

ORDINANCE NO. 2008-18  
AMENDING 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 April 17, 2008 and May 15, 2008 public hearings, reviewed, considered and approved amendments to the North Augusta Development Code and recommended said amendments to the City Council for approval.

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 each of the following sections. The section of the Code affected by each proposed amendment is identified by the section number. Where changes are made to information within a table, only those rows where a change is made are shown.

A. The Table of Tables listing for Appendix C is amended to read:

**APPENDIX C – APPROVED PLANTS**

C-1 Large Trees .....	C-2
C-2 Small Trees .....	C-2
C-3 Shrubs .....	C-2
C-4 Wet Pond Planting Guide .....	C-4
C-5 Grasses, Bulbs, Succulents .....	C-4
C-6 Trees.....	C-6
C-7 Bioretention Planting Guide .....	C-8

B. Section 2.5.2 is amended to read:

**2.5.2 Applicability**

Existing parking lots adjoining the frontage of any site located within a commercial zoning district may be replaced with buildings. Minimum parking requirements may be reduced by fifty percent (50%), setbacks may be reduced by fifty percent (50%) and maximum height may be increased by thirty-three percent (33%).

C. Section 2.6.3.1 is amended to read:

**2.6.3.1** This section applies to any application meeting the requirements of this section and which is designated a TND subdivision by the applicant. Where the existing zoning classification does not permit a TND, the applicant may request a rezoning.

D. Section 3.2.2 is amended to read:

**3.2.2 Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM) North Augusta, South Carolina**  
Revised Community Panel Number 450007 0005 D and Community Panel Number 450007 0010 D, both dated August 16, 1994, as amended on October 4, 1994, are referenced for use in the implementation of this Chapter and shall be considered part of the Official Zoning Map. Additionally, because the City has annexed land since 1994 and will annex land in the future that is included within Community Panel Numbers 450002 0010 C and 450002 0020 C as revised November 2, 1994, and Community Panel Number 450002 0030 B as revised March 4, 1980, those panels are referenced for use in the implementation of this Chapter and shall be considered part of the Official Zoning Map.

E. Section 3.4.4 is amended to read:

**3.4.4 TND, P, PD, R-MH Districts**

Uses in the TND, Traditional Neighborhood Development; P, Public Use; PD, Planned Development; and R-MH Manufactured Home Residential are governed by their respective sections in this Chapter, and are not subject to the Use Matrix, Table 3-2.

F. Specific rows of Table 3-2 as shown are amended to read:

**TABLE 3-2 USE MATRIX**

Key: "P" means permitted as of right, as a primary or an accessory use, "S" means permitted only as a Special Exception, "C" means permitted as a Conditional Use, "A" means permitted only as an accessory use, "-" means prohibited. "A/C" means that the accessory use requires a Conditional Use Permit. Refer to Appendix A or the sources referred to under "Land Use Coding" for specific definitions of uses.

A	Land Use Coding			Zoning Districts										
	B	C	D	E	F	G	H	I	J	K	L	M	N	O
Use	LBCS Function	LBCS Structure	NAICS	CR, Critical Areas	R-14, Large Lot, Single-Family Residential	R-10, Medium Lot, Single-Family Residential	R-7, Small Lot, Single-Family Residential	R-5, Mixed Residential	D, Downtown Mixed Use	OC, Office Commercial	NC, Neighborhood Commercial	GC, General Commercial	TC, Thoroughfare Commercial	IND, Industrial
<b>1.0 Accessory Buildings and Uses (subject to §4.2)</b>														

5.9	Beverage stores				--	-	-	-	-	P	A	C	P	P	-
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5.24	Convenience stores selling gasoline	2116	2270	447110	-	-	-	-	-	C	-	-	P	P	A
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5.31	Professional and financial offices including architects, engineers, accountants, financial advisors, stock brokers, insurance, consultants	2210														
		2230														
		2240														
		2250														
		2400				-	-	-	-	-	P	P	C	P	P	-
		2410														
		2412														
2413																
2414																
2415																

5.40	Gasoline stations / Service Stations	2116	2270		--	-	-	-	-	S	S	-	P	P	A
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9.14	Specialty Schools, including beauty, business management, computer training, driving education, flight training (not including airports, helipads, heliports, or runways), and sports or recreation education	6141-														
		6144				--	--	-	-	-	P	P	C	P	P	--
		6147														

11.1	Cell towers, communication towers, and antennae (subject to §4.8)	4230	6500	5133	S	S	S	S	S	S	C	S	C	P	P
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G. Section 3.5.1.3 is deleted in its entirety.

H. Section 3.5.6.3 is amended to read:

**3.5.6.3** Where a yard abuts a street, the setback shall be measured from the abutting street right of way line. Whenever a lot abuts upon a service lane or an alley, one-half (1/2) of the service lane or alley width may be considered as a portion of the required yard provided that the resulting setback is no less than three (3) feet from the property line.

I. Section 3.5.6.5 is amended to read:

**3.5.6.5** Whenever more than one (1) principal building is to be located on a lot, required front, side and rear setbacks shall be maintained around the group of buildings from all property lines as required by Table 3-3, Dimensional Standards. Buildings shall be separated internally by a horizontal distance of not less than one and one half (1.5) times the amount of the required side setback.

J. Section 3.5.7.3 is amended to read:

**3.5.7.3** Where a principal use building or structure is oriented to face away from the street on which it fronts, said building or structure shall conform to the required front yard setback from the street for the district in which it is located. Any accessory use(s) prohibited from required front yards within such districts are prohibited within the required front yard setback from a principal use building or structure facing away from the street.

