



CITY COUNCIL

REGULAR AGENDA

OF

JUNE 6, 2016



CITY OF NORTH AUGUSTA

AGENDA: REGULAR CITY COUNCIL MEETING

June 6, 2016 – Municipal Center – 100 Georgia Avenue, 3rd Floor – 7:00 P.M.

CITIZEN COMMENTS: Citizens may speak to Mayor and City Council on each item listed on this agenda. Mayor Jones will call for your comments prior to City Council discussing the matter. When speaking to Council, please step up to the microphone, give your full name and address, and direct your remarks to Mayor Jones.

CITIZEN ASSISTANCE: Individuals needing special assistance or sign interpreter to participate in the meeting, please notify the Administration Department 48 hours prior to the meeting.

1. **CALL TO ORDER:**
2. **INVOCATION AND PLEDGE OF ALLEGIANCE:**
3. **ROLL CALL:**
4. **APPROVAL OF MINUTES:** Regular and Study Session Minutes of May 16, 2016

UNFINISHED BUSINESS

5. **FINANCE:** Amending Purchasing Procedures for the City of North Augusta by Revising Chapter 2, Entitled "Administration", Article XI. Entitled, "Purchasing" – Ordinance, Second Reading

NEW BUSINESS

6. **FINANCE:** Designating Southern Bank & Trust as the Financial Institution for the City Of North Augusta, South Carolina and TSYS Merchant Solutions as the Merchant Service Provider for the City of North Augusta, South Carolina – Resolution
7. **COMMUNITY PROMOTION:** Scoliosis Early Detection Awareness Month, June 2016 - Proclamation
8. **ZONING:** North Augusta Development Code, Proposed Text Amendments (Application RZT 16-005, Amendment A – Farmers Markets and associated definitions)
 - A. Receipt of Planning Commission Recommendation
 - B. Ordinance, First Reading
 - C. Ordinance, Second Reading
9. **ZONING:** North Augusta Development Code, Proposed Text Amendments (Application RZT 16-005, Amendment B – Mobile Food Vending and associated definitions)
 - A. Receipt of Planning Commission Recommendation
 - B. Ordinance, First Reading
 - C. Ordinance, Second Reading
10. **ZONING:** North Augusta Development Code, Proposed Text Amendments (Application RZT 16-005, Amendment C – Georgia Avenue Overlay District boundaries and development standards)
 - A. Receipt of Planning Commission Recommendation
 - B. Ordinance, First Reading
 - C. Ordinance, Second Reading
11. **PRESENTATIONS/COMMUNICATIONS/RECOGNITION OF VISITORS:**
 - A. Citizen Comments: At this time, citizens may speak to Mayor and City Council regarding matters not listed on the agenda.
 - B. Council Comments
12. **ADJOURNMENT:**

Administration Department



TO: Mayor and City Council

FROM: B. Todd Glover, City Administrator

DATE: June 3, 2016

SUBJECT: Agenda for Regular City Council Meeting of June 6, 2016

REGULAR COUNCIL MEETING

- ITEM 5. FINANCE: Amending Purchasing Procedures for the City of North Augusta by Revising Chapter 2, Entitled "Administration", Article XI. Entitled, "Purchasing." – Ordinance, Second Reading**

An ordinance has been prepared for Council's consideration on second reading to amend Purchasing Procedures for the City of North Augusta by revising Chapter 2, entitled "Administration", Article XI. Entitled, "Purchasing."

Please refer to the minutes of May 16, 2016 for the ordinance text.

- ITEM 6. FINANCE: Designating Southern Bank & Trust as the Financial Institution for the City Of North Augusta, South Carolina and TSYS Merchant Solutions as the Merchant Service Provider for the City of North Augusta, South Carolina – Resolution**

A resolution has been prepared for Council's consideration designating Southern Bank & Trust as the Financial Institution for the City of North Augusta, South Carolina and TSYS Merchant Solutions as the Merchant Service Provider for the City of North Augusta, South Carolina.

Please see [ATTACHMENT #6](#) for a copy of the proposed resolution.

**ITEM 7. COMMUNITY PROMOTION: Scoliosis Early Detection
Awareness Month, June 2016 -
Proclamation**

Mayor Jones wishes to proclaim the month of June, as Scoliosis Early Detection Awareness Month in the City of North Augusta.

Please see [ATTACHMENT #7](#) for a copy of the proposed proclamation.

**ITEM 8. ZONING: North Augusta Development Code, Proposed Text
Amendment (Application RZT 16-005, Amendment A –
Farmers Markets and associated definitions)**

A. Receipt of Planning Commission Recommendation

On May 19, 2016, after a duly advertised and convened public hearing, the Planning Commission voted 5-0, with Commissioner JoAnn McKie's recusal, to recommend the request by the City of North Augusta to approve the proposed Amendment A, a request to amend Section 4.35.8, Farmers and Produce Markets, to eliminate a minimum site acreage requirement in commercially zoned districts and also to make minor language changes; and to amend Appendix A, Definitions, to add definitions for "Farmers Market" and "Farmers Market, Mobile".

B. Ordinance, First Reading

An ordinance has been prepared for Council's consideration on first reading to amend the Development Code of the City of North Augusta, South Carolina by amending Article 4, Supplemental Use Regulations, and Appendix A, Definitions, Related to Farmers Markets, of the North Augusta Development Code, Chapter 18, of the City of North Augusta South Carolina Code of Ordinances.

Please see [ATTACHMENT #8-B](#) for a copy of the proposed ordinance and memo.

C. Ordinance, Second Reading

Pending Council's passage of the ordinance on first reading, it is submitted for Council's consideration on second reading.

ITEM 9. ZONING: North Augusta Development Code, Proposed Text Amendment (Application RZT 16-005, Amendment B – Mobile Food Vending and associated definitions)

A. Receipt of Planning Commission Recommendation

On May 19, 2016, after a duly advertised and convened public hearing, the Planning Commission voted 6-0, to recommend the request by the City of North Augusta to approve the proposed Amendment B, a request to add a new Section 4.35.9, Mobile Food Vendors, to establish standards for mobile food vending in designated areas of the City; to amend Appendix A, Definitions, to add definitions for “Food Truck” and “Mobile Food Unit”; and to modify Table 3-2, Use Matrix, to include food trucks as a conditional use in the commercial and industrial zoning districts.

B. Ordinance, First Reading

An ordinance has been prepared for Council’s consideration on first reading to amend the Development Code of the City of North Augusta, South Carolina by amending Article 4, Supplemental Use Regulations, and Appendix A, Definitions related to mobile food vending, of the North Augusta Development Code, Chapter 18, of the City of North Augusta South Carolina Code of Ordinances.

Please see **ATTACHMENT #9-B** for a copy of the proposed ordinance. Please refer to the memo in Attachment #8-B.

C. Ordinance, Second Reading

Pending Council’s passage of the ordinance on first reading, it is submitted for Council’s consideration on second reading.

ITEM 10. ZONING: North Augusta Development Code, Proposed Text Amendment (Application RZT 16-005, Amendment C – Georgia Avenue Overlay District boundaries and development standards)

A. Receipt of Planning Commission Recommendation

On May 19, 2016, after a duly advertised and convened public hearing, the Planning Commission voted 6-0, to recommend the request by the City of North Augusta to approve the proposed Amendment C, a request to amend Table 3-8, Corridor Districts Established, to change the boundaries of the Georgia Avenue Overlay District; and to amend Section 3.8.4, G, Georgia Avenue Overlay District, to provide standards that will maintain the integrity of traditional storefront facades to facilitate a mixture of

June 6, 2016

commercial and residential development and redevelopment in the downtown.

B. Ordinance, First Reading

An ordinance has been prepared for Council's consideration on first reading to amend the Development Code of the City of North Augusta, South Carolina by amending Article 3, Zoning Districts, Related to Georgia Avenue District Boundaries and Development Standards, of the North Augusta Development Code, Chapter 18, of the City of North Augusta South Carolina Code of Ordinances.

Please see **ATTACHMENT #10-B** for a copy of the proposed ordinance. Please refer to the memo in Attachment #8-B.

C. Ordinance, Second Reading

Pending Council's passage of the ordinance on first reading, it is submitted for Council's consideration on second reading.

ATTACHMENT 6

RESOLUTION NO. 2016-20
DESIGNATING SOUTHERN BANK & TRUST AS THE FINANCIAL INSTITUTION
FOR THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA
AND TSYS MERCHANT SOLUTIONS AS THE MERCHANT SERVICE PROVIDER FOR THE CITY
OF NORTH AUGUSTA, SOUTH CAROLINA

WHEREAS, during 2012, the Mayor appointed a Financial Institution Selection Committee to review and recommend to City Council a financial institution to be designated as the City's financial institution to provide banking and investment services; and

WHEREAS, the City selected Southern Bank & Trust to be designated as the City's financial institution for a period of five years commencing January 1, 2012, and ending December 31, 2016; and

WHEREAS, the City continues to receive excellent service from Southern Bank & Trust with net monthly charges of \$0. Southern Bank & Trust has agreed to continue to provide their services indefinitely with net monthly charges of \$0 based upon an agreed account reserve balance; and

WHEREAS, the City is currently provided merchant services through SunTrust Merchant Services, which was selected based on the South Carolina State Contract 4400011556 and;

WHEREAS, the City has received merchant pricing analyses on City accounts from two additional merchant service providers. Both merchant service providers are offering the City more favorable discount rates and fees than the current provider; and

WHEREAS, TSYS Merchant Solutions, through their relationship with Southern Bank & Trust, is offering the most favorable rates and fees for other provider services; and

WHEREAS, expenses/expenditures for merchant services are already included in the City's operating budget in the appropriate funds; and

WHEREAS, it is in the City's best interest to continue to designate Southern Bank & Trust as the financial institution for the City of North Augusta and select TSYS Merchant Solutions as the merchant service provider for the City of North Augusta, until either party determines it best to dissolve the relationship.

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of North Augusta, South Carolina, in meeting duly assembled and by the authority thereof, that Southern Bank & Trust be designated as the City's Financial Institution and TSYS Merchant Solutions be designated as the City's Merchant Service Provider, and that the City Administrator and/or the City Finance Director be authorized to sign all documents relating thereto.

DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON THIS _____ DAY OF _____, 2016.

Lark W. Jones, Mayor

ATTEST:

Donna B. Young, City Clerk



City of North Augusta, South Carolina

PROCLAMATION

WHEREAS, scoliosis, the abnormal curvature of the spine, is a condition which affect an estimated 6 to 9 million people in the United States; and

WHEREAS, most prevalent in otherwise-healthy children, scoliosis can cause pain, reduced respiratory function, and limited mobility, and approximately 1 in 6 children diagnosed with this disease will eventually require active medical treatment and primary onset of scoliosis is between ages 10 to 15 with females being five times more likely to require treatment; and

WHEREAS, scoliosis has no known cause or cure, screening programs allow for early detection and for treatment opportunities which may alleviate the worst effects of the condition; and

WHEREAS, raising public awareness of scoliosis is vital in helping children, parents, and health care providers diagnose, understand, and treat this disease and reduce the pain and suffering of those it affects.

