, Tree Protection, may also be credited toward the DFS.

(7) Tree Location Standards

- a. The spacing of trees planted to meet the DFS shall be compatible with spatial limitations and with responsible consideration of potential species size.
- b. In a residential subdivision, at least 50 percent of trees credited toward the DFS shall be located outside of residential lots, such as in common areas or

within rights-of-way. Trees within residential lots that are credited toward the DFS shall be located so that their removal would not be necessary in order for the lot to be developed.

(i) Screening

(1) Purpose

The screening standards in this subsection are designed to improve the visual quality of the City and to minimize the negative impacts of the areas to be screened on surrounding properties.

(2) Applicability

Unless already screened by an intervening building or buffer yard, the following shall be screened from view when visible from public streets and adjacent properties in accordance with the standards in this subsection:

- a. Loading areas;
- b. Large waste receptacles (such as dumpsters and cardboard recycling containers) and trash collection areas;
- c. Display areas, other than vehicular display areas (see Sec. 17-5.3(f)Vehicular Surface Areas);
- d. Utility service areas that are located outside the public right-of-way and within 50 feet of the public right-of-way or a Residential zoning district, if the utility service area exceed 42 inches in height and 42 inches in any other dimension; and
- e. Stormwater retention or detention ponds when not treated as a site amenity in accordance with Sec. 17-5.5, Open Space.

(3) General

Screening provided in accordance with this subsection shall not interfere with the access and operation of any area or facility for which screening is provided.

(4) Loading, Large Waste Receptacles, and Trash Collection Areas

Screening of loading areas, large waste receptacles, and trash collection areas must be accomplished with an opaque wall of masonry, rot-resistant wood, composite material approved by the Land Development Administrator, or evergreen shrubs that are at least one foot taller than the object to be screened. If evergreen shrubs are used, they must achieve the required screening at the time of planting.

(5) Display Areas

Display areas, other than vehicular display areas, shall be screened in accordance with (5)a through (5)d below.

- a. Screening shall be accomplished with one or more of the following:

1. A closed fence, made of wood, opaque metal, or composite material approved by the Land Development Administrator, with the finished side facing away from the area to be screened;
 2. A masonry wall; or
 3. Natural plants.
- b. At least 75 percent of the periphery of the display area, excluding driveways and sight areas, shall be screened to an average height of three feet. Any screening material higher than 60 inches shall be excluded when determining the average height of screening.
 - c. Any gap in screening along the periphery of the display shall not exceed six feet, except where a larger gap is necessary for a driveway or sight area.
 - d. A minimum of 60 percent of any shrubs used for screening shall be evergreen species. Shrubs shall be a minimum of 18 inches tall when planted and expected to reach a mature height and width sufficient to provide the required screening within three years of planting.

(6) Utility Service Areas

- a. Screening shall be accomplished in such a manner as to provide complete, opaque screening of the utility service area from the public right-of-way or residential zones, and to allow safe operation and access to the utility service area.
- b. All required screening shall be located outside the public right-of-way.
- c. Any plantings used for screening shall be locally adapted evergreen species that are a minimum of 24 inches tall when planted and expected to reach a mature height and width sufficient to provide the required screening of the utility service area within three years of planting.

(7) Stormwater Retention or Detention Ponds

Screening for a stormwater retention or detention pond shall, at a minimum, consist of:

- a. Evergreen shrubs that are expected to reach four feet in height within three years of planting, at a maximum spacing of five feet on center; and
- b. Trees, at least 50 percent of which are an evergreen species, at a maximum spacing of 25 feet on center.

Sec. 17-5.4 Tree Protection

(a) Purpose

The purpose of this Section is to establish standards for the preservation of significant trees in order to achieve a higher quality of life, enhance the appeal and economic value of properties in the City, and otherwise contribute to the public health, safety and welfare.

(b) Applicability**(1) General**

Unless exempted in accordance with Sec. 17-5.4(b)(2), Exemptions, no protected tree shall be cut, relocated, removed, or destroyed, except with approval of a Tree Removal Permit and in accordance with the standards of this Section.

(2) Exemptions

The following activities are exempt from the standards in this Section:

- a. Any activity with the INS-FJ zoning district;
- b. The removal or modification of any tree located on an individual lot on which an existing single-family detached or two-family dwelling is located;
- c. Routine or seasonal pruning in accordance with Sec. 17-5.3(c)(11), Maintenance of Landscape Areas;
- d. The removal or pruning, after providing documentation to the Zoning Administrator of the condition of the tree(s), of dead or naturally fallen trees; trees damaged during a hurricane, tornado, ice or wind storm, flood, wildfire or any other such act of nature; or trees that are found by the Zoning Administrator to be a threat to the public health, safety, or welfare;
- e. The selective and limited removal or pruning of trees or vegetation necessary to obtain clear visibility at driveways or intersections;
- f. The removal or pruning of trees within a utility easement by a utility company
- g. The removal of trees when required by the Federal Aviation Administration;
- h. The removal or pruning of trees or vegetation on land zoned or lawfully used for commercial cultivation of trees to be sold for transplantation, outside of any right-of-way, transitional buffer yard, street protective yard, or interior planting area in a vehicular surface area;
- i. Forestry activities shielded from local development regulation in accordance with S.C. Code Ann. § 48-23-205, provided, any development application for the parcel of land where the forestry activities occur that is submitted within three years of the conclusion of the forestry activities shall be denied; and
- j. Timber harvesting that the Zoning Administrator determines is a commercial timber operation (see Sec. 17-9.4, Definitions), if notification is provided, a forestry plan is submitted, and the timber harvesting complies with best management practices published by the South Carolina Forestry Commission, in accordance with Sec. 17-5.4(g), Timber Harvesting, provided, any development application for the parcel of land where a commercial timber operation occurs that is submitted within three years of the conclusion of the commercial timber operation shall be denied.

(c) General

(1) Protected Tree

For the purposes of this Section, a “protected tree” is:

- a. Any grand tree (see Sec. 17-9.4, Definitions);
- b. Any tree identified for use to meet the minimum tree-density requirements set forth in Sec. 17-5.3(h), Site Tree Density;
- c. Any tree used to meet any standard in Sec. 17-5.3, Landscaping;
- d. Any tree in fair or better condition (see Sec. 17-9.4, Definitions) having a trunk that is at least six inches in diameter, measured at four and one-half feet above the ground, that is:
 1. Located in a transitional buffer yard, street protective yard, or interior planting area in a vehicular surface area (see Sec. 17-5.3, Landscaping); or
 2. Identified for use in meeting the tree canopy retention standards in Sec. 17-5.4(d), Retention of Existing Tree Canopy.

(2) Tree Removal Permit Required

A Tree Removal Permit (see Sec. 17-2.5(m), Tree Removal Permit) is required prior to the cutting, destruction, removal, relocation, or transplantation of a protected tree.

(3) Documentation of Existing Trees

Documentation of existing trees on the site, through a tree inventory or tree survey, shall be submitted with a landscaping plan (see Sec. 17-5.3(b)(4), Landscaping Plan Required) in accordance with the requirements in the Procedures Manual.

(4) Tree Protection Plan

A tree protection plan shall be submitted with a landscaping plan (see Sec. 17-5.3(b)(4), Landscaping Plan Required), in accordance with the requirements in the Procedures Manual. A tree protection plan shall clearly indicate what tree protection methods will be utilized.

(5) Tree Protection Zone Established

Unless otherwise established in this Section, the tree protection zone of a protected trees consists of the largest of the following:

- a. The area located within a distance of one foot for each one inch of tree diameter (measured at four and one-half feet above ground level) of the tree;
- b. The area located within a distance of one-half the tree's height of the tree; or

- c. The area within a distance of six feet of the tree.

(6) Prohibited Activity in Tree Protection Zone

- a. Development and any other activity involving the cutting, destruction, removal, relocation, transplantation, pruning, or limbing of a protected tree are prohibited in a tree protection zone, unless otherwise required by this Ordinance.
- b. Compaction of the soil within a tree protection zone over more than ten percent of the area of the tree protection zone is prohibited, except where necessary for pedestrian walkways. Where possible, mulch shall be used to mitigate soil compaction in areas of the tree protection zone where activity on the site may result in soil compaction.
- c. Utility and grading plans shall not modify or disturb the tree protection zone, provided, utilities may be located within a tree protection zone if:
 - 1. There is no alternative location for the utilities;
 - 2. Any tunneling or boring for utility lines occurs at a depth that avoids significant damage to the roots of the protected tree and is at least 25 inches below the ground;
 - 3. Any excavation is limited in extent to the minimum necessary and is accomplished using hand excavation methods that remove soil around tree roots without severing them; and
 - 4. All proposed activity within the tree protection zone is shown on an approved tree protection plan.

(7) Devices to Prevent Vehicular Damage

Curb stops, concrete curb, or other devices to prevent vehicular damage to required trees must be shown on the landscaping plan and installed prior to final inspection.

(8) Trenching Prior to Clearing

The removal of trees adjacent to tree protection zones can cause inadvertent damage to the protected trees. Prior to clearing activities, trenches with a minimum width of one-and-one-half inches and a minimum depth of 12 inches shall be cut along the limits of land disturbance, outside of any tree protection zones, so as to cut, rather than tear tree roots.

(9) Credit Toward Open Space Set-Aside and Landscaping Standards

- a. The area occupied by a tree protection zone may be credited toward the open space set-aside requirements in Sec. 17-5.5, Open Space.
- b. Protected trees meeting the minimum planting requirements in Sec. 17-5.3(c), Sec. 17-5.3(b)(4), Landscaping Plan Required, may be used to meet landscaping requirements, including site tree density standards, in accordance with Sec. 17-5.3(c)(2), Credit for Existing Vegetation.

(10) Maintenance Requirements

The land owner and/or tenant shall maintain protected trees and tree protection zones in accordance with applicable tree protection plans and shall be subject to the requirements in in Sec. 17-5.3(c)(11), Maintenance of Landscape Areas, that apply to landscaping improvements.

(11) Replacement/Mitigation of Protected Trees

a. Grand Tree Removal in Accordance with Tree Removal Permit

As a condition of approval of a Tree Removal Permit that includes removal of grand trees, an equal or greater number of density factor units (see Sec. 17-5.3(h), Site Tree Density) of replacement trees shall be planted on the site to replace the density factor units for grand trees removed. This planting shall consist of shade trees and shall be in addition to the minimum required site tree density (see Sec. 17-5.3(h), Site Tree Density).

b. Protected Tree Removal without Tree Removal Permit

Any protected trees removed without prior approval of a Tree Removal Permit shall be replaced by trees having a total number of density factor units (see Sec. 17-5.3(h), Site Tree Density) that is equal to or exceeds one and one-half times the density factor units for protected trees removed. This planting shall consist of shade trees having a minimum caliper of three-and-one-half inches each at the time of planting and shall be in addition to the minimum required site tree density (see Sec. 17-5.3(h), Site Tree Density).

c. Location of Replacement Trees

Where the planting of replacement trees is required by this subsection, the replacement trees shall be planted on the lot where the protected trees were located prior to their removal and, to the extent practical, within the area that constituted the tree protection zone (see Sec. 17-5.4(c)(5), Tree Protection Zone Established) of the removed trees or adjacent to right-of-way.

d. Establishment Period

Replacement trees required in accordance with this subsection shall be maintained through an establishment period of three years from the time of their planting. Financial surety for the duration of the establishment period shall be provided at the time of planting and shall be of the type and amount required for installation of required landscaping by Sec. 17-5.3(c)(1)c. The financial surety shall be canceled and/or returned at the end of the establishment period if the required replacement trees have been planted and maintained, otherwise, the City may draw on the surety to ensure replacement trees are provided as required by this subsection.

(d) Retention of Existing Tree Canopy

- (1)** Any development or other activity subject to this Section shall retain a percentage of existing tree canopy on the site in accordance with Table 17-5.4(d)(1): Tree

Canopy Cover Retention Standards. Trees retained on site shall be credited toward the site tree density requirements in Sec. 17-5.3(h), Site Tree Density, in accordance with Sec. 17-5.3(h)(5), Credit for Remaining Trees.

TABLE 17-5.4(D)(1): TREE CANOPY COVER RETENTION STANDARDS			
EXISTING TREE CANOPY COVER (AS A PERCENT OF THE SITE AREA) [1]	MINIMUM TREE CANOPY COVER RETENTION BY ZONING DISTRICT (AS A PERCENT OF EXISTING TREE CANOPY COVER) [1]		
	RESIDENTIAL DISTRICTS	ACTIVITY AND CORRIDOR DISTRICTS	INSTITUTIONAL AND CAMPUS DISTRICTS AND INDUSTRIAL DISTRICTS
80% to 100%	30%	15%	12%
60% to 79%	36%	18%	13%
40% to 59%	45%	22%	14%
20% to 39%	48%	24%	15%
19% or less	54%	26%	16%
NOTES: [1] Tree canopy cover consists of the horizontal projection onto the ground of the crowns of all healthy self-supporting trees having a trunk diameter of at least eight inches, measured at four and one-half feet above the ground.			

(2) Priority areas for retention of existing tree canopy cover shall include the following, listed in priority order:

- a. Areas abutting tree protection zones of grand trees;
- b. Riparian buffers, wetlands, or natural drainage courses;
- c. Wildlife habitat and other sensitive natural areas;
- d. Areas abutting greenways, trails, parks, or recreation areas; and
- e. Transitional buffer yards and street protective yards.

(3) Existing tree canopy that is required to be retained in accordance with Subsections (1) and (2) above may be removed from a development site only if the landowner demonstrates development on the site cannot be located and designed to allow for a beneficial use, after exploration of applicable alternatives and submission and approval of an alternative landscaping plan (See Sec. 17-5.3(b)(5)a, Alternative Landscape Plan) and if the removal of the tree canopy and replacement with new trees complies with the following:

- a. The trees removed are replaced on a one-to-one basis, based on the DBH of the removed trees;
- b. The replacement trees have a minimum size of three caliper inches;
- c. The replacement trees are clustered in the highest priority areas identified in Subsection (2) above, to the maximum extent practicable, as a means of reestablishing existing tree canopy; and
- d. The replacement trees are planted with sufficient room to accommodate future growth.

(e) Removal of Grand Trees

(1) Standards for Evaluating Proposed Removal of a Grand Tree

The following factors shall be considered in evaluating a request to remove a grand tree as part of a Tree Removal Permit application:

- a. The topography of the site;
- b. Any proposed grade changes;
- c. The location of utilities and driveways;
- d. The location of the grand tree;
- e. Proposed tree planting or transplanting to compensate for the grand tree removal;
- f. Public safety;
- g. The health, condition and longevity of the grand tree;
- h. The species of the grand tree; and
- i. Any historic, aesthetic or exceptional quality associated with the grand tree.

(2) Replacement/Mitigation of a Grand Tree

Replacement of removed grand trees shall be in accordance with Sec. 17-5.4(c)(11), Replacement/Mitigation of Protected Trees.

(f) Tree Protection During Construction

- (1) Construction site activities, including but not limited to parking, equipment or material storage, bury pits, concrete washout, or burning of debris, are prohibited within tree protection zones.
- (2) Trees located within a tree protection zone shall be protected from chemical contamination from liquids or other materials, including but not limited to paint, chemical solvents, gasoline, oil, diesel fuel, hydraulic fluid, concrete spoils, or rinse water from vehicle cleaning, including rinsing of concrete truck tanks and chutes.
- (3) Prior to machinery passing over any area within a tree protection zone during construction, the area shall be cushioned using plywood sheeting covered by a minimum four-inch-thick layer of wood mulch, or materials providing an equivalent minimum degree of cushioning, as shown on an approved tree protection plan.
- (4) Protective barriers shall be installed prior to, and maintained throughout, the land disturbance and construction process. Such barriers shall:
 - a. Be installed along the outer edge of and completely surrounding all tree protection zones;
 - b. Be based on the proximity to disturbance;

- c. Consist of:
 - 1. A 6-foot-high chainlink fence;
 - 2. A minimum four-foot-high wooden post and rail fence with two-inch by four-inch posts and a double one-inch by four-inch rail;
 - 3. A minimum four-foot-high orange polyethylene laminar safety fencing mounted on wooden posts; or
 - 4. A similar fencing method approved by the Zoning Administrator.
 - d. Be posted with warning signs that:
 - 1. Are posted not more than 150 feet apart;
 - 2. Are clearly visible from all sides of the tree protection area;
 - 3. Have a minimum area of four square feet per sign; and
 - 4. Identify the fenced area as a tree protection zone and direct construction workers not to encroach into the area (e.g., "Tree Protection Zone: Do Not Enter").
- (5) Any violation of the tree protection standards in this subsection is a violation of this Ordinance and may result in remedies and penalties in accordance with Sec. 17-8.6, Remedies and Penalties. Any action in violation of this subsection that results in damage to a protected tree that jeopardizes its survival shall be deemed removal of a protected tree.

(g) Timber Harvesting

Timber harvesting (see Sec. 17-9.4, Definitions) shall comply with the standards in this subsection.

(1) General

a. Required Notification

The land owner shall notify the Zoning Administrator prior to beginning any timber harvesting.

b. Comply with Best Management Practices

All timber harvesting shall comply with the voluntary protective measures known as "Best Management Practices" that are published by the South Carolina Forestry Commission, including the provision of an undisturbed buffer that:

- 1. Extends along the entire perimeter of the parcel, including road frontages, except for approved access crossings; and
- 2. Has a minimum width of 50 feet or the required setback for the zoning district in which the parcel is located, whichever is greater.

