

# OCONEE COUNTY PLANNING COMMISSION

415 South Pine Street - Walhalla, SC



TEL (864) 638-4218 FAX (864) 638-4168

## AGENDA

6:00 PM, MONDAY, September 18th, 2017

COUNCIL CHAMBERS

OCONEE COUNTY ADMINISTRATIVE COMPLEX

1. Call to Order
2. Invocation by County Council Chaplain
3. Approval of Minutes
  - a. August 21, 2017
4. Public Comment for Agenda and Non-Agenda Items (3 minutes)
5. Staff Update
6. County Council & Planning Commission Workshop  
*[To include Vote and/or Action on matters brought up for discussion, if required]*
  - a. Discussion by Commission
  - b. Commission Recommendation
7. Discussion of Small-Area Rezoning movement from August 21<sup>st</sup> meeting  
*[To include Vote and/or Action on matters brought up for discussion, if required]*
  - a. Discussion by Commission
  - b. Commission Recommendation
8. Proposed HWY 123 Corridor Overlay Ordinance  
*[To include Vote and/or Action on matters brought up for discussion, if required]*
  - a. Discussion by Commission
  - b. Commission Recommendation
9. Old Business *[to include Vote and/or Action on matters brought up for discussion, if required]*
10. New Business *[to include Vote and/or Action on matters brought up for discussion, if required]*
11. Adjourn

Anyone wishing to submit written comments to the Planning Commission can send their comments to the Planning Department by mail or by emailing them to the email address below. Please Note: If you would like to receive a copy of the agenda via email please contact our office, or email us at: [achapman@oconeesc.com](mailto:achapman@oconeesc.com).

# OCONEE COUNTY PLANNING COMMISSION

415 South Pine Street - Walhalla, SC



TEL (864) 638-4218 FAX (864) 638-4168

6:00 PM, MONDAY, AUGUST 28, 2017  
COUNCIL CHAMBERS  
OCONEE COUNTY ADMINISTRATIVE COMPLEX

## **Members Present:**

Mr. Kisker  
Mr. Gramling  
Mr. Johnson  
Mr. Pearson

## **Staff Present:**

David Root, County Attorney  
Adam Chapman, Planner I – Community Development

## **Media Present:**

Dick Mangrum, WGOG

## **1. Call to Order**

Mr. Kisker called the meeting to order at 6:00 PM.

## **2. Invocation by County Council Chaplain**

Mr. Root gave the invocation.

## **3. Public Comment for Agenda and Non-Agenda Items (3 minutes)**

- Tom Markovich spoke concerning the small acre method for rezoning of property. He remarked that he feels that it is unfair for individual property owner to be excluded from requesting rezoning unless they can compile a minimum acreage to make the request.
- Mr. Markovich also reiterated his position that setback requirements should be in the subdivision (land development) regulations and not in the Zoning section of the Code.

## **4. Approval of Minutes**

Motion made to approve minutes by Mr. Pearson, and seconded by Mr. Gramling. Mr. Gramling stated that his motion at the previous meeting was to make 0 acres the standards for rezoning acreage, not 7 acres as indicated. The amended minutes were approved 4-0.

## **6. Staff Updates**

Mr. Chapman spoke about permits submitted and issued. There was also some discussion about the schedule for continuing education. Mr. Chapman also presented elevation drawings Tru Hotel, explaining the design elements that are included to abide by the standards of the development agreement for Hartwell Village. He also updated the Commission on the submitted site and building plans for the Epoch development.

## **7. Small Area Rezoning**

Mr. Root suggested that the item be tabled at this meeting because only four members are present and because the item had been returned to the agenda after an initial vote at the last meeting. Mr. Pearson made a motion to table the item until the next Planning Commission meeting. There was some discussion led by Mr. Root about possible legal challenges based on various approaches and about the fact that the 200 acre requirement only applies with respect to the Control Free District and not to property that has already been placed in one of the traditional zoning categories. The motion to table until the next meeting was approved 4-0.

## **7. HWY 123 Corridor Overlay Ordinance**

The Chairman called on Mr. Mike Smith to comment about the overlay project. He urged members to take time to review the process with a focus on just one component of the overlay at each meeting. Concerning the appeals process in the draft document, Mr. Smith asked for clarification about whether or not that approach is acceptable. He also indicated that the draft addresses a maximum height for monument signs based on Appendix A from the zoning ordinance but does not address other signs. He expressed concern about not utilizing a more complete sign code relative to the overlay. Mr. Smith continued by suggesting that more complete design standards are needed for the overlay. He added that Section D.4 contains standards for refuse screening, as does E.3 but the two are not compatible. He added that there are no color standards in the guidelines.

Mr. Kisker suggested that the Commission get confer with Council soon to make sure that the Commission is going in the right direction with the effort. Ms. Edda Cammick, the County Council chairman, spoke to the Commission, suggesting a workshop with the two bodies to review the issues. Mr. Kisker pointed out that this effort focuses on the 123 corridor, and there might need to be some consideration of adapting to the other corridors.

There was some discussion about grandfathering uses and when the corridor standards would apply upon change of use or new construction. Mr. Pearson indicated that he opposes the requirement to place parking in the rear or side of a new building. The Chairman requested that the Commission consider focusing on the corridor overlay at the next meeting and that staff forward the Commission the key elements for study prior to the meeting and request feedback prior to the meeting. Another issue was raised concerning a limit of curb cuts to every 500 feet.