NOW THEREFORE, I, Lark W. Jones, Mayor of the City of North Augusta, South Carolina, do hereby claim June, 2016 as

SCOLIOSIS EARLY DETECTION AWARENESS MONTH

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of North Augusta, South Carolina, to be affixed this ____ day of June, 2016.

Lark W. Jones, Mayor
City of North Augusta

ATTACHMENT 8-B

ORDINANCE NO. 2016-12
AMENDING ARTICLE 4, SUPPLEMENTAL USE REGULATIONS, AND APPENDIX
A, DEFINITIONS, RELATED TO FARMERS MARKETS, OF THE NORTH
AUGUSTA DEVELOPMENT CODE, CHAPTER 18 OF THE CITY OF NORTH
AUGUSTA, SOUTH CAROLINA CODE OF ORDINANCES

WHEREAS, on December 17, 2007, by Ordinance 2007-22, the North Augusta City Council adopted the North Augusta Development Code which is consistent with the City's 2005 Comprehensive Plan and which incorporates all City zoning and land development regulations; and

WHEREAS, pursuant to Title 6, Chapter 29 of the South Carolina Code, the North Augusta Planning Commission may recommend amendments to the Development Code for the purposes of technical clarification, error correction and to accommodate the needs of the City's citizens, provided such amendments are consistent with the City's 2005 Comprehensive Plan; and

WHEREAS, the North Augusta Planning Commission, following a May 19, 2016 public hearing, reviewed and considered amendments to Section 4.35.8, Farmers and Produce Markets, of the North Augusta Development Code to eliminate minimum acreage requirements for farmers markets in commercial and industrial districts; and Appendix A, Definitions to add definitions for Farmers Market and Farmers Market, Mobile; and a motion was made to recommend said amendments to the City Council for approval. The motion to recommend approval passed on a 5-0 vote.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, IN MEETING DULY ASSEMBLED AND BY THE AUTHORITY THEREOF, THAT:

I. The North Augusta Development Code, Chapter 18 of The City of North Augusta, South Carolina Code of Ordinances, Providing for New Zoning and Land Development Regulations for the City of North Augusta, South Carolina, is hereby amended and shall read as described in the following sections. The section of the Code affected by each proposed amendment is identified by the section number.

A. Section 4.35.8, Farmers and Produce Markets, is amended to read:

4.35.8 Farmers and Produce Markets

Farmers markets that sell fresh produce, including fruits, vegetables, cut flowers, grains, nuts (including pecans and boiled peanuts), and eggs, cheeses, jams, jellies, preserves, salad dressings, and similar homemade or homegrown food items may be permitted in any zoning district for a period not exceeding a total of one hundred twenty (120) days in any calendar year. Farmers markets must be located on and/or accessed from an arterial or collector roadway. Produce sold may be grown on the property where the farmers market is located

or may be trucked in from area farms. All permitted farmers markets shall comply with the following criteria:

- a. No temporary structure, tent, equipment, or tractor trailer vehicle shall be located or parked within fifty (50) feet of property used for residential purposes.
- b. The site shall be a minimum of one half (1/2) acre in size in residentially zoned districts. No minimum area shall be required for sites in commercially zoned districts.
- c. An adequate temporary parking area shall be provided. The parking area need not be paved but must be maintained to control dust and mud and to minimize the transfer of mud or gravel onto the paved roadway. Necessary and adequate sediment and erosion control measures shall be provided and maintained.
- d. The hours of operation shall be limited from 7:00 a.m. to 9:00 p.m.
- e. Any lighting provided for the site area shall be designated and installed to be directed away from any neighboring residential uses.
- f. Signage shall be permitted in accordance with the provisions of §13.6, Temporary Signs, provided, however, that the duration of the signage may coincide with the temporary duration of the use. One freestanding sign may be permitted, the maximum size of which shall not exceed thirty-two (32) square feet, and wall signage may be permitted up to a maximum of fifty (50) square feet.
- g. A sketch site plan shall be submitted to the Director to ensure that the conditions contained in this section, adequate setbacks, parking and clear vision area requirements are satisfied. (Adopt. 12-1-08; Ord. 2008-18)

B. Appendix A, Definitions, is amended to add the following definitions

Farmers Market

A market conducted outdoors or in an unenclosed structure where retail sales and demonstration of community supported agricultural products, including fruits, produce, ornamental crops, eggs and other agricultural products, and homemade value added products, including baked goods, jam and jellies, pickles and relish, dried fruits, syrups and honey, are permitted. A farmers market does not include the sale and demonstration of mass-produced items, used clothing, furniture, appliances and other similar products.

Farmers Market, Mobile

An enclosed motor vehicle equipped with facilities for the sale of locally grown fresh produce. Mobile farmers market vendors are regulated by Article IV of the Municipal Code.

- II. All other Ordinances or parts of Ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.
- III. This Ordinance shall become effective immediately upon its adoption on third reading.

DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY
COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON THIS
_____ DAY OF _____, 2016.

First Reading _____

Lark W. Jones, Mayor

Second Reading _____

Third Reading _____

ATTEST:

Donna B. Young, City Clerk

Department of Planning and Development



Memorandum # 16-19

City of North Augusta

To: B. Todd Glover, City Administrator

From: Scott Sterling, AICP, Director *SS*

Subject: **Application RZT 16-005** – A request by the City of North Augusta to amend Table 3.2, Use Matrix; Table 3.8, Corridor Districts Established; Section 3.8.4, G, Georgia Avenue Overlay District; Article 4, Supplemental Use Regulations; and Appendix A, Definitions, in the North Augusta Development Code. The proposed text amendments address the following: farmers markets; mobile food vending; and Georgia Avenue Overlay District boundaries and development standards.

Date: June 1, 2016

Note: The proposed amendments were considered and motioned separately by the Planning Commission and were divided into three subject areas: Amendment A – Farmers Markets and associated definitions; Amendment B – Mobile Food Vending and associated definitions; and Amendment C – Georgia Avenue Overlay District boundaries and development standards.

Planning Commission Recommendations

On May 19, 2016, after a duly convened public hearing, the Planning Commission voted 5-0, with Commissioner JoAnn McKie's recusal, to recommend that the City Council approve proposed Amendment A, a request to amend Section 4.35.8, Farmers and Produce Markets, to eliminate a minimum site acreage requirement in commercially zoned districts and also to make minor language changes; and to amend Appendix A, Definitions, to add definitions for "Farmers Market" and "Farmers Market, Mobile".

In a separate action, also following the May 19, 2016 public hearing, the Planning Commission voted 6-0 to recommend that the City Council approve proposed Amendment B to add a new Section 4.35.9, Mobile Food Vendors, to establish standards for mobile food vending in designated areas of the City; to amend Appendix A, Definitions, to add definitions for "Food Truck" and "Mobile Food Unit"; and to modify Table 3-2, Use Matrix, to include food trucks as a conditional use in the commercial and industrial zoning districts.

Finally, in a separate action, also following the May 19, 2016 public hearing, the Planning Commission voted 6-0 to recommend that the City Council approve proposed Amendment C to amend Table 3-8, Corridor Districts Established, to change the boundaries of the Georgia Avenue Overlay District; and to amend Section 3.8.4, G,

Georgia Avenue Overlay District, to provide standards that will maintain the integrity of traditional storefront facades to facilitate a mixture of commercial and residential development and redevelopment in the downtown.

Background on the proposed amendments follows. Draft ordinances approving each of the three text amendments are attached and digital copies have been forwarded to the City Clerk. Please schedule the ordinances for consideration by City Council at the next available meeting.

History and Explanation

Farmers Markets

Article 4, Supplemental Use Regulations, of the North Augusta Development Code was amended in December 2008 to include provisions for farmers markets in any zoning district. Following discussions at joint City Council-Planning Commission meetings earlier this year, planning staff drafted language to establish a minimum lot size (1/2 acre) to allow farmers market as conditional temporary uses in residential districts and to eliminate the minimum acreage requirement in commercial and industrial districts. Related definitions are also proposed.

Mobile Food Vending

The increasing popularity of mobile vending as an alternative to traditional brick and mortar restaurants has identified a need for the City to address this topic in the Development Code. Planning Department staff has researched business practices and mobile food vending (food trucks, food truck courts, sidewalk vending, etc.) ordinances from around the region and the country as a whole. Staff also solicited City Council and Planning Commission input and feedback related to this topic and has drafted language to permit food trucks in commercial and industrial zoning districts. Related definitions are also proposed.

Georgia Avenue Overlay District

Georgia Avenue has been the 'downtown' of North Augusta since the Charles Boeckh Plat of 1891. The downtown area has seen significant public investment with the streetscape projects on Georgia Avenue in the late 1990s and the West Avenue improvements in the early 2000s. Little private investment took place during that same time period. Much of the commercial development in the City has occurred outside of the traditional downtown where land costs were lower and property more plentiful.

The 1996 North Augusta Riverfront Redevelopment District Plan laid out several key elements that would lead to development guidelines for the downtown and riverfront areas in future redevelopment plans.

The 1996 Zoning and Development Standards Ordinance provided a zoning district for the downtown area, including the Georgia Avenue portion, as C-4, Core Commercial District. No overlay district was provided for the downtown area as part of this ordinance.

The 2005 Comprehensive Plan included a section related to the Georgia Avenue corridor. The Plan identified the likely need for additional public assistance to trigger private investment as well as stressing that redevelopment and new construction achieve an urban character envisioned for the downtown in the various redevelopment plans that have been developed over the past thirty years. Downtown redevelopment should include a mixture of uses, including retail, high density housing and professional offices that provide jobs and pedestrian traffic.

Goals from the 2005 Comprehensive Plan related to downtown revitalization and redevelopment include:

- 4.7.10 Encourage and assist property owners and prospective developers in the appropriate development and redevelopment of the downtown area and riverfront in accordance with the Master Plan for the North Augusta Riverfront Redevelopment District. Such redevelopment should be designed at a pedestrian scale, optimize pedestrian connectivity, maintain a high level of design quality, support a high level of quality in the public realm and minimize reliance on the automobile for transportation within the downtown.
- 4.7.11 Develop a program to encourage and assist private reinvestment and redevelopment in the downtown area.
- 9.13.9 Encourage mixed use development, especially in the downtown area and adjacent to commercial centers.
- 9.13.25 Adopt an overlay district or other regulatory tool that will permit the enforcement of design guidelines and form based zoning provisions to guide appropriate uses and traditionally scaled redevelopment in the original City area of the Boeckh Plat. Such overlay district or regulatory tool should provide special emphasis on the traditionally commercial downtown area and incorporate the neighborhood preservation corridor provisions addressed in section 9.13.45.5.
- 9.13.33 Include flexible zoning provisions in commercial zones to provide for a mix of uses, especially residential, and to permit the renovation of existing commercial properties without the need for lengthy rezoning procedures.