K. A new section 3.5.7.6 is added to read:

**3.5.7.6** The maximum front setback specified in Column J of Table 3-3, Dimensional Standards, may be adjusted by the Planning Commission for major subdivision applications and the Director for minor subdivision applications on corner and cul-de-sac lots and pursuant to Note "h" to Table 14-2, Street Design Criteria. Front setbacks shall not be adjusted to allow solely for adequate parking pads in front setbacks.

L. Specific rows in Table 3-3 as shown are amended to read:

**TABLE 3-3 DIMENSIONAL STANDARDS**

A	B	C	D	E	F	G	H	I	J	K	L
Zoning District and Use Types	Minimum Lot Size (sq. ft)	Maximum Gross Density (du/ga)	Floor Area Ratio	Impervious Surface Ratio	Minimum Lot Frontage (ft)	Minimum Lot Width (ft)	Maximum Building Height (ft)	Minimum Front Setback (ft)	Maximum Front Setback (ft)	Minimum Side Setback (ft)	Minimum Rear Setback (ft)
2. R-14, Large Lot, Single-Family Residential	14,000	3.5	—	0.3	40	70	35	25	—	8	20
3. R-10, Medium Lot, Single-Family Residential	10,000	4.5	—	0.3	40	50	35	15	—	5	15
4. R-7, Small Lot, Single-Family Residential	7,000	7.0	—	0.4	15	40	45	5	25	5	15
5. R-5, Mixed Residential	5,000	24.0	3.0	0.6	15	20	65	5	25	0 or 5	15
6. R-MF, Manufactured Home Residential	6,000	7.0	—	—	15	40	35	5	25	5	15
7. OC, Office Commercial	—	—	15.0	—	—	—	—	—	20	0 or 5	10
8. NC, Neighborhood Commercial	—	—	3.0	0.7	—	—	45	—	20	0 or 5	10
9. GC, General Commercial	—	—	3.0	0.7	50	50	45	—	80	0 or 5	20
10. D, Downtown Mixed Use	—	—	15.0	—	—	—	—	—	20	0 or 5	—
11. TC, Thoroughfare Commercial	—	—	3.0	0.7	50	50	45	—	80	0 or 5	20

M. Notes to Table 3-3 d and e are amended to read:

**Notes to Table 3-3:**

- d. Columns F – K: The dimensions specified in Columns F through K are expressed in feet. Rules of interpretation for setback and height requirements are set forth in §3.5. Different requirements apply pursuant to §3.5.1.3 for non-residential lots adjoining residential districts. Where a zero side setback is permitted it is intended for the creation of a common wall with a structure on the adjacent parcel. If a zero setback is not used the minimum setback shall be five (5) feet.
- e. Column L: For the GC and TC districts, the rear setback may be reduced to ten (10) feet if the building has access from an alley or service lane, or if no rear access is required for loading or vehicular access.

N. Section 3.5.9.11 is renumbered as 3.5.9.12 and a new Section 3.5.9.11 is added to read:

**3.5.9.11** Arbors, columns, pergolas, arches, fountains and statuary not exceeding eight (8) feet in height nor more than twelve (12) feet in length may be constructed in a required front yard setback as part of a fence or wall or as freestanding structures over walkways or driveways. Setbacks from property lines and rights of way shall be as provided in §4.3.4.

O. Section 3.6.4.1 is amended to read:

**3.6.4.1 Purpose** – The purpose of this district is to provide suitable locations for land and structures in the city of North Augusta owned or used exclusively by the city of North Augusta, Aiken County, the State of South Carolina, the United States, or other governmental jurisdictions and their instrumentalities; and as such shall be used in accordance with such regulations as may be prescribed by the government or instrumentality thereof using the property. This district is also applicable to land owned by public utilities and public service providers of water, sewer, electricity, natural gas, telephone, cable and internet and improved or utilized for the delivery of the public service (power generating or transforming stations, transmission and distribution lines and facilities, switching stations, etc.). Property owned by public utilities and utilized primarily for office, customer service or retail sales is not appropriate for the Public Use district. If Public Use zoned property is sold to a private individual or individuals, such property shall be rezoned to a classification that is compatible with the surrounding area.

P. Section 3.8.4.4.3.9 is amended to read:

**3.8.4.4.3.9 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. 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 3.8.5.2 is amended to read:

**3.8.5.2 Permitted Uses** – Uses permitted in the Highway Corridor Overlay District are provided in Table 3-2, Use Matrix, for the underlying base district.

R. Table 3-9 is deleted in its entirety.

S. Table 3-10 is renumbered Table 3-9 and specific rows as shown are amended to read:

**TABLE 3-9      DIMENSIONAL STANDARDS FOR THE HIGHWAY  
CORRIDOR OVERLAY DISTRICT**

	<b>A</b>	<b>B</b>
<b>4.</b>	<b>Maximum Front Setback</b>	90 feet
<b>8.</b>	<b>Minimum Frontage Buildout</b>	30%

T. Table 3-11 is renumbered as Table 3-10.

U. Section 3.8.5.3.2 is amended to read:

**3.8.5.3.2**      Minimum frontage buildout means the portion of the corridor street frontage of the parcel or parcels included in the development that is occupied by a principal structure at the front setback line. (Example: A parcel that is 200 feet in length requires a building or combination of buildings that total no less than 60 (sixty) feet in length and is set back from the street the minimum setback, either 5 feet or 30 feet, but not more than the maximum setback of 90 (ninety) feet.)

V. Section 3.8.5.3.4 is renumbered as 3.8.5.3.5 and a new Section 3.8.5.3.4 is added to read:

**3.8.5.3.4**      Where a parcel in the Highway Corridor is a through lot that fronts on two Highway Corridor streets, the maximum front setback and minimum frontage buildout shall be applicable to only one frontage. Both the maximum front setback and minimum frontage build out criteria shall be applied to the same frontage.