Some discussion occurred about percentages of building facades that should require embellishment through structural elements other than walls and about how each wall would be treated. Mr. Kisker questioned whether or not the current draft under states what is being sought from a design standpoint.

**8. Staff Presentation: Multi-family/Group development Options**

Mr. Chapman provided a summary of the draft multi-family guidelines. This included an open space requirement and the ability to increase density with more open space. The presentation also addressed parking and setbacks, as well as development access.

**10. Old Business**

No old business

**11. New Business**

**No new business**

**12. Adjourn**

Motion made to adjourn at 7:17 PM

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## *SMALL AREA REZONING OPTION 1*

Sec. 38-8.1. - Consideration by planning commission and county council.

All proposed amendments to these regulations, official zoning map, or any other part of this document shall be reviewed by the Oconee County Planning Commission, who shall issue a recommendation to county council. Upon receipt of the planning commission report, county council shall act on the proposed amendment within 60 days.

Sec. 38-8.2. - Public notice requirements.

- (a) *Public hearings.* County council shall conduct all required public hearings for amendments and rezoning. No amendment to these regulations or official zoning map shall be considered for third and final reading until after the public notice and hearing requirements set forth in the South Carolina Code of Laws and this chapter have been met.
- (b) *Notice of hearing.* Notice of public hearing shall be published in a newspaper of general circulation at least 15 days prior to hearing. The notice shall carry an appropriate descriptive title and shall state the time, date, and place of the hearing. All interested parties shall be heard at the public hearing.
- (c) *Posting.* Pursuant to the provisions of the South Carolina Code of Laws, signs noting a rezoning for the small area method shall be posted on or adjacent to affected parcels along public thoroughfares. In the event less than ten effected parcels are so situated as to share frontage along the same public thoroughfare, a sign shall be located on each parcel, provided no two signs are closer than 100 feet of each other. In the event ten or more affected parcels are so situated as to share frontage along the same public thoroughfare, or any number of parcels are located off of the public thoroughfare, signs shall be posted as close as is practical in a manner sufficient to insure due public notice. At a minimum, signs shall be posted at the beginning and end of any continuous shared public frontage, with no more than one mile between signs; at least one sign shall be visible from all directions in each intersection adjacent to a parcel for which rezoning is proposed. The rezoning of lands owned by the United States, the State of South Carolina, Public Universities, or Oconee County shall be posted at any major identifying signs stating the identification of the property; in the event that no signs are present, state posting guidelines shall be followed. For all other rezoning, state posting guidelines shall be followed.
- (d) *Notification of property owners.* A written notice containing all pertinent information related to any public hearing shall be sent by first class mail to the registered owner of each affected parcel at least 15 days prior to the event. For the purposes of this section, the name and address of the owner of the parcel shall be that listed on tax records maintained by the Oconee County Tax Assessor.
- (e) *Action by council.* After conducting a duly advertised public hearing, county council shall consider all information presented at the hearing, staff review, and the recommendation received from the Oconee County Planning Commission, prior to making their decision.

Sec. 38-8.3. - Reconsideration of request for amendment.

When county council shall have denied a request for an amendment to this chapter, it shall not consider the same or a less restrictive reclassification for an amendment affecting the same property until one year from the date of said denial. A more restrictive classification is not subject to the one-year period.

Sec. 38-8.4. - Effective date of change.

Any ordinance effecting a change in the text of the zoning chapter or zoning maps shall become effective upon final adoption by council.

Sec. 38-8.5. - Methods of initial rezoning.

Upon adoption of this chapter, rezoning of a parcel or group of parcels shall be initiated by one of the following methods:

(1) *Method 1—Planning district request initiated by citizens.*

- a. Any group of citizens living within any planning district described within this section may petition for initial rezoning for the entirety of their district. The planning districts, which are based on the approximate boundaries traditionally used by local fire stations as service areas, are as follows:
  1. Oakway District
  2. Salem District
  3. Corinth-Shiloh District
  4. Mountain Rest District
  5. Walhalla District
  6. Westminster District
  7. Seneca District
  8. Fair Play District
  9. Long Creek District
  10. Cleveland District
  11. Keowee Ebenezer District
  12. Friendship District
  13. Cross Roads District
  14. Picket Post-Camp Oak District
  15. South Union District
  16. West Union District

## 17. Keowee District

The boundaries of each planning district shall conform to the exterior property line of all parcels lying within; in no instance shall a single parcel lie in more than one planning district. Parcels shall be assigned to a planning district based on the location of its centroid, which shall be determined by the Oconee County Geographic Information System (GIS). The boundaries of the various planning districts are shown on the map of planning districts, which shall be adopted as part of these standards.