The Georgia Avenue Overlay District was established in the North Augusta Development Code which was adopted by City Council on December 17, 2007 and was effective January 1, 2008. The Georgia Avenue Overlay District was included as part of the new ordinance. The design elements of new development standards within the overlay district were categorized as regulations to provide a clear direction that a high level of community design was required in order to provide a more pedestrian oriented environment with an emphasis on traditional storefront building facades. Design standards implemented in the overlay were expected to encourage economic (re)development activities, provide an interesting built environment and a design scale appropriate for a pedestrian. Design standards such as setbacks, windows, building modulation, minimum height and other elements contribute to an urban development form.

The Georgia Avenue Overlay District boundaries were established from Spring Grove Avenue south to Clifton Avenue at the adoption of the Development Code. Discussions were held related to the boundary limits and focused on whether to extend the Georgia Avenue Overlay District to the Bluff Avenue intersection, the city limits (Georgia Avenue Bridge) or Clifton Avenue. The 1996 Riverfront Redevelopment District Plan provided some conceptual graphics with an 'overlay' area on Georgia Avenue from Spring Grove Avenue to Main Street (the alley running east to west between Buena Vista and Clifton Avenues).

The City Council and Planning Commission held joint meetings in March and April of this year to work towards resolving concerns about the current Georgia Avenue Overlay regulations. The purpose of the April joint meeting was to identify specific modifications to the standards in an effort to foster better redevelopment opportunities for downtown business and property owners.

Public Notice

A public notice describing the proposed text amendments and advertising the scheduled date of the Planning Commission public hearing was published in *The Star* and on www.northaugusta.net on May 4, 2016. The Planning Commission convened the public hearing and considered the amendments on May 19, 2016.

Proposed Amendments

Planning staff has provided the reasoning behind each proposed text amendment. The section of the North Augusta Development Code affected by each amendment is listed by section number in the current Code and the proposed new section number, if changed. Language proposed for deletion is ~~struck through~~. Proposed new language is underlined.

Amendment A

Modifications are proposed to Article 4 and Appendix A to allow and encourage Farmers and Produce Markets in both residential and commercial areas of the City, including the downtown. The use is a temporary conditional use and is subject to review and approval through the conditional use application process in Section 4.35 of the Development Code. Two ancillary definitions are proposed.

Article 4 SUPPLEMENTAL USE REGULATIONS

4.35.8 Farmers and Produce Markets

Farmers markets that sell fresh produce, including fruits, vegetables, cut flowers, grains, nuts (including pecans and boiled peanuts), and eggs, cheeses, jams, jellies, preserves, salad dressings, and similar homemade or homegrown food items may be permitted in any zoning district for a period not exceeding a total of one hundred twenty (120) days in any calendar year. Farmers markets must be located on and/or accessed from an arterial or collector roadway. Produce sold may be grown on the property where the farmers market is located or may be trucked in from area farms. All permitted farmers markets shall comply with the following criteria:

- a. No temporary structure, tent, equipment, or tractor trailer vehicle shall be located or parked within fifty (50) feet of property used for residential purposes.
- b. The site shall be a minimum of one half (1/2) acre in size in residentially zoned districts. No minimum area shall be required for sites in commercially zoned districts.
- c. An adequate temporary parking area shall be provided. The parking area need not be paved but must be maintained to control dust and mud and to minimize the transfer of mud or gravel onto the paved roadway. Necessary and adequate sediment and erosion control measures shall be provided and maintained.
- d. The hours of operation shall be limited from 7:00 a.m. to 9:00 p.m.
- e. Any lighting provided for the site area shall be designated and installed to be directed away from any neighboring residential uses.
- f. Signage shall be permitted in accordance with the provisions of §13.6, Temporary Signs, provided, however, that the duration of the signage may coincide with the temporary duration of the use. One freestanding sign may be permitted, the maximum size of which shall not exceed thirty-two (32) square feet, and wall signage may be permitted up to a maximum of fifty (50) square feet.
- g. A sketch site plan shall be submitted to the Director to ensure that the conditions contained in this section, adequate setbacks, parking and clear vision area requirements are satisfied. (Adopt. 12-1-08; Ord. 2008-18)

APPENDIX A, DEFINITIONS

Farmers Market

A market conducted outdoors or in an unenclosed structure where retail sales and demonstration of community supported agricultural products, including fruits, produce, ornamental crops, eggs and other agricultural products, and homemade value added products, including baked goods, jam and jellies, pickles and relish, dried fruits, syrups and honey, are permitted. A farmers market does not include the sale and demonstration of mass-produced items, used clothing, furniture, appliances and other similar products.

Farmers Market, Mobile

An enclosed motor vehicle equipped with facilities for the sale of locally grown fresh produce. Mobile farmers market vendors are regulated by Article IV of the Municipal Code.

Amendment B

Modifications are proposed to Table 3-2, Use Matrix, Article 4 and Appendix A to allow and encourage food trucks in the City, including the downtown. The use is a temporary conditional use and is subject to review and approval through the conditional use application process in Section 4.35 of the Development Code. Two ancillary definitions are proposed. The proposed language addresses both food trucks that are approved for a fixed location and mobile food units that move from place to place.

TABLE 3-2 USE MATRIX

Use	Zoning Districts										
	CR	R-14	R-10	R-7	R-5	D	OC	NC	GC	TC	IND
5.38 Food Trucks (See Section 4.35.9)	--	--	--	--	--	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>

Article 4 SUPPLEMENTAL USE REGULATIONS

4.35.9 Mobile Food Vendors

This section establishes standards for mobile food vending in designated areas of the City to provide additional dining options to supplement traditional brick and mortar food services. These standards are designed to ensure that the location and operation of mobile food vending is safe, functional and compatible with existing and proposed development. Approved mobile food vendors may operate for a period not to exceed a total of one hundred thirty (130) days in any calendar year.

4.35.9.1 Food Trucks

Food Trucks shall comply with the following standards:

- a. Health and Safety:
 1. Food truck owner/operators must obtain and maintain any and all required state health and restaurant approvals and licenses.
 2. Each food truck owner/operator must obtain a Certificate of Zoning Compliance, conditional use permit, a Certificate of Occupancy, if applicable, and a North Augusta business license prior to opening for business.
 3. Required approvals and licenses shall be kept on file in the food truck.
- b. Maximum Number of Trucks per Property:
 1. For commercially zoned parcels less than ¼ acre, up to two food trucks are permitted on the property at the same time.
 2. Commercially zoned properties between ¼ and ½ acre in size are permitted up to three food trucks at the same time.

3. For commercially zoned parcels over ½ acre in size, a maximum of four food trucks is permitted on the property at the same time, except for City-sponsored special events.
 4. For public spaces, the number of food trucks shall be determined by the Department of Parks, Recreation and Tourism in consultation with the Director.
 5. Temporary outdoor seating and set up associated with a food truck is only permitted within twenty (20) feet of the food truck or in locations determined by the Director.
- c. Food Truck Locations, Minimum Separation:
1. Permitted on commercially and industrially zoned properties only.
 2. One hundred (100) feet from the front door of any brick and mortar restaurant and/or outdoor dining area, unless annual written permission is obtained from the restaurant owner. Such written permission must be displayed or readily available in the food truck at all times.
 3. Fifteen (15) feet from any fire hydrant, driveway, sidewalk, utility box or vault, handicap ramp and building entrance or exit.
 4. Fifty (50) feet from any residential zoning district.
 5. Must comply with all dimensional standards (setbacks) for the zoning district.
- d. Parking of Food Trucks:
1. The proposed location for food truck parking and any associated outdoor seating must be shown on a minor site plan that is subject to review and approval by the Director.
 2. Food trucks may not be parked in an approved location after the hours of operation specified in this section.
- e. Hours of Operation:
1. 7 a.m. to 10 p.m. for food trucks in commercially and industrially zoned properties.
 2. In public spaces, hours are to be determined by the Department of Parks, Recreation and Tourism in consultation with the Director.
- f. Operational Standards:
1. No audio amplification
 2. City trash receptacles may not be used to dispose of trash or waste. Adjacent dumpsters may be utilized with written permission of the property owner.
 3. All areas within the approved property must be kept clean by the food truck vendor.
 4. Grease and liquid waste shall not be disposed in tree pits, storm drains, the sanitary sewer system or public streets.
 5. Food trucks are subject to the City noise ordinance. Sound absorbing devices may be used to contain or deflect noise from external generators.
- g. Public Spaces – City Owned Property
Food trucks:
1. Must have written permission from the Department of Parks, Recreation and Tourism to locate on City-owned properties.
 2. Must locate at least one hundred (100) feet from the entrance to any park.
 3. Shall not occupy any handicap accessible parking space(s).
 4. Shall not otherwise interfere with the movement of motor vehicles in a parking lot.
 5. Shall be positioned such that the truck does not block drive aisles, other access to loading/service areas or emergency access or fire lanes.

6. The food truck must be located at least fifteen (15) feet from fire hydrants, any fire department connections, driveway entrances, alleys, handicap parking spaces, sidewalks and trees.
- h. Private Property
Food trucks:
1. Are permitted on commercially and industrially zoned properties.
 2. Must be located at least one (100) hundred feet from the customer entrance of an established restaurant during its hours of operation unless the restaurant owner provides an annual letter of consent, a copy of which shall be kept on file in the food truck.
 3. Shall not occupy any handicap accessible parking space(s).
 4. Shall not otherwise interfere with the movement of motor vehicles in a parking lot.
 5. Shall be positioned such that the truck does not block drive aisles, other access to loading/service areas or emergency access or fire lanes.
 6. Must be located at least fifteen (15) feet from fire hydrants, any fire department connections, driveway entrances, alleys, handicap parking spaces, sidewalks and trees.
- i. Special Events
Nothing in this section should be read to prohibit the City from conducting special events that feature food trucks. Food truck vendors may operate as part of special events if approved by the City.
1. Food trucks and mobile vending are prohibited from operating on any street, sidewalk, alley, trail or other right of way unless approved by the City as part of a permitted special event or contracted with the Department of Parks, Recreation and Tourism within the assigned dates and times.

4.35.9.1.1 Suspension and Revocation

- a. The City business license for any food truck may be revoked if the vendor violates the provisions contained in Section 4.35.9 or if the food truck vendor's SCDHEC permit to operate as a mobile food truck is suspended or revoked.
- b. The Director may halt an approved food truck's operation if it is determined that the food truck operations are causing parking, traffic congestion or litter problems, either on or off the property where the use is located, or that such use otherwise threatens public health or safety.