(2) Commercial Timber Operations

a. Burden of Proof of Commercial Timber Operation

1. The land owner shall have the burden of proving by clear and convincing evidence that an activity is a commercial timber operation.
2. The land owner shall submit a forestry plan that demonstrates that the intended forestry activities will contribute to the long term production of marketable forest products and ensure the continued existence of forests through regeneration. Conducting a timber sale as the sole timber management activity does not constitute a commercial timber operation.

Sec. 17-5.5 Open Space

(a) Purpose

Open space set-asides are intended for the use and enjoyment of a development's residents, employees, or users. Open space set-asides serve numerous purposes, including preserving natural resources, ensuring resident access to open areas and active recreation, reducing the heat island effect of developed areas, providing civic and meeting spaces, enhancing storm water management, and providing other public health benefits.

(b) Applicability

(1) General

Unless exempted in accordance with (2) below, all new development in the City shall comply with the standards in this Section.

(2) Exemptions

The following development is exempted from the standards in this Section:

- a. Single-family detached dwellings;
- b. Two-family dwellings;
- c. Utility Uses;
- d. Agricultural Uses; and
- e. Development that would result in total required minimum open space set-asides, including all phases of development, of 20 square feet or less (see Sec. 17-5.5(c), Amount of Set-Aside Required).

(3) Timing of Review

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


(c) Amount of Set-Aside Required

Development subject to these standards shall provide open space set-asides in an amount that meets or exceeds the minimum area in Table 17-5.5(c): Required Open Space Set-Aside, based on the use and the zoning district where the development is proposed.

TABLE 17-5.5(C): REQUIRED OPEN SPACE SET-ASIDE			
USE	MINIMUM OPEN SPACE SET-ASIDE AREA (BY ZONING DISTRICT, AS A PERCENTAGE OF DEVELOPMENT SITE AREA)		
	DAC AND MC DISTRICTS	NAC, CAC, AND RAC DISTRICTS	ALL BASE ZONING DISTRICTS NOT OTHERWISE LISTED
Residential Uses, except mixed-use dwellings	7.5%	15%	25%
Public, Civic, and Institutional Uses	5%	10%	15%
Commercial Uses, mixed-use dwellings, and Industrial Uses	5%	10%	10%

(d) Areas Counted Toward Set-Aside Requirement

- (1) The features and areas identified as counting toward open space set-asides in Table 17-5.5(d)(1): Open Space Set-Aside Features, shall be credited towards compliance with the amount of open space set-aside required in accordance with (c) above, if designed and maintained in accordance with Table 17-5.5(d)(1): Open Space Set-Aside Features.

TABLE 17-5.5(D)(1): OPEN SPACE SET-ASIDE FEATURES		
AREA COUNTED AS COMMON OPEN SPACE SET-ASIDES	DESCRIPTION	DESIGN AND MAINTENANCE REQUIREMENTS
Natural Features		
	Streams, rivers, ponds, lakes, wetlands, seeps, drainageways, other riparian areas, flood hazard areas, natural vegetation, and important wildlife habitat areas	<ul style="list-style-type: none"> • Preservation of any existing natural features shall have highest priority for locating open space set-asides. • Maintenance is limited to the minimum removal and avoidance of hazards, nuisances, and unhealthy conditions.
Formal Plantings and Gardens		

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Sec. 17-5.5. Open Space

(d) Areas Counted Toward Set-Aside Requirement







TABLE 17-5.5(D)(1): OPEN SPACE SET-ASIDE FEATURES		
AREA COUNTED AS COMMON OPEN SPACE SET-ASIDES	DESCRIPTION	DESIGN AND MAINTENANCE REQUIREMENTS
	Formally planned and regularly maintained open areas that provide passive recreation opportunities, including arranged plantings, gardens, community gardens, green roofs, gazebos, and similar structures	<ul style="list-style-type: none"> Formal plantings and gardens shall have at least one direct access to a building or to a street, bikeway, or walkway accessible to the development's occupants and users.
Required Landscape Areas, Tree Protection Areas, Screening, and Buffers		
	All areas occupied by required landscape areas, tree protection areas, vegetative screening, and water quality buffers, except landscape area within parking lots	<ul style="list-style-type: none"> See landscaping standards (Sec. 17-5.3).
Stormwater Management Areas Treated as Site Amenities		
	Up to 75 percent of the land area occupied by stormwater management facilities (including retention and detention ponds and other bioretention devices), when such features are treated as an open space site amenity	<ul style="list-style-type: none"> To qualify, stormwater management facilities shall support passive recreation uses by providing access, pedestrian elements such as paths and benches, gentle slopes (less than 3:1), and vegetative landscaping.
Access Easements with Paths or Trails		
	Public access easements that include paths or trails that are available for passive recreational activities such as walking, running, and biking	<ul style="list-style-type: none"> Such access easements shall include at least one improved access from a public street, sidewalk, or trail that includes signage designating the access point.
Active Recreational Areas		

TABLE 17-5.5(D)(1): OPEN SPACE SET-ASIDE FEATURES

AREA COUNTED AS COMMON OPEN SPACE SET-ASIDES	DESCRIPTION	DESIGN AND MAINTENANCE REQUIREMENTS
	<p>Land occupied by areas and facilities used for active recreational purposes, such as ballfields, playgrounds, tennis courts, pools, jogging trails, and community buildings and clubhouses, and land dedicated for parks.</p>	<ul style="list-style-type: none"> Land shall be compact and contiguous unless used to link or continue an existing or planned open space resource. Areas shall have at least one direct access to a building or to a street, bikeway, or walkway accessible to the public or the development's occupants and users.
Squares, Forecourts, and Plazas		
	<p>Flat, open areas immediately in front of a building or framed by buildings or streets that provide gathering places, opportunities for outdoor dining, etc.</p>	<ul style="list-style-type: none"> A square, forecourt, or plaza shall be at least 200 square feet, but no more than one acre, in area. A square, forecourt, or plaza shall have at least one direct access to a principal building, or to a street, bikeway, or walkway accessible to the public or the development's occupants and users. Surrounding principal buildings shall be oriented toward the square, forecourt, or plaza where possible.

(2) The following areas shall not be counted as open space set-aside areas:

- a. Private yards not subject to an open space or conservation easement;
- b. Street rights-of-way or private access easements, including sidewalks located within those rights-of-way or easements, except a street tree planting strip may be counted as open space set-aside area if:
 1. The planting strip has a minimum width of eight feet;
 2. The planting strip is located between the back of the curb and the edge of the sidewalk; and
 3. The trunks of street trees are located a minimum of two-and-one-half feet from the street curb when planted.
- c. Open parking areas and driveways;
- d. Land covered by structures, unless designated for active recreational uses;
- e. Designated outdoor storage areas;

- f. Stormwater ponds not located and designed as a site amenity (e.g., with low fencing, vegetative landscaping, gentle slopes, fountain or other visible water circulation device, and pedestrian access or seating); and
- g. Parking lot interior landscaping.

(e) Location

Open space shall be located so as to be readily accessible and useable by occupants and users of the development. Where possible, a portion of the open space set-aside should provide focal points for the development through prominent placement or easy visual access from streets.

(f) Configuration

- (1) Open space set-asides shall be compact and contiguous, unless a different configuration is needed to continue an existing trail or accommodate preservation of natural features.
- (2) If the development site is adjacent to existing or planned public trails, parks, or other public open space area, the open space set-aside shall, to the maximum extent practicable, be located to adjoin, extend, and enlarge the trail, park, or other public open space area (see Figure 17-5.5(g): Example Open Space Set-Aside Configuration).
- (3) If a passive recreation open space set-aside area with a minimum width of 20 feet or more abuts an existing or planned public open space area, no perimeter buffer shall be established between the two open space areas (if required by the Sec. 17-5.3, Landscaping).

Figure 17-5.5(g): Example Open Space Set-Aside Configuration



(g) Development Allowed within Set-Aside

Development within open space set-asides shall be limited to that appropriate to the purposes of the type(s) of open space set-asides. Where appropriate, such development may include, but is not limited to, walking, jogging, and biking paths or

trails; benches or other seating areas; meeting areas; tables, shelters, grills, and other picnicking facilities; docks and other facilities for fishing; environmental education guides and exhibits; gazebos and other decorative structures; fountains or other water features; play structures for children; gardens or seasonal planting areas; pools; athletic fields and courts; and associated clubhouses.

(h) Ownership, Management, and Maintenance

- (1)** All open space set-aside areas shall include deed restrictions, covenants, or other legal instruments that ensure continued use of the land for its intended open space purposes, in perpetuity, and provide for the continued and effective management, operation, and maintenance of the land and facilities.
- (2)** Responsibility for managing and maintaining open space set-asides rests with the owner of the land of the open space set-asides. Failure to maintain open space set-asides in accordance with this Section and the development approval or permit shall be a violation of this Ordinance.

Sec. 17-5.6 Neighborhood Compatibility

(a) Purpose and Intent

This section is intended to preserve the character of established single-family neighborhoods by providing a proper transition and ensuring compatibility between single-family detached and two-family dwellings and other more intense forms of development.

(b) Applicability

(1) General

- a.** Unless exempted in accordance with (b)(2) below, the following shall comply with the standards in this Section:
 - 1.** Any new development on a lot adjacent to a lot located in the LL-R, RSF-1, RSF-2, RSF-3, RD, RD-MV, RM-1, or RM-2 zoning district which is vacant or upon which is located a single-family detached dwelling or two-family dwelling; and
 - 2.** Any expansion or alteration of a building that existed prior to August 30, 2021 on a lot adjacent to a lot located in the LL-R, RSF-1, RSF-2, RSF-3, RD, or RD-MV zoning district which is vacant or upon which is located a single-family detached dwelling or two-family dwelling, if the expansion increases the building's gross floor area by 50 percent or more within a five-year period.
- b.** Vacant lots and lots upon which a single-family detached dwelling or two-family dwelling is located that are identified in a.1 and a.2 above are referred to as "protected lots" in this Section.

(2) Exemptions

The following are exempt from the standards in this Section:

- a. Single-family detached dwellings;
- b. Two-family dwellings;
- c. Development located on lots separated from single-family detached dwellings or two-family dwellings by a built and existing street with four or more lanes or a right-of-way of greater than 100 feet; and
- d. Uses in the Communication Uses and Community Service Uses categories.

(3) Timing of Review

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

(4) Conflict

In the case of a conflict between these neighborhood compatibility standards and other standards in this Ordinance, these neighborhood compatibility standards shall control.

(c) Neighborhood Compatibility Standards

Development subject to the requirements of this Section shall comply with the following standards:

(1) Building Height

- a. Within 100 feet of protected lots, building height shall not exceed 45 feet.
- b. Between 100 and 150 feet of protected lots, building height shall not exceed 55 feet.

(2) Building Orientation

Except for mews or when open space is located in front of the building, the primary entrance to a building shall face the street from which it derives its street address.

(3) Building Design

- a. All roof-mounted equipment shall be configured to avoid or minimize its view from adjacent single-family detached dwellings and two-family dwellings.
- b. Porches, balconies, and outdoor activity areas shall be oriented away from protected lots.

(d) Driveways

Driveways shall be located as far as possible from a protected lot.

(e) Off-Street Parking

- (1)** The total amount of off-street parking shall not exceed 1.1 times the required minimum specified in Table 17-5.1(d)(1): Minimum Number of Off-Street Parking Spaces, and may be reduced through an alternative parking plan (see Sec. 17-5.2(f), Off-Street Parking Alternatives) that demonstrates such reduction will not have an adverse impact on protected lots.
- (2)** When required, to the maximum extent practicable, off-street parking shall be established in one or more of the following locations, listed in order of priority:
 - a.** Adjacent to off-street parking lots serving nonresidential development on abutting lots;
 - b.** Adjacent to lot lines abutting nonresidential development;
 - c.** Adjacent to lot lines abutting mixed-use development;
 - d.** Behind the building;
 - e.** Within a lot's corner side yard; or
 - f.** As a last resort, adjacent to protected lots.
- (3)** Off-street surface parking areas, and entrances and exits to such areas, shall be located at least 15 feet from protected lots.
- (4)** Off-street surface parking areas located adjacent to protected lots shall be provided with screening in accordance with Sec. 17-5.2, Off-Street Parking, Bicycle Parking, and Loading, and Sec. 17-5.3, Landscaping, that is adequate to protect the lots from glare, noise, dispersion of trash, trespassing, and similar impacts.
- (5)** The facade of any parking structure facing a protected lot shall be configured to appear as an articulated or landscaped building wall to soften its visual impact.

(f) Loading, Service, and Refuse Container Areas

Loading, service, and refuse container areas shall be:

- (1)** Located behind or to the sides of buildings away from protected lots;
- (2)** Provided with access that is integrated with parking areas and the vehicular circulation network;
- (3)** Screened from view from protected lots using materials that are the same as, or of equal quality to, the materials used for the principal building; or
- (4)** Incorporated into the overall design of the site so that the visual impacts of these functions are fully contained within an enclosure, or are otherwise out of view from protected lots.

(g) Drive-Through Facilities

- (1) In no instance shall a drive-through facility be located on a building façade that faces a protected lot.
- (2) A drive-through facility shall be located a minimum of 100 feet from any protected lot.
- (3) Ordering stations associated with a drive-through facility shall be located a minimum of 200 feet from any protected lot.

(h) Exterior Lighting

- (1) Illumination from exterior lighting shall not exceed 0.5 foot candles at the lot line of any protected lot;
- (2) Within 100 feet of protected lots, exterior lighting shall have a maximum height of 14 feet; and
- (3) Between 100 and 150 feet of protected lots, exterior lighting shall have a maximum height of 18 feet or the maximum height established in Sec. 17-5.9, Exterior Lighting, whichever is less.

(i) Signage

- (1) To the maximum extent practicable, signage shall be located a minimum of 50 feet from protected lots.
- (2) Within 100 feet of protected lots, the maximum sign area for signs shall be reduced by 25 percent.
- (3) Within 20 feet of protected lots, signs other than ground signs are prohibited.
- (4) No sign shall be illuminated in such a way that it casts illumination onto protected lots that is incompatible with the residential character of the lot because of the illumination's intensity, duration, location or other characteristic.

(j) Open Space Set-Asides

- (1) Required open space set-asides shall be located between proposed development and protected lots, to the maximum extent practicable.
- (2) Outdoor recreation features such as swimming pools, tennis courts, playgrounds, and similar features shall be at least 50 feet from protected lots.

(k) Natural Features

Natural features such as existing vegetation, streams, wetlands, and other such features shall be used as transitions, where possible. Where such natural features are protected and preserved as transitions, pedestrian connections to adjoining uses are strongly encouraged.

(I) Operational Standards

- (1)** Outdoor dining or other similar outdoor activities are prohibited within 150 feet of a protected lot;
- (2)** Trash collection and other similar service functions are prohibited between the hours of 7:00 p.m. and 7:00 a.m.; and
- (3)** Amplified music, singing, and other forms of noise audible at shared lot lines are prohibited after 10:00 p.m. Sunday through Thursday nights, and after 12:00 a.m. Friday and Saturday nights.
- (4)** Recreation/Entertainment uses that involve outdoor fitness and/or use of free weights shall be prohibited within 150 feet of protected lots.

Sec. 17-5.7 Form and Design Standards

(a) Design Districts Standards

- (1) Five Points Design Overlay (OV-5P)**
See Sec. 17-3.7(f), OV-5P: Five Points Design Overlay District.
- (2) Innovista Design Overlay (OV-ID)**
See Sec. 17-3.7(g), OV-ID: Innovista Design Overlay District.
- (3) North Main Corridor Design Overlay (OV-NMC)**
See Sec. 17-3.7(h), OV-NMC: North Main Corridor Design Overlay District.
- (4) City Center Design Overlay (OV-CC)**
See Sec. 17-3.7(i), OV-CC: City Center Design Overlay District.

(b) Multifamily Form and Design Standards

- (1) Purpose**
The purpose of the multifamily form standards in this subsection is to:
 - a.** Establish a minimum level of development quality for multifamily development outside of the design overlay districts;
 - b.** Promote greater compatibility between multifamily residential development and other allowable uses; and
 - c.** Provide landowners, developers, architects, builders, business owners, and others with a clear and equitable set of parameters for constructing multifamily development.

Sec. 17-5.11 Green Building Standards

(a) Purpose

The purpose of this section is to ensure development in the City includes a minimum degree of green building features as a means of protecting and conserving resources, making development more resilient, supporting a healthy lifestyle for citizens, and ensuring a high quality of life for residents. Specifically, this section is intended to ensure development practices:

- (1) Conserve energy;
- (2) Promote the use of alternative energy;
- (3) Conserve water resources;
- (4) Protect water quality;
- (5) Promote resiliency;
- (6) Support walkable, mixed-use development in appropriate places;
- (7) Support multiple modes of mobility;
- (8) Promote a healthy landscape;
- (9) Support urban agriculture; and
- (10) Promote healthy and safe lifestyles.

(b) Applicability

- (1) Unless exempted in accordance with (2) below, all new development shall comply with the green building standards of this section.
- (2) The following development is exempt from the standards of this section;
 - a. New residential development of less than three dwelling units;
 - b. New nonresidential development with a gross floor area of less than 5,000 square feet;
 - c. New buildings that have achieved LEED requirements necessary to receive certification from the U.S. Green Building Council at the gold level or above; and
 - d. Remodel, alteration, or expansion of an existing building.

(c) Timing of Review

Review for compliance with the standards of this section shall occur during review of a development application for either a planned unit development (see Sec. 17-2.5(d), Planned Development), special exception (see Sec. 17-2.5(e), Special Exception Permit), development agreement (see Sec. 17-2.5(f), Development Agreement), certificate of design approval-Design Districts (see Sec. 17-2.5(h), Certificate of Design

Approval – Design Districts), or site plan (major or minor)(see Sec. 17-2.5(i), Site Plan), as appropriate.

