



TOWN OF IRMO PLANNING COMMISSION

Agenda

Monday, October 9, 2023, at 6:00 p.m.

Municipal Building

7300 Woodrow Street | Phone: 803.781.7050

- I. Call to Order
- II. Invocation
- III. Approval of Agenda
- IV. Minutes
 - a. Approval of the minutes of the September 11, 2023 Planning Commission meeting
- V. New Business
 - a. Consideration to annex 0.43 acres located at 1317 Murraywood Court, Lexington County TMS #002726-08-002, and to rezone said property from R1 (County) to RS (Town)
 - b. Consideration of a revision to various sections of the Zoning Ordinance
- VI. Comments
- VII. Adjournment

In compliance with the FOIA, a copy of the agenda was provided to the local news media and persons requesting information.



TOWN OF IRMO PLANNING COMMISSION

Minutes

Monday, September 11, 2023, at 6:00 p.m.

Municipal Building

7300 Woodrow Street | Phone: 803.781.7050

MEMBERS PRESENT

Edward Wadelington – Chair

Robert Cox – Vice-Chair

Michelle Carpenter

Judy Deloach

Joseph Murphy

Clint Scoville

MEMBERS ABSENT

Edward Greco

OTHERS PRESENT

Doug Polen, Assistant Administrator

I. Call to Order

Mr. Wadelington called the meeting to order at 6:00 p.m.

II. Invocation

The Invocation was given by Mr. Murphy.

III. Approval of Agenda

Mr. Murphy made a motion to accept the agenda, seconded by Mr. Cox. Motion passed 6-0.

IV. Minutes

Mr. Scoville made a motion to accept the minutes of the July 10, 2023 meeting, seconded by Mr. Murphy. Motion passed 6-0.

V. New Business

- a. Consideration of a revision to the Zoning Ordinance, Article 4; Community Appearance, Buffering, Screening, Landscaping, Common Open Space, and Tree Protection

Mr. Polen presented the item and discussion was held. Changes were made to Sec. 4-2.6, clarifying adjacent existing land uses in the chart, and Sec. 4-5.3, removing manufactured home parks. Discussion was also held on the regulations concerning the removal of trees from private property, where it was decided that the ordinance should remain as written and be enforced on private property. Discussion was also held on the notes to the ordinance changes provided by Mr. Greco.

Mr. Cox made a motion to recommend approval of the amendment with changes, seconded by Ms. Carpenter. Motion passed 6-0.

b. Consideration of a revision to the Zoning Ordinance, Article 5; Sign Regulations

Mr. Polen presented the item and discussion was held. No major changes were recommended.

Mr. Murphy made a motion to recommend approval of the amendment with changes, seconded by Mr. Scoville. Motion passed 6-0.

VI. Comments

Mr. Polen mentioned that annual training is available at the South Carolina Association of Counties website, so anyone who needs additional hours should go there.

VII. Adjournment

Mr. Cox made a motion to adjourn the meeting, seconded by Mr. Murphy. Motion passed 6-0. Meeting adjourned at 6:40 p.m.

ATTEST:

Zoning Clerk / Designee

Chair



Staff Report

Amendment to the Official Zoning Map

DATES: Planning Commission: October 9, 2023
Town Council First Reading: October 17, 2023
Town Council Second Reading: November 21, 2023

TO: Irmo Planning Commission
Irmo Town Council

FROM: Douglas Polen, Assistant Town Administrator

SUBJECT: Annexation Request

**SUBJECT
PROPERTY:** A 0.43-acre tract located at 1317 Murraywood Court, Lexington County TMS
002726-08-002

**ACTION
REQUESTED:** Consider an ordinance to annex real property into the corporate limits of the Town of Irmo, to zone said property RS, and to amend the official zoning map of the Town to so reflect.

Background

The applicant would like to annex his property into Town limits so as to be able to access Town services such as waste and police.

Current Zoning

The subject property is zoned R1, Low Density Residential, which allows 4 residential units per acre, as well as a variety of other uses common to residential zoning, such as churches and golf courses.

Proposed Zoning

The proposed zoning district, RS, Single-family residential, is defined as follows: the RS district is intended to foster, preserve, and protect areas of the community in which the principal use of land is for detached, single-family dwellings, and certain residential support facilities at low

densities. The RS district is very similar to Lexington County's R1 district and allows for 3.5 residential units per acre.