4.35.9.2 Mobile Food Units

A mobile food unit is a temporary food service vehicle that is movable and has no fixed location. Examples include, but are not limited to, ice cream trucks, beverage or hot dog carts on wheels and pre-packaged snack item vendors. Mobile food vendors, as defined, are considered "peddlers" and are subject to the requirements of Article IV of the Municipal Code. Mobile food vendors are required to hold a North Augusta business license.

APPENDIX A, DEFINITIONS

Food Truck

A food truck is defined as a fully enclosed motor vehicle equipped with facilities for preparing, cooking and selling various food products and operating at an approved fixed location as an

extension of a retail food establishment. A food truck must be permitted by the South Carolina Department of Health and Environmental Control (SCDHEC) in order to operate.

Mobile Food Unit

A mobile food unit is a temporary food service vehicle that moves from place to place to sell food items such as ice cream, hot dogs, or pre-packaged snack items or drinks. Mobile food units are regulated by Article IV of the Municipal Code.

Amendment C

The modification of Georgia Avenue Overlay District boundaries to expand from the (mainline) Greenway north to Jackson Avenue was the general consensus of the City Council and Planning Commission at their April meeting. The proposed amendment would expand the district boundaries by approximately three blocks. After a discussion at the May 19 Planning Commission meeting, it is recommended that the northern Overlay District boundary remain Spring Grove Avenue.

Proposed modifications to the G, Georgia Avenue Overlay District standards were developed following discussions with the City Council and Planning Commission at their April meeting. Most of the modifications are implemented as discussed in the joint session; however, some modifications are also proposed to better address the issue and clarify points raised by the City Council and Planning Commission. Where staff was asked to address additional standards, research was conducted and the proposed standards were inserted.

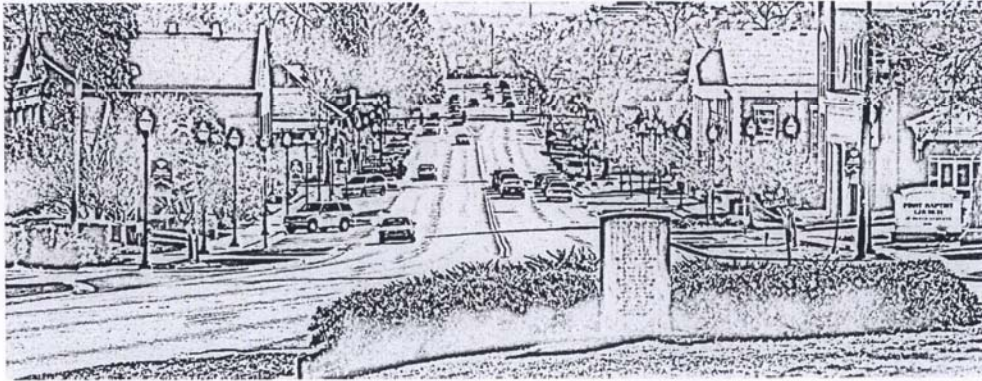
TABLE 3-8 CORRIDOR DISTRICTS ESTABLISHED

A	B
Overlay District	Corridor Streets Generally
G, Georgia Avenue Overlay	1. Georgia Avenue between Clifton Avenue and <u>north of the Greenway to</u> Spring Grove Avenue

3.8.4 G, Georgia Avenue Overlay District

3.8.4.1 Purpose and Findings – The G, Georgia Avenue Overlay District, is designed for that portion of the D, Downtown Mixed Use District, that contains the heart of traditional commercial activity in North Augusta. This overlay is created with an emphasis on maintaining the integrity of the traditional storefront building facades ~~in the area,~~ to facilitate a mixture of uses, including residential, coordinating parking design and access, and encouraging greater pedestrian activity and use.

FIGURE 3-2 GEORGIA AVENUE



Georgia Avenue is the focal point of economic and pedestrian activity within the Town Center. Accordingly, a high level of community design is required in order to preserve and to provide a unique, signature gateway into the City, to facilitate the creation of a convenient, attractive and harmonious community, to reduce vehicular congestion by encouraging pedestrian trips, and to encourage economic development activity. ~~This district is created with an emphasis on maintaining the integrity of the traditional storefront building facades in the area, coordinating parking design and access, and encouraging greater pedestrian activity and use.~~ The district standards bring pedestrian destinations close to the street, provide an interesting environment, and provide a scale appropriate to the speed of persons traveling by foot.

The Georgia Avenue Overlay District furthers the following public purposes:

- a. To protect the unique ~~identity of the area~~ appearance and character of Georgia Avenue and promote linkages between public, retail, residential, civic and service uses;
- b. To support and increase pedestrian activity by establishing a uniform "build-to" line, ground floor retail uses and storefront shopping at the street level;
- c. To provide opportunities for promoting the historic diversity of land uses within the district;
- d. To encourage both commercial and residential infill development by providing relief from parking, transportation capacity and landscaping standards applicable to other parts of the City;
- e. To encourage residential uses as a part of the redevelopment and renovation of existing structures;
- f. To provide for urban design features such as lighting, coordinated signage, street furniture and landscaping to provide visual cues that tie the district together;
- g. To ensure architectural compatibility and aesthetic harmony of structures located ~~on Georgia Avenue between Buena Vista Avenue and Spring Grove Avenue~~ within the overlay; and
- ~~h. To protect and promote the appearance and character of Georgia Avenue;~~
- h. To assure respect for the character, integrity, and quality of the built environment of Georgia Avenue without stifling compatible innovative architecture or beneficial economic development.

3.8.4.2 Applicability – This section applies to any lot or parcel within the G, Georgia Avenue Overlay Corridor District as designated on the Official Zoning Map. No building permit

shall be issued for development on a lot or parcel within the G District unless the proposed use, establishment or building complies with the standards described in this section.

3.8.4.3 Permitted Uses – Within the G, Georgia Avenue Overlay District, all uses permitted in the underlying D, Downtown Mixed Use District are permitted subject to the standards established in this section. This section supplements any other requirements of this Chapter, including any regulations or permissions relating to use, density or design established in the D, Downtown Mixed Use District.

In order to promote pedestrian activity and to avoid the impacts of traffic crossing sidewalks, all uses and buildings shall conform to the following:

- a. All residential uses listed in Table 3-2, Use Matrix, for the D, Downtown Mixed Use District are permitted in the overlay district.
- b. The first floor (street level) of any multistory commercial building shall be devoted the first floor area to retail, commercial and service uses, as listed below. Such buildings shall include said uses along not less than fifty percent (50%) of their street frontage.
 1. Convenience Retail
 2. Food Stores, Bakery Shops
 3. Museums, Art Galleries
 4. Restaurants, Bars, Ice Cream Parlors
 5. Professional Office Uses
 6. General Business Services
 7. Personal Service Establishments
 8. Primary Retail Establishments
 9. Secondary Retail Establishments
 10. Movie Theaters
- c. ~~In addition to the uses listed above,~~ Residential dwellings shall be permitted above the first floor of any building with commercial and/or retail uses on the first floor.
- d. No new auto oriented uses including auto repair, gasoline service stations and drive through uses will be allowed. Such existing uses are permitted and will be allowed to continue. No such nonconforming use shall be resumed if it has been abandoned for a continuous period of sixteen (16) months.
- e. For purposes of this section, “abandon” or “abandonment” means discontinuance of the nonconforming use regardless of the property owner’s intent to relinquish the right to so use the property. A nonconforming use is considered abandoned when:
 1. It has been intentionally discontinued, remains idle or unused;
 2. Necessary utilities, such as water, sewer or electricity have been discontinued for any reason including a failure to pay fees, rates or other required charges lawfully established by the service provider; or
 3. The principal buildings or structures are no longer actively occupied.
- f. Uses containing drive throughs will be allowed if the Director deems appropriate traffic controls are installed. (Rev. 5-21-12; Ord. 2012-08)

3.8.4.4 Development Standards – Buildings that line Georgia Avenue should be located and designed so that they provide visual interest and create enjoyable, human-scale spaces. Key objectives include:

- a. Buildings should be designed to be compatible, in form and proportion, with the traditional and historic pattern of development on the street.
- b. Buildings or groups of buildings should include a variety of forms, materials and colors, while maintaining a unified appearance.
- c. Buildings should include a richness of architectural detail to help define their scale.
- d. Buildings should extend to the back of the sidewalk to create a uniform blockface.

3.8.4.4.1 Setbacks – Building facades shall comply with the following setback standards. Corner lots are deemed to have two (2) frontages and shall conform to the setback requirements for both facades.

3.8.4.4.1.1 Front Setback – Buildings shall be setback a minimum of zero (0) feet and a maximum of five (5) feet from the edge of the right of way. The maximum setback does not apply to the following elements:

- a. Any area not to exceed fifty percent (50%) or forty (40) lineal feet of frontage, whichever is less, included within a courtyard; and
- b. Any recessed entryway or outdoor dining area.
- c. No new doors shall swing into the minimum setback, except for emergency exit doors.
- d. Pedestrian areas, including plazas, street arcades, courtyards, and outdoor cafes may be permitted within the sidewalk portion of the public right of way subject to any required encroachment permits or agreements from the City or the South Carolina Department of Transportation. Such areas shall be setback a minimum of five (5) feet from the back of the curb and are subject to the provisions of §§4.32 and 4.33.

3.8.4.4.1.2 Side Setbacks – Buildings shall be setback zero (0) feet from the side property line, except however that the setback may be between five (5) feet and ten (10) feet from the side lot line in order to accommodate a passageway between the street and the alley or a side entrance or a joint courtyard or plaza with an adjacent property. In no event will the side setback be between zero (0) feet and five (5) feet or more than ten (10) feet.

3.8.4.4.1.3 Rear Setbacks – Buildings shall be setback a minimum of three (3) feet from the rear property line. However, if parking, loading or vehicular access is provided to the rear of the principal structure, the minimum setback shall be ten (10) feet. Accessory buildings, including those on service lanes, shall be set back a minimum of three (3) feet from the rear property line.

3.8.4.4.2 Frontage – There is no minimum or maximum frontage established in these guidelines standards. However, buildings with large frontages are required to modulate their facades pursuant to §3.8.4.4.4.3.3.

3.8.4.4.3 Maximum and Minimum Height – The maximum height shall be as provided for the D, Downtown Mixed Use District in Table 3-3, Dimensional Standards. The minimum height shall be ~~twenty-four (24)~~ eighteen (18) feet above the elevation of the sidewalk along the entire frontage. ~~measured from the center of the front property line or two stories, whichever is greater.~~

3.8.4.4.4 Building Design –

3.8.4.4.4.1 Orientation – Buildings shall be oriented to the street. A building is oriented to the street where:

- a. The setback standards established in §3.8.4.4.1 are met.
- b. ~~Principal e~~ Entrances to buildings face a street or open to a square, plaza or sidewalk.
- c. ~~The principal entrance does not open onto an off-street parking lot.~~
- c. At least one entrance shall be provided to each street frontage.
- d. All street level uses with sidewalk frontage are furnished with an individual entrance and direct access to the sidewalk in addition to any other access that may be provided.