(d) Green Building Standards

(1) Minimum Amount of Points Required

Development subject to the standards of this section shall achieve the following minimum number of points from the menu of options shown in Table 17-5.11(d)(4): Green Building Point System.

(2) Minimum Requirements for Residential Development

- a. 3 to 29 units: 3 points.
- b. 30 or more units: 4 points.

(3) Minimum Requirements for Nonresidential and Mixed Use Development

- a. 5,000 to 25,000 square feet: 3 points.
- b. More than 25,000 square feet: 4 points.

(4) Green Building Point System

Development subject to the standards of this section shall use Table 17-5.11(d)(4): Green Building Point System, to determine compliance with this section.

TABLE 17-5.11(D)(4): GREEN BUILDING POINT SYSTEM	
GREEN BUILDING ACTIVITY	POINTS EARNED
Location	
Development on previously used or developed land that is contaminated with waste or pollution (brownfield site)	1.00
Development on previously used or developed land that is not contaminated (site re-use)	0.50
Energy Conservation	
Install a “cool roof” on a minimum of 50 percent of the dwelling units in a subdivision. The cool roof shall cover the entire roof of the building. Install a “cool roof” on a minimum of 50 percent of the buildings in a multi-building development. The cool roof shall cover the entire roof of the building. The “cool roof” shall cover the entire roof of the dwelling. Cool roofs shall have a Solar Reflectance Index of 78 for flat roofs or 29 for roofs with a slope greater than 2:12	1.50
Provide skylights in an amount necessary to ensure natural lighting is provided to at least 25 percent of the habitable rooms in the structure	0.50
Use central air conditioners that are Energy Star qualified	0.50
Use of only solar or tank-less water heating systems throughout the structure	0.50
Alternative Energy	

TABLE 17-5.11(D)(4): GREEN BUILDING POINT SYSTEM

GREEN BUILDING ACTIVITY	POINTS EARNED
Generate or acquire a minimum of 50 percent of the electricity needed by the development from alternative energy sources (e.g., solar, wind, geothermal)	2.00
Generate or acquire a minimum of 25 percent of the electricity needed by the development from alternative energy sources (e.g., solar, wind, geothermal)	1.00
Pre-wire a minimum of 75 percent of residential dwelling units in the development for solar panels	1.50
Pre-wire a minimum of 50 percent of residential dwelling units in the development for solar panels	0.75
Pre-wire a minimum of 25 percent of residential dwelling units for solar panels	0.50
Install solar panels on a minimum of 25 percent of dwelling units contained in single-family detached, two-family, townhouse, or multifamily dwellings, that provides a minimum of 75 percent of electricity needed for each unit	2.00
Install solar panels on primary structure, or at least 50 percent of buildings in a multi-building development, that provides a minimum of 50 percent of electricity needed for the entire development	1.50
Install small-scale wind energy conversion systems to provide electricity for 25 percent of residential dwellings in development	1.00
Passive Solar	
Orient a minimum of 50 percent of residential dwellings or lots in the development within 20 percent of east-west axis for maximum passive solar exposure	1.50
Orient a minimum of 25 percent of residential dwelling units or lots in the development within 20 percent of east-west axis for maximum passive solar exposure	0.75
Orient at least 25 percent of nonresidential buildings within 20 percent of east-west axis for maximum solar exposure	1.00
Water Conservation and Water Quality	
Install a green or vegetated roof on the primary structure, or on at least 50 percent of primary buildings in a multi-building development. Green or vegetated roofs shall include vegetation on at least 50 percent of the roof area and shall use only plant materials permitted by the landscaping standards in Sec. 17-5.3, Landscaping.	2.00
Include rain water capture and re-use devices such as cisterns, rain filters, and underground storage basins for residential development with a minimum storage capacity of 500 gallons for every two residential units	0.50
Provide rain gardens or other appropriate storm water infiltration system(s) that accommodate a minimum of 25 percent of the runoff	1.00
Vegetation	
Remove all lawn or turf in favor of ground cover consisting of plant material and mulch	0.75
Limit turf grass to 40 percent of the landscaped area.	0.25
Urban Agriculture	
Provide a fenced, centrally located community garden space (which may be located as a rooftop garden) for residents and for urban gardening purposes at a ratio of 50 square feet. per residential dwelling unit	1.00

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Sec. 17-5.11. Green Building Standards

(e) Failure to Install or Maintain Green Building Features for Compliance

TABLE 17-5.11(D)(4): GREEN BUILDING POINT SYSTEM	
GREEN BUILDING ACTIVITY	POINTS EARNED
Provide a minimum of one on-site composting station for every 25 residential dwelling units	0.25
Building Materials	
Source a minimum of 20 percent, by cost, of construction materials from recycled products or products manufactured, extracted, harvested, or recovered within 250 miles of the site	1.50
Transportation	
Provide a minimum of five percent of required automobile parking spaces that are signed and reserved for hybrid/electric/low energy vehicles in preferred locations near the primary building entrance	0.25
Provide an electric vehicle (EV) level 2 charging station that is made available to those using the building	0.75
Provide an electric vehicle (EV) level 3 charging station that is made available to those using the building	1.00
Include showering and dressing facilities in nonresidential developments for employees using alternative forms of transportation	0.50
NOTES: [1] <i>Standard for the Design of High-Performance Green Buildings</i> , American Society of Heating, Refrigerating, and Air-Condition Engineers, 2014. [2] <i>Energy Standard for Buildings Except Low-Rise Residential</i> , American Society of Heating, Refrigerating, and Air-Condition Engineers, 2004.	

(5) Documentation Required

Applicants shall provide documentation of techniques that will be used to satisfy the green building standards of this section at the time of submittal of a development application. Documentation for items that may not be visually verified as part of an inspection may be provided in the form of invoices, receipts, or delivery confirmation for the items in question.

(e) Failure to Install or Maintain Green Building Features for Compliance

Failure to install or maintain approved green building features that are to be provided to comply with this section is a violation of this Ordinance, and may result in revocation of the development approval or permit, and revocation of the authorization for use of green building incentives in accordance with Sec. 17-5.12, Incentives for Green Building Practices.

Sec. 17-5.12 Incentives for Green Building Practices

(a) Purpose

The purpose of this section is to add further support to green building practices in the City by providing incentives for developments that incorporate specific types of green building features above the minimum required in Sec. 17-5.11, Green Building Standards. Specifically, this section is intended to provide incentives for developments that incorporate green building features that support:

- (1)** Energy conservation;
- (2)** Alternative energy use;
- (3)** Water conservation;
- (4)** Water quality;
- (5)** Resilient development practices;
- (6)** Healthy landscaping;
- (7)** Alternate forms of transportation; and
- (8)** Urban agriculture.

(b) Incentives

- (1)** Development integrating green building features in accordance with this section shall be eligible for the following incentives. They shall be integrated into a development in addition to those included in accordance with Sec. 17-5.11, Green Building Standards.
 - a.** A density bonus of up to one additional dwelling units per acre beyond the maximum allowed in the base zoning district;
 - b.** An increase in the maximum allowable height by up to one story or 14 feet beyond the maximum allowed in the base zoning district;
 - c.** An increase in the maximum allowable lot coverage by 10 percent beyond the maximum allowed in the base zoning district; and
 - d.** A modification to the off-street parking requirements resulting in a reduction from the minimum requirements by 15 percent, or an increase to the maximum allowable number of spaces provided by 15 percent (without an alternative parking plan).
- (2)** Development may include a sufficient number of green building features to take advantage of more than one type of incentive, but in no instance shall the amount of an incentive be increased or decreased (as appropriate) beyond the maximum listed in this Subsection.

(c) Applicability

The incentives in this section are available to development and redevelopment in all base zoning districts.

(d) Conflict with Neighborhood Compatibility Standards

In cases where the incentives in this section conflict with the neighborhood protection standards in Sec. 17-5.6, Neighborhood Compatibility, the neighborhood compatibility standards shall control.

(e) Procedure

- (1)** Development seeking to use green building incentives in accordance with this section shall include a written request with the development application that demonstrates how compliance with the standards in this section will be achieved.
- (2)** Review for compliance with the standards of this section shall occur during review of a development application for either a planned unit development (see Sec. 17-2.5(d), Planned Development), special exception (see Sec. 17-2.5(e), Special Exception Permit), development agreement (see Sec. 17-2.5(f), Development Agreement), certificate of design approval-Design Districts (see Sec. 17-2.5(h), Certificate of Design Approval – Design Districts), or site plan (major or minor)(see Sec. 17-2.5(i), Site Plan), as appropriate.
- (3)** The decision-making body or person responsible for review of the development application shall also be responsible for the review of the green building incentive request.
- (4)** The incentive(s) shall be based on the number of green building features provided, in accordance with Table 17-5.12(e)(4): Green Building Incentives, and Sec. 17-5.12(f), Menu of Green Building Features. To obtain the right to a particular incentive identified in the left column of Table 17-5.12(e)(4): Green Building Incentives (for example, a density bonus of up to one additional dwelling unit per acre beyond the maximum allowed in the base zoning district), the development proposed is required to provide the minimum number of green building features associated with the green building features from both schedule A and schedule B in Table 17-5.12(e)(4): Green Building Incentives (for example, for a density bonus of up to one additional dwelling unit per acre beyond the maximum allowed in the base zoning district, the proposed development is required to include two green building features from Schedule A and four green building features from Schedule B). The green building features used to obtain the individual type of incentive shall only be counted for that incentive. If an applicant wants to achieve a second type of incentive (for example, both the density bonus incentive and the lot coverage incentive), the proposed development shall include the minimum number of green building features in Schedule A and Schedule B required for both incentives (two from Schedule A and four from Schedule B for the density bonus incentive, and two from Schedule A and three from Schedule B for the lot coverage incentive).

TABLE 17-5.12(E)(4): GREEN BUILDING INCENTIVES		
TYPE OF INCENTIVE	MINIMUM NUMBER OF GREEN BUILDING PRACTICES PROVIDED	
	FROM SCHEDULE A	FROM SCHEDULE B
A density bonus of up to one additional dwelling unit per acre beyond the maximum allowed in the base zoning district	2	4
An increase in the maximum allowable height by up to one story or 14 feet beyond the maximum allowed in the base zoning district	2	4
An increase in the maximum allowable lot coverage by 10 percent beyond the maximum allowed in the base zoning district	2	3
A reduction from the minimum parking space requirements by 15 percent, or an increase to the maximum allowable number of parking spaces provided by 15 percent	2	2

(f) Menu of Green Building Features

One or more of the green building features in Table 17-5.12(f): Green Building Features, may be offered by an applicant for proposed development in accordance with Table 17-5.12(e)(4): Green Building Incentives.

TABLE SEC. 17-5.12(F): GREEN BUILDING FEATURES	
SCHEDULE [1]	TYPE
Energy Conservation	
A	Install a “cool roof” for at least 50 percent of the total roof area of the primary buildings in a multi-building development. Cool roofs shall have a Solar Reflectance Index of 78 for flat roofs or 29 for roofs with a slope greater than 2:12
A	Install a “cool roof” on a minimum of 50 percent of the single-family dwellings in the development or subdivision. The “cool roof” shall cover the entire roof of the dwelling. Cool roofs shall have a Solar Reflectance Index of 78 for flat roofs or 29 for roofs with a slope greater than 2:12
B	Use central air conditioners that are Energy Star qualified
A	Use only solar or tank-less water heating systems throughout the structure
A	Install green walls on a minimum of 50 percent of a building’s wall.
B	Provide skylights in an amount necessary to ensure natural lighting is provided to at least 20 percent of the habitable rooms in the structure
B	Construct roof eaves or overhangs of three feet or more on southern or western elevations
B	Use a structure design that can accommodate the installation and operation of solar photovoltaic panels or solar thermal heating devices (including appropriate wiring and water transport systems)
Alternative Energy	
AA	Generate 50 percent or more of energy on-site by alternative energy (e.g., solar wind, geothermal)
A	Pre-wire a minimum of 75 percent of residential dwelling units in the development for solar panels

Article 5: Development Standards**Sec. 17-5.12. Incentives for Green Building Practices****(f) Menu of Green Building Features**

TABLE SEC. 17-5.12(F): GREEN BUILDING FEATURES	
SCHEDULE [1]	TYPE
A	Install small-scale wind energy conversion systems to provide electricity for a minimum of 25 percent of the residential units, or nonresidential floor area
LEED Certification	
AAA	Construct the principal building(s) to meet or exceed LEED ® Platinum certification standards
AA	Construct the principal building(s) to meet or exceed LEED ® Gold certification standards
A	Construct the principal building(s) to meet or exceed LEED ® Silver certification standards
BB	Construct the principal building(s) to meet or exceed LEED ® Bronze certification standards
CHiP Home Program	
AA	Construct the principal building(s) to meet or exceed CHiP Platinum or Gold
A	Construct the principal building(s) to meet or exceed CHiP Silver
BB	Construct the principal building(s) to meet or exceed CHiP Bronze
Passive Solar	
AA	Orient a minimum of 50 percent of the single-family detached, two-family, townhouse, or multifamily dwellings or lots in the development within 20 percent of the east-west axis for maximum passive solar exposure
A	Orient a minimum of 25 percent of the single-family detached or two-family dwellings or lots in the development within 20 percent of the east-west axis for maximum passive solar exposure
AA	Orient a minimum of 50 percent of the single-family dwellings on lots in the development within 20 percent of the east-west axis for maximum passive solar exposure
A	Orient a minimum of 50 percent of the nonresidential buildings within 20 percent of the east-west axis for maximum passive solar exposure
B	Orient a minimum of 25 percent of the nonresidential buildings within 20 percent of the east-west axis for maximum solar exposure
Water Conservation and Water Quality	
AAA	Install a green or vegetated roof on the primary building(s), or at least 50 percent of primary buildings in a multi-building complex – green or vegetated roofs shall include vegetation on at least 50 percent of the roof area and shall use only plant materials permitted by Sec. 17-5.3, Landscaping.
AA	Include rain water capture and re-use devices such as cisterns, rain filters, and underground storage basins with a minimum storage capacity of 500 gallons for every two residential units
A	Provide rain gardens or other appropriate storm water infiltration system(s) that accommodate a minimum of 25 percent of the runoff
Vegetation	
BB	Retain at least 20 percent of existing pre-development natural vegetation
BB	Remove all lawn or turf in favor of ground cover consisting of plant material or mulch
Urban Agriculture	
A	Provide a fenced, centrally located community garden space (which may be located as a rooftop garden) for residents and for urban gardening purposes at a ratio of 50 square feet. per dwelling unit
BB	Provide a fenced, community garden space for employees at an office, for gardening purposes at a ratio of 15 square feet. per employee

TABLE SEC. 17-5.12(F): GREEN BUILDING FEATURES	
SCHEDULE [1]	TYPE
Transportation	
A	Provide an electric vehicle (EV) level 3 charging station that is made available to those using the building
B	Provide an electric vehicle (EV) level 1 or 2 charging station that is made available to those using the building
B	Provide a minimum of five percent of required automobile parking spaces that are signed and reserved for hybrid/electric/low energy vehicles in preferred locations near the primary building entrance
BB	Include showering and dressing facilities in nonresidential developments for employees using alternative forms of transportation like bicycles
NOTES: [1] "AA" means credited as provision of two schedule "A" features. "AAA" means credited as provision of three schedule "A" features. "BB" means credited as provision of two schedule "B" features.	

(g) Failure to Install or Maintain Green Building Practices

Failure to install or maintain approved green building features that are to be provided to comply with this section is a violation of this Ordinance, and may result in revocation of the development approval or permit.

Sec. 17-7.6 Nonconforming Site Features

(a) General

- (1)** This Section establishes a mechanism for increasing compliance of nonconforming site features with the standards in this Ordinance as part of the alteration or expansion of a structure on the site.
- (2)** For purposes of this Article, the term “nonconforming site features” includes the following:
 - a.** Nonconforming off-street parking (see Sec. 17-5.2);
 - b.** Nonconforming landscaping (see Sec. 17-5.3); and
 - c.** Nonconforming signs (see Sec. 17-5.10).
- (3)** Notwithstanding any provision in this Section, any replacement of nonconforming outdoor advertising sign display surface area shall comply with Sec. 17-7.5(c), Replacement of Nonconforming Outdoor Advertising Signage.
- (4)** An alteration, addition, or expansion of a building or structure in accordance with this section shall not increase the degree of nonconformity of a nonconforming site feature.

(b) Alterations of Buildings or Structures

- (1)** If an application for a building permit is submitted for the alteration of a building or structure on a site that has one or more nonconforming site features, and if the cost of the proposed alteration, combined with all alterations of the same building or structure during the preceding five-year period, exceeds 25 percent of the recorded taxable value of the building or structure at the beginning of the five-year period, the applicant shall bring the nonconforming site features into compliance in accordance with Table 17-7.6(b): Required Additional Nonconforming Site Feature Compliance for Alterations.