- b. Petitions by citizens to county council to initiate a rezoning of an entire planning district shall be made in the following manner:
  1. Citizen petition. Citizens wishing council to amend the map of their planning district shall acquire the signatures of a minimum of 15 percent of the owners of parcels lying within the boundaries of the said planning district. The petition shall contain the following statement of support:
  2. "I hereby certify that I own a parcel lying within the \_\_\_\_\_ Planning District, and I support the consideration by Oconee County Council of amending the zoning map."
  3. Presentation to county council. If county council finds the petition is within the parameters of this chapter, they may direct the planning commission and Community Development Department to proceed with amending the zoning chapter and map. Council may take first reading, in title only, on the zoning amendments at this time.
  4. Review of land use map. The planning commission shall undertake a review of the district's portion of the future land use map.
  5. Initial zoning meeting in district. Following the review of the future land use map, the Community Development Department will schedule a public meeting to begin working with citizens to develop a proposed zoning map. Nominations for the district planning advisory committee will be called for at this time.
  6. Appointment of district planning advisory committee. County council will review the nominations for the district planning advisory committee and appoint individuals to the committee. The committee shall consist of seven owners of parcels lying within the district. The committee shall elect a chair who shall conduct committee meetings, call subsequent meetings as necessary, and set forth the agenda for subsequent meetings.
  7. Creation of proposed district zoning map. With assistance from planning staff, the district planning advisory committee will use the future land use map as a guide in creating proposed changes to the district's portion of the official zoning map. All proposed amendments shall be chosen from the zoning districts and their corresponding regulations established in this chapter.

8. Planning commission review of proposed zoning map. When completed, the committee shall present their draft map to the planning commission for review. The planning commission shall review the changes to ensure that they are compatible with the comprehensive plan. During this time, the Community Development Department shall mail a survey to all district property owners soliciting their opinion of the proposed changes, with a deadline to respond of 30 days. At the end of the survey period, the commission shall forward a recommendation regarding the proposed changes to county council. A positive recommendation of the commission shall require both a finding of compliance with the comprehensive plan, and a minimum of 51 percent of the returned responses to the survey favoring the proposed changes.
9. Consideration of recommendation. County council shall consider the proposed zoning map amendments and may take second reading on the chapter at this time.
10. Comment period. A comment period of no less than 30 days shall be held at this time.
11. Consideration of survey results by county council. Upon the completion of the comment period, county council may hold a public hearing on the proposed amendments. Once the public hearing has been completed, county council may take third and final reading of an ordinance to amend the planning districts portions of the official zoning map.
12. Failed attempts to amend the zoning chapter. In the event county council formally rejects a citizen-initiated petition to amend a planning district's portion of the official zoning map for any reason, a new attempt to amend the map through citizen petition shall not be considered sooner than two years from the date of council's decision.

(2) *Method 2—Small area rezoning.*

- a. Any individual property owner may petition county council for rezoning of a parcel(s).
- b. Additionally, groups of property owners owning contiguous parcels may petition collectively under this method.
- c. All persons owning a legal interest in the subject parcel(s) must sign the petition for rezoning under this method.
- d. Proposed rezonings pursuant to this method shall be subject to review by the planning commission, as set forth in [section 38-8.1](#), the public notice requirements contained in [section 38-8.2](#), and all standards set forth in these regulations, including compliance with the goals established in the Oconee County Comprehensive Plan, as well as all other applicable local, state, and federal laws.

a.

(3) *Method 3—County initiated.* The governing body of the county may at any time after adoption of these standards rezone any parcel or parcels owned or maintained by Oconee County. Additionally, notwithstanding any effort to accomplish a prior

rezoning, county council may at any time rezone any parcel or group of parcels to bring them into compliance with the goals established in the Oconee County Comprehensive Plan. Proposed changes to any part of these regulations shall be subject to review by the planning commission, as set forth in section 38-8.1 (above), and public notice requirements contained in section 38-8.2 (above), as well as other as well as all other applicable local, state, and federal laws.

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9. Consideration of recommendation. County council shall consider the proposed zoning map amendments and may take second reading on the chapter at this time.
10. Comment period. A comment period of no less than 30 days shall be held at this time.
11. Consideration of survey results by county council. Upon the completion of the comment period, county council may hold a public hearing on the proposed amendments. Once the public hearing has been completed, county council may take third and final reading of an ordinance to amend the planning districts portions of the official zoning map.
12. Failed attempts to amend the zoning chapter. In the event county council formally rejects a citizen-initiated petition to amend a planning district's portion of the official zoning map for any reason, a new attempt to amend the map through citizen petition shall not be considered sooner than two years from the date of council's decision.

(2) *Method 2—Small area rezoning.*

- a. Any property owner, or group of property owners, of a parcel or parcels with a combined minimum ownership of at least \_\_\_\_\_ acres may petition county council for initial rezoning. Mean Oconee County Residential Parcel size

22 Acres Median Oconee County Subdivision size

24 Acres Median National Subdivision size

32.5 Acres Mean Oconee County Agricultural Parcel Size

51 Acres Mean Oconee County Parcel Size (not including public lands)

52.5 Acres Mean Oconee County Subdivision Size

(2) *Method 2—Small area rezoning.*

Zone which property(s) would be rezoned to.	Minimum acres needed to request rezoning
ID	50
TRD, RRD, RD, LRD, ARD	25
CCD , HCD, MUD	15
AD, CD, PRLD	10
PDD*	5

\* Areas rezoned to PDD may not apply to be rezoned to any other zoning district for a period of no less than 25 years.

- b. No parcel may be included within the rezoning petition under this method which is not contiguous to at least one other parcel that is included in the rezoning petition. Contiguous properties are those properties which are adjacent to one another and share a common border. Contiguity is not established by a road, waterway, right-of-way, easement, railroad track, or utility line which connects one property to another; however, if the connecting road, waterway, easement, railroad track, or utility line intervenes between two properties, which but for the intervening connector would be adjacent and share a continuous border, the intervening connector does not destroy contiguity.
- c. All persons owning a legal interest in the subject parcel(s) must sign the petition for rezoning under this method.
- d. Proposed rezonings pursuant to this method shall be subject to review by the planning commission, as set forth in [section 38-8.1](#), the public notice requirements contained in [section 38-8.2](#), and all standards set forth in these regulations, including compliance with the goals established in the Oconee County Comprehensive Plan, as well as all other applicable local, state, and federal laws.