W. The renumbered Section 3.8.5.3.5 is amended to read:

**3.8.5.3.5**      Gasoline service stations with pump islands perpendicular to the edge of right of way shall maintain a setback of not less than thirty-five (35) feet between the pump islands and right of way.

X. Section 3.8.5.8.5 c and e are amended to read:

**3.8.5.8.5      Front Setback Landscaping –**

- c. If a front setback of thirty (30) feet is utilized the first twenty (20) feet measured from the property line shall be landscaped to the standards of a Type A buffer.
- e. If the front setback exceeds thirty (30) feet and parking or a drive aisle is provided between the front property line and a structure, the first twenty (20) feet measured from the property line shall be landscaped to the standards of a Type D buffer.

Y. Section 3.8.6.2 is amended to read:

**3.8.6.2 Permitted Uses** – Uses permitted in the Neighborhood Preservation Corridor Overlay District are provided in Table 3-2, Use Matrix, for the underlying base district.

Z. Table 3-12 is deleted in its entirety and Table 3-13 is renumbered as Table 3-11.

AA. A new Section 3.8.6.3.2 is added to read:

**3.8.6.3.2** Where an existing building is located on a parcel and the site development plan includes the utilization of the existing building as a principal structure, one existing driveway from the corridor street may be utilized regardless of location or width.

BB. Section 4.8.2.1 is amended to read:

**4.8.2.1** A communications tower and/or antenna may be permitted by the Director without further review upon a determination that all of the applicable conditions within §4.8 are met. Uses defined below that do not meet the criteria of this section are considered prohibited uses for purposes of S.C. Code §6-29-800, and use variances may be granted only pursuant to §4.8.2.6.

CC. Section 4.8.2.3 a and b are amended to read:

**4.8.2.3**

- a. Residential, Overlay, Critical Areas, Downtown Mixed Use, Neighborhood Commercial, Public and Traditional Neighborhood Development districts: Towers and antennae are considered special exception uses in all residentially zoned districts, all overlay districts and the Critical Areas, Downtown Mixed Use, Neighborhood Commercial, Public and TND districts and shall comply with Article 18, Administration, §18.4. If allowed, a free-standing or guyed tower shall not exceed one hundred (100) feet in height and shall be camouflaged as a tree or other feature approved by the Board of Zoning Appeals.
- b. Commercial districts including Office Commercial, General Commercial, and Thoroughfare Commercial: Free-standing or guyed towers and antennae not exceeding one hundred eighty (180) feet in height are permitted as conditional uses in Office Commercial and General Commercial districts and shall comply with §5.5, Conditional Use Permits. Conditions may include camouflage. Free-standing or guyed towers exceeding one hundred eighty (180) feet in height are considered special exception uses and shall comply with Article 18, Administration, §18.4.

DD. Section 4.13.3 is amended to read:

**4.13.3 Lot Area and Setbacks**

The minimum lot area and setback requirements for a non-exempt group home shall be the requirements specified in Table 3-3, Dimensional Standards, for the district in which it is located.

EE. Section 4.34.1 is amended to read:

**4.34.1 General**

The Director may authorize the conditional temporary use of a structure or property for a purpose that is not specifically permitted by the regulations prescribed for the zoning district in which the property is located, provided that such use does not involve the erection of a substantial structure or substantial alteration of the premises and is in accordance with the regulations specified below. The Director may require that traffic control and/or parking plans be approved by the departments with applicable jurisdiction as a prerequisite for approving any temporary use. A conditional use permit for a temporary use may be granted for the period of time indicated, subject to such conditions as will safeguard the public health, safety, convenience, and welfare. All temporary uses shall comply with the noise limitations set out in Chapter 12, Article 3 of the City Code. When required by Chapter 15, Article 1 of the City Code, all temporary uses shall obtain a business license.

FF. A new Section 4.34.8 is added to read:

**4.34.8 Farmers and Produce Markets**

Farmers markets that sell fresh produce including 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 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.
- 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 designed 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.

GG. Table 5-1 is amended to read:

**Table 5-1 NOTICE REQUIREMENTS**

A	B	C	D	E	F	G
Application	Reviewing Agency	Publication	Mail	Internet	Sign	Public Hearing
1. Rezoning and Conditional Rezoning (§§5.3 and 5.4)	PC and CC	Yes	Yes	Yes	Yes	Yes
2. Text Amendment (§5.3)	PC and CC	Yes	No	Yes	No	Yes
3. PD General Development Plan (§5.7)	PC and CC	Yes	Yes	Yes	Yes	Yes
4. Use Pattern (§2.2)	PC	No	Yes	Yes	Yes	No
5. Appeal from an Administrative Decision (§18.4.5)	BZA	Yes	Yes	Yes	Yes	Yes
6. Variance (§18.4.5)	BZA	Yes	Yes	Yes	Yes	Yes
7. Special Exception (§18.4.5)	BZA	Yes	Yes	Yes	Yes	Yes
8. Waiver of Setback Requirement – Major Error (§19.4.2)	BZA	Yes	Yes	Yes	Yes	Yes
9. Waiver of Setback Requirement – Minor Error (§19.4.1)	Admin	No	No	Yes	No	No
10. Major Subdivision (Preliminary Plat) (§5.8)	PC	No	No	Yes	No	No
11. Final Subdivision Plat (Major and Minor) (§5.8)	Admin	No	No	No	No	No
12. Major Site Plan (§5.6)	PC	No	No	Yes	No	No
13. Minor Site Plan (§5.6)	Admin	No	No	No	No	No
14. Planning Commission Waiver of Development Standard (§5.9.1)	PC	No	No	No	No	No
15. Minor Waiver of Development Standard (§5.9.2)	Admin	No	No	No	No	No
16. Conditional Use (§5.5)	Admin	No	No	Yes	No	No
17. Annexation (§18.3.7.3)	PC	No	No	No	No	No