TABLE 17-7.6(B): REQUIRED ADDITIONAL NONCONFORMING SITE FEATURE COMPLIANCE FOR ALTERATIONS			
EXTENT OF ALTERATION OF BUILDING OR STRUCTURE	REQUIRED ADDITIONAL COMPLIANCE OF NONCONFORMING SITE FEATURE		
	Landscaping	Parking	Signs
Cost of the alteration is less than 25 percent of the value of the building or structure [1][2]	None		
Cost of the alteration is 25 percent or more but less than 50 percent of the value of the building or structure [1][2]	None	Minimum off-street parking standards that result in nonconformity, multiplied by the same percentage that determines the extent of the alteration of the building or structure, not to exceed full compliance	Full compliance with all sign standards is required
Cost of the alteration is 50 percent or more but less than 75 percent of the value of the building or structure [1][2]	Minimum off-street parking and landscaping standards that result in nonconformity, multiplied by the same percentage that determines the extent of the alteration of the building or structure, not to exceed full compliance, [3] except for the following standards: <ul style="list-style-type: none">• Sec. 17-5.3(i), Screening: full compliance is required• Sec. 17-5.3(f)(4), Interior Planting Areas: no additional compliance is required• Sec. 17-5.3(h), Site Tree Density: no additional compliance is required		Full compliance with all sign standards is required
Cost of the alteration is 75 percent or more of the value of the building or structure [1][2]	Full compliance with all parking, landscaping, and sign standards is required		
NOTES:			
[1] The cost of the alteration consists of the cost of the proposed alteration combined with the cost of all alterations of the same building or structure during the preceding five-year period. Costs shall be as shown on the building permit application and shall include the costs of materials and labor.			
[2] The value of the building or structure shall be the taxable value of the building or structure.			
[3] For example, assume a site has 12 of 30 required parking spaces and the cost of remodeling is 50 percent of the value of the building. The number of additional parking spaces required would be determined by multiplying the total required (30 spaces) by 50 percent, or 15 spaces, bringing the number of parking spaces on the site to 27 (90 percent of the total required). If, instead of 12 spaces, the site initially had 20 spaces, only 10 additional parking spaces would be required, bringing the parking spaces on the site to 30 (100 percent of the total required).			

- (2)** For purposes of this Subsection, the term “alteration of a building or structure” means any alteration, as defined in the Building Code, of a structure lawfully erected prior to August 30, 2021, excluding any reestablishment of a nonconforming structure in accordance with Sec. 17-7.3(b), Reestablishment after Demolition, Damage, or Destruction, and any repair (other than an addition), as defined in the Building Code.

(c) Additions and Expansions

- (1) If an application for a building permit is submitted for the expansion of a building on a site that has one or more nonconforming signs, as a part of the expansion, the applicant shall bring all nonconforming signs on the site into full compliance with the sign standards in this Ordinance (see 0).
- (2) If an application for a building permit is submitted for the expansion of a building on a site that has one or more nonconforming site features, other than nonconforming signs, and if the increase in gross floor area, combined with all expansions of the building during the preceding five-year period, exceeds 15 percent of the total gross floor area of the building at the beginning of the five-year period, the applicant shall bring the nonconforming site features, other than nonconforming signs, into compliance in accordance with Table 17-7.6(c): Required Additional Nonconforming Site Feature Compliance for Expansions.

TABLE 17-7.6(C): REQUIRED ADDITIONAL NONCONFORMING SITE FEATURE COMPLIANCE FOR EXPANSIONS		
EXTENT OF BUILDING EXPANSION	REQUIRED ADDITIONAL COMPLIANCE OF NONCONFORMING SITE FEATURE	
	Landscaping	Parking
Less than 15 percent increase in gross floor area [1]	None	
Increase in gross floor area of 15 percent or more but less than 25 percent [1]	None	Minimum off-street parking standards that result in nonconformity, multiplied by the same percentage that determines the extent of the building expansion, not to exceed full compliance
Increase in gross floor area of 25 percent or more but less than 50 percent [1]	Minimum off-street parking and landscaping standards that result in nonconformity, multiplied by the same percentage that determines the extent of the building expansion, not to exceed full compliance, [2] except for the following standards: <ul style="list-style-type: none">• Sec. 17-5.3(i), Screening: full compliance is required• Sec. 17-5.3(f)(4), Interior Planting Areas: no additional compliance is required• Sec. 17-5.3(h), Site Tree Density: no additional compliance is required	
Increase in gross floor area of 50 percent or more [1]	Full compliance with all parking and landscaping standards is required	
NOTES:		
<p>[1] The increase in gross floor area consists of the gross floor area of the proposed expansion combined with the gross floor area of all expansions of the same building during the preceding five-year period. Gross floor area of an expansion shall be as shown on the building permit application.</p> <p>[2] For example, assume a site requires a Type B transitional buffer yard, but the current buffer yard has a width of 10 feet and includes 6 shrubs and 5 caliper inches per 100 linear feet. Assume the expansion results in a 30 percent increase in the gross floor area. A compliant Type B transitional buffer yard could have a width of 20 feet, if it included 40 shrubs and 14 caliper inches per 100 linear feet. For the transitional buffer yard standard, one combination of additional width and plantings that would meet the requirements of this section would be an increase in width of 6 feet (20 feet x 30 percent), 12 shrubs (40 x 30 percent) and 4 caliper inches (14 X 30 percent) per linear foot. The result would be a transitional buffer that is 16 feet wide and contains 18 shrubs and 9 caliper inches per 100 linear feet.</p> <p>[3] No structure shall be expanded into a transitional buffer yard.</p>		

interpretation of the Zoning Administrator shall be binding and shall be maintained in the record of interpretations in accordance with Sec. 17-2.5(w), Interpretation – Zoning.

Sec. 17-9.4 Definitions

The following words, terms, and phrases, when used in this Ordinance, shall have the meaning ascribed to them in this section.

ABUTTING

The condition of two adjoining lots having a common boundary including cases where two or more lots adjoin a corner, but not including cases where adjoining lots are separated by a street or alley.

ACCESSORY BUILDING OR USE

A building or use that is:

- (a) Subordinate to and serves a principal building or principal use;
- (b) Subordinate in area, extent or purpose to the principal building or principal use served;
- (c) Designed for the comfort, convenience or necessity of occupants of the principal use served; and
- (d) Located on the same lot as the principal building or principal use served, with the exception of such accessory off-street facilities as are permitted to locate elsewhere than on the same lot with building or use served.

ACCESSORY DWELLING UNIT

An ancillary or secondary living unit to a single-family detached dwelling use that has a separate kitchen, bathroom, and sleeping area, existing either within the same structure, or on the same lot, as the primary dwelling unit. For purposes of determining maximum density, an accessory dwelling unit shall not count as a dwelling unit.

ADJACENT

A parcel of land that shares all or part of a common lot line or boundary with another parcel of land, or a parcel of land that would abut another parcel of land, but for the fact a street or right-of-way divides the parcels.

ADMINISTRATIVE ADJUSTMENT

See Sec. 17-2.5(r), Administrative Adjustment.

AGGREGATE CALIPER INCHES (ACI)

The combined total number of inches of existing and proposed trees used to meet a landscape requirement within a required landscape area (see “Caliper”).

AGRITOURISM ACTIVITY

Events and activities conducted on a working farm offered to the public or to invited groups for the purpose of recreation, education, or active involvement in the farm operation, and that are related to agriculture or natural resources and directly associated with and incidental to on-going agricultural activity on-site. Agritourism activities include, but are

not limited to, farm tours, hayrides, corn mazes, petting zoos, classes related to agricultural products or skills, and picnic and party facilities offer in conjunction with such activities.

AIRPORT

Owens Field airport.

AIRPORT ELEVATION

The highest point of an airport's usable landing area, measured in feet above mean sea level (194.0 feet).

ALLEY

A minor right-of-way used or intended to be used primarily for vehicular service access to the rear or side of properties otherwise abutting a street.

ANTENNA

A device for radiating or receiving electromagnetic radiation. This definition shall specifically include, but is not limited to, all radio, television, microwave and satellite dish antennas.

APPEAL – LAND DEVELOPMENT (SUBDIVISION)

See Sec. 17-2.5(v), Appeal – Land Development (Subdivision).

APPEAL – ZONING

See Sec. 17-2.5(u), Appeal – Zoning.

APPLICANT

Any person who submits an application for review and/or approval in accordance with this Ordinance.

APPLICATION OR DEVELOPMENT APPLICATION

The completed form and all accompanying documents, exhibits, materials, and fees required of an applicant by this Ordinance and the Procedures Manual as part of the review on an application for a development approval or permit.

AQUAPONICS

The cultivation of aquatic animals and plants together in a constructed, re-circulating system utilizing natural bacterial cycles to convert the aquatic animal wastes to plant nutrients.

ARBORIST

A specialist in the care and maintenance of trees. Certified Arborists are individuals who have achieved a level of knowledge in the art and science of tree care through experience and by passing a comprehensive examination developed by some of the nation's leading experts on tree care.

ARCHITECTURAL CONSERVATION DISTRICT

Any area designated by the City Council in accordance with Sec. 17-2.5(c), Zoning Map Amendment, as an area containing any physical features or improvements, or both, which:

(a) Are of historical, social, cultural, architectural or aesthetic significance to the city; and

(b) Cause such area to constitute a distinctive section of the city.

ARTERIAL STREET

A freeway, expressway, arterial street, or highway which is used or intended to be used for moving either heavy vehicular traffic volumes or high speed traffic, or both, or which has been designated as arterial under the provisions of *Part 5, Specifications for Roadway Design, City of Columbia Regulations*.

AS-BUILT DRAWINGS

The approved construction plans properly revised to graphically depict the location, size and other pertinent details of the actual installation of improvements (water, sewer, storm drainage, and streets).

ASSEMBLY AREA

A portion of a facility in which the public or membership gathers for public presentations, events, education, worship, or civic activities.

AUTHORIZED AGENT

A person with express written consent to act upon another person's behalf.

AUTOMATED TELLER MACHINE (ATM)

A mechanized device operated by or on behalf of a bank or financial institution that allows customers to conduct automated banking or financial transactions. Where an ATM is provided at the site of a bank or financial institution for use by customers in motor vehicles, the ATM is considered a drive-through service accessory use. At other locations, an ATM may be considered a separate accessory use to the principal use(s) of the location.

AUTOMATIC CAR WASH (AS AN ACCESSORY USE)

A structure providing the exterior washing of vehicles where vehicles are manually driven or pulled by a conveyor through a system of rollers and/or brushes.

AWNING

A roof-like cover, often of fabric, metal or glass designed and intended to either protect from the weather or as a decorative embellishment, and which is supported and projects from a wall or parapet of a structure over a window, walk, door, or a similar feature.

BED AND BREAKFAST (AS ACCESSORY TO A SINGLE-FAMILY DETACHED DWELLING)

Lodging accommodations, including breakfast, provided to paying guests for periods of two consecutive weeks or less within an owner-occupied single-family detached dwelling, that is an accessory use to the residential use of the dwelling.

BEDROOM

Any room or space used or intended to be used for sleeping purposes.

BERM

A man-made landscape feature generally consisting of a linear, raised mound of soil covered with grass lawn or other permanent, living ground cover. Temporary soil stockpiles and retaining walls are not berms.

BICYCLE PARKING AREA

An area containing bicycle parking spaces.

BICYCLE PARKING RACK

A stand used for mounting and securing bicycles when not in use.

BICYCLE PARKING SPACE

An area and facility used for securing a bicycle (see Sec. 17-5.2(i), Bicycle Parking Standards).

BICYCLE PARKING SPACE, LONG-TERM

A bicycle parking space that complies with Sec. 17-5.2(i)(4), Short-Term Bicycle Parking Standards.

BICYCLE PARKING SPACE, SHORT-TERM

A bicycle parking space that complies with Sec. 17-5.2(i)(5), Long-Term Bicycle Parking Standards.

BLOCK

The smallest unit of land entirely bounded by streets, railroad rights-of-way, or watercourses.

BLOCK FACE

Two sides of one street between intersecting streets.

BOARD OF ZONING APPEALS

The Board of Zoning Appeals of the City of Columbia, South Carolina (see Sec. 17-2.3(c)).

BOARD OF ZONING APPEALS – FORM-BASED CODES

The Board of Zoning Appeals – Form-based Codes of the City of Columbia, South Carolina (see Sec. 17-2.3(d)).

BOLLARD LAMP

An outdoor luminaire that is a short (usually about 2-4 feet in height) post with the light source located at or near the top.

BUILDING

Any structure having a roof supported by columns or walls and which is designed for shelter, support, or enclosure of persons, animals or property of any kind.

BUILDING PERMIT

An approval statement signed by the Building Official authorizing the construction, alteration, reconstruction, or demolition of all or part of any building because the proposed development complies with this Ordinance and the Building Code.

BUSINESS DAY

A day during which the majority of City offices are open for business for any period of time shall be counted as a business day.

Article 9: Definitions and Rules of Measurement

Sec. 17-9.4. Definitions

(b) Interpretation of Unlisted Uses

CALIPER

The standard for trunk diameter measurements of nursery stock. Caliper of the trunk is measured six inches above the ground for four-inch or smaller caliper trees and 12 inches above the ground for larger sizes. The caliper size of a multi-trunk tree shall be deemed to be the average caliper size of the largest three leaders.

CAMBIUM

The layer of formative cells between the wood and bark in woody plants.

CANOPY (AS ACCESSORY TO A NONRESIDENTIAL USE)

An accessory structure to a nonresidential principal use, such as gas station or a bank with a drive-through facility, that consists of a rigid horizontal roof-like structure made of fabric, metal, or other material supported by an attached building or columns or posts, is largely open along its sides, and is intended to provide shelter to people or motor vehicles, or as a decorative feature on a building wall.

CENTERLINE, STREET

The centerline of a street right-of-way as determined by the City Engineer.

CERTIFICATE OF DESIGN APPROVAL – DESIGN DISTRICTS

See Sec. 17-2.5(h), Certificate of Design Approval – Design Districts.

CERTIFICATE OF DESIGN APPROVAL – HISTORIC DISTRICTS AND LANDMARKS

See Sec. 17-2.5(g), Certificate of Design Approval – Historic Districts and Landmarks.

CHANGEABLE COPY

Sign copy that generally changes more often than once every 24 hours, either by hand or by an automated process.

CHARACTERIZED BY

For purposes of Sec. 17-4.2(c)(3)d.5, Sexually-Oriented Businesses, describing the essential character or quality of an item. No business shall be classified as a sexually oriented business by virtue of showing, selling, or renting materials rated NC-17 or R by the Motion Picture Association of America.

CHIP HOME PROGRAM

The Certified High Performance Home program of the High Performance Building Council of the Building Industry Association of Central South Carolina, which is based on the ANSI-approved National Green Building Standard.

CIRCUIT COURT

The Circuit Court of Richland County, South Carolina.

CITY

The City of Columbia, South Carolina.

CITY CLERK

The City Clerk of the City of Columbia, South Carolina.

CITY COUNCIL

The City Council of the City of Columbia, South Carolina (see Sec. 17-2.3(a)).

CITY ENGINEER

The City Engineer of the City of Columbia, South Carolina.

CITY MANAGER

The City Manager of the City of Columbia, South Carolina.

CIVIC GREEN

An open space available for unstructured recreation that is landscaped with grassy areas and trees.

CLEAR CUTTING

The removal of all trees from a property, whether by cutting or other means, excluding stream buffer requirements.

CLUBHOUSE

A building or room used for social or recreational activities by members of a club (e.g., golf course clubhouse) or occupants of a residential or other development.

CODE OF ORDINANCES

The Code of Ordinances of the City of Columbia, South Carolina.

COIN OPERATED LAUNDRY (AS ACCESSORY TO A MULTIFAMILY DWELLING, MOBILE HOME PARK, DORMITORY, OR CAMPGROUND)

An establishment where coin-operated automatic washing machines, clothes dryers, or dry-cleaning machines are provided for use as an accessory to a principal use.

COLLECTOR STREET

A street which is used or intended to be used for moving traffic from minor or local streets to arterial streets, including the principal entrance and circulation streets of a residential development.

COMMERCIAL MESSAGE

Any sign wording, logo or other representation that, directly or indirectly, names, advertises or calls attention to a business, product, service or other commercial activity.

COMMERCIAL SERVICE STREET

A street whose use or intended use is somewhat less than that of an arterial and somewhat greater than that of a collector. It will generally be located in industrial/commercial areas or be used to provide access for heavy vehicles or heavy vehicular volumes to such areas.

COMMERCIAL TIMBER OPERATION

Activities occurring on tracts of land five acres or more in size devoted to the production of marketable forest products through generally accepted silvicultural practices including, but not limited to, harvesting, site preparation, and regeneration.

COMMUNICATION TOWER

A communication tower is a guy-wire communication tower, a lattice communication tower, or a monopole communication tower only.

Article 9: Definitions and Rules of Measurement

Sec. 17-9.4. Definitions

(b) Interpretation of Unlisted Uses

COMMUNITY GARDEN (AS AN ACCESORY USE)

An accessory use consisting of a private or public facility for cultivation of fruits, flowers, vegetables, or ornamental plants by more than one person, household, family, or non-profit organization for personal or group use, consumption, or donation.

COMMUNITY RECREATION FACILITY (AS ACCESSORY TO A RESIDENTIAL DEVELOPMENT)

A private recreational facility for use solely by the residents and guests of a particular residential development, including residential subdivisions, multifamily, townhouse, and mixed use developments.

COMPOSTING, SMALL-SCALE

An enclosed area at least 100 square feet in area that contains a compost tumbler or similar apparatus designed for the purpose of converting household kitchen and yard waste into fertilizer.

COMPREHENSIVE PLAN

The Comprehensive Plan adopted by the City of Columbia, South Carolina.

CONDITIONAL USE PERMIT

See Sec. 17-2.5(l), Conditional Use Permit.

CONSTRUCTION

The erection of any building or structure or any preparations (including land-disturbing activities) for the same.

CONSTRUCTION-RELATED BUILDING, STRUCTURE, OR USE

A temporary structure, facility, or space associated with the staging, management, and security of new construction—including an office building, security building, storage buildings, construction waste and recycling receptacles, temporary sanitation facilities, outdoor storage, and employee parking areas—and located on or adjacent to the construction site.