(3) *Method 3—County initiated.* The governing body of the county may at any time after adoption of these standards rezone any parcel or parcels owned or maintained by Oconee County. Additionally, notwithstanding any effort to accomplish a prior rezoning, county council may at any time rezone any parcel or group of parcels to bring them into compliance with the goals established in the Oconee County Comprehensive

Plan. Proposed changes to any part of these regulations shall be subject to review by the planning commission, as set forth in section 38-8.1 (above), and public notice requirements contained in section 38-8.2 (above), as well as other as well as all other applicable local, state, and federal laws.

Sec. 38-8.6. - Subsequent rezoning.

- (a) Subsequent to the initial change of zoning of any parcel or group of parcels following adoption of these regulations, any individual property owner may make application for rezoning of a parcel(s). All such rezonings shall be subject to the standards set forth in these regulations and South Carolina Code of Laws, 1976, as amended.
- (b) Notwithstanding any effort to accomplish a prior rezoning, county council may at any time rezone a parcel or group of parcels pursuant to the goals established in the Oconee County Comprehensive Plan.

# Draft ordinance for Oconee County Highway 123 Growth Corridor Overlay

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September 18<sup>th</sup>, 2017

## **Highway 123 Corridor Overlay**

The Highway 123 Corridor Overlay is hereby established and is subject to the following general provisions:

### **A. Purpose & Intent**

The Highway 123 Corridor Overlay is established to preserve and enhance corridors that serve as major gateways leading to, from, and within Oconee County. As both commercial and residential land uses exist along such corridors, there is a desire of the residents of Oconee County to provide standards relative to connectivity, aesthetic appearance, and safety along major gateways. The land use recommendations and design requirements contained in the Highway 123 Corridor Overlay are the result of an effort by elected, appointed and Oconee County staff members. As such, the intent of this Overlay is to provide unified land development regulations that promote a sense of place and create consistency along significant corridors by improving the visual character of adjacent development.

### **B Highway 123 Corridor Overlay**

The Highway 123 Corridor Overlay applies to the following:

1. The County Council shall designate the property that is subject to the provisions of the Highway 123 Corridor Overlay by amending the Future Land-Use map in accordance

with the procedures and requirements applicable to map amendments. In general, the district designation shall apply to all parcels with frontage on US Highway 123 between the Oconee County line with Pickens County on Highway 123 and the City Limits of Seneca. The Highway 123 Corridor Overlay will extend up to 500' from the property line that has frontage on Highway 123. Any part of any development (buildings, signs, lighting, parking etc.), in parcels with frontage on US 123 inside of the Overlay and extending beyond the stated limit, that touches the 500' will be considered inside the Overlay.

2. The Overlay development regulations, as set forth in the Highway Corridor Overlay, applies to all uses on the properties inside Overlay except for single family housing developments. The development regulations applicable to single family housing are the development regulations of the underlying zoning district.
3. This Overlay shall also apply to all shared access easements and/or cross-access easements located within the district, including, but not limited to, those that may be used to access any parcel or parcels beyond the boundaries of this district.

### **C. Permitted Uses**

As an overlay, the Overlay supplements standards established elsewhere in the existing Code of Ordinances. Any use permitted in the underlying zoning district, shall also be permitted in the Overlay District provided it complies with the provisions of the Highway Corridor Overlay.

## D. Exceptions & Non-conforming situations

Any property zoned and used for a single family residential use, including the single family residential portion of a property zoned Planned Development District (PDD), shall be exempt from the development standards of the Overlay. When a parcel has a vested right in effect, that parcel may be exempt from certain provisions of the Overlay. The development standards of this Overlay shall apply to all other properties within the Overlay boundaries as outlined in Section B-1.

### *Non-Conforming uses*

Any existing usage of a parcel or structure lawful at the time these regulations or any amendment thereof become effective shall be allowed to continue as an exempt nonconforming usage, subject to the restrictions listed herein.

### *Discontinuation of use.*

Any exempt nonconforming use discontinued or abandoned for a period of 12 months or more shall void any applicable exemption as a nonconforming use, and thereafter the use shall conform to all provisions of these regulations. However, suspension of an exempt nonconforming use for longer than 12 months solely as a result of fire, flood, wind, explosion, or other calamity or Act of God; catastrophic illness or injury detrimental to the continuation of the use; or the exercise of eminent domain or other governmental act (other than that which results from criminal activity proven in a court of competent jurisdiction) shall not constitute discontinuance or abandonment. An exempt nonconforming use may be discontinued for more than 12 months due to a national or regional recession (as recognized by competent state or national authority), or business restructuring due to bankruptcy (other than through dissolution of the business in question), provided the owner of said nonconforming use submits a request in writing to the county Community Development planning department prior to discontinuation of the exempt nonconforming use, supported by appropriate documentation, for an extension of nonconformance for up to an additional 12 months. No more than three such extensions shall be granted, and if the exempt nonconforming use has not been resumed by the end of the last such extension, the exempt nonconforming use shall be deemed to have been abandoned or expired.