- e. Off-street parking does not lie between the building's principal entrance and the street.
- f. Pedestrian access from the public sidewalk, street right of way, or driveway to the principal structure is provided on a hard surface.

3.8.4.4.2 Grade – Buildings shall be aligned with the finished grade of the street except as otherwise provided herein. The principal entry for a civic use or a civic building may include a stoop, portico, colonnade or a portal.

3.8.4.4.3 Fenestration, Openings, and Storefronts – This section applies to all storefronts and any use other than those described in §3.8.4.4.4. This section does not apply to the conversion of a residential building to a commercial use. Fenestration is defined as the design, proportioning and disposition of windows and other exterior openings of a building.

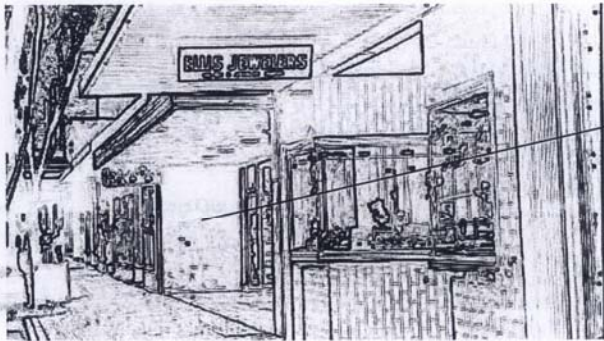
3.8.4.4.3.1 Facades – Facades facing or visible from Georgia Avenue shall include at least four (4) of the following elements:

- a. A pediment.
- b. A cornice adjoining the top of the roof or top of the facade.
- c. Windows in each story above the ground level. ~~Individual window openings shall not exceed four (4) feet horizontally and eight (8) feet vertically. Rectangular, Circular, semicircular, and octagonal windows are permitted.~~
- d. ~~Architectural treatment to articulate the middle of any two-story building, or the first and second floors of a building exceeding two stories, including molding, a canopy, a transom, or similar elements.~~
- d. A recessed entryway consistent with the requirements of §3.8.4.4.3.4.
- e. Transom windows.
- f. Moldings
- g. Canopy
- h. Sign Lighting
- i. Sign Banding

FIGURE 3-3 FACADES



- Pediment*
- Cornice*
- Transom Windows*
- Vertically-oriented windows*
- Sign Banding*
- Molding*



- Recessed entryways or alcoves*

3.8.4.4.3.2 Windows – Between sixty percent (60%) and ninety percent (90%) of the length, and at least fifty percent (50%) of the surface, of the first floor street frontage shall be in transparent public entrances or windows including retail display windows. Between ten percent (10%) and fifty percent (50%) of the surface of the front facade of each floor above the first floor street frontage shall be in transparent windows. Windows shall be required on all stories in keeping with the design and use of the building but not less than thirty percent (30%) of the front facade.

FIGURE 3-4 FRONT FACADES

DELETE GRAPHIC



- 10% to 50% windows*
- More than 50% surface area*

60% to 90% of the front facade length is transparent windows or entryways.

3.8.4.4.3.3 Building Modulation – Building frontages that face public streets and exceed a width of twenty (20) feet must include vertical piers or other vertical visual elements modulation to break the plane of the building frontage. Such vertical piers or vertical elements modulation must be spaced at uniform or near uniform intervals of fifteen (15) feet to thirty-five (35) feet along the entire building frontage. Vertical visual elements may include entryways, windows, columns, colonnades, or other form of modular fenestration.

FIGURE 3-54 BUILDING MODULATION RENUMBER GRAPHIC



Buildings in downtown North Augusta are modulated by the frequent repetition of windows and storefronts.

3.8.4.4.3.4 Entryways – Recessed entryways are permitted in order to provide a sense of entry and to add variety to the streetscape. The floor area of a recessed entryway shall not be less than fifteen (15) square feet. Door openings shall not exceed six (6) feet horizontally, and ten (10) feet vertically. Overhead doors for loading docks, delivery, and distribution shall be permitted only on the rear of the building.

3.8.4.4.3.5 Canopies – Canopies, awnings and similar appurtenances are encouraged at the entrances to buildings and in open space areas. Such features may be constructed of rigid or flexible material designed to complement the streetscape of the area. Such features shall not obscure the upper stories or a sign panel located above the first floor. Any such feature may extend from the building to within two (2) feet of the back of the curb. Vertical supports for such features are not allowed in the public right of way. No canopy shall extend into the public right of way unless any encroachment permit or agreement required by the City, and to the extent required by SCDOT, has been approved and issued.

3.8.4.4.3.6 Roof Drainage – Roofs shall drain to the rear of the building unless an alternative method is approved by the Director.

3.8.4.4.3.7 Roofs – Roofs shall not mask or obscure the architectural features of the front facade such as pediments or cornices.

3.8.4.4.3.8 Equipment – Heating and/or air-conditioning mechanical equipment, whether ground level, raised or rooftop, shall be screened from view. Garbage receptacles, fuel tanks, electric and gas meters and other unsightly objects shall be screened from view. Screened from

view means concealed from view from any abutting road or adjacent tract of land by a structure constructed of the same materials as the exterior elevation of the principal structure, and if on or attached to the principal structure front, such structure shall be designed to be perceived as an integral part of the building.

3.8.4.4.4.3.9 Wall Materials – Hard surfaced exterior wall materials permitted for downtown buildings include brick, limestone, architectural split-face concrete blocks, parged block, painted brick, stone, terra cotta, stucco, plaster, or fiber cementitious board siding and drainage-backed Exterior Insulation Finishing Systems (EIFS). The use of EIFS is limited to the area eight (8) feet or more above the adjacent grade. Vinyl, wood, plastic, metal, structural or unfinished concrete, painted concrete blocks, and tinted or reflective glass are not permitted as the primary exterior finish surface. However, vinyl, wood, plastic, or glass block may be used as accent elements surrounding a doorway or window.

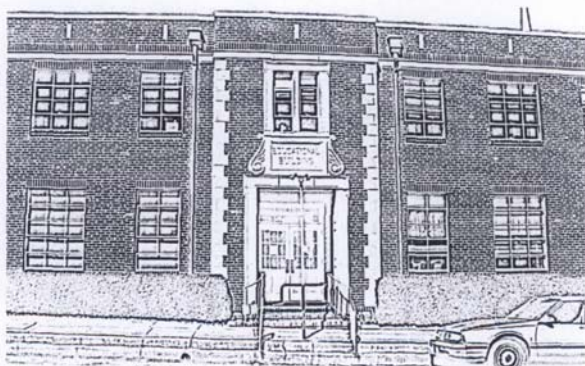
3.8.4.4.4.3.10 Number of Materials – Not more than three (3) materials may be used on the exterior front facade (excluding windows, doorways and awnings).

3.8.4.4.4.3.11 Window Frames – Window frames should be metal, wood or vinyl, and must be painted or vinyl clad.

3.8.4.4.4.3.12 Doors – Doors may be solid or hollow core metal, aluminum, fiberglass or wood, and may be either solid or have glass or louvers. Glass in any door shall be transparent or leaded glass. Doorframes may be metal or wood, and must be painted or stained. Solid doors shall have raised panels and/or louvers.

~~**3.8.4.4.4.4 Fenestration and Openings for Civic Buildings and Uses** – Between thirty percent (30%) and ninety percent (90%) of the length, and at least twenty-five percent (25%) of the facade surface, shall be in entryways or transparent windows. Solid walls shall not exceed twenty (20) feet in length. An entryway shall not be less than one (1) square foot in size for each thousand (1,000) square feet of ground floor wall area, and in all cases shall not be less than fifteen (15) square feet.~~

FIGURE 3-6 FENESTRATION AND OPENINGS FOR CIVIC BUILDINGS DELETE



More than 30% of the surface area shall be in windows or entryways.

~~25% to 90% of the frontage length shall be in windows or entryways.~~

3.8.4.4.4.4 Canopies, Arcades and Awnings for Civic Buildings and Uses – Canopies, arcades, awnings, and similar appurtenances may be constructed over the entrance to any building, and/or over windows subject to the criteria established in §3.8.4.4.4.3.5.

3.8.4.5 Sign Design and Placement –

3.8.4.5.1 Applicability – Signs are permitted in accordance with the provisions of Article 13, Signs, unless specified otherwise in this section. (Rev. 2-21-11; Ord. 2011-01)

**FIGURE 3-75
FREESTANDING
SIGN**

3.8.4.5.2

Freestanding Signs – No freestanding signs are permitted except as provided below:

- a. One (1) sign per building may be located in lieu of a canopy sign if a wall or canopy sign does not provide adequate visibility.
- b. The sign may be located on the sidewalk in the right of way if an encroachment permit or agreement required by the City and SCDOT has been approved and issued.
- c. The sign shall not exceed eight (8) feet in height.
- d. The pole and base of such signs shall be constructed of decorative black, or other approved dark color, metal. No portion of the shaft shall have a diameter exceeding ten (10) inches.
- e. The sign panel or message area shall not exceed twenty (20) square feet in area.
- f. The sign shall not obstruct or interfere with pedestrian traffic, parking or lines of sight required for traffic safety (sight triangle). (Rev. 5-21-12; Ord. 2012-08)



3.8.4.5.3 Monument Signs – Ground mounted or monument signs are permitted under the following conditions:

- a. Such signs shall not exceed five (5) feet in height and twenty (20) square feet in area.
- b. Such signs shall not be located within the public right of way.
- c. Such signs shall be set back from the right of way no less than one (1) foot. (Rev. 5-21-12; Ord. 2012-08)
- d. Such signs shall not obstruct or interfere with pedestrian traffic, parking or lines of sight required for traffic safety (sight triangle).

3.8.4.5.4 Wall Signs – Wall signs shall be placed in existing architectural sign panels integral to the building facade when such a sign panel exists. Wall signs shall have a maximum sign surface on each wall or facade not to exceed seven percent (7%) of the building facade, storefront or wall area to which the sign is attached, up to a maximum of one hundred (100) square feet. The maximum area shall be measured as a percentage of the wall or facade to which the sign is attached, whichever results in a smaller area. Only those areas of the wall or facade that are visible from the public right of way shall be considered in computing this percentage; areas obstructed by adjacent buildings or structures shall not be included. (Rev. 2-21-11; Ord. 2011-01)

FIGURE 3-86
PROJECTING SIGN



3.8.4.5.5 Projecting Signs and Marquee Signs – A building is permitted one projecting or marquee sign in addition to a wall sign. A projecting or marquee sign shall not be permitted if the building employs a freestanding, monument, canopy or awning sign. The maximum sign surface shall not exceed five percent (5%) of the building facade or wall area to which the sign is attached, up to a maximum of twenty (20) square feet. The maximum area shall be measured as a percentage of the wall or facade to which the sign is attached, whichever results in a smaller area. A minimum overhead clearance of eight (8) feet from the sidewalk must be maintained.