Summary of Adjacent Zoning & Uses

Zone		Present Use
North	RS	Single Family Detached Home
East	RS	Single Family Detached Home
South	R1 (County)	Single Family Detached Homes
West	RS & R1 (County)	Single Family Detached Homes

Irmo Comprehensive Plan

The Comprehensive Plan is unclear in this case. Being outside the Town, there is no future land use assigned to the area. Moreover, there are no policies or goals related to annexation to help guide this decision. That having been said, all adjacent properties in Town have a future land use of Single Family Residential.

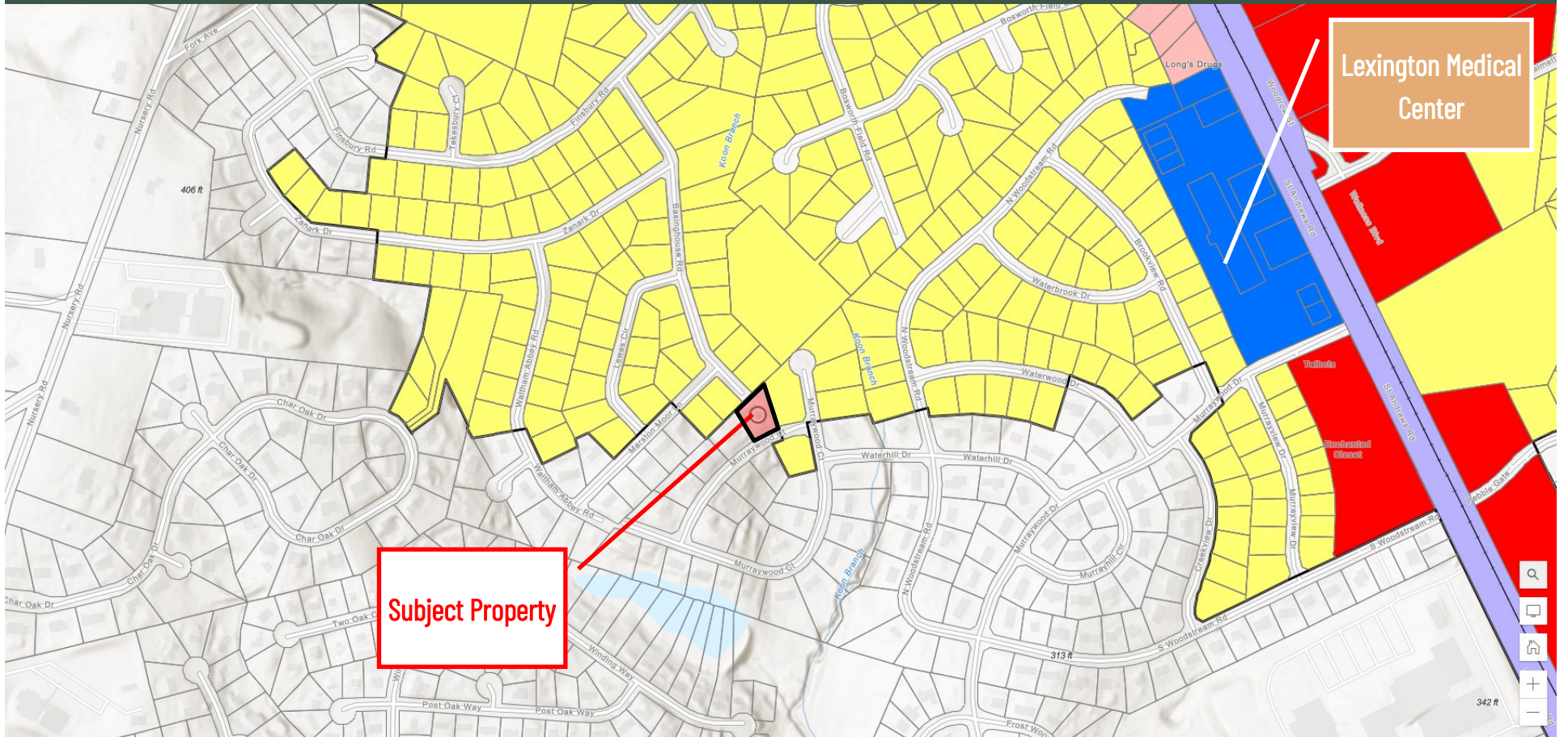
Staff Findings

Staff finds this to be a simple case with no change in use or allowable use. Staff recommends APPROVAL of the annexation and rezoning,