### *Non-Conforming Structure*

In the event an alteration is proposed for any exempt nonconforming structure, the following standards shall apply:

- (1) The altering, expanding, changing, rebuilding, or resuming of an exempt nonconformity shall be subject to review and permitting under provisions established in this chapter.
- (2) If an exempt nonconforming building or structure is reused or reoccupied without alteration, or an abandoned use is resumed within 12 months, no permit is required under this chapter, provided, the nature and degree of the exempt nonconformity will not be changed or increased from that which existed before the exempt nonconformity became unused, unoccupied, or abandoned.
- (3) An expansion of an exempt nonconforming structure that is a nonconformity solely due to dimensional setbacks shall be permitted, provided the dimensional nonconformity will not be increased.
- (4) Exempt nonconforming buildings or structures utilized as an integral part of a business at the time of adoption of these regulations or any sequential rezoning shall be permitted to be expanded by an amount up to fifty (50%) percent of the building footprint existing at the time of adoption, as a special exception, provided:
  - a. District setback and height requirements are met, with no existing dimensional nonconformities being increased;
  - b. Any increase in excessive light, noise, dust, or other negative impacts on neighboring uses resulting from the proposed expansion are mitigated by screening, fencing, or other adequate means.
- (5) Any proposed change in usage of an exempt nonconforming use may be permitted as a special exception by the board of zoning appeals, if the proposed use does not increase the effects of the existing usage in the neighborhood and all other provisions for granting a special exception are met.

For the purposes of this section, the terms "altering", "expanding" and "changing" shall be strictly construed. "Rebuilding" shall mean the rebuilding, reconstruction, or restoration of any nonconforming building or structure which was damaged or partially destroyed by fire, flood, wind, explosion, or other calamity or Act of God. "Resuming" shall mean the reusing or reoccupying of a nonconforming building or structure which was unused or unoccupied for a continuous period, or the resuming of a nonconforming use which was abandoned for a

continuous period. All structures rebuilt or otherwise modified under the provisions of this chapter shall be constructed to conform to adopted codes.

## **E. Design Review**

All new development and any existing development, which is attempting any form of change on the exterior portion of any and all buildings as well as on any portion of a parcel inside of the Highway 123 Corridor Overlay that requires permitting through state or local agencies will submit plans that conform with the following design standards. Diversity in design consistent with the local natural and architectural surroundings is encouraged. If the application is in keeping with the design standards then the plans may be administratively approved by Planning & Zoning staff. If a property owner wishes to appeal the decision of the Planning & Zoning Staff then the Board of Zoning Appeals may grant a variance. Standards for appealing may be found in Oconee County Code of Ordinances Section Chapter 38, Article 7.

All commercial buildings, accessory buildings, structural screenings for refuse areas that are visible from any public road, street or right-of-way will incorporate the following design criteria:

- 1. Blank Walls* : No more than 75 percent of any wall may be blank. Blank, uninterrupted building facades shall not face residential areas or public or private street right-of-ways. Design techniques using architectural elements or repetitive features should be utilized to visually break up the facade. Examples include, but are not limited to: All walls must have windows, doors, façade treatments, vegetative screening, signage and/or awnings, columns, canopies, lighting fixtures, building offsets/projections, decorative tile work,

artwork, or other elements approved by the planning director. The following standards apply:

- a. Industrial uses shall not have blank walls greater than 50 feet in length.
- b. All other uses shall not have blank walls greater than 30 feet in length.

2. *Front Facades:* Must incorporate columns, porticos, roof overhangs, awnings or other architectural elements utilizing the materials list in section 4 (below). Exterior building materials visible from the traffic lanes shall not consist of unadorned concrete masonry units (concrete blocks), corrugated metal, and/or sheet metal.

3. *Roof mounted mechanical equipment:* Shall be enclosed or screened to ensure such features are not visible to the extent possible. Enclosures and screens shall be compatible with the architectural style of the building.

4. *Building Materials Standards*

All facades of buildings, accessory buildings and refuse screenings facing a public right-of-way or thoroughfare shall incorporate the following materials at the listed area standards below:

<u>Materials</u>	<u>Standards</u>
a. Timber framing, columns or similar structural elements	15% Minimum
b. Stacked, cultured or field stone	20% Minimum
c. Wood, "Hardie" type panels, wooden timbers or wood "appearing" materials	0-50%
d. Stucco – broken up by the other design elements, so as to avoid blank facades.	0-50%
e. Glass, glazing and incorporated framing elements	0-50%
f. Any other materials approved by Building Codes.	10% Maximum

## F. General Requirements & Development Standards

1. *Building Placement*: The front facade of buildings is encouraged to be parallel to US 123 property lines. If the front of the building faces away from Hwy123 all applicable facades must incorporate the design standards in Section E (above).

2. *Setbacks*: For all parcels on the Highway 123 Corridor Overlay no setback minimum from the property line that fronts Hwy123. Setback maximum will be the underlying zoning districts minimum setback unless zoned Industrial District, then the Industrial District setbacks and buffer rules will be the rule.

3. *Refuse Screening*: All refuse collection facilities must be 100% screened in by fences, walls and/or mature vegetation so as not be visible unless being utilized. Placement of these facilities shall not be along the frontage with Hwy 123 unless good cause is shown that there is no other site for the facility and approved by the Zoning Administrator.