3.8.4.5.6 Canopy and Awning Signs – A canopy or awning may be used as a sign surface only if:

- a. No wall sign is included on the same façade.
- ~~b. The message does not exceed ten (10) inches in height on the fringe or drip-flap portion of a canvas awning.~~
- b. The message does not extend in any direction above, below or beyond the canopy edge.
- c. The message is an integral part of the canopy or awning covering.
- d. Signage on the canopy or awning sign does not exceed one-half (½) of the area bounded by the edges of the canopy or awning visible from the public right of way. (If the only signage for the building is on the fringe drip-flap portion of the canopy, the entire portion of said area may be utilized for signage.) (Rev. 5-21-12; Ord. 2012-08)

3.8.4.5.7 Illumination – Signs shall not be internally illuminated. Externally illuminated signs and signs in which the letters or graphics are constructed of neon tubing are permitted. Illuminated signs shall not be oriented such that the direction and intensity of lighting creates glare or a hazardous condition for drivers or pedestrians.

3.8.4.5.8 Plastic Signs – Plastic box signs and signs constructed primarily of plastic are not permitted. Plastic and vinyl lettering are permitted.

3.8.4.5.9 Window Signs – Window signs shall not exceed four (4) square feet per sign or ten percent (10%) of the window area in which the sign is located, whichever is greater. The total of all window signs shall not exceed twenty (20) square feet or five percent (5%) of the area of the front facade, whichever is greater. Window signs shall be permanent in nature and shall not be constructed of paper or plastic film. Window signs may be painted on the inside of the window. Rigid plastic sheets with paint or vinyl lettering are permitted as window signs. Window signs shall not be internally illuminated. Window signs in which the letters or graphics are constructed of neon tubing are permitted.

3.8.4.5.10 Outdoor Display and Sale – Goods shall not be displayed or stored on the exterior of the building except under a porch roof, eave or overhang permanently affixed to the building. Outdoor displays shall not restrict free pedestrian movement and a walkway of not less than five (5) feet wide shall be maintained between the doorway(s), exit(s) and the public sidewalk. Exterior merchandise displays are not permitted on the right of way, front or side yards, open porches or other outside areas except for forty-eight (48) hours during permitted

special events for no longer than forty-eight (48) hours. Longer term or permanent exterior merchandise displays may be permitted if the outdoor display or sale, or both, is conditionally approved pursuant to §4.34.

3.8.4.6 Utilities and Trash Receptacles –

3.8.4.6.1 Utility Structures – All new transformer vaults, utility structures, utility service meters, air vents, backflow preventers and any other similar devices, including these facilities when located below grade, must be located behind the front setback or the front facade, whichever is furthest from the front property line. In the event such facilities cannot physically be located in conformance with this section they must be adequately screened to minimize the visual impact.

3.8.4.6.2 Dumpsters and Roll Carts – Trash receptacles including dumpsters and roll carts and utility equipment shall be either located in an alley, or screened so as not to be visible from the public right of way.

3.8.4.7 Off-Street Parking –

3.8.4.7.1 Principal Use – Parking is not permitted as a principal use.

3.8.4.7.2 Amount Required – No off-street parking is required for any use.

3.8.4.7.3 Location – No off-street parking shall be permitted between a principal structure and any street. No surface parking area shall adjoin Georgia Avenue. All off-street parking shall be located in the rear of buildings.

3.8.4.7.4 Landscaping – Surface parking areas, including but not limited to all parking for parcels and buildings fronting on Georgia Avenue, are subject to the landscaping standards in this section and the requirements of Article 10, Landscaping.

3.8.4.7.5 Screening – Parking areas shall be screened along any road or street right of way with a permanent wall, fence or vegetative screen between thirty (30) and forty-eight (48) inches in height. This subsection does not apply to alley rights of way, structured parking areas, or parking areas that are screened from the view of public streets by buildings.

3.8.4.7.6 Setbacks – Parking shall be set back at least five (5) feet from a property line provided, however, that if the parking lot abuts an alley, no setback is required unless a front or side yard of a residentially used property is located across the alley from the parking lot.

3.8.4.7.7 Loading – Loading/unloading areas shall be located only in the rear of a building or in a side yard behind the front facade of the building. Loading areas shall be screened in the same manner as parking areas.

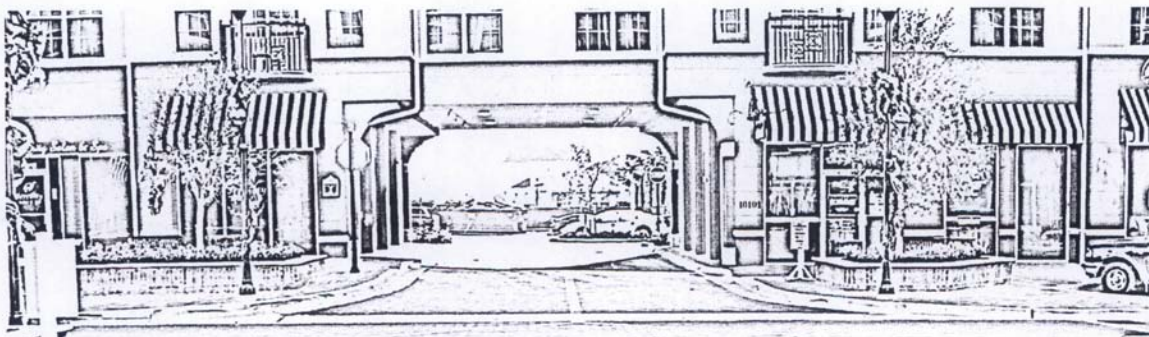
3.8.4.7.8 Surface Treatment – Parking areas shall have a paved or other approved hard surface. Ground surface areas not covered with a paved or other approved hard surface shall be restricted from parking by signage and curbing, fencing, or other physical barriers.

3.8.4.7.9 Access – Driveways and access points to public and private parking lots, loading areas and service areas shall adhere to the following:

- a. The Director and City Engineer must approve all driveways, access points and curb cuts from any public right of way.
- ~~b. No new driveways or entrances to parking areas will be permitted from Georgia Avenue except where enclosed on two (2) sides and above by a building (see Figure 3-9). Existing Georgia Avenue driveways should be eliminated wherever possible.~~
- b. Driveways providing ingress and egress onto side streets and alleys are preferred. Existing or newly created alleys from a side street are the preferred access drive to parking areas. Only one (1) access point to a parking, loading or service area (other than an alley) shall be permitted per block face from any side street adjoining Georgia Avenue. There is no limit on the number of openings or access points from an alley and alleys may function as parking area drive aisles.
- c. No driveway or access point shall exceed twenty (20) feet in width.
- d. Separation of driveways or access points from an alley, if permitted, shall be no less than twenty-four (24) feet.
- e. No driveway or access point from any public right of way that reduces on-street parking shall be permitted except for parking areas that are available for use by the general public.
- ~~f. The Director and City Engineer must approve all driveways, access points and curb cuts from any public right of way.~~

FIGURE 3-9 ACCESS

~~**DELETE GRAPHIC**~~



Example of a main street entryway to a rear parking lot.

3.8.4.8 Landscaping – North Augusta's traditional downtown is characterized by buildings arranged on small lots with buildings typically consuming the entire street frontage at or very close to the property line. Parcels developed or redeveloped with structures or uses that do not consume the entire street frontage or are set back, such as parking, whether landscaped or not, can create undesirable appearances. Accordingly, no landscaping is required for lots or parcels abutting Georgia Avenue except as provided in this section.

3.8.4.8.1 Setbacks – Existing buildings that are set back further than three (3) feet from the front or side property line shall provide a buffer strip along the front or side lot line of the setback area consistent with the landscaping standards contained in Article 10, Landscaping.

The buffer strip shall be the full width of the setback for setbacks of less than five (5) feet in width, and a full five (5) feet for setbacks exceeding five (5) feet in width.

3.8.4.8.2 Unpaved Areas – All lot areas not covered by buildings, hard surfaces including entryways, pedestrian plaza areas or paved surfaces shall be landscaped.

3.8.4.8.3 Street Trees and Plantings – One (1) street tree shall be planted for every forty (40) feet of street (Georgia Avenue or side street) frontage unless existing trees are in place that meet this standard. At planting, each tree must have a minimum height of six (6) feet and a three (3) inch caliper. Required trees and plantings shall be planted on the right of way or in the setback as determined by the Director and Director of Public Works.

3.8.4.8.4 Parking Lot Landscaping – A minimum of one (1) medium or large shade tree shall be planted for every ten (10) parking spaces. Trees shall be located in islands interspersed throughout the parking lot. At planting, each tree must have a minimum height of six (6) feet and a two (2) inch caliper. Parking lot islands shall cover an area of not less than one hundred twenty-five (125) square feet with no dimension less than nine (9) feet.

Comment: The City Code provides in §19-18, Damaging trees, shrubs, etc., along streets: Except as otherwise provided, it shall be unlawful for any person to cut, break, mutilate, deface or in any manner destroy or damage any tree, flower, vine, plant or shrub, or any boxing, pot or other thing provided for the protection thereof in or upon any street, alley, square or sidewalk in the City.

3.8.4.9 Lighting – Lighting shall be installed above front entrances to buildings. Lighting sources shall provide a minimum of 0.5 foot-candles at the building entrance. All lighting shall be directed on-site or onto adjacent walkways and shall be shielded from direct off-site viewing.