	A	B	C	D	E	F	G
	Application	Reviewing Agency	Publication	Mail	Internet	Sign	Public Hearing
18.	Street Abandonment (§18.3.7.2)	PC	Yes	Yes	Yes	Yes	Yes
19.	Certificate of Zoning Compliance (§5.2.4)	Admin	No	No	No	No	No
20.	Building Permit (§5.2.5)	Admin	No	No	No	No	No
21.	Certificate of Occupancy (§5.2.5)	Admin	No	No	No	No	No

HH. Section 5.6.6.2 c is amended to read:

**5.6.6.2**

c. If the preliminary site plan application is incomplete or does not conform to the provisions of this Chapter, the Director shall return it to the applicant with a statement of the reasons why the proposed preliminary site plan is incomplete or otherwise does not conform to the provisions of this Chapter. The Director's statement will provide the information necessary for the applicant to revise and resubmit the application. A subsequent submittal of a corrected plan shall address all of the items specified by the Director or City Engineer as incomplete or nonconforming and shall include a letter listing and describing all changes from the previous submittal. If the applicant disagrees with the decision of the Director or City Engineer, an appeal may be filed in accordance with the procedures set forth in §18.4. The applicant may also appeal to the Planning Commission for a waiver from a standard applicable to the site plan in accordance with §5.9.

II. A new Section 5.6.6.2. e is added to read:

**5.6.6.2**

e. A preliminary site plan approval by the Planning Commission must be processed and approved as a final site plan by the Director and City Engineer prior to the issuance of any building permit and before the vesting period provided for in §5.6.7.5 shall commence.

JJ. Section 5.6.6.3 is amended to read:

**5.6.6.3 Final Site Plan** – After a final decision by the Planning Commission to approve a preliminary site plan and all required conditions of a conditional use permit, if applicable, the application may be processed for final site plan approval. The final site plan shall be prepared and submitted to the Director in the same manner as set forth in §5.6.5.2. If the final site plan conforms to the approval of the Planning Commission, the provisions of this Chapter and all required conditions or waivers or both, if applicable, the Director shall approve the site plan. If the final site plan is complete, but does not conform to the approval of the Planning Commission, the provisions of this Chapter and any conditions or waivers or both, if applicable, the Director shall deny the site plan and return it to the applicant for revision and resubmission. If

the applicant disagrees with the decision of the Director, an appeal may be filed in accordance with the procedures set forth in §18.4.

KK. A new Section 5.6.7.5 is added to read:

**5.6.7.5** A site plan approval shall expire two (2) years from the date of approval unless a building permit has been issued and construction has commenced. The applicant may apply for and the Planning Commission or Director, as applicable, may grant extensions on such approval for additional periods up to one (1) year each but not to exceed two (2) extensions.

LL. Section 5.8.3.4.2 is amended to read:

**5.8.3.4.2** If the major subdivision application is incomplete or does not conform with the provisions of this Chapter, the Director shall return it to the applicant with a statement of the reasons why the proposed major subdivision plan is incomplete or otherwise does not conform to the provisions of this Chapter. The Director's statement will provide the information necessary for the applicant to revise and resubmit the application. A subsequent submittal of a corrected plan shall address all of the items specified by the Director or City Engineer as incomplete or nonconforming and shall include a letter listing and describing all changes from the previous submittal. If the applicant disagrees with the decision of the Director, an appeal may be filed in accordance with the procedures set forth in §18.4. The applicant may also appeal to the Planning Commission for a waiver from a standard applicable to the site plan in accordance with §5.9.

MM. Section 5.8.3.4.3 is amended to read:

**5.8.3.4.3** If the applicant participates in the conference referenced in §5.8.3.4.1 or resubmittal referenced in §5.8.3.4.2, changes may be made in the original proposal, further conferences may be held, and additional material may be requested to assist in the review of application and in determinations of compliance. In the course of such conference(s) and resubmittal(s), any recommendation for change shall be recorded in writing, with reasons therefore, and shall become part of the record. Applicants shall indicate, in writing, any disagreements and the reasons for such disagreements, and such response by applicants shall be included in the record.

NN. Section 5.8.3.5 d is amended to read:

**5.8.3.5**

d. Major subdivision application approvals shall expire two (2) years from said approval unless a grading permit has been issued and construction has commenced. The applicant may apply for and the Planning Commission may grant extensions on such preliminary approval for additional periods up to one (1) year each but not to exceed two (2) extensions.

OO. Section 5.8.4.3 is amended to read:

**5.8.4.3 Compliance Review and Decision** – Upon a determination of completeness of a final subdivision plat application, the Director will initiate the review of the application for compliance with the provisions of this Chapter. The Director and City Engineer shall approve or deny the application within thirty (30) days after submission of a complete application, or within such further time as may be consented to by the applicant. Failure of the Director and City Engineer to act within the period prescribed shall constitute final subdivision plat approval.

PP. Section 5.8.4.3.1 is amended to read:

**5.8.4.3.1** The Director and City Engineer shall render an administrative determination as follows:

- a. If the final subdivision plat application conforms to the provisions of this Chapter, the major subdivision application approval and all required conditions, the Director and City Engineer shall approve the application; or
- b. If the final subdivision plat application is complete, but does not conform to the provisions of this Chapter, the major subdivision application approval and all required conditions, the Director and City Engineer shall deny the final plat and return it to the applicant for revision and resubmission. If the applicant disagrees with the decision of the Director or City Engineer, the applicant may appeal the application to the Planning Commission. The Planning Commission may approve the appealed application, may approve the appealed application with specific conditions, or may deny the application. If the application is denied, the Planning Commission shall state its reasons in the record.