4. *Shipping and receiving areas/docks*: Shall be visible from primary adjacent parking areas or street rights-of way unless screened in the fashion as the refuse collection facilities in section 3 (above)

5. *Building Height*: Maximum building height shall not exceed that permitted in the underlying zoning district.

6. *Fences*: Fencing shall be of durable construction using quality material (i.e., brick, stone, other masonry, wood, metal, decorative vinyl, or any combination thereof). The finished side of the fence shall face the corridor right-of-way or other adjacent property. The height of the fence on any frontage of Highway 123 shall be no more than 4' high. Chain link, welded or woven wire, and other similar fencing are not permitted in the Highway Corridor Overlay.

7. *Sidewalks*: All sidewalks must meet Federal ADA standards. Sidewalks shall be located on the property to be developed to allow pedestrians to safely move from their vehicles to all areas intended to be used by the public. When possible, sidewalks shall connect to the existing pedestrian circulation of adjacent parcels where not restricted by topography or other existing site features. Pedestrian interconnectivity between adjacent parcels is encouraged. When adjacent to a residential use district with frontage on Hwy 123, sidewalks may be provided to allow pedestrian access to and from a commercial retail development. When adjacent to residential or commercial uses with no frontage on Highway 123, sidewalks are encouraged to connect the developments.

8. *Other Pedestrian Amenities*: All retail commercial development or use with a gross indoor floor area in excess of 40,000 square feet shall provide improved common open space for use by patrons. Such common open space shall be a minimum of 500 square feet in area and may include squares, plazas, greens, or other similar spaces. The following shall also apply:

i. "Improved" shall mean cleared of underbrush and debris, accessible to pedestrians, and shall include one or more of the following: landscaping, walls, fences, walks or similar paved surfaces, fountains, statues, common lawns or greens, tables and chairs, benches or other seating, water fountains, litter and recycling receptacles, playground equipment, or other similar furnishings and amenities;

ii. Such spaces shall include canopy trees to provide shade. At installation, a canopy tree shall have a minimum caliper of 2.5 inches when measured 6 inches above ground with a

minimum height of 10 feet; Such spaces shall be accessible from sidewalks and other pedestrian circulation within the development.

iv. The property owners, occupants, and tenants or their agents shall be jointly and severally responsible for the maintenance and upkeep of all such common open space. All such areas shall be kept free of litter and debris and shall generally be maintained with a neat and orderly appearance.

## **G. Parking & Vehicular Access**

*1. Curb-cuts :* Shall be located as close to an adjacent property line as technically feasible. The intent is to minimize the number of curb-cuts along Hwy 123 to improve safety of drivers by allowing adjacent property owners to utilize curb cuts on adjacent properties via stub-outs, see section G2.

*2. Stub outs:* All parcels are required to be built to have a stub-out which would connect the adjacent properties through parking lot drive lanes or in the future, a frontage road.

*3. Off-Street Parking:* For buildings fronting on Hwy 123 , off-street surface parking shall be located primarily to the rear of the building it serves. Side yard parking is permissible and shall occupy no more than 50 percent of the principle corridor frontage line. The following shall also apply:

a. Where dimensions or topographical constraints of existing parcels restrict the location of off-street parking to the rear of the building it serves, the restrictions on side yard parking may be modified, on a case-by-case basis, by the Zoning Administrator;

b. Uninterrupted surface parking areas shall be limited in size. Parking areas with more than 20 space[s] shall be broken by buildings or following the standards for Perimeter Parking Area Planting located in 6a of this ordinance.

c. Parking areas shall be designed to allow pedestrians to safely move from their vehicles to the building.

2. *On-Street Parking*: On-street parking is not permitted on the corridor or other street. On-street parking is permitted on private streets within a retail commercial development where adequate space for parking and maneuvering is provided outside of travel lanes. On-street parking shall comply with the requirements set forth in the latest edition of the South Carolina Department of Transportation (SCDOT) Access and Roadside Management Standards (ARMS) Manual.

3. *Driveway and Internal Street Standards*: Interconnectivity between adjacent parcels is required when there is not a conflict in use and is subject to the provisions set forth in Chapter 26 of the Oconee County Code of Ordinances. Stub-outs, located in G-2, are required to any and all adjacent properties in the Overlay that may be accessed by vehicles. The installation of frontage roads is encouraged as a design technique to provide for access by multiple properties, thus reducing the number of curb cuts needed along the Corridor as new development occurs.

## *6. Parking Area Landscaping and Screening*

a. *Perimeter Parking Area Planting*: A perimeter landscape strip with a minimum width of 3 feet shall be required on all sides of parking areas except parking that is up to the building footprint, building adjacent sidewalk. This perimeter area strip may be curbed or at-grade.

b. A continuous native evergreen shrub or native grass screen is required within the perimeter landscape strip. Native trees are permitted.

#### **H. Commercial Retail Developments and Centers:**

All retail commercial development or use with two or more businesses shall be allowed no more than one access point to Highway 123 per 500' of frontage. All retail commercial development or use with two or more businesses shall be allowed no more than one ground monument sign. Signage for individual businesses shall be consolidated onto one such ground monument. The following shall also apply:

- a. Where such a development fronts two or more streets with more than 500 feet of frontage on each, additional ground monument signs may be permitted provided no more than one is located on each street;
- b. Directional and wayfinding signs within a retail commercial development or center shall be grouped and shall be consistent in size, color, ornamentation, and materials, and shall complement the surrounding buildings; and
- c. For such developments, a ground monument sign shall not exceed a height of 10 feet. Where such a development has a gross indoor floor area in excess of 40,000 square feet, the maximum height may be increased to no more than 15 feet for a ground monument sign.