ORDINANCE NO. 2016-13
AMENDING ARTICLE 4, SUPPLEMENTAL USE REGULATIONS, AND APPENDIX
A, DEFINITIONS, RELATED TO MOBILE FOOD VENDING, OF THE NORTH
AUGUSTA DEVELOPMENT CODE, CHAPTER 18 OF THE CITY OF NORTH
AUGUSTA, SOUTH CAROLINA CODE OF ORDINANCES

WHEREAS, on December 17, 2007, by Ordinance 2007-22, the North Augusta City Council adopted the North Augusta Development Code which is consistent with the City's 2005 Comprehensive Plan and which incorporates all City zoning and land development regulations; and

WHEREAS, pursuant to Title 6, Chapter 29 of the South Carolina Code, the North Augusta Planning Commission may recommend amendments to the Development Code for the purposes of technical clarification, error correction and to accommodate the needs of the City's citizens, provided such amendments are consistent with the City's 2005 Comprehensive Plan; and

WHEREAS, the North Augusta Planning Commission, following a May 19, 2016 public hearing, reviewed and considered amendments to Table 3-2, Use Matrix, to establish Food Trucks as a conditional temporary use in commercial and industrial zoning districts; Article 4, Supplemental Use Regulations, to provide standards for mobile food vendors; and Appendix A, Definitions, to add definitions for Food Truck and for Mobile Food Unit; and a motion was made to recommend said amendments to the City Council for approval. The motion to recommend approval passed on a 6-0 vote.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, IN MEETING DULY ASSEMBLED AND BY THE AUTHORITY THEREOF, THAT:

I. The North Augusta Development Code, Chapter 18 of The City of North Augusta, South Carolina Code of Ordinances, Providing for New Zoning and Land Development Regulations for the City of North Augusta, South Carolina, is hereby amended and shall read as described in the following sections. The section of the Code affected by the proposed amendment is identified by the section number.

A. Lines 5.38 to 5.89 of Table 3-2, Use Matrix are renumbered and a new Line 5.38 of Table 3-2, Use Matrix, is added to read:

TABLE 3-2 USE MATRIX

Use	Zoning Districts										
	CR	R-14	R-10	R-7	R-5	D	OC	NC	GC	TC	IND
5.38 Food Trucks (See Section 4.35.9)	--	--	--	--	--	C	C	C	C	C	C

B. A new Section 4.35.9 is added to read:

4.35.9 Mobile Food Vendors

This section establishes standards for mobile food vending in designated areas of the City to provide additional dining options to supplement traditional brick and mortar food services. These standards are designed to ensure that the location and operation of mobile food vending is safe, functional and compatible with existing and proposed development. Approved mobile food vendors may operate for a period not to exceed a total of one hundred thirty (130) days in any calendar year.

4.35.9.1 Food Trucks

Food Trucks shall comply with the following standards:

- a. Health and Safety:
 1. Food truck owner/operators must obtain and maintain any and all required state health and restaurant approvals and licenses.
 2. Each food truck owner/operator must obtain a Certificate of Zoning Compliance, conditional use permit, a Certificate of Occupancy, if applicable, and a North Augusta business license prior to opening for business.
 3. Required approvals and licenses shall be kept on file in the food truck.
- b. Maximum Number of Trucks per Property:
 1. For commercially zoned parcels less than $\frac{1}{4}$ acre, up to two food trucks are permitted on the property at the same time.
 2. Commercially zoned properties between $\frac{1}{4}$ and $\frac{1}{2}$ acre in size are permitted up to three food trucks at the same time.
 3. For commercially zoned parcels over $\frac{1}{2}$ acre in size, a maximum of four food trucks is permitted on the property at the same time, except for City-sponsored special events.
 4. For public spaces, the number of food trucks shall be determined by the Department of Parks, Recreation and Tourism in consultation with the Director.
 5. Temporary outdoor seating and set up associated with a food truck is only permitted within twenty (20) feet of the food truck or in locations determined by the Director.
- c. Food Truck Locations, Minimum Separation:
 1. Permitted on commercially and industrially zoned properties only.
 2. One hundred (100) feet from the front door of any brick and mortar restaurant and/or outdoor dining area, unless annual written permission is obtained from the restaurant owner. Such written permission must be displayed or readily available in the food truck at all times.
 3. Fifteen (15) feet from any fire hydrant, driveway, sidewalk, utility box or vault, handicap ramp and building entrance or exit.
 4. Fifty (50) feet from any residential zoning district.
 5. Must comply with all dimensional standards (setbacks) for the zoning district.

- d. Parking of Food Trucks:
 - 1. The proposed location for food truck parking and any associated outdoor seating must be shown on a minor site plan that is subject to review and approval by the Director.
 - 2. Food trucks may not be parked in an approved location after the hours of operation specified in this section.
- e. Hours of Operation:
 - 1. 7 a.m. to 10 p.m. for food trucks in commercially and industrially zoned properties.
 - 2. In public spaces, hours are to be determined by the Department of Parks, Recreation and Tourism in consultation with the Director.
- f. Operational Standards:
 - 1. No audio amplification
 - 2. City trash receptacles may not be used to dispose of trash or waste. Adjacent dumpsters may be utilized with written permission of the property owner.
 - 3. All areas within the approved property must be kept clean by the food truck vendor.
 - 4. Grease and liquid waste shall not be disposed in tree pits, storm drains, the sanitary sewer system or public streets.
 - 5. Food trucks are subject to the City noise ordinance. Sound absorbing devices may be used to contain or deflect noise from external generators.
- g. Public Spaces – City Owned Property
 - Food trucks:
 - 1. Must have written permission from the Department of Parks, Recreation and Tourism to locate on City-owned properties.
 - 2. Must locate at least one hundred (100) feet from the entrance to any park.
 - 3. Shall not occupy any handicap accessible parking space(s).
 - 4. Shall not otherwise interfere with the movement of motor vehicles in a parking lot.
 - 5. Shall be positioned such that the truck does not block drive aisles, other access to loading/service areas or emergency access or fire lanes.
 - 6. The food truck must be located at least fifteen (15) feet from fire hydrants, any fire department connections, driveway entrances, alleys, handicap parking spaces, sidewalks and trees.
- h. Private Property
 - Food trucks:
 - 1. Are permitted on commercially and industrially zoned properties.
 - 2. Must be located at least one (100) hundred feet from the customer entrance of an established restaurant during its hours of operation unless the restaurant owner provides an annual letter of consent, a copy of which shall be kept on file in the food truck.
 - 3. Shall not occupy any handicap accessible parking space(s).

4. Shall not otherwise interfere with the movement of motor vehicles in a parking lot.
 5. Shall be positioned such that the truck does not block drive aisles, other access to loading/service areas or emergency access or fire lanes.
 6. Must be located at least fifteen (15) feet from fire hydrants, any fire department connections, driveway entrances, alleys, handicap parking spaces, sidewalks and trees.
- i. Special Events
- Nothing in this section should be read to prohibit the City from conducting special events that feature food trucks. Food truck vendors may operate as part of special events if approved by the City.
1. Food trucks and mobile vending are prohibited from operating on any street, sidewalk, alley, trail or other right of way unless approved by the City as part of a permitted special event or contracted with the Department of Parks, Recreation and Tourism within the assigned dates and times.

4.35.9.1.1 Suspension and Revocation

- a. The City business license for any food truck may be revoked if the vendor violates the provisions contained in Section 4.35.9 or if the food truck vendor's SCDHEC permit to operate as a mobile food truck is suspended or revoked.
- b. The Director may halt an approved food truck's operation if it is determined that the food truck operations are causing parking, traffic congestion or litter problems, either on or off the property where the use is located, or that such use otherwise threatens public health or safety.

4.35.9.2 Mobile Food Units

A mobile food unit is a temporary food service vehicle that is movable and has no fixed location. Examples include, but are not limited to, ice cream trucks, beverage or hot dog carts on wheels and pre-packaged snack item vendors. Mobile food vendors, as defined, are considered "peddlers" and are subject to the requirements of Article IV of the Municipal Code. Mobile food vendors are required to hold a North Augusta business license.

- C. Appendix A, Definitions, is amended to add the following definitions

Food Truck

A food truck is defined as a fully enclosed motor vehicle equipped with facilities for preparing, cooking and selling various food products and operating at an approved fixed location as an extension of a retail food establishment. A food truck must be permitted by the South Carolina Department of Health and Environmental Control (SCDHEC) in order to operate.

Mobile Food Unit

A mobile food unit is a temporary food service vehicle that moves from place to place to sell food items such as ice cream, hot dogs, or pre-packaged snack

items or drinks. Mobile food units are regulated by Article IV of the Municipal Code.

- II. All other Ordinances or parts of Ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.
- III. This Ordinance shall become effective immediately upon its adoption on third reading.

DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON THIS _____ DAY OF _____, 2016.

First Reading _____

Second Reading _____

Third Reading _____

Lark W. Jones, Mayor

ATTEST:

Donna B. Young, City Clerk

ORDINANCE NO. 2016-14
AMENDING ARTICLE 3, ZONING DISTRICTS, RELATED TO GEORGIA AVENUE
OVERLAY DISTRICT BOUNDARIES AND DEVELOPMENT STANDARDS, OF THE
NORTH AUGUSTA DEVELOPMENT CODE, CHAPTER 18 OF THE CITY OF
NORTH AUGUSTA, SOUTH CAROLINA CODE OF ORDINANCES

WHEREAS, on December 17, 2007, by Ordinance 2007-22, the North Augusta City Council adopted the North Augusta Development Code which is consistent with the City's 2005 Comprehensive Plan and which incorporates all City zoning and land development regulations; and

WHEREAS, pursuant to Title 6, Chapter 29 of the South Carolina Code, the North Augusta Planning Commission may recommend amendments to the Development Code for the purposes of technical clarification, error correction and to accommodate the needs of the City's citizens, provided such amendments are consistent with the City's 2005 Comprehensive Plan; and

WHEREAS, the North Augusta Planning Commission, following a May 19, 2016 public hearing, reviewed and considered amendments to Table 3-8, Corridor Districts Established, and Section 3.8.4, G, Georgia Avenue Overlay District, to change the boundaries of and amend development standards in the Georgia Avenue Overlay District; and a motion was made to recommend said amendments to the City Council for approval. The motion to recommend approval passed on a 6-0 vote.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, IN MEETING DULY ASSEMBLED AND BY THE AUTHORITY THEREOF, THAT:

I. The North Augusta Development Code, Chapter 18 of The City of North Augusta, South Carolina Code of Ordinances, Providing for New Zoning and Land Development Regulations for the City of North Augusta, South Carolina, is hereby amended and shall read as described in the following sections. The section of the Code affected by each proposed amendment is identified by the section number.

A. Line 1 of Table 3-8, Corridor Districts Established, is amended to read:

A	B
Overlay District	Corridor Streets Generally
G, Georgia Avenue Overlay	1. Georgia Avenue north of the Greenway to Spring Grove Avenue

- B. Section 3.8.4.1, Purpose and Findings, is amended to read:

3.8.4.1 Purpose and Findings – The G, Georgia Avenue Overlay District, is designed for that portion of the D, Downtown Mixed Use District, that contains the heart of traditional commercial activity in North Augusta. This overlay is created with an emphasis on maintaining the integrity of the traditional storefront building facades to facilitate a mixture of uses, including residential, coordinating parking design and access, and encouraging greater pedestrian activity and use.

- C. The text accompanying Figure 3-2, Georgia Avenue, is amended to read:

Georgia Avenue is the focal point of economic and pedestrian activity within the Town Center. Accordingly, a high level of community design is required in order to preserve and to provide a unique, signature gateway into the City, to facilitate the creation of a convenient, attractive and harmonious community, to reduce vehicular congestion by encouraging pedestrian trips, and to encourage economic development activity. The district standards bring pedestrian destinations close to the street, provide an interesting environment, and provide a scale appropriate to the speed of persons traveling by foot.