QQ. Section 5.8.9 is amended to read:

**5.8.9 Notification of Public Agencies and Utilities**

Upon the approval of a final, minor, or major subdivision plat, that results in the creation of one or more new lots or parcels or rearranges or relocates property lines between existing lots or parcels, the Director shall forward copies of the approved and recorded subdivision plat to public agencies and utilities affected by the subdivision. Such public agencies and utilities include but are not limited to the U.S. Post Office, Aiken County, Edgefield County, Aiken County Public Schools, and providers of the following public utility services: water, sewer, electricity, natural gas, telephone, cable and internet.

RR. Section 5.9.2 is amended to read:

**5.9.2 Minor Waivers**

The Director may approve minor waivers unless a condition of development approval requires referral to the Planning Commission, in which case such referral shall be considered in accordance with §5.9.1. Minor waivers to the development standards include changes to the mix of uses, number and

relationship of buildings, parking spaces, and landscaping, within fifty percent (50%) of the applicable standard or standards. The applicant or any aggrieved party as provided by law may appeal the Director's decision to the Planning Commission.

SS. Section 6.1.1 is amended to read:

**6.1.1 Site Analysis and Protection Recommendations**

The applicant shall undertake an analysis of the characteristics of the development site, including site location, geology and soils, topography, wetlands and water features, existing vegetation, structures, visual and view features, other environmental characteristics, road networks, and past, present and proposed uses of the site. The summary and details of such analysis shall be in a report format and shall include recommendations for development design in accordance with this Article. The report may include a graphic plan as well as a narrative. The applicant and his site analysis consultants, if any, may request a preapplication conference with appropriate city staff at any time to discuss and define the scope of the site analysis, review preliminary results or determine the level of detail necessary in the site analysis report. The site analysis and development recommendations report shall be included in the application for approval of all general development plans, site plans and major subdivisions.

TT. Section 6.1.2 is renumbered as 6.1.3 and a new Section 6.1.2 is added to read:

**6.1.2 Exceptions**

The requirement for a site analysis may be waived by the Director for redevelopment and infill projects where property has previously been developed; for projects on parcels up to one (1) acre in size; for projects on property of any size that do not contain environmentally sensitive areas or significant site characteristics as previously determined by the City; and for projects on property that has been the subject of a recent and adequate site analysis.

UU. Rows 1, 2 and 3 of Table 8-1 as shown are amended to read:

**TABLE 8-1 ADOPTED LEVEL OF SERVICE STANDARDS**

	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>
	<b>Facility</b>	<b>Applicability</b>	<b>Level of Service</b>	<b>Impact Area</b>	<b>Year Planned Capacity Will Be Available</b>
<b>1.</b>	<b>Streets – Tier 1</b>	See §8.2.1	LOS E	One-quarter (¼) mile	Third (3rd) year of CIP
<b>2.</b>	<b>Streets – Tier 2</b>	See §8.2.1	LOS D	One-half (½) mile	Second (2 <sup>nd</sup> ) year of CIP
<b>3.</b>	<b>Streets – Tier 3</b>	See §8.2.1	LOS C	One-half (½) mile	First (1st) year of CIP

VV. Section 10.4.4.1 is amended to read:

**10.4.4.1** In order to assure the satisfactory condition and survival of installed landscape improvements the applicant, prior to the issuance of a certificate of occupancy or final subdivision plat approval, shall post a maintenance guarantee. The maintenance guarantee shall be on forms provided by the Department and shall be equal to fifteen percent (15%) of the estimated cost of the landscape improvements as determined by the Director and shall be for a period of twenty-four (24) months from the date of the approval of the final subdivision plat or certificate of occupancy. The Director may consult with appropriate city staff, a landscape architect or other landscape contractor to verify the cost of landscape improvements.

WW. Section 10.4.4.2 is amended to read:

**10.4.4.2** The maintenance guarantee shall be supported by a letter of credit. The maintenance guarantee and letter of credit shall expire no sooner than twenty-four (24) months from the approval of the final subdivision plat or certificate of occupancy as required in §10.4.4.1.

XX. Section 10.5.3.1 is amended to read:

**10.5.3.1** There are four (4) different classes of land uses that determine the buffer type. Land use classes are based upon the zoning classification of the parcel, the proposed use of the development or the existing use of land. The zoning classification will be used only when the existing land use is 'vacant' and there is no use proposed for the parcel. The classes of land use are shown in Table 10-3.

YY. Section 10.7.4 is amended to read:

**10.7.4 Required Plantings**

Table 10-10, Street Tree Landscaping Requirements, contains the required plantings and dimensions of the respective Street Tree types. Either large or small trees, but not both, are required except in the Corridor Overlay where large trees only shall be provided. The Minimum Width of Planting Area (Column B) does not apply when subdivision trees are planted in lieu of street trees. The Director may adjust the spacing specified in Columns C and D for the specific species proposed, driveway location, width of planting strip and street design.