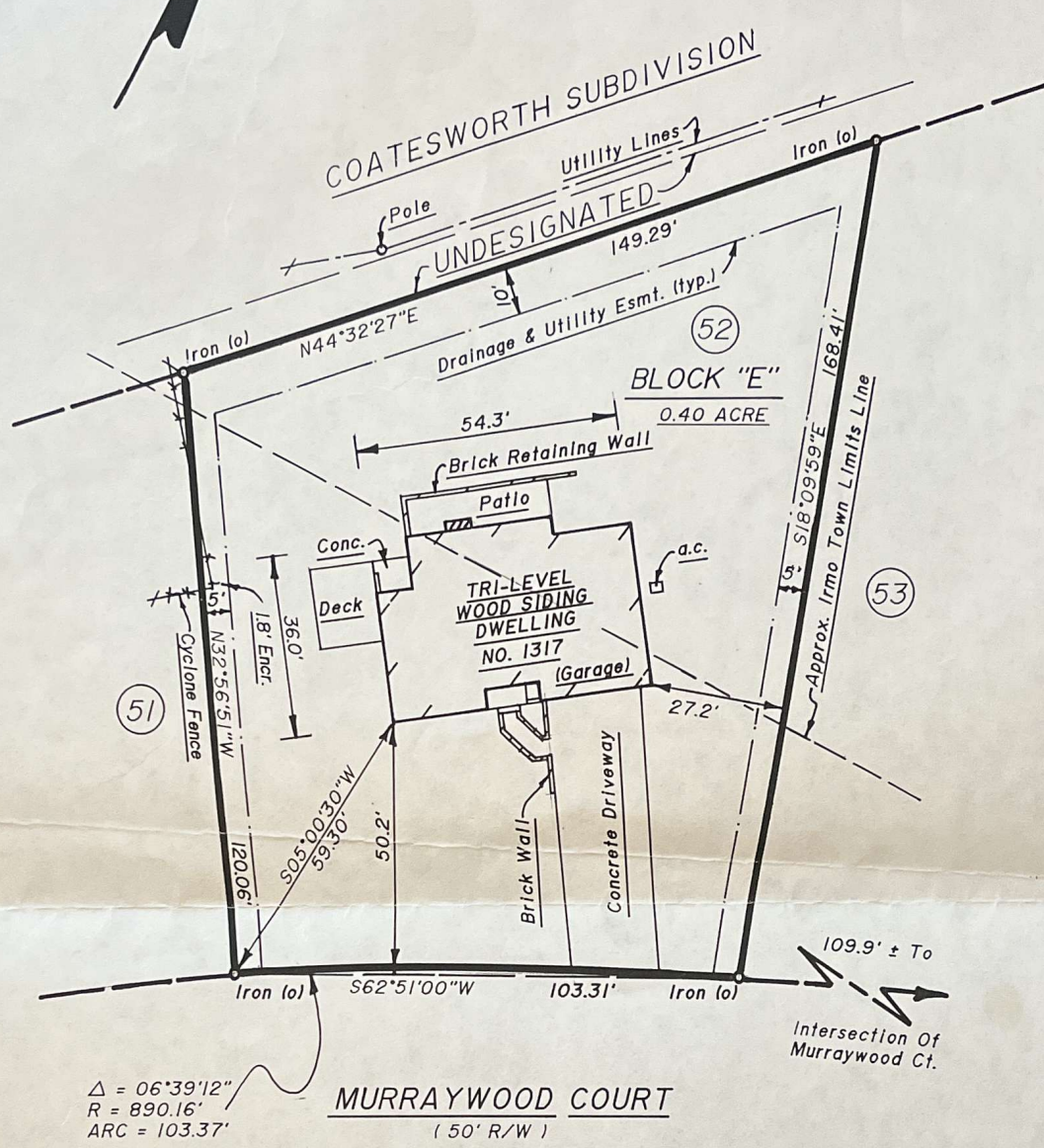
1517 Murraywood Court Annexation

Planning Commission | October 9, 2023

Town Council | October 17, 2023 & November 21, 2023



MAGNETIC



I HEREBY CERTIFY THAT I HAVE CONSULTED THE FEDERAL INSURANCE ADMINISTRATION FLOOD INSURANCE RATE MAP, AND TO THE BEST OF MY KNOWLEDGE AND BELIEF, THE SUBJECT PROPERTY IS NOT LOCATED IN SPECIAL FLOOD HAZARD ZONE A OR B.