#### **I. Signage:**

Unless specifically mentioned in this section the sign code for Oconee County is the rule.

Signage standards. The sign standards are created to maintain and enhance the aesthetic environment of transportation and economic gateways into Oconee County. The location and

design of all signs shall be consistent with the objective of high-quality development and safe and efficient vehicular and pedestrian circulation.

1. **General standards.** All signs, including their supports, braces, guys, anchors, electrical parts and lighting fixtures, and all painted and display areas shall be constructed and maintained in accordance with the building and electrical codes adopted by Oconee County.

a. It shall be unlawful for any person to erect, construct, enlarge, move, or replace any sign (with the exception of signage requiring no permit) without first obtaining a sign permit from the planning department, except as relates to routine maintenance and repair or the changing of tenant name panels.

b. A preliminary sign permit application along with applicable fees and sign plan shall be submitted to Oconee County. The detailed sign plan shall include the following information, stamped by a South Carolina licensed surveyor, landscape architect, or engineer:

1. Parcel number.
2. Scale of site plan and north arrow.
3. Drawing of entire property with all existing and proposed structures shown.
4. Length of street frontage.
5. Dimensioned setbacks from street and side property line.
6. Plan drawing with actual dimensions of sign (as seen from above).
7. Location of all existing signs.
8. Location of all proposed signs.
9. Elevation drawing of the proposed sign or sign revision including size, height, copy, colors, illumination, materials.

10. Verification that the proposed sign(s) meet all requirements set forth in this chapter.

c. All on-premises nonconforming signs shall come into compliance with these standards when abandoned or the cost of repairs or replacement of such signs is beyond 50 percent of their replacement costs. Nonconforming signs are subject to all requirements of this code regarding safety, maintenance, and repair.

d. Signage shall be set back a minimum of ten feet from right-of-way, side, or rear property lines.

e. No sign shall produce a traffic hazard, such as visual obstruction at intersections or glare from lighting. Signs shall not obstruct the view of or resemble traffic directional/safety signs.

f. Rooftop signs are prohibited.

g. Flashing or animated signs are prohibited.

h. No sign shall be attached to a utility pole or street sign, or attached to or painted on tree trunks, rocks, or other natural objects.

i. No sign shall be placed within the public rights-of-way.

j. Signs shall not rotate or revolve.

**2. Signs allowed without a permit.** The following signs require no permit. These signs are subject to all requirements of this code regarding safety, maintenance, and repair.

a. Temporary/portable signs:

1. Shall be displayed only for the duration of time that they remain relevant to a specific event.

2. Temporary signs shall be removed within seven days following the conclusion of the specific event being promoted.

3. No temporary sign exceeding six square feet may be erected on a residential parcel.
4. The maximum allowable size of any non-residential temporary sign is 32 square feet.
- b. Traffic, directional, warning, official notice or informational signs authorized by any public agency.
- c. Building nameplates with related inscriptions.
- d. Window signs.
- e. Flags and flagpoles.
- f. On-site directional signs, where each sign does not exceed nine square feet in area or four feet in height.
- g. Signs that display name, trademark, logo, brand, or prices, provided the display is an integral part of a vending machine, automatic teller machine, or gas pump. Such signage shall not exceed 32 square feet in area per side.

*3. Signs allowed that require a permit.*

a. Allowable signs shall be the following:

1. Monument.
2. Wall.
3. Hanging/projecting.
4. Canopy/awning.

b. Monument signs:

1. Shall be architecturally designed to reflect the character of the structure/development for which they are advertising.
2. No monument sign shall exceed ten feet in height.

3. One double faced or single faced sign shall be allowed per parcel.
4. Developments with 500 feet of road frontage serving more than one building shall be permitted one additional sign, which shall not exceed 100 square feet in area. Minimum separation for all monument signs shall be at least 200 linear feet. However, if a building is located on a corner lot with two street facing sides, one sign may be located on each side served by an entryway.

*c. Wall signs:*

1. Wall signage shall not exceed 15 percent of the wall area, per wall face.
2. Wall signs shall display only one surface and shall not be mounted more than six inches from any wall.

*d. Hanging/projecting signs:*

1. Only one projecting/hanging sign is allowed per building frontage, except for shopping centers, which may have one projecting/hanging sign for each business use.
2. Signs shall project at a right (90 degree) angle to the building frontage.
3. Signs shall not extend more than four feet beyond the line of the building or structure to which it is attached.
4. Signs shall maintain a vertical clearance of eight feet above the sidewalk or ground level accessible to pedestrians.

*e. Canopy/awning signs:*

1. Shall not exceed 15 percent of the surface area of the face or the canopy or awning to which the sign is attached.

2. Sign shall not extend more than three inches horizontally from the surface of the awning or canopy.

3. Sign shall not project vertically outside the area of the canopy or awning.

*f. Illumination:*

1. No internal lighting shall include exposed incandescent or fluorescent bulbs.

2. Externally illuminated signs must have indirect light sources shielded from the view of persons viewing the sign and be further shielded and directed so that the light shines only on the sign and that illumination beyond the copy area is minimized.