CONTIGUOUS

Abutting directly or immediately adjacent to a boundary or separated only by a right-of-way or water body.

CONTRIBUTING

Any building, structure, or object, generally 50 years old or older, which adds to the historical integrity or architectural qualities that make the historic district significant.

CORNICE

A horizontal decorative projection located at the top of a building.

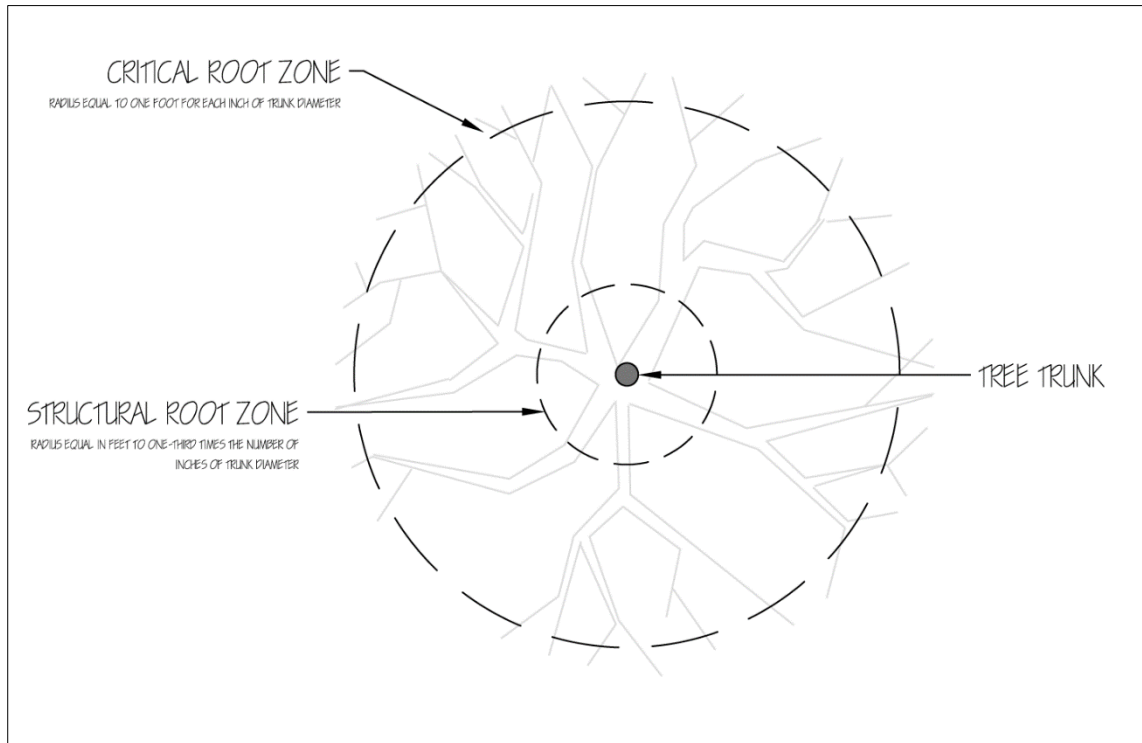
COUNTY

Richland County, South Carolina and/or Lexington County, South Carolina.

CRITICAL ROOT ZONE

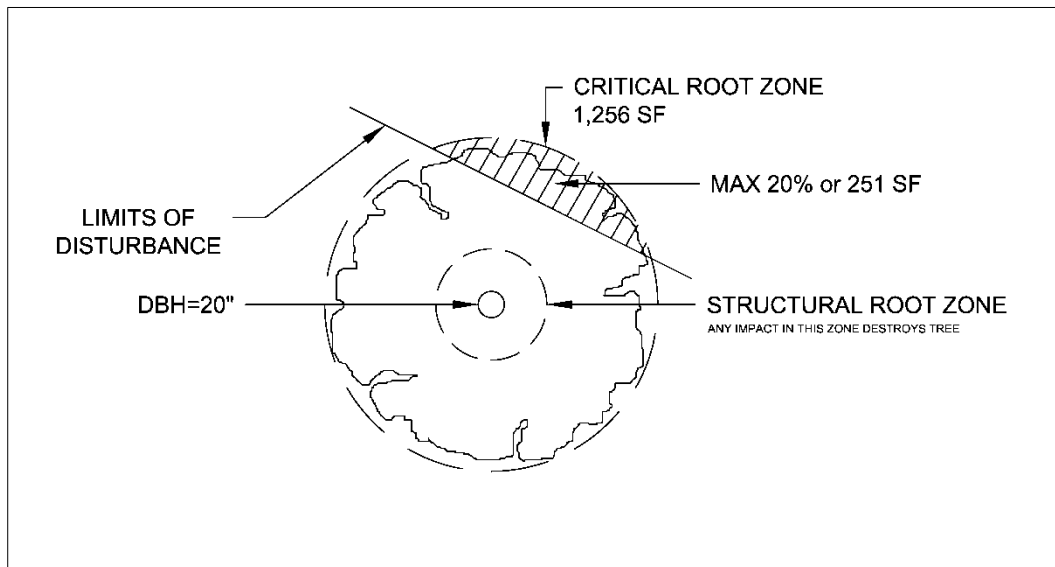
The minimum area beneath a tree which should be left undisturbed in order to preserve a sufficient root mass to give a tree a reasonable chance of survival. This area is located within

a distance of one foot for each one inch of tree diameter (measured at four and one-half feet above ground level) of the tree.



CRITICAL ROOT ZONE, NET

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



Article 9: Definitions and Rules of Measurement

Sec. 17-9.4. Definitions

(b) Interpretation of Unlisted Uses

CUL-DE-SAC

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

DAMAGE OR ABUSE (TO VEGETATION)

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

DATUM

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

DBH

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

DDRC

See "Design Development Review Commission."

DECIDUOUS

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

DECORATIVE LIGHTING

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

DEMOLITION

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

DESIGN DEVELOPMENT REVIEW COMMISSION

The Design Development Review Commission of the City of Columbia, South Carolina (see Sec. 17-2.3(e)).

DEVELOPER

Any person, including a governmental agency, undertaking development.

DEVELOPMENT AGREEMENT

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

DEVELOPMENT LOT AS A WHOLE

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

DHEC

The South Carolina Department of Health and Environmental Control.

DIAMETER-AT-BREAST-HEIGHT (DBH)

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

DISPLAY AREA

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

DISPLAY SURFACE AREA

That area of a sign including the entire area within a regular geometric shape or combination of regular geometric shapes enclosing all of the elements of informational or representational matter displayed, including blank masking or any surface shape intended to convey ideas, information or meaning. Sign support structures not bearing informational or representational matter shall not be included in computation of display surface area. Only one side of a double-faced sign shall be included in calculating the display surface area.

DRIP LINE

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

DRIVE-THROUGH FACILITY

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

DRIVEWAY

An area improved in accordance with Sec. 17-5.2(c), General Standards for Off-Street Parking and Loading Areas, leading from a street or alley to a parking space.

DRUGSTORE (AS AN ACCESSORY USE)

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

DWELLING

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

DWELLING UNIT

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

- (1) A full bath, except where (a) the full bath is the primary use of the structure, and (b) no other area of the structure may be readily inhabited (i.e. a stand-alone bath house);

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- (2) A range, oven, stove, broiler, or other like cooking appliance generally designed for permanent installation;
- (3) A separate power meter, except where the building official has determined that power could not be safely supplied from an existing meter; or
- (4) A separate water meter or connection to a well.

EASEMENT

A grant by a landowner to another landowner or to the public, of a right to occupy or use designated land for specific purposes, such as access, drainage, conservation, the location of public improvements, or other specified purpose. An easement does not constitute fee simple ownership of the land.

ELECTRIC VEHICLE (EV) LEVEL 1, 2, OR 3 CHARGING STATION

A vehicle parking space served by an electrical component assembly or cluster of components assemblies (battery charging station) designed and intended to transfer electric energy by conductive or inductive means from the electric grid or other off-board electrical source to a battery or other energy storage device within a vehicle that operates, partially or exclusively, on electric energy.

A Level 1 charging station is a slow-charging station that typically operates on a 15- or 20-amp breaker on a 120-volt Alternating Current (AC) circuit.

A Level 2 charging station is a medium-speed-charging station that typically operates on a 40- to 100-amp breaker on a 208- or 240-volt Alternating Current circuit.

A level 3 charging station is an industrial grade charging station that operates on a high-voltage circuit to allow for fast charging.

ENCROACHMENT INTO RIGHT-OF-WAY

A physical extension or intrusion into the right-of-way. See Sec. 17-9.2(b)(4), Allowable Encroachments into Required Yards or Rights-of-Way.

ENTERTAINMENT

For purposes of uses in the Eating and Drinking Establishments use category, any activity or game that is live, broadcast, or recorded, including, but not limited to, dancing, music, theater or comedy performance, sporting events, trivia games, and games of skill or chance.

ENTERTAINMENT, OUTDOOR

For purposes of uses in the Eating and Drinking Establishments use category, any activity or game that is live, broadcast, or recorded, including, but not limited to, dancing, music, theater or comedy performance, sporting events, trivia games, and games of skill or chance, when conducted outside a permanent enclosed area, contained by permanent walls and a permanent roof.

ESCORT

For purposes of Sec. 17-4.2(c)(3)d.5, Sexually-Oriented Businesses, a person who, for consideration, agrees or offers to act as a companion, guide or date for another person, or who agrees or offers to privately model lingerie or to privately perform a striptease for another person.

ESTABLISH OR ESTABLISHMENT

For purposes of Sec. 17-4.2(c)(3)d.5, Sexually-Oriented Businesses, any of the following:

- (1) The opening or commencement of any sexually oriented business as a new business;
- (2) The conversion of an existing business, whether or not a sexually oriented business, to any sexually oriented business;
- (3) The addition of any sexually oriented business to any other existing sexually oriented business; or
- (4) The relocation of any sexually oriented business.

EVERGREEN

A plant that keeps its leaves or needles year round for more than one growing season.

EXOTIC SPECIES

A plant introduced from another geographic region to an area outside its natural range. For the purpose of this code, this term shall be used primarily to describe conventionally cultivated and hybridized species of non-native plants that are non-invasive and regarded as suitable for and applicable to local landscaping.

EXOTIC INVASIVE SPECIES

A noxious exotic plant reproducing outside its natural range and outside cultivation that disrupts naturally occurring plant communities by altering structure, composition, natural processes or habitat quality; and whose introduction does or is likely to cause economic or environmental harm or harm to human health.

EXTERIOR ARCHITECTURAL FEATURE

The site improvements and general architectural arrangement, or either, of such portion of the exterior of any structure as is designed to be open to view from any public street or way, including but not limited to:

- (1) The kind, color and texture of the material of such portion so open to view;
- (2) The type and design of all windows, doors, lights, signs and other fixtures appurtenant to such portion; and
- (3) The location, adequacy and treatment of any vehicular access to such structure and open to view.

FAÇADE

The front, sides or rear faces of a building.

FACTORY-FABRICATED TRANSPORTABLE BUILDING (TEMPORARY USE)

A building constructed in a factory that is designed to arrive at a site ready for occupancy (except for minor unpacking and connection to utilities) and to be readily relocated to another site immediately following its use.

FAIR OR BETTER CONDITION

A tree is in fair or better condition if:

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- (1) Its trunk is relatively sound and solid with no extensive decay or hollow and less than 20 percent of the cambium is dead. (See "Cambium");
- (2) It contains no more than one major and several minor dead limbs; and
- (3) It has no major insect or pathological problem.

FAMILY

An individual; two or more persons related by blood, marriage, or adoption; or a group of three or fewer individuals not related by blood, marriage, or adoption, living together in a dwelling unit as a single housekeeping unit.

FAMILY CHILD CARE HOME (AS ACCESSORY TO A SINGLE-FAMILY DWELLING)

The provision of childcare as an accessory use in a single-family dwelling that constitutes a "family childcare home" as that term is defined in State law.

FARMERS' MARKET, TEMPORARY

A collection of vendors using private or publicly owned property or property owned by a not-for-profit organization for the sale of agricultural and horticultural products grown by the vendor, or for the sale of baked, canned, or preserved foods prepared by the vendor. If the farmers' market occurs regularly for all or most of the year, it is considered a principal use. If the farmers' market occurs only occasionally or periodically for only a limited time period during the year, it is considered a temporary use.

FENCE OR WALL

An artificially erected freestanding barrier used to enclose (and protect) an area, restrict or prevent access to an area, to conceal or screen an area, and/or for decorative purposes. A fence may be open or solid and generally consists of wood, metal, concrete, or plastic posts connected by boards, rails, panels, wire, or mesh. A wall is generally solid and consists of masonry, stone, brick, tile, concrete, or plaster. Natural growth barriers such as hedges are not considered fences or walls.

FESTOON

A string of ribbons, tinsel, flags, pennants, or pinwheels.

FILLING OR FILL

Fill means any organic material including but not limited to earth, clay, sand, wood chips, bark, or other organic material of any kind that is placed or stored upon the surface of the ground resulting in an increase in the natural surface elevation. Filling means the placement of fill.

FIXTURE OR LUMINAIRE

For purposes of Sec. 17-5.9, Exterior Lighting, a complete lighting unit including the lamps, together with the parts required to distribute the light, to position and protect the lamps, and to connect the lamps to the power supply.

FLAGPOLE AND FLAG

A pole displaying a fabric, banner, or bunting containing distinctive colors, patterns or symbols, used as a symbol of a government, political subdivision, corporate or commercial entity, or institution.

FLEA MARKET, TEMPORARY

The temporary and occasional collection of vendors using stalls, booths, or tables on property owned by a public agency or a not-for-profit organization for the sale of merchandise, collectibles, crafts, antiques, and other items, excluding automobiles, automobile parts, and nonportable household appliances.

FLOOD

A temporary rise of water level in lakes, streams, natural drainage courses, artificial drainage courses or other waterways that results in inundation of areas not ordinarily covered by water.

FLOOD FREQUENCY

The average length of time between flood occurrence, statistically determined, for which it is expected that a specific flood level will be equaled or exceeded.

FLOODPLAIN

Areas subject to periodic inundation by large floods which occur with calculable flood frequency and subject to flooding which may reasonably be expected to cause damage or hazard of damage sufficient to justify protection. Floodplain boundaries are generally lateral to the boundaries of floodways or the adjacent drainage course.

FLOODWAY

The portion of the floodplain that conveys the regulatory flood at velocities that pose significant hazards to people and property.

Floodlighting

FLOOR SPACE

For purposes of Sec. 17-4.2(c)(3)d.5, Sexually-Oriented Businesses, the floor area inside an establishment that is visible or accessible to patrons for any reason, excluding restrooms.

FOOT CANDLE

A unit of measure of the intensity of light falling on a surface. It is often defined as the amount of illumination that the inside surface of a one-foot-radius sphere would be receiving if there were a uniform point source of one candela in the exact center of the sphere. One footcandle is equal to one lumen per square foot.

FORESTRY PERMIT

See Sec. 17-2.5(n), Forestry Permit.

FORM-BASED CODE

A Planned Development or base zoning district identified by the City Council as being subject to the Board of Zoning Appeals – Form-based Codes in the ordinance establishing the Planned Development or base zoning district. The Bull Street Planned Unit Development is an example of a Form-based Code.

FULL CUT-OFF

A light fixture constructed and installed in such a manner that all light emitted by it, either directly from the lamp (bulb) or a diffusing element, or indirectly by reflection or refraction from any part of the fixture, is projected below the horizontal plane of the fixture.

GARAGE OR CARPORT

A structure used or designed to provide shelter for the parking and storage of motor vehicles or boats. A garage is an enclosed building whereas a carport is a roofed structure open on one or more sides. Garages and carports are commonly attached to and considered part of a dwelling or other principal building, but may exist as a detached accessory structure.

GARAGE/YARD SALE

The temporary and occasional use of the premises of a dwelling for the sale, open to the public, of new or used personal property.

GRAND TREE

A grand tree is any tree in fair or better condition that equals or exceeds the following diameter sizes:

- Large hardwoods (e.g. Oak, Hickory, Tulip Poplar, Beech): 24 inches DBH
- Large softwoods (e.g. Pine, Deodar Cedar, Red Cedar): 30 inches DBH
- Small hardwoods (e.g. Dogwood, Redbud, American Holly): 10 inches DBH
- Any tree considered rare or unusual species, of exceptional quality, or of historical significance

GRAND TREE STAND

A contiguous grouping of trees that has been determined to be of value by the zoning administrator. Determination is based on any of the following criteria: maturity (even-aged); purity of species composition; rare or unusual nature of the species; historical significance; or exceptional aesthetic quality.

GREEN ROOF

A vegetative layer grown on a rooftop.

GREENHOUSE

A structure made of glass, plastic, or fiberglass in which temperature and humidity can be controlled for the cultivation of plants.

GREENWAY SYSTEM

A series of linear parks, typically beside a road or stream, that contain and are connected by shared use trails or similar pedestrian and bicycle pathways.

GROSS FLOOR AREA

The total horizontal area of all floors of a building, including exterior balconies, mezzanines, and porches but excluding stairways and elevator shafts, measured from the interior faces of the exterior walls of a building.

GROUND FLOOR ACTIVITY ZONES

Ground floor activity zones are sub-districts within the Innovista Design Overlay (OV-ID) zoning district. The OV-ID design guidelines, which are incorporated into this Ordinance by reference, includes a map (see page 5, *Innovista Design District Guidelines*) titled *Ground Floor Activity Zones*, which identifies specific areas within the OV-ID district where a

minimum percentage of the ground floor of buildings shall be occupied by uses that contribute to an active street frontage (see Sec. 17-3.7(g)(4)b, Ground Floor Uses).