ZZ. Table 10-10 is amended to read:

**TABLE 10-10 STREET TREE LANDSCAPING REQUIREMENTS**

A	B	C	D
Land Use Class (Table 10-3)	Minimum Width of Planting Area	Large Trees Required per length of Frontage in feet	Small Trees Required per length of Frontage in feet
1	See Table 14-2	1 plus 1 per 40	1 plus 1 per 30
2	See Table 14-2	1 plus 1 per 50	1 plus 1 per 35
3	See Table 14-2	1 plus 1 per 40	1 plus 1 per 30
4	See Table 14-2	1 plus 1 per 60	1 plus 1 per 30
<b>Corridor Overlay Districts</b>	See Table 14-2	1 plus 1 per 40	--

AAA. Section 10.11.4.f is renumbered as 10.11.4.g and a new Section 10.11.4.f is added to read:

**10.11.4 Standards**

f. All tree and shrub pruning shall be performed in accordance with American National Standards Institute Tree, Shrub and Other Woody Plant Maintenance – Standard Practices (Pruning) (ANSI A300 (Part 1) – 2001, contained in Appendix C. Trees that have been improperly pruned through ‘topping’ or ‘hat racking’ shall be replaced.

BBB. Section 12.2.1.5 is amended to read:

**12.2.1.5** The minimum amount of parking required pursuant to Tables 12-1, Parking Requirements by Use, or 12-2, Shared Parking Demand Calculation, if shared parking is provided, may be reduced by up to fifty percent (50%) for uses in the D, Downtown Mixed Use District.

CCC. Section 12.2.1.7 is deleted in its entirety and Section 12.2.1.8 is renumbered as Section 12.2.1.7.

DDD. Section 12.3.2 is amended to read:

**12.3.2 Site Plan**

An off-street parking plan shall be required and shall accompany all applications for development approval. The plan shall be prepared in accordance with the requirements of Article 5, Approval Procedures, and Appendix B, Application Documents.

EEE. A new Section 13.3.4 is added to read:

**13.3.4 Pedestrian and Vehicular Clearance**

All signs including Freestanding, Canopy, Marquee, Wall, Projecting and Temporary signs constructed over a public or private pedestrian walkway or area

where pedestrians may walk or congregate shall be constructed to provide a clearance of not less than seven (7) feet from the grade level below the sign to the lowest element of the sign structure. Signs and sign structures projecting over vehicular access and parking areas shall be constructed to provide a clearance of not less than eight (8) feet from the grade level below the sign to the lowest element of the sign structure.

FFF. Section 13.4.1 is amended to read:

**13.4.1 Freestanding Sign Permitted**

One (1) freestanding sign per site, lot or parcel may be permitted. Where more than one (1) business or use occupies a parcel, individual signs for individual businesses or uses may be consolidated on one (1) freestanding sign that meets the maximum size limitations for a freestanding sign as provided in Table 13-2, Maximum Total Sign Area by Use or Number, Dimensions and Location of Individual Signs. Provided, however, that a developed through lot which fronts on two arterials, offers site access from both arterials and is not less than three hundred (300) feet deep (the distance between the two arterials) may have two (2) freestanding signs, one located on each of the two arterials. In such cases the second freestanding sign is limited in size to not more than two-thirds (2/3) the area permitted for the first freestanding sign.

GGG. Section 13.13.2 is amended to read:

**13.13.2 Column B – Freestanding Signs**

A “Freestanding Sign” means any sign supported by one (1) or more upright poles, columns or braces placed in or on the ground and not attached to any building or structure. For the purposes of Tables 13-1 and 13-2, a freestanding sign includes ground and monument signs and does not refer to an off-premise sign or billboard.

Freestanding signs are subject to the following additional restrictions:

- a. Not more than one (1) freestanding sign is permitted for any developed site, lot or parcel except as provided in §13.4.1; and
- b. Freestanding signs are not permitted on undeveloped lots or parcels, except as permitted in §13.6.

Within nonresidential districts, a freestanding sign shall contain only noncommercial messages, the address and name of the occupant, or a commercial message drawing attention to an activity legally offered on the premises. Within residential districts, freestanding signs are limited to address signs and temporary signs advertising "property for sale", "yard sale", "garage sale" or signs displaying a noncommercial message. See §4.14.2 for home occupation signs.

HHH. Section 13.13.13 is amended to read:

**13.13.13 Column M – Electronic Readerboards**

An “Electronic Readerboard” means a sign which displays messages in alternating light cycles. Electronic readerboards shall consist of a black or dark

background with white, red or yellow letters or numbers. Changes to the light pattern shall occur no more than once in any ten (10) second period and shall not include fading, flashing, scrolling or sliding transitions or moving animation. The changeable message portion of the sign may occupy up to fifty percent (50%) of the area of the sign of which it is a part.

III. Row 12 of Table 13-2 is amended to read:

**TABLE 13-2 MAXIMUM SIGN AREA BY USE OR NUMBER, DIMENSIONS AND LOCATION OF INDIVIDUAL SIGNS**

A	All Signs			Wall Signs		Freestanding Signs				Temporary Signs
	Maximum TOTAL SF of all signs is the lesser of B, or C, or D			Maximum SF is the lesser of E or F		Maximum SF is the lesser of G or H				Maximum SF
	B	C	D	E	F	G	H	I	J	K
Use or Zoning District	Maximum Area (SF)	% of Ground Floor Area	Total sign area Per Linear Foot of Frontage	Maximum Area (SF)	% of Wall Area	Maximum Area (SF)	Freestanding Sign Area per foot of Linear Frontage (SF)	Maximum Height (ft)	Front/Side Setbacks (ft)	Maximum Area (SF)
12. Neighborhood Preservation Overlay (NP)	200	6	3	160	-	60	0.50	10	5/5	6

JJJ. Rows 4, 9 and 11 of Table 14-2 are amended to read:

**TABLE 14-2 STREET DESIGN CRITERIA**

A	Local				Subcollector			Collector		Arterial	
	B	C	D	E	F	G	H	I	J	K	L
Design Factor	Alley	Lane	Small Street	Street	Large Street	Rural Street	Boulevard Street	Collector 1	Collector 2	Arterial 1	Arterial 2
4. Pavement Width (ft)	12	16-18	18-24	20-30	30-36	22	30-56	38-60	44-82	44-66	44-80
9. Block Length (ft)	400	200	500	650	750	-	750	850	1,000	-	-
11. Planting Strip (ft)		4	4	5	5	-	-	6	8	10	10