PLAT PREPARED FOR

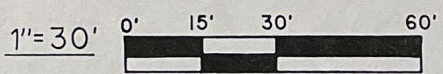
STEPHEN W. DELLINGER & DEBORAH M. DELLINGER

LEXINGTON COUNTY, IN & NEAR IRMO, S.C.

THE SAME BEING DESIGNATED AS LOT NO. 52, BLOCK "E", ON LOT LAYOUT PLAN OF MURRAYWOOD SUBDIVISION, BY LBC & W ASSOCIATES OF SOUTH CAROLINA, INC., DATED FEBRUARY 15, 1972, REVISED JULY 25, 1972, AND RECORDED IN THE OFFICE OF REGISTER OF MESNE CONVEYANCE FOR LEXINGTON COUNTY IN PLAT BOOK 120-G, PAGE 64.

JULY 17, 1992

COX and DINKINS, INC.
ENGINEERS • SURVEYORS
614 HOLLY STREET ; COLUMBIA, S. C. - 29205



I hereby state that to the best of my knowledge, information, and belief, the survey shown herein was made in accordance with the requirements of the Minimum Standards Manual for the Practice of Land Surveying in South Carolina, and meets or exceeds the requirements for a Class B survey as specified therein; also there are no visible encroachments or projections other than shown.

J. Frank Baker
REG. LAND SURVEYOR
NO. 10799B

Annexation Request Form

Print

Submitted by: Stephen & Deborah Dellinger

Submitted On: 2023-08-28 12:32:21

Submission IP: (75.63.210.141)
proxy-IP (raw-IP)

Assigned To: Karley Lever

Due Date: Open

Status: Open

Priority: Normal

Attachments

- [Dellinger Plat.pdf](#) - 2023-08-28 12:32:22 pm
- [Dellinger Deed.pdf](#) - 2023-08-28 12:32:22 pm



FORMS & APPLICATIONS

7300 Woodrow Street, Irmo, SC 29063

p: [\(803\) 781-7050](tel:8037817050) | info@townofirmosc.com | Follow Us [@TownofIrmoSC](#)

Annexation Request Form

If you live outside of the Town limits but want access to the Town of Irmo amenities, you can request to have your property annexed. In order to be considered for annexation, your property must touch a property within the town limits or be directly across the street. You can check to see where you are in relation to the town limits of Irmo by entering your address into our locator tool. If you are ready to begin the annexation process, please complete and submit this form with the required materials. We will review your application and may require additional information. Welcome to the Town of Irmo!

Questions can be emailed to [Business Licensing & Zoning](#).

• • •

SITE/PROPERTY INFORMATION

* What County is the property located?

☒ Lexington ☐ Richland

* Tax Map Number:

002726-08-002

CONTACT INFORMATION

* Applicant Name(s):

Stephen & Deborah Dellinger

* Applicant Phone:

(803)394-2181

* Applicant Email:

StephenDellinger11@gmail.com

* Applicant Address:

1317 Murraywood Ct, Columbia, SC 29212

Street, City, State, Zip

* Property Owner Name(s):

Stephen & Deborah Dellinger

* Owner Phone:

(803)394-2181

* Owner Email

StephenDellinger11@gmail.com

* Owner Address:

1317 Murraywood Ct, Columbia, SC 29212

Street, City, State, Zip

. . .

PROPERTY INFORMATION

* Legal Description

1317 Murraywood Court

* Property Location/Address

1317 Murraywood Ct, Columbia, SC 29212

Street, City, State, Zip

* Current Property Use

Residential - Single Family

* Proposed Land Use

Residential - Single Family

* Area (Square foot/Acreage) of parcel:

0.4 Acres

* Upload the property deed

Choose File

No file chosen

The Upload the property deed field is required

Upload the required Deed. You may also include any additional supporting documentation here.

* Upload the property plat:

Choose File

No file chosen

The Upload the property plat: field is required

Upload the required Plat. You may also include any additional supporting documentation here.

* I have uploaded the following documents as required by the State of South Carolina. Please email permits@townofirmosc.com with any issues uploading your required documentation.

- ☒ Plat
- ☒ Deed

. . .

The undersigned, who is the owner(s) of all the real property contiguous to other lands within the Town of