GROUND COVER

Low-growing plants that grow in a spreading fashion to form a more or less solid mat of vegetation, generally planted to provide decorative landscaping or permeable cover for bare earth that prevents soil erosion.

GUY-WIRE COMMUNICATION TOWER

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.

HARDWOOD TREE

A broad-leaved tree as opposed to a needle-bearing coniferous tree.

HAZARD TO NAVIGATION

Related to airport operations, an obstruction determined to have a substantial adverse effect on the safety and efficient utilization of the navigable airspace.

HEALTH DEPARTMENT

The South Carolina Department of Health and Environmental Control and subordinate health agencies having jurisdiction over the land area in which a proposed subdivision is located.

HELIPAD (AS AN ACCESSORY USE)

A facility located on the roof of an office or other building (like a hospital) that accommodates the landing and taking-off of helicopters.

HISTORIC COMMERCIAL DISTRICT

Any area designated by the City Council in accordance with Sec. 17-2.5(c), Zoning Map Amendment, as an area containing physical features or improvements, or both, which:

- (a) Were originally constructed for commercial use;
- (b) Are of historical, social, cultural, architectural or aesthetic significance to the City; and
- (c) Cause such an area to constitute a distinctive section of the City.

HOME GARDEN

An on-site garden planted by an owner or occupant of a dwelling unit for the purpose of growing vegetables or fruit for consumption by occupants of the dwelling unit only.

HOME HOUSING FOR POULTRY

The keeping of poultry for domestic purposes and associated structures used for feeding, shelter and confinement.

HOME OCCUPATION

An occupation, profession or trade customarily and commonly carried out by an occupant in a dwelling unit as a secondary use which is clearly incidental and subordinate to the residential character of the dwelling unit.

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ILLUMINANCE, HORIZONTAL

The intensity of artificial light falling on a horizontal surface, measured in foot candles.

ILLUMINATION

The casting of artificial light onto the ground or another surface.

INFLUENTIAL INTEREST

For purposes of Sec. 17-4.2(c)(3)d.5, Sexually-Oriented Businesses, any of the following:

- (1) The actual power to operate the sexually oriented business or control the operation, management or policies of the sexually oriented business or legal entity which operates the sexually oriented business,
- (2) Ownership of a financial interest of 30 percent or more of a business or of any class of voting securities of a business, or
- (3) Holding an office (e.g., president, vice president, secretary, treasurer, managing member, managing director, etc.) in a legal entity which operates the sexually oriented business.

INTERPRETATION – LAND DEVELOPMENT (SUBDIVISION)

See Sec. 17-2.5(x), Interpretation – Land Development (Subdivision).

INTERPRETATION – ZONING

See Sec. 17-2.5(w), Interpretation – Zoning.

INVASIVE SPECIES

See “Exotic Invasive Species”

IRRIGATION SYSTEM

A permanent underground piping and distribution system designed using industry standard methods to provide efficient water coverage over a landscaped area.

LAND

The earth, water, and air, above, below, or on the surface, and including any improvements or structures customarily regarded as land.

LAND DEVELOPMENT ADMINISTRATOR

The City employee to whom the City Manager has delegated the responsibility of enforcing Land Development (Subdivision) Standards, of this Ordinance (see Sec. 17-2.3(g)).

LANDMARK

Any physical feature or improvement designated by the City Council (see Appendix A, Appendix B, and Appendix C) as a physical feature or improvement which in whole or part has historical, social, cultural, architectural or aesthetic significance to the city and the state, or the region, or the nation, and has been in existence for no fewer than 20 years.

LANDMARK DISTRICT

Any area designated by the City Council in accordance with Sec. 17-2.5(c), Zoning Map Amendment, as an area containing any physical features or improvements, or both, which are of historical, social, cultural, architectural or aesthetic significance to the city, state, region, or nation, and cause such area to constitute a distinctive section of the city.

LANDOWNER

A person who holds legal title to a property or the authorized agent of such a person.

LANDSCAPE ARCHITECT

A person practicing landscape architecture and licensed in the State of South Carolina pursuant to the requirements of Section 40-28-10, et. seq., of the South Carolina Code of Laws, as amended.

LANDSCAPE ARCHITECTURE

A multi-disciplinary field, incorporating aspects of urban design, architecture, geography, ecology, civil engineering, structural engineering, horticulture, environmental psychology, industrial design, soil sciences, botany, and fine arts for the purpose of the performance of professional services, such as consultation, investigation, research, planning, design, preparation of drawings and specifications, and responsible inspection in connection with the development of land areas where, and to the extent that, the dominant purpose of the services is the preservation, enhancement, or determination of proper site design, natural land features, planting, naturalistic and aesthetic values, the settings and approaches to structures or other improvements, the setting of grades and determining drainage and providing for drainage structures, and the consideration and determining of environmental problems.

LANDSCAPE AREA

An area of land where landscaping is provided in accordance with Sec. 17-5.3, Landscaping.

LANDSCAPING PLAN

A plan, which may be associated with a subdivision, site plan, parking plan, or other plan or application for a development approval or permit, that shows the placement of trees, shrubs, ground cover, and affiliated structures and improvements on a site, and includes specifications, species, quantities, and installation. A landscaping plan must be prepared by a landscape architect or, in limited cases, by another design professional. See Sec. 17-5.3(b)(4), Landscaping Plan Required.

LATTICE COMMUNICATION TOWER

A ground-mounted, many-legged, self-supporting tower created by the joining of structural members that supports wireless communication antenna.

LDA

See "Land Development Administrator."

LICENSEE

For purposes of Sec. 17-4.2(c)(3)d.5, Sexually-Oriented Businesses, a person in whose name a license to operate a sexually oriented business has been issued, as well as the individual or individuals listed as an applicant on the application for a sexually oriented business license.

LIGHT, WALL PACK

A light fixture mounted to an exterior wall of a building.

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LIMITED FUEL/OIL/BOTTLED GAS DISTRIBUTION

The distribution, for compensation, of fuel oil or bottled gases such as propane or liquid petroleum in containers no greater than five gallons in volume.

LOADING AREA

An area where loading berths are provided in accordance with Sec. 17-5.2(j), Loading Area Standards.

LOT DEPTH

The distance from the street frontage to the lot line opposite the street frontage (see Sec. 17-9.2, Rules of Measurement).

LOT FRONTAGE

Any side of a lot adjacent to a street shall be considered frontage, and yards shall be provided upon that basis. The phrase "street frontage" shall be interpreted to have the same meaning as the phrase "lot frontage."

LOT LINE

A line forming the boundary of a lot.

LOT OR LOT OF RECORD

For purposes of Article VI: Land Development (Subdivision) Standards, a portion of a subdivision intended as a unit for transfer of ownership or for development or both. The word "lot" includes the word "plot" or "parcel." For all other purposes, an area of land clearly defined by plat or metes and bounds description duly recorded with the Register of Deeds.

LOT WIDTH

The distance between straight lines connecting front and rear lot lines at each side of the lot (see Sec. 17-9.2, Rules of Measurement).

LOT, CORNER

A lot located at the intersection of two or more streets. A lot abutting on a curved street shall be considered a corner lot if straight lines drawn from the foremost point of the lot lines to the foremost point of the lot (or an extension of the lot where it has been rounded by a street radius) meet at an interior angle of less than 135 degrees.

LOT, INTERIOR

A lot, other than a corner lot, with only one frontage on a street.

LOT, THROUGH

A lot, other than a corner lot, with frontage on more than one street other than an alley. Through lots with frontage on two streets may be referred to as double frontage lots.

LUMEN

A quantitative unit measuring the amount of light emitted by a light source.

MAJOR ALTERATION

A significant change to a structure or site that may include but is not limited to enclosing a porch, building an addition, removing or adding openings, removing or altering large

amounts of original material, and other alterations determined by the Design Development Review Commission or the Land Development Administrator to be significant for the building or site.

MANUFACTURING, ASSEMBLY, OR FABRICATION, LIGHT (AS AN ACCESSORY USE)

An accessory use involving the mechanical transformation of predominantly previously prepared materials into new products, including assembly of component parts and the creation of products for sale to the wholesale or retail markets or directly to consumers. Such uses are wholly confined within an enclosed building, do not include processing of hazardous gases and chemicals, and do not emit noxious noise, smoke, vapors, fumes, dust, glare, odor, or vibration.

MARQUEE

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

MASONRY WALL

A wall constructed of brick, stone or stucco.

MAXIMUM EXTENT PRACTICABLE

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

MINOR ALTERATION

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

MIXED-USE DEVELOPMENT

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

MOBILE HOME

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

MODEL SALES HOME/UNIT

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

MONOPOLE COMMUNICATION TOWER

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

MULCH

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

NATIVE SPECIES

A plant that is a part of the balance of nature that has developed over hundreds or thousands of years in a particular region or ecosystem. This includes species that are considered indigenous, occurring in natural associations with habitats that existed prior to significant anthropogenic impacts and alteration to the landscape.

NATURALIZED PLANT

A non-native plant that does not need human help to reproduce and maintain itself over time in an area where it is not native.

NET CRITICAL ROOT ZONE

See Critical Root Zone, Net.

NONCOMMERCIAL MESSAGE

Any sign wording, logo, or other representation that is not defined as a commercial message.

NONCONFORMING

A term applied to lots of record, structures, uses of land or structures, signs, and other site features which were lawful before the passage of this Ordinance or before an amendment of this Ordinance, but which are prohibited by this Ordinance or which are not in compliance with the requirements of this Ordinance.

NONCONFORMING LOT OF RECORD

A lot of record that was legally created before this Ordinance, or an amendment thereto, was adopted, that is rendered non-compliant with the dimensional standards in this Ordinance.

NONCONFORMING SIGN

A sign that was legally established before this Ordinance, or an amendment thereto, was adopted, that is rendered non-compliant with the signage standards in this Ordinance.

NONCONFORMING SITE FEATURE

Any off-street parking, landscaping, or sign that was legally established before this Ordinance, or an amendment thereto, was adopted, that is rendered non-compliant with the standards in this Ordinance.

NONCONFORMING STRUCTURE

A structure that was legally established before this Ordinance, or an amendment thereto, was adopted, that is rendered non-compliant with the dimensional standards of the zoning district in which it is located or any other standards in this Ordinance.

NONCONFORMING USE

A use that was legally established before this Ordinance, or an amendment thereto, was adopted, that is rendered non-compliant with the use regulations in this Ordinance.

NON-CONTRIBUTING

Any building, structure, or object, less than 50 years old, which does not possess the historical integrity or architectural qualities that make the historic district significant, or a property or building 50 years old or older that has been significantly altered, or properties not associated with the period of significance for the district.

NON-NATIVE PLANT

A plant introduced with human help (intentionally or accidentally) to a new place or new type of habitat where it was not previously found. Note: Not all non-native plants are invasive.

NONRESIDENTIAL

Not providing any dwellings for occupation other than on a transient basis (such as hotels).

NOTICE OF VIOLATION

A notice indicating an alleged violation of this Ordinance. See Sec. 17-8.5(b)(1), Notice of Violation.

NUDITY

The showing of the human male or female genitals, pubic area, vulva, or anus with less than a fully opaque covering, or the showing of the female breast with less than a fully opaque covering of any part of the nipple and areola.

NURSERY AND GARDEN CENTER (AS ACCESSORY TO AN AGRICULTURAL USE)

Structures or an area of land located on land used for agricultural production that is used for the display and sale of nursery stock or garden supplies. This use does not include a "produce stand."

OBSTRUCTION

Related to airport operations, any structure, growth or other object, including a mobile object, which exceeds a limited height set forth in this section.

OFFICIAL ZONING MAP

See Sec. 17-1.7, Official Zoning Map.

OFF-STREET PARKING

Parking spaces that are located completely within the boundaries of the lot, and completely off of public or private rights-of-way or alleys or any interior surface access easement for ingress and egress.

OPEN SPACE SET-ASIDE

The portion of a proposed development required for reservation as a permanent open space in accordance with Sec. 17-5.5, Open Space.

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OPERATOR

For purposes of Sec. 17-4.2(c)(3)d.5, Sexually-Oriented Businesses, any person on the premises of a sexually oriented business who causes the business to function or who puts or keeps in operation the business or who is authorized to manage the business or exercise overall operational control of the business premises. A person may be found to be operating or causing to be operated a sexually oriented business regardless of whether that person is an owner, part owner, or licensee of the business.

ORIENTED TOWARD

Placed with the most important parts facing toward.

OUTBUILDING

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

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

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

OUTDOOR ENTERTAINMENT

See "Entertainment, Outdoor."

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

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

OUTPARCEL

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

PARAPET

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

PARCEL

See "Lot."

PARKING AREA

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

PARKING LOT

See "Surface Parking or Parking Lot."

PARKING SPACE

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

PD

See “Planned Development.”

PERSON

For the purposes of enforcing this Ordinance in accordance with Enforcement, “person” includes an individual, corporation, government agency, government official, business trust, partnership, two or more persons having a joint interest, or any other legal entity. Persons subject to the remedies and penalties established in Enforcement, for violating this Ordinance shall include the owner, tenant, or occupant of the land or structure that is in violation of this Ordinance and any other person who participates in, assists, directs, creates, or maintains a situation that constitutes an Ordinance violation, including but not limited to an architect, engineer, builder, contractor, or agent.

For all other purposes, “person” means any individual, corporation, government agency, business trust, partnership, two or more persons having a joint interest, or any other legal entity.

PILASTER

An element used to give the appearance of a supporting column and to articulate an extent of wall, with only an ornamental function.

PLANNED DEVELOPMENT

See Sec. 17-2.5(d), Planned Development.

PLANNED DEVELOPMENT DISTRICT

See Sec. 17-3.6, Planned Development Districts.

PLANNING COMMISSION

The Planning Commission of the City of Columbia, South Carolina (see Sec. 17-2.3(b)).

PLAZA

A public square or similar open area intended as a gathering space that is typically paved and includes pedestrian elements such as benches, seating, fountains, landscaping, and public art.

PORTABLE SHIPPING CONTAINER

A large metal or wooden container, typically intended for transport by large truck, train, or ship, that is used for the temporary storage and or transport of personal property.

PREMISES

For purposes of Sec. 17-4.2(c)(3)d.5, Sexually-Oriented Businesses, the real property upon which the sexually oriented business is located, and all appurtenances thereto and buildings thereon, including, but not limited to, the sexually oriented business, the grounds, private walkways, and parking lots and/or parking garages adjacent thereto, under the ownership, control, or supervision of the licensee, as described in the application for a sexually oriented business license.

PRIMARY FRONTAGE

On a corner lot, the frontage on the street having the highest traffic volume, or, if no such street can be identified, the street frontage having the greatest lot width.

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PRINCIPAL STRUCTURE

A structure or building having significant or primary use and justifying its own utilization (such as a dwelling or office building) as contrasted to accessory structures which are incidental or subordinate to primary structures and do not alone justify their utilization (such as a tool shed or auto garage used in conjunction with a dwelling). Certain structures may be either principal or accessory, depending upon utilization, such as a parking garage as an accessory structure to a high-rise apartment or as a principal structure when operated commercially in a business area.

PRINCIPAL USE

The significant or primary activity carried out within a structure or upon land (such as retail sales within a store or occupancy of a dwelling unit as a residence) as contrasted to accessory uses which are incidental or subordinate to primary uses (such as sale of soft drinks at an automobile service station). Certain uses may be either principal or accessory, depending upon their relationship with other uses, as for example a newsstand as an accessory use within a hotel lobby or as a principal use within a separate structure.

PROCEDURES MANUAL

A manual compiled by the Zoning Administrator and Land Development Administrator containing all requirements for application contents and forms, submission schedules, and fees established in accordance with this Ordinance. The Procedures Manual may contain additional information relevant to the submittal, review, and decision of development applications.

PROTECTED LOT

A vacant lot or a lot upon which a single-family detached dwelling or two-family dwelling is located, that requires compliance with the standards in Sec. 17-5.6, Neighborhood Compatibility (see Sec. 17-5.6(b), Applicability).

PROTECTED TREE

Refer to Sec. 17-5.4. Tree Protection (c) General

PROTECTED ZONE

Portions of a property required by permit to remain in open space; areas required by permit to be landscaped areas and transitional buffer yards.

PROTECTION AREA

Any area designated by the City Council in accordance with Sec. 17-2.5(c), Zoning Map Amendment, as an area which is contiguous to and constitutes an essential part of the physical environment of any architectural conservation district, landmark, or landmark district, or constitutes an area of significance in fostering good principles of urban design as applied to the city, or is an area of historical, social, cultural, architectural or aesthetic significance to the city.

PUBLIC ART

Art that is located so as to be visible to persons in public places, including but not limited to streets, sidewalks, and parks, and which does not:

- (1) Contain characteristics of an advertising sign;

- (2) Identify or draw attention to a business, profession, or industry; or
- (3) Identify or draw attention to the type of products sold, manufactured, or assembled or to the type of services or entertainment offered on the premises or in the City.

PUBLIC BICYCLE-SHARING SERVICE

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

PUBLIC BICYCLE-SHARING STATION

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

PUBLIC HEARING

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

QUORUM

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

RAINWATER CISTERN OR BARREL

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

RECYCLING DROP-OFF STATION

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

REGISTER OF DEEDS

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

REGULARLY

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

REGULATORY FLOOD

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

REGULATORY FLOOD PROTECTION ELEVATION

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

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RELOCATION

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

RESUBDIVISION

A change in a map of an approved or recorded subdivision plat if such change affects any street layout on such map or area reserved thereon for public use or any lot, or if it affects any map or plat legally recorded prior to the adoption of any regulations controlling subdivisions.