The Georgia Avenue Overlay District furthers the following public purposes:

- a. To protect the unique appearance and character of Georgia Avenue and promote linkages between public, retail, residential, civic and service uses;
- b. To support and increase pedestrian activity by establishing a uniform “build-to” line, ground floor retail uses and storefront shopping at the street level;
- c. To provide opportunities for promoting the historic diversity of land uses within the district;
- d. To encourage both commercial and residential infill development by providing relief from parking, transportation capacity and landscaping standards applicable to other parts of the City;
- e. To encourage residential uses as a part of the redevelopment and renovation of existing structures;
- f. To provide for urban design features such as lighting, coordinated signage, street furniture and landscaping to provide visual cues that tie the district together;
- g. To ensure architectural compatibility and aesthetic harmony of structures located within the overlay; and
- h. To assure respect for the character, integrity, and quality of the built environment of Georgia Avenue without stifling compatible innovative architecture or beneficial economic development.

- D. Section 3.8.4.3, Permitted Uses, is amended to read:

3.8.4.3 Permitted Uses – Within the G, Georgia Avenue Overlay District, all uses permitted in the underlying D, Downtown Mixed Use District are permitted subject to the standards established in this section. This section supplements any other requirements of this Chapter, including any regulations

or permissions relating to use, density or design established in the D, Downtown Mixed Use District.

In order to promote pedestrian activity and to avoid the impacts of traffic crossing sidewalks, all uses and buildings shall conform to the following:

- a. All residential uses listed in Table 3-2, Use Matrix, for the D, Downtown Mixed Use District are permitted in the overlay district.
- b. The first floor (street level) of any multistory commercial building shall be devoted to retail, commercial and service uses, as listed below. Such buildings shall include said uses along not less than fifty percent (50%) of their street frontage.
 1. Convenience Retail
 2. Food Stores, Bakery Shops
 3. Museums, Art Galleries
 4. Restaurants, Bars, Ice Cream Parlors
 5. Professional Office Uses
 6. General Business Services
 7. Personal Service Establishments
 8. Primary Retail Establishments
 9. Secondary Retail Establishments
 10. Movie Theaters
- c. Residential dwellings shall be permitted above the first floor of any building with commercial and/or retail uses on the first floor.
- d. No new auto oriented uses including auto repair, gasoline service stations and drive through uses will be allowed. Such existing uses are permitted and will be allowed to continue. No such nonconforming use shall be resumed if it has been abandoned for a continuous period of sixteen (16) months.
- e. For purposes of this section, “abandon” or “abandonment” means discontinuance of the nonconforming use regardless of the property owner’s intent to relinquish the right to so use the property. A nonconforming use is considered abandoned when:
 1. It has been intentionally discontinued, remains idle or unused;
 2. Necessary utilities, such as water, sewer or electricity have been discontinued for any reason including a failure to pay fees, rates or other required charges lawfully established by the service provider; or
 3. The principal buildings or structures are no longer actively occupied.
- f. Uses containing drive throughs will be allowed if the Director deems appropriate traffic controls are installed. (Rev. 5-21-12; Ord. 2012-08)

E. Section 3.8.4.4.2, Frontage, is amended to read:

3.8.4.4.2 Frontage – There is no minimum or maximum frontage established in these standards. However, buildings with large frontages are required to modulate their facades pursuant to §3.8.4.4.4.3.3.

F. Section 3.8.4.4.3, Minimum and Maximum Height, is amended to read:

3.8.4.4.3 Maximum and Minimum Height – The maximum height shall be as provided for the D, Downtown Mixed Use District in Table 3-3, Dimensional Standards. The minimum height shall be eighteen (18) feet above the elevation of the sidewalk along the entire frontage.

G. Section 3.8.4.4.4.1, Orientation, is amended to read:

3.8.4.4.1 Orientation – Buildings shall be oriented to the street. A building is oriented to the street where:

- a. The setback standards established in §3.8.4.4.1 are met.
- b. Entrances to buildings face a street or open to a square, plaza
- c. or sidewalk.
- c. At least one entrance shall be provided to each street frontage.
- d. All street level uses with sidewalk frontage are furnished with an individual entrance and direct access to the sidewalk in addition to any other access that may be provided.
- e. Off-street parking does not lie between the building's entrance and the street.
- f. Pedestrian access from the public sidewalk, street right of way, or driveway to the principal structure is provided on a hard surface.

H. Section 3.8.4.4.3, Fenestration, Openings, and Storefronts, is amended to read:

3.8.4.4.3 Fenestration, Openings, and Storefronts – This section applies to all storefronts and any use other than those described in §3.8.4.4.4. This section does not apply to the conversion of a residential building to a commercial use. Fenestration is defined as the design, proportioning and disposition of windows and other exterior openings of a building.

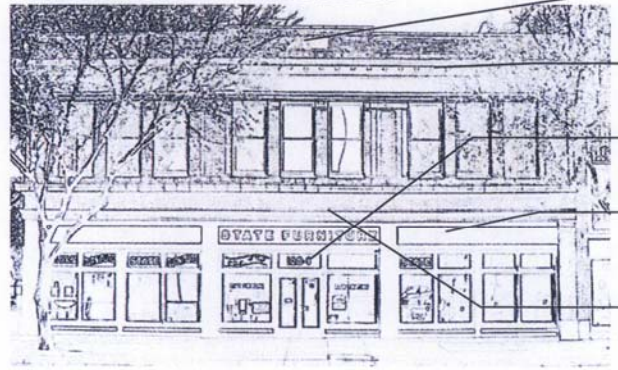
I. Section 3.8.4.4.3.1, Facades, is amended to read:

3.8.4.4.3.1 Facades – Facades facing or visible from Georgia Avenue shall include at least four (4) of the following elements:

- a. A pediment.
- b. A cornice adjoining the top of the roof or top of the facade.
- c. Windows in each story above the ground level. Rectangular, circular, semicircular, and octagonal windows are permitted.
- d. A recessed entryway consistent with the requirements of §3.8.4.4.3.4.
- e. Transom windows.
- f. Moldings
- g. Canopy
- h. Sign Lighting
- i. Sign Banding

- J. The text accompanying Figure 3-3 Facades, is amended to read:

FIGURE 3-3 FACADES



Pediment
Cornice
Transom Windows
Sign Banding
Molding



Recessed entryways
or alcoves

- K. Section 3.8.4.4.3.2, Windows, is amended to read:

3.8.4.4.3.2 Windows – Windows shall be required on all stories in keeping with the design and use of the building but not less than thirty percent (30%) of the front facade.

- L. Figure 3-4, Front Facades, is deleted in its entirety and succeeding Figures are renumbered accordingly.

- M. Section 3.8.4.4.3.3, Building Modulation, is amended to read:

3.8.4.4.3.3 Building Modulation – Building frontages that face public streets and exceed a width of twenty (20) feet must include modulation to break the plane of the building frontage. Such modulation must be spaced at uniform or near uniform intervals along the entire building frontage. Vertical visual elements may include entryways, windows, columns, colonnades, or other form of modular fenestration.

- N. Section 3.8.4.4.3.4, Entryways, is amended to read:

3.8.4.4.3.4 Entryways – Recessed entryways are permitted in order to provide a sense of entry and to add variety to the streetscape. Overhead doors for loading docks, delivery, and distribution shall be permitted only on the rear of the building.

- O. Section 3.8.4.4.4.3.6, Roof Drainage, is amended to read:

3.8.4.4.4.3.6 Roof Drainage – Roofs shall drain to the rear of the building unless an alternative method is approved by the Director.

- P. Section 3.8.4.4.4.3.9, Wall Materials, is amended to read:

3.8.4.4.4.3.9 Wall Materials – Hard surfaced exterior wall materials permitted for downtown buildings include brick, limestone, architectural split-face concrete blocks, parged block, painted brick, stone, terra cotta, stucco, plaster, fiber cementitious board siding and drainage-backed Exterior Insulation Finishing Systems (EIFS). The use of EIFS is limited to the area eight (8) feet or more above the adjacent grade. Vinyl, wood, plastic, metal, structural or unfinished concrete, painted concrete blocks, and tinted or reflective glass are not permitted as the primary exterior finish surface. However, vinyl, wood, plastic, or glass block may be used as accent elements surrounding a doorway or window.

- Q. Section 3.8.4.4.4.4, Fenestration and Openings for Civic Buildings and Uses, is deleted in its entirety and Section 3.8.4.4.4.1 is renumbered as 3.8.4.4.4.4.

- R. Figure 3-6, Fenestration and Openings for Civic Buildings, is deleted in its entirety and succeeding Figures are renumbered accordingly.

- S. Section 3.8.4.5.6, Canopy and Awning Signs, is amended to read:

3.8.4.5.6 Canopy and Awning Signs – A canopy or awning may be used as a sign surface only if:

- a. No wall sign is included on the same facade.
- b. The message does not extend in any direction above, below or beyond the canopy edge.
- c. The message is an integral part of the canopy or awning covering.
- d. Signage on the canopy or awning sign does not exceed one-half ($\frac{1}{2}$) of the area bounded by the edges of the canopy or awning visible from the public right of way. (If the only signage for the building is on the fringe drip-flap portion of the canopy, the entire portion of said area may be utilized for signage.) (Rev. 5-21-12; Ord. 2012-08)

- T. Section 3.8.4.7.9, Access, is amended to read:

3.8.4.7.9 Access – Driveways and access points to public and private parking lots, loading areas and service areas shall adhere to the following:

- a. The Director and City Engineer must approve all driveways, access points and curb cuts from any public right of way.
- b. Driveways providing ingress and egress onto side streets and alleys are preferred. Existing or newly created alleys from a side street are the preferred access drive to parking areas. Only one (1) access point to a parking, loading or service area (other than an alley) shall be permitted per

block face from any side street adjoining Georgia Avenue. There is no limit on the number of openings or access points from an alley and alleys may function as parking area drive aisles.

- c. No driveway or access point shall exceed twenty (20) feet in width.
- d. Separation of driveways or access points from an alley, if permitted, shall be no less than twenty-four (24) feet.
- e. No driveway or access point from any public right of way that reduces on-street parking shall be permitted except for parking areas that are available for use by the general public.

U. Figure 3-9, Access, is deleted in its entirety.

II. All other Ordinances or parts of Ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

III. This Ordinance shall become effective immediately upon its adoption on third reading.

DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY
COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON THIS
____ DAY OF _____, 2016.

First Reading _____

Lark W. Jones, Mayor

Second Reading _____

Third Reading _____

ATTEST:

Donna B. Young, City Clerk