3. Signs shall not have light reflecting backgrounds but may use light reflecting lettering.

4. No sign shall have lights or illuminations that flash, move, rotate, scintillate, blink, flicker, or vary in intensity or color.

*g. Maintenance:* All signs shall be maintained in good condition and working order, and be free of graffiti, peeling paint or paper, faded colors, weeds, vines, and/or broken and damaged materials. No internally or externally illuminated sign shall have only partial illumination for a period of more than 30 days.

*h. Sign Landscaping:* All ground monument signs shall have native species landscaping and shall be integral with other landscaped areas as required by this Overlay. However, landscaping shall not obstruct the view of a sign.

**J. Lighting:**

The purpose of these standards is to assure that adequate exterior lighting is provided to facilitate crime prevention, security, and safe passage, and that exterior lights be shielded to

reduce the impact of lighting on neighboring uses, potential safety hazards to the traveling public, and the effect on view-sheds and nightscapes.

(1) Lighting plans shall be submitted with the zoning permit application on projects that include the installation of outdoor lighting fixtures. Prior to obtaining a zoning permit, an applicant must receive approval of a lighting plan. The lighting plan shall be prepared by an appropriately licensed design professional in the State of South Carolina. The plan shall include the following information:

- a. The location, type, and height of luminaries including both building and ground-mounted fixtures.
- b. A description of the luminaries, including lamps, poles or other supports and shielding devices, which may be provided as catalogue illustrations from the manufacturer.
- c. Photometric data, such as that furnished by the manufacturer, showing the angle of light emission.
- d. Additional information as may be required to determine compliance with this chapter.

(2) Exterior lighting shall be shielded and directed to avoid illuminating the night sky.

(3) Lighting shall not illuminate neighboring properties or distract/harm the traveling public on road rights-of-way. Any necessary screening of lighting shall be shown on site plans. Lighting will be inspected before a certificate of occupancy is granted.

(4) On-site lighting may be used to accent architectural elements and provide safety and security on pedestrian walkways, at building entrances, and public areas between buildings, but shall not be used to illuminate entire portions of buildings.

(5) In order to promote safety and security in developments, lighting should be used at intersections, entrances, and in parking areas.

(6) The overall height of lighting fixtures shall not exceed 20 feet.

(7) Blinking or flashing lights shall be prohibited unless the lights are required as a safety feature (e.g. beacons on towers). Searchlight and laser light operation for advertising/commercial purposes is prohibited.

(8) Security lighting shall be provided, particularly at pedestrian walkways. Motion detector security lights shall be exempt from the foot candle requirements of this item provided such lights are normally "off," and are limited to being "on" for four minutes or less when motion is detected.

(9). Flood lights shall be permissible for security, loading areas, and other such applications provided they are focused toward the primary building or space intended to be illuminated. Likewise, they may be aimed at no higher than a 45 degree angle, and shall be generally aimed or shielded as to limit the amount of ambient light perceptible from adjacent properties and street right-of-way.

10. The following lighting fixtures are prohibited: non-directional lighting fixtures, searchlights, laser source lights, flashing lights, or any similar high-intensity light used to attract attention, except for use during emergencies by authorized emergency, police, and fire personnel.

11.. Any damaged, broken, or malfunctioning light fixture or pole shall be repaired or replaced immediately.

#### K. Open Space & Tree Preservation Standards

The purpose of the Impervious Surface standards is to allow rain time and opportunity to be absorbed in to onsite soil, prevent erosion and runoff. This standard does not apply to parcels equal to or less than 0.5 acres.

**Open Space.** A minimum of 10 percent of the site must be devoted to usable open space which may include grass & unaltered natural features. Required setbacks and buffer yards may be included in calculating this requirement. Parking lot buffers, if self-contained and not part of an open space may not be included in the Open Space Requirement. The Administrator may reduce this requirement for parcels 5 acres or less on a case-by-case basis. All open space shall be clearly labeled as such on any plans submitted for County review.

**Tree Preservation:** All required setbacks and buffer yards shall be used as tree preservation areas. Retention and protection of large trees shall be required for all development within the Highway Corridor Overlay District. In addition, all canopy trees with a caliper at 4' height greater than 12' inches shall be incorporated into the site plan unless there is no suitable

alternative due to unavoidable grading or because of required configuration of a street, driveway, sidewalk, permitted sign, essential utility, or buildings. The following shall also apply:

a. Such trees may only be removed under one or more of the following conditions:

- i. The tree is unhealthy, diseased, or dead;
  - ii. The tree causes a safety hazard to nearby buildings or pedestrian or vehicular circulation;
  - iii. The tree is of a species that may drop debris or sap that can significantly affect property;
  - iv. The tree is interfering with an existing underground utility line;
  - vi. The tree is causing significant structural damage to a building or other similar structure;
- and/or
- vii. It is necessary to allow construction of a street or driveway essential for access to a parcel.

***1. The mitigation requirements.*** Canopy trees with a caliper at 4' height greater than 24" that are removed shall also be replaced with another similar tree elsewhere on the parcel. Any replacement tree within the Highway Corridor Overlay District shall have a minimum caliper of 2.5 inches when measured 6 inches above ground with a minimum height of 10' when planted.

## **M. Industrial District**

Any parcels zoned Industrial will meet all setback and buffer yard requirements of the Industrial District Zoning in the Oconee County Code of Ordinances. Design standards in the Highway Overlay District do not apply.