RETAIL SALES (AS AN ACCESSORY USE)

Small-scale retail sales or service uses on the premises of a principal use that offer convenient goods and other goods and services (not major purchase items) serving the day-to-day needs of individuals, or the offering of products associated with a manufacturing, warehouse, or wholesale use for retail sale to the general public on the premises of the manufacturing, warehouse, or wholesale use. An example is an outlet or seconds shop located at a manufacturing plant.

RIGHT-OF-WAY

A strip or parcel of land occupied or intended to be occupied by a street, road, railroad or other special use. Fee simple title is usually granted to the agency or entity acquiring the right-of-way. For purposes of Article 6: Land Development (Subdivision) Standards, every right-of-way hereafter established and shown on a final plat is to be separate and distinct from the lots or parcels adjoining such right-of-way and not included within the dimensions or areas of such lots and parcels. Right-of-way intended for roads, railroads, streets and similar uses shall be dedicated by the property owners on whose property such rights-of-way are established to the entity accepting responsibility for their maintenance.

ROOF PITCH

The amount of slope of a roof expressed in terms of feet of rise per feet of run (e.g. 3:12).

ROOT BALL

The network of roots and the soil clinging to them when a plant is lifted from the soil or removed from a container is called its root ball.

RUNWAY

Related to airport operations, the runway is a defined area within an airport prepared for landing and takeoff of aircraft along its length.

S.C. CODE OR SOUTH CAROLINA CODE

The Code of Laws of the State of South Carolina.

SANDWICH BOARD SIGN

An A-frame sign consisting of two boards hinged at the top hanging back to back. Such signs are generally oriented to pedestrians.

SCREENING

A visual shield against a higher impact land use created in a buffer transition yard with plantings, walls, fencing, etc.

SEARCHLIGHT

A device, consisting of a powerful light source (traditionally a carbon arc lamp with a mirrored parabolic reflector), that projects a powerful beam of light in a particular direction, that can typically be swiveled.

SECONDARY FRONTAGE

On a corner lot, any frontage other than a primary frontage.

SEMI-NUDE OR SEMI-NUDITY

The showing of the female breast below a horizontal line across the top of the areola and extending across the width of the breast at that point, or the showing of the male or female buttocks. This definition shall include the lower portion of the human female breast, but shall not include any portion of the cleavage of the human female breasts exhibited by a bikini, dress, blouse, shirt, leotard, or similar wearing apparel provided the areola is not exposed in whole or in part.

SETBACK LINE

The setback line is the same as the depth or width of any required yard. Such line defines the minimum distance between any structure and an adjacent lot boundary and is not necessarily the same as the building line, which is the distance between the actual structure and an adjacent lot boundary.

SEXUAL DEVICE

Any three dimensional object designed for stimulation of the male or female human genitals, anus, buttocks, female breast, or for sadomasochistic use or abuse of oneself or others and shall include devices commonly known as dildos, vibrators, penis pumps, cock rings, anal beads, butt plugs, nipple clamps, and physical representations of the human genital organs. Nothing in this definition shall be construed to include devices primarily intended for protection against sexually transmitted diseases or for preventing pregnancy.

SHADE TREE

An evergreen or deciduous tree of a species with an expected mature height of over 40 feet and an expected crown spread of over 30 feet.

SHRUB

A woody plant, usually maturing at less than 12 feet, having several permanent stems, instead of a single trunk.

SIDEWALK

A paved area within or adjacent to the public right-of-way running generally parallel to the street for the purposes of pedestrian travel and to facilitate pedestrian access to adjacent streets, buildings, and land.

SIGHT AREA

The space between three and eight feet in height, maintained clear of objects such as hedges, fences, and other obstructions for visibility purposes, located directly above the triangle formed by a line connecting intersecting property lines at rights-of-way or sections of driveway at rights-of-way at the following distances:

- (1) 12 feet at residential and commercial driveways; and

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- (2) 25 feet at intersecting property lines at rights-of-way.



SIGN

Any structure, fixture, placard, or device used to visually convey direction, information, or identification, or to visually advertise or promote any business, product, goods, activity, services, or interests.

SIGN COPY

All words, letters, numbers, figures, characters, artwork, symbols or insignia that are used on a display surface area.

SIGN PERMIT

See Sec. 17-2.5(o), Sign Permit.

SIGN SUPPORT STRUCTURE

Any base, foundation, pedestal, pole, post, upright, brace, bracket, bar, rod, strut, cross-piece, frame, scaffold, girder, or other similar item designed to support the load and/or force of a sign's display surface area, regardless of whether or not such items are permanently attached to the ground.

SIGN, FREESTANDING

A sign which is permanently affixed to the ground and which is not a part of a building or other structure.

SIGN, INFLATABLE

A sign that holds its shape by receiving a one-time or continuous supply of air or other gas, including balloons.

SIGN, MOBILE

A sign which is not permanently affixed to the ground and is equipped for transporting by motor vehicle, including signs referred to as trailer signs. Any mobile sign used on the same lot for more than 45 days per year will be considered a freestanding sign.

SIGN, OFF-PREMISE

A sign which relates in its subject matter to buildings, businesses, establishments, occupants, uses, functions, addresses and other like identifying elements, products, accommodations, services, or activities found, located, sold, or offered elsewhere than upon the premises on which the sign is located. Mobile signs may be off-premise signs, and off-premise signs include but are not limited to those signs commonly referred to as outdoor advertising signs, billboards or poster boards.

SIGN, OFF-PREMISE WEEKEND DIRECTIONAL

An off-premise sign placed only on the weekend, the purpose of which is limited exclusively to the identification of a use or occupancy located elsewhere and which tells the location of or route to such use or occupancy.

SIGN, ON-PREMISE

A sign which relates in its subject matter to the buildings, businesses, establishments, occupants, uses, functions, or premises on which it is located, or to products, accommodations, services or activities offered, sold or engaged in or on the premises on which it is located.

SIGN, OUTDOOR ADVERTISING

A permanent, off-premise sign.

SIGN, PERMANENT

A sign that is intended for other than temporary use or a limited period. A permanent sign is usually affixed or attached to the exterior of a building or to a pole or other structure by adhesive or mechanical means or is otherwise characterized by anchoring, construction materials, or a foundation indicative of an intent to display the sign for more than a limited period.

SIGN, PROJECTING

A sign, other than a wall sign, which projects from and is supported by a building.

SIGN, TEMPORARY

A sign not permanently installed or not intended or designed for permanent display. Temporary signs are usually made of a relatively lightweight and inexpensive material, such as cloth, canvas, light fabric, cardboard, corrugated plastic, or other light material.

SIGN, WALL

Any sign attached flat and parallel to the exterior wall or surface of a building or other structure and which projects not more than 12 inches from that wall or surface.

SIGN, YARD

A temporary sign that does not contain a commercial message and that is installed in the ground, usually on a wooden post or a thin support made of metal.

SITE PLAN

See Sec. 17-2.5(i), Site Plan.

SITE PLAN REVIEW TEAM

See Sec. 17-2.3(i), Site Plan Review Team.

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SITE PLAN, MAJOR

See Sec. 17-2.5(i)(3)b, Major Site Plan.

SITE PLAN, MINOR

See Sec. 17-2.5(i)(3)a, Minor Site Plan.

SITE SPECIFIC DEVELOPMENT PLAN

Those documents that comprise a complete application for a zoning permit, certificate of zoning compliance, variance, special exception, planned development, sketch plat or plan, or other similar approval that authorizes the developer or landowner to proceed with investment in grading, installation of utilities, streets, and other infrastructure, and to undertake other significant expenditures necessary to prepare for application for a building permit.

SMALL-MATURING TREE

An evergreen or deciduous tree with a mature height of over 15 feet but no greater than 25 feet.

SOLAR ENERGY CONVERSION SYSTEM (SMALL-SCALE)

Equipment for the collection of solar energy or its conversion to electrical energy for use on the same property, or for incidental sale to a public utility, when that equipment is accessory to a principal use of the property. Components are typically mounted on the roof(s) of principal or accessory structures, but may be mounted on other parts of structures, or on the ground.

SOFTWOOD TREE

A coniferous (cone-bearing) tree such as pine, cedar and bald cypress.

SPECIAL EXCEPTION PERMIT

See Sec. 17-2.5(e), Special Exception Permit.

SPECIAL FLOOD HAZARD AREA

An area of special flood hazard as defined in Chapter 21 of the Code of Ordinances.

SPECIFICATIONS FOR ROADWAY DESIGN

Part 5, Specifications for Roadway Design, of the City of Columbia Regulations.

SPECIFIED ANATOMICAL AREAS

- (1) Less than completely and opaquely covered: human genitals, pubic region; buttock; and female breast below a point immediately above the top of the areola; and
- (2) Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

SQUARE

Formal open space that provides safe and accessible places for the public to meet or gather. A square may include shelters, benches, landscaping, public art, plantings, hardscape, and greens or other flat level surfaces.

STABLE, PRIVATE (AS AN ACCESSORY USE)

A building or land where horses are, sheltered, fed, or kept for personal use, accessory to a single-family detached dwelling.

STATE

The State of South Carolina.

STEALTH WIRELESS COMMUNICATION FACILITY

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.

STOP WORK ORDER

An order directing the person responsible for the development of land to cease and desist all or any portion of the activity which violates the provisions of this Ordinance.

STORAGE SHED

An uninhabitable accessory structure used or designed to be used to provide shelter for or storage of materials, or as a small workshop. Storage sheds may be enclosed or open and may be attached to a principal building or exist as a detached structure.

STOREFRONT

The entrance facade of a building housing a commercial use that faces a street, sidewalk, or other pedestrian way.

STREET

A public thoroughfare designed to provide the principal means of access to abutting property, or designed to serve as a roadway for vehicular travel, or both, but excluding alleys.

STREET, ARTERIAL

A freeway, an expressway or an arterial street or highway which is used or intended to be used for moving either heavy vehicular traffic volumes or high speed traffic, or both, or which has been designated as arterial under the Specifications for Roadway Design.

STREET, COLLECTOR

A street which is used or intended to be used for moving traffic from minor or local streets to arterial streets, including the principal entrance and circulation streets of a residential development.

STREET, INDUSTRIAL OR COMMERCIAL SERVICE

A street whose use or intended use is somewhat less than that of an arterial and somewhat greater than that of a collector. It will generally be located in industrial/commercial areas or be used to provide access for heavy vehicles or heavy vehicular volumes to such areas.

STREET, LOCAL RESIDENTIAL

A street in a residential and/or commercial area used primarily for access to abutting properties and to feed traffic to collector streets. This classification includes streets located parallel and adjacent to limited access streets or highways which provide access to abutting properties and protection from through traffic.

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STREET, MINOR RESIDENTIAL

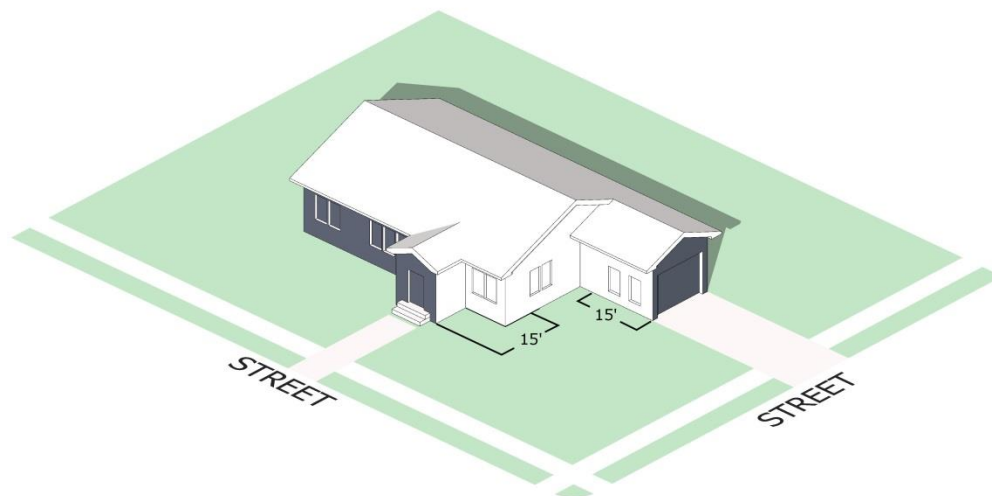
A street which carries no through traffic and which is used or intended to be used primarily for access to abutting residential lots which provide a minimum of two off-street parking spaces, and serving not more than 40 units, or, if a cul-de-sac, serving not more than 20 units.

STREET-FACING FAÇADE

Any façade of a principal building which approximately parallels a lot line abutting a street, and which:

- (1) Has a minimum width of ten feet; and
- (2) Is the façade of the principal building closest to such lot line or is located within 15 feet of such lot line.

The figure below is an illustration of street-facing façades:



shading indicates street-facing façades of a building

STREET FRONTAGE

See "Lot Frontage."

STREET PROTECTIVE YARD

A landscaped area planted with trees and other vegetation that is parallel and adjacent to the recorded or proposed public street right-of-way.

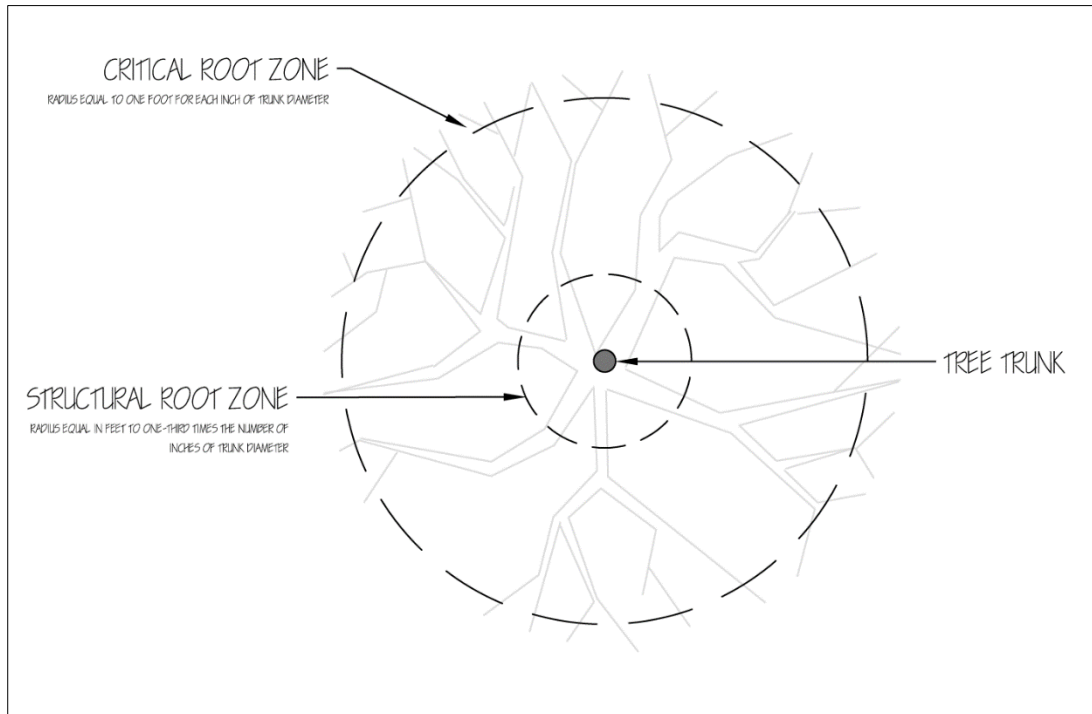
STREET TREES

Trees located in the public right-of-way between the edge of the street and the edge of the right-of-way or in the street median.

STRUCTURAL ROOT ZONE

The zone of rapid root taper that provides the tree stability against wind throw. The radius of the structural root zone is proportional to the stem diameter (DBH) of a tree: $\frac{1}{3}$ of the

diameter of the tree at breast height (DBH) in feet. Disturbance, including trenching, in this area will cause catastrophic tree failure.



STRUCTURE

For purposes of Sec. 17-3.7(c), OV-A: Airport Safety Overlay District, structure means an object (including a mobile object), including but not limited to, buildings, towers, cranes, smokestacks, earth formations and overhead transmission lines.

For all other portions of this Ordinance, structure means anything constructed or erected, the use of which requires location on the ground, or attachment to something having location on the ground, including mobile homes, travel trailers, signs, mobile signs, tubs, swimming pools or other bathing facilities, portable signs and antennas, but excluding from definition as structures the following: minor landscaping features such as ornamental pools, planting boxes, birdbaths, paved surfaces, walkways, driveways, recreational equipment, flagpoles and mailboxes.

SUBDIVIDER

Any person who undertakes the subdivision of land in accordance with Sec. 17-2.5(j), Subdivision.

SUBDIVISION

Any division of a tract or parcel of land into two or more lots, building sites, or other divisions for the purpose, whether immediate or future, of sale, lease, or development—including any division of land involving a new street or change in existing streets, the alteration of any streets or the establishment of any new streets within any subdivision previously made and approved or recorded according to law, any re-subdivision involving the further division or relocation of lot lines of any lot or lots within a subdivision previously

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made and approved or recorded according to law, and the combination of record lots—provided, however, that the following are excepted from this definition:

- (a) The combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots are equal to the standards of this Ordinance;
- (b) The division of land into parcels of five acres or more where no new street is involved and plats of these exceptions are received as information by the City, which shall indicate that fact on the plats;
- (c) The combination or recombination of entire lots of record where no new street or change in existing streets is involved; and
- (d) The partition of land by court decree.

SUBDIVISION, MAJOR

See Sec. 17-2.5(j)(3)b, Major Subdivision.

SUBDIVISION, MINOR

See Sec. 17-2.5(j)(3)a, Minor Subdivision.