KKK. Notes to Table 14-2 h and q are amended to read:

**Notes to Table 14-2:**

h. **Pavement Width** – Refers to the minimum width of the traveled way and any parking lanes, in feet, from curb face to curb face. All streets listed in Tables 14-1, Street Classification, and 14-2, Street Design Criteria, shall be paved with a hard surface. Gravel or other loose surfacing material is not permitted. Surface material for the various pedestrian walkway types is specified in the table. Where the pavement width, curb, gutter, planting strip and sidewalk exceed the range of applicable right of way specified in Row 1, the design of right of way may be increased or the sidewalk and planting strip may be placed outside the right of way within a dedicated easement. In such cases, building setbacks may be measured from the inside edge of the sidewalk.

q. **Subdivision and Street Trees** – Street trees shall generally be located within the right of way on both sides of and parallel to the street. Where sidewalks are installed, street trees shall be located between the sidewalk and the curb. Planting strips for street trees shall be a minimum of four (4) feet in width unless specified otherwise. Subdivision trees shall be planted in the front setback behind the right of way line and shall be in addition to other landscaping requirements contained in this Chapter.

LLL. Section 14.8.3.2.2 is amended to read:

**14.8.3.2.2** Many residential developments do not have access to existing or planned collector and arterial streets and are required to utilize existing subdivisions for access. To minimize the impact of new development on existing neighborhoods and to ensure adequate access and emergency access to new developments from a variety of locations, access will be permitted from existing and planned streets of different classifications with limitations. Access locations (new streets and driveways) into and within sections of a new residential development (single-family, duplex, townhouse, apartment, condominiums or other multi-family) shall provide adequate access based on the total number of trips generated in the development as shown in Table 14-6, Residential Access Requirements. The total access score shown in Column B is the minimum required for approval. Where the total access score cannot be achieved new roads internal to the development shall be designed as collectors or arterials as necessary to provide adequate access.

MMM. Table 14-6 is amended to read:

**TABLE 14-6 RESIDENTIAL ACCESS REQUIREMENTS**

	A	B
	Number of Trips	Access Score Required
1.	Up to 250	1
2.	251 to 500	2
3.	501 to 750	4
4.	751 to 1,000	5
5.	1,001 to 1,500	6
6.	For each 500 trips or portion thereof in excess of 1,500, one (1) additional access point is required.	

NNN. Specific rows of Table 14-7 as shown are amended and a new row 11 is added to read:

**TABLE 14-7 MINIMUM DRIVEWAY THROAT LENGTHS**

	A	B
	Land Use	Throat Length and Vehicle Storage Length (in feet)
3.	Unsignalized driveways not otherwise enumerated in this table	75
5.	Single-lane drive-in banks	100, including the service window
6.	Drive-in banks with more than one lane	80 per lane, including the service window
7.	Single-lane drive-through car washes	100
8.	Automatic or self-serve car washes with more than one bay	50 per bay
9.	Fast-food restaurants with drive-in window service	160 per lane, including the service window
11.	Other drive-up window service (pharmacy, laundry/dry cleaner, etc.)	80

OOO. Section 14.8.3.7.2 is deleted in its entirety.

PPP. Section 14.16.1 is amended to read:

**14.16.1 Specifications**

Street lighting shall be provided in accordance with city standards and the applicable standards of the electric utility provider.

QQQ. Section 14.19.2 is amended to read:

**14.19.2 Closes and Cul-de-Sacs**

Cul-de-sacs and closes are permitted on local streets only where natural features, including topography, environmental constraints or other natural conditions, or where parcel dimensions or configuration preclude a connected street. The maximum length of a close or cul-de-sac is the maximum block length for the street type and design prescribed in Table 14-2, Street Design Criteria. Length shall be measured from the centerline of the intersecting street to the center of the cul-de-sac or centerline of the close that is parallel to the intersecting street. Wherever possible, cul-de-sacs shall be designed as closes. The permissible length of a cul-de-sac or close may be increased to a maximum of one thousand (1,000) feet where the Planning Commission finds that natural features, including topography, environmental constraints or other natural conditions, or parcel dimensions or configuration preclude a connecting street design. In no event shall the average daily traffic volume generated by the uses fronting on a cul-de-sac or close exceed two hundred (200) trips.

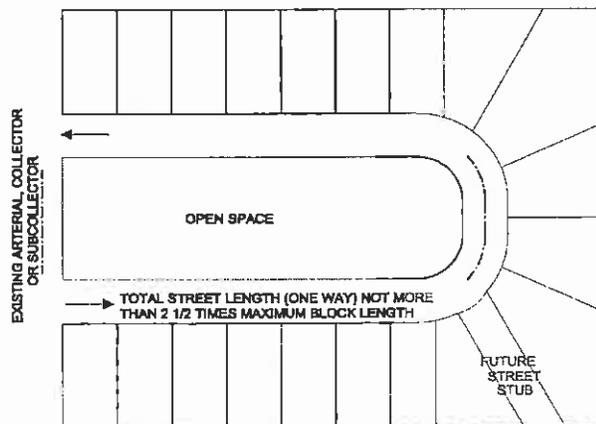
RRR. A new Section 14.19.3 and new Figures 14-2, 14-3, 14-4 and 14-5 are added to read:

**14.19.3 Small Subdivision Connectivity**

The Planning Commission may waive the required internal connectivity ratio for small subdivisions under the following circumstances:

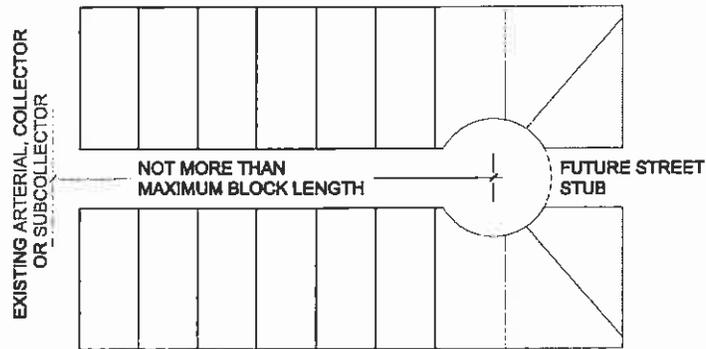
- a. A one access subdivision of one close where no more than two hundred fifty (250) trips are generated and the block length does not exceed the length as permitted in Table 14-2, Street Design Criteria. (Figure 14-2)

**FIGURE 14-2 ONE ACCESS SUBDIVISION – CLOSE  
250 Trip Maximum**



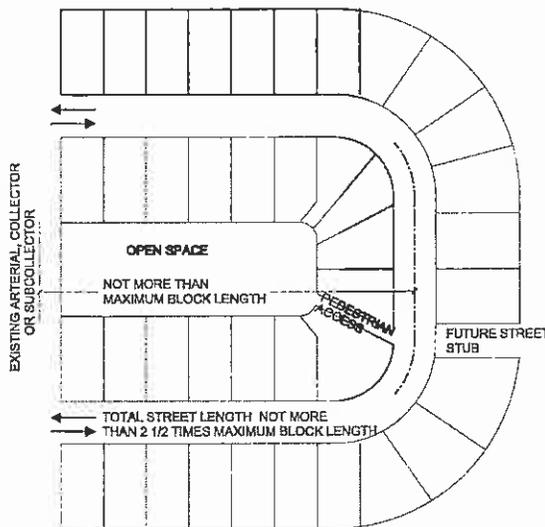
- b. A one access subdivision of one cul-de-sac where no more than two hundred fifty (250) trips are generated and the block length do(es) not exceed the length as permitted in Table 14-2, Street Design Criteria. (Figure 14-3)

**FIGURE 14-3 ONE ACCESS SUBDIVISION – CUL-DE-SAC**  
**250 Trip Maximum**



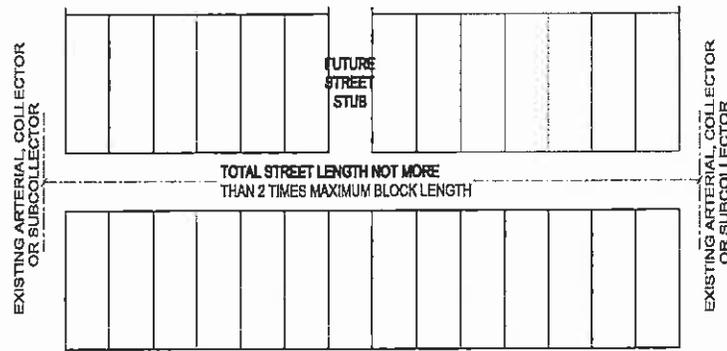
c. A two access subdivision that provides a loop street where no more than five hundred (500) trips are generated and the total length of the loop does not exceed two and one-half (2½) times the block length as permitted in Table 14-2, Street Design Criteria. (Figure 14-4)

**FIGURE 14-4 TWO ACCESS SUBDIVISION – LOOP STREET**  
**500 Trip Maximum**



d. A two access subdivision that provides a single street between two other existing streets where no more than five hundred (500) trips are generated and the total length of the street does not exceed two (2) times the block length as permitted in Table 14-2, Street Design Criteria. (Figure 14-5)

**FIGURE 14-5 TWO ACCESS SUBDIVISION – SINGLE STREET**  
**500 Trip Maximum**



- e. Stubouts for future road connections to adjoining vacant parcels shall be provided where practicable.
- f. All other provisions of this Chapter regulating the subdivision of land (open space, landscaping, etc.) are satisfied.

SSS. Section 18.4.5.4.2 b.5 is amended and subsections d.4, d.5 and d.6 are renumbered to read:

**18.4.5.4.2 Variance –**

b.5. The authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance. Harm to the character of the district may include structures that are significantly out of scale, and the creation or potential for the creation of excessive noise, light, traffic or incompatible late night activity.

e. If the unnecessary hardship is self imposed by the applicant the variance should not be granted.

f. The fact that property may be utilized more profitably, should a variance be granted, shall not be considered grounds for a variance.

g. In granting a variance, the Board of Zoning Appeals may attach to it such conditions regarding the location, character, or other features of the proposed building, structure, or use as the Board may consider advisable to promote the public health, safety, or general welfare.

TTT. Section 18.4.5.4.3 b.1 is amended to read:

**18.4.5.4.3 Special Exception –**

b.1 That the special exception complies with all applicable development standards contained elsewhere in this Chapter and with the policies contained in the Comprehensive Plan.

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

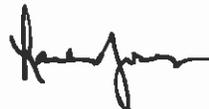
III. This Ordinance shall become effective immediately upon its adoption on third reading.

DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON THIS 1st DAY OF December 2008.

First Reading 11/3/08

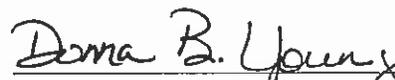
Second Reading 11/17/08

Third Reading 12-1-08



Lark W. Jones, Mayor

ATTEST:

  
Donna B. Young, City Clerk