SUBDIVISION, RESIDENTIAL

A subdivision designed exclusively for residential development.

SUBSTANTIAL ENLARGEMENT OF A SEXUALLY-ORIENTED BUSINESS

The increase in floor areas occupied by a sexually-oriented business by more than 25 percent, as the floor areas exist on July 1, 1990.

SURFACE PARKING OR PARKING LOT

An off-street, hard-surfaced, ground level area that is used exclusively for the temporary storage of motor vehicles.

SWIMMING POOL (AS AN ACCESSORY USE)

A man-made enclosure at least three feet deep at the deep end that is filled with water and used for wading or swimming, and that is accessory to a principal use.

TANDEM PARKING

Two parking spaces placed end-to-end, rather than side-by-side, where one parking space does not abut a driveway or access aisle.

TEMPORARY USE OF AN ACCESSORY STRUCTURE AS A PRINCIPAL DWELLING AFTER A CATASTROPHE

A temporary use of an accessory structure as a principal dwelling after a catastrophe is the temporary use of an existing structure that is accessory to an existing principal dwelling as the principal dwelling pending repair or reconstruction of the principal dwelling, where the principal dwelling has been damaged or destroyed by a fire, hurricane, or other physical catastrophe

TEMPORARY USE PERMIT

See Sec. 17-2.5(p), Temporary Use Permit.

TEXT AMENDMENT

See Sec. 17-2.5(b), Text Amendment.

THOROUGHFARE, MAJOR

A street designated by the City as an arterial street.

TIMBER HARVESTING

The felling of trees for timber products. This term may include both clear-cutting and the thinning of timber.

TPZ

See “Tree Protection Zone.”

TRANSFER OF OWNERSHIP OR CONTROL OF A SEXUALLY-ORIENTED BUSINESS

- (1) The sale, lease or sublease of a sexually-oriented business;
- (2) The transfer of securities which constitute an influential interest in a sexually-oriented business, whether by sale, exchange, or similar means; or
- (3) The establishment of a trust, gift or other similar legal device which transfers the ownership or control of a sexually-oriented business, except for transfer by bequest or other operation of law upon the death of the person possessing the ownership or control.

TRANSITIONAL BUFFER

A landscaped transitional area intended to separate and screen adjacent differing land uses. A transitional buffer is located within the property to be screened and is adjacent to the lot lines of the property but not to lot lines abutting the right-of-way (see “Street Protective Yard”).

TREE

A self-supporting woody perennial plant with a trunk diameter of at least two inches measured at six inches above ground level, with a mature height of at least 12 feet, and usually having one main stem or trunk and many branches.

- Canopy Tree: a redundant term as all Trees have canopies; analogous to the term Shade Tree.
- Coniferous Tree: any Tree with needle leaves and a woody cone fruit.
- Ornamental Tree: an Understory Tree planted primarily for its aesthetic value and as a landscape focal point, as opposed to its function of shading or screening even though it may perform all three functions.
- Shade Tree: An evergreen or deciduous tree of a species with an expected mature height of over 40 feet and an expected crown spread of over 30 feet. Primarily planted for its overhead canopy and quality of the shade it provides.
- Small/ Medium/ Large (Tree or Shrub): a means of categorizing Trees or Shrubs based upon their canopy or spread at maturity assuming proper maintenance and normal growing conditions and which serves the purpose of allowing for their proper spacing in landscape plans.

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- **Street Tree:** a Tree planted that is an element of a Thoroughfare assembly.
- **Specimen Tree:** a particularly impressive or unusual example of a species due to its size, shade, age, or any other trait that epitomizes the character of the species.
- **Understory Tree:** a small to medium sized Tree with an expected mature height less than thirty feet and a canopy which may or may not offer a sufficient clearance height for pedestrians beneath.

TREE ASSESSMENT

Information on a site plan that confirms tree species from the survey critical to the application of this subchapter, grades the conditions of trees to aid in retaining quality trees, identifies invasive exotic species on site for removal, confirms the tree survey is complete, identifies any unique features of trees such as leans or lower canopy heights, identifies trees just off site that may require design considerations, and ultimately makes the designer more aware of the site and its character. This analysis shall be performed by either a certified arborist or registered South Carolina landscape architect, and submitted with all development submittals.

TREE INVENTORY

A tally of the number, species, approximate size, and approximate location of existing trees on a site, obtained through photographs, including aerial photographs. A tree inventory may be verified by on-site viewing by City staff authorized to perform the verification.

TREE LAWN

The linear space between the back of curb and sidewalk for planting trees, flowers, grass and shrubs. Tree lawns may be existing, reclaimed or newly developed. Because they are set aside for landscaping, tree lawns shall not be used for ornaments, fencing, lighting, artwork, or parking.

TREE PROTECTION ZONE

With respect to a protected tree, unless otherwise specified in Sec. 17-5.4, Tree Protection, the largest of the following:

- (1) The area located within a distance of one foot for each one inch of tree diameter (measured at four and one-half feet above ground level) of the tree;
- (2) The area located within a distance of one-half the tree's height of the tree; or
- (3) The area within a distance of six feet of the tree.

This term may be abbreviated "TPZ" in this Ordinance.

TREE REMOVAL PERMIT

See Sec. 17-2.5(m), Tree Removal Permit.

TREE REPLACEMENT SCHEDULE

A plan showing the location, species and sizes of all replacement trees; and a table listing removed applicable protected, significant, and historical trees, as noted in this section, with total replacement caliper inches required.

TREE SURVEY

A survey completed by a registered land surveyor, usually as part of a site plan, of the location, size (as DBH), and species of the existing trees on a site. For purposes of this ordinance, this survey shall include grand trees, trees of six inches or greater DBH in any protected zones, and any other trees identified to meet the required density factor for the site. A tree survey may be verified by on-site viewing by City staff authorized to perform the verification.

TURFGRASS

A continuous plant coverage consisting of a grass species that is regularly mowed to maintain a desired height.

TYPE 1, TYPE 2, OR TYPE 3 LANDMARK

Landmarks listed in appendices to this Ordinance (see Appendix A: Type 1 Landmarks, Appendix B: Type 2 Landmarks, and Appendix C: Type 3 Landmarks) which contribute to the City's visual and cultural history. Type 1, Type 2, and Type 3 landmarks are distinguished by standards that require varying degrees of conservation to the interior and/or exterior of the structure (see Sec. 17-3.7(j), OV-HP: Historic Preservation Overlay District).

UTILITY SERVICE AREA

An area that contains a utility box, booster box, switching station, lift station, substation, transformer, pedestal, or similar above-grade device used to serve an underground utility.

VACANT LOT

A lot or parcel of land on which no improvements have been constructed.

VALET PARKING

Typical practices associated with, and the act of, driving another person's vehicle to and from a parking location so that said person and any passengers originally within the vehicle may unload and load at or near their immediate destination.

VARIANCE – LAND DEVELOPMENT (SUBDIVISION)

See Sec. 17-2.5(t), Variance – Land Development (Subdivision).

VARIANCE – ZONING

See Sec. 17-2.5(s), Variance – Zoning.

VEHICULAR DISPLAY AREA

An area where vehicles are stored and displayed for sale or lease.

VEHICULAR SURFACE AREA

An area where motor vehicles are either stored or driven, including private driveways, private streets built in accordance with this Ordinance, parking lots, rental lots, and depots.

VENDOR, TEMPORARY

A person who sells merchandise, goods, services, or forms of amusement from a temporary structure, such as a tent, awning, canopy, umbrella, stand, booth, cart, or trailer, from a vehicle, or from his person. A temporary vendor does not include a person who conducts the majority of his business from within a permanent and enclosed building located upon the same lot.

Article 9: Definitions and Rules of Measurement

Sec. 17-9.4. Definitions

(b) Interpretation of Unlisted Uses

WALL OFFSET

Projections or recesses organized in a random or repeating pattern along a building wall used to visually interrupt the mass of the façade plane.

WAREHOUSING (AS AN ACCESSORY USE)

As an accessory use, the storage and distribution of manufactured products, supplies, and equipment, excluding bulk storage of materials that are flammable or explosive or that present hazards or conditions commonly recognized as offensive.

WIND ENERGY CONVERSION SYSTEM (SMALL-SCALE)

A facility consisting of one or more rotating wind turbines and related equipment that converts the kinetic energy in wind into mechanical energy. A small-scale wind energy conversion system as an accessory use is intended to primarily reduce on-site consumption of utility power for a home or business.

XERISCAPE

A method of landscaping that emphasizes water conservation, accomplished by following sound horticultural and landscaping practices, such as planning and design, soil improvement, limited turf areas, use of mulches, use of low-water demand plants, efficient irrigation practices and appropriate maintenance.

YARD

A required open space unoccupied and unobstructed by any structure or portion thereof from a height of 48 inches above the finished grade level of the ground (see Sec. 17-9.2, Rules of Measurement).

YARD, FRONT

A yard extending between side lot lines across the front of a lot (see Sec. 17-9.2, Rules of Measurement).

YARD, REAR

A yard extending across the rear of the lot between the inner side yard lines (see Sec. 17-9.2, Rules of Measurement).

YARD, SIDE

A yard extending from the rear line of the required front yard to the rear lot line (see Sec. 17-9.2, Rules of Measurement).

ZA

See “Zoning Administrator.”

ZONING ADMINISTRATOR

The City employee to whom the City Manager has delegated the responsibility of administering and enforcing all provisions of this Ordinance except those enforced by the Land Development Administrator (see Sec. 17-2.3(f)). The Zoning Administrator is the person referred to as “zoning administrator” in the South Carolina Local Government Comprehensive Planning Enabling Act of 1994 (S.C. Code § 6-29-310 et seq.).

ZONING DISTRICT

An area delineated on the Official Zoning Map within which a prescribed set of use requirements and development standards are applied to various types of development. See Zoning Districts.

ZONING DISTRICT, BASE

Those zoning districts grouped into Residential Districts, Activity and Corridor Districts, Institutional and Campus Districts, and Industrial Districts, and which are described in Sec. 17-3.2, Residential Base Zoning District.

ZONING MAP AMENDMENT

See Sec. 17-2.5(c), Zoning Map Amendment.

ZONING MAP, OFFICIAL

See "Official Zoning Map."

ZONING PERMIT

See Sec. 17-2.5(q), Zoning Permit.

ZONING TEXT AMENDMENT LOG

Applicant	Case Name Description	Hearing Dates	Zoning Ordinance Sections	Approved Ordinance #
ZA	Updating text and revising the effective date to November 1, 2020	2/3/20 PC 5/19/20 ZPH 6/2/20 2 nd R	Chapter 17 of the Columbia Code of Ordinances	2020-022
ZA	Revising the effective date to March 21, 2021	10/5/20 PC 11/17/20 ZPH 12/1/20 2 nd R	Chapter 17 of the Columbia Code of Ordinances	2020-099
ZA	Revising the effective date to August 30, 2021	3/1/21 PC 3/16/21 ZPH 4/20/21 2 nd R	Chapter 17 of the Columbia Code of Ordinances	2021-014
ZA	Amendments related to Wireless Communication Facilities, Private Dormitories, and the Airport Height Overlay	6/7/21 PC 7/20/21 ZPH 8/17/21 1 st R 9/7/21 2 nd R	17-3.7. Overlay Districts (c) 17-4.2 Principal Uses (c)(1)b.2 17-4.2 Principal Uses (c)(2) Standards for Specific Principal Uses, Public, Civic, and Institutional Uses - Table 17-4.2(c)(2)A.1	2021-062
ZA	Amendments to correct omissions and to clarify and streamline existing sections	10/4/21 PC 11/9/21 ZPH 11/9/21 1 st R 12/7/21 2 nd R	Article 2: Administration Sec. 17-2.2. Summary Table of Development Review Responsibilities, Bailey Bill; Article 2: Administration Sec. 17-2.5 Application Specific Procedures and Decision Standards (c) Zoning Map Amendment (3) Zoning Map Amendment Procedure (b) Application Submission; Article 2: Administration, Sec. 17-2.5. Application-Specific Review Procedures and Decision Standards (g) Certificate of Design	2021-087

ZONING TEXT AMENDMENT LOG

			<p>Approval – Historic Districts and Landmarks; Article 2: Administration, Sec. 17-2.5. Application-Specific Review Procedures and Decision Standards (y)</p> <p>Bailey Bill – Special Tax Assessment Created; Article 3: Zoning Districts, Sec. 17-3.3. Mixed-Use, Activity Center, and Corridor Base Zoning Districts, (d) MU-2: Mixed-Use District, Front Yard Setback; Article 3: Zoning Districts, Sec. 17-3.3. Mixed-Use, Activity Center, and Corridor Base Zoning Districts (f) CAC: Community Activity Center/Corridor District, (3) Intensity and Dimensional Standards, Side Yard Setbacks; Article 3: Zoning Districts, Sec. 17-3.3. Mixed-Use, Activity Center, and Corridor Base Zoning Districts (g) RAC: Regional Activity Center/Corridor District (3) Intensity and Dimensional Standards; Side Yard Setbacks; Article 4: Use Regulations, Sec. 17-4.2. Principal Uses, (b) Principal Use Table for Base Zoning Districts, Household Living Uses, Dwelling, Single-Family Detached; Article 4: Use Regulations, Sec. 17-4.2 Principal Uses (b) Principal Use Table (4) Principal Use Table for Base Zoning Districts: Recreation/Entertainment Uses; Recreation facility, indoor, not elsewhere listed; Article 4: Use Regulations, Sec. 17-4.2 Principal Uses (c) Standards for Specific Principal Uses, 4. Recreation Facility, Indoor, Not Elsewhere Listed; Article 4: Use Regulations, Sec. 17-4.3(d)(1): Accessory Uses and Structures/Standards for Specific Accessory Uses and Structures/Accessory Dwelling Unit; Article 4: Use Regulations, Sec. 17-4.3(d)(1): Accessory Uses and Structures/Standards for Specific Accessory Uses and Structures/Accessory Dwelling Unit; Article 4: Use Regulations, Sec. 17-4.3. Accessory</p>	
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ZONING TEXT AMENDMENT LOG

			<p>Uses and Structures (d) Standards for Specific Accessory Uses and Structures (6) Home Occupation; Article 5: Development Standards, Table 17-5.2(I)(1) B: Bicycle Parking Standards in The MU-1, MU-2, DAC, NAC, CAC, RAC, and MC DISTRICTS; Article 5: Development Standards, Sec. 17-5.3. Landscaping (b) Applicability; Article 5: Development Standards, Sec. 17-5.3 Landscaping (i) Screening (5) Display; and, Sec. 17-5.4 Tree Protection (f) Tree Protection During Construction; Article 5: Development Standards, Sec. 17-5.10. Signs, (c) Standards; Article 5: Development Standards, Sec. 17-5.11. Green Building Standards (d) Green Building Standards, Table 17-5.11(D)(4): Green Building Point System; Vegetation; Article 7: Nonconformities, Sec. 17-7.1 General (c) Determination of Nonconformity Status; Article 7: Nonconformities, Sec. 17-7.6(b)(1): Nonconforming Site Features/Alterations of Buildings or Structures; and Table 17-7.6(b): Required Additional Nonconforming Site Feature Compliance for Alterations; and Table 17-7.6(c): Required Additional Nonconforming Site Feature Compliance for Expansions; Article 9: Definitions and Rules of Measurement Sec. 17-9.2 Rules of Measurement (a) Measurement (6) Setbacks; Article 9: Definitions and Rules of Measurement Sec. 17-9.4. Definitions (Multiple); Appendix C: Type 3 Landmarks; Table C: Type 3 Landmarks</p>	

ZONING TEXT AMENDMENT LOG

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ZONING TEXT AMENDMENT LOG

			<p>Approval – Historic Districts and Landmarks; Article 2: Administration, Sec. 17-2.5. Application-Specific Review Procedures and Decision Standards (y)</p> <p>Bailey Bill – Special Tax Assessment Created; Article 3: Zoning Districts, Sec. 17-3.3. Mixed-Use, Activity Center, and Corridor Base Zoning Districts, (d) MU-2: Mixed-Use District, Front Yard Setback; Article 3: Zoning Districts, Sec. 17-3.3. Mixed-Use, Activity Center, and Corridor Base Zoning Districts (f) CAC: Community Activity Center/Corridor District, (3) Intensity and Dimensional Standards, Side Yard Setbacks; Article 3: Zoning Districts, Sec. 17-3.3. Mixed-Use, Activity Center, and Corridor Base Zoning Districts (g) RAC: Regional Activity Center/Corridor District (3) Intensity and Dimensional Standards; Side Yard Setbacks; Article 4: Use Regulations, Sec. 17-4.2. Principal Uses, (b) Principal Use Table for Base Zoning Districts, Household Living Uses, Dwelling, Single-Family Detached; Article 4: Use Regulations, Sec. 17-4.2 Principal Uses (b) Principal Use Table (4) Principal Use Table for Base Zoning Districts: Recreation/Entertainment Uses; Recreation facility, indoor, not elsewhere listed; Article 4: Use Regulations, Sec. 17-4.2 Principal Uses (c) Standards for Specific Principal Uses, 4. Recreation Facility, Indoor, Not Elsewhere Listed; Article 4: Use Regulations, Sec. 17-4.3(d)(1): Accessory Uses and Structures/Standards for Specific Accessory Uses and Structures/Accessory Dwelling Unit; Article 4: Use Regulations, Sec. 17-4.3(d)(1): Accessory Uses and Structures/Standards for Specific Accessory Uses and Structures/Accessory Dwelling Unit; Article 4: Use Regulations, Sec. 17-4.3. Accessory</p>	
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ZONING TEXT AMENDMENT LOG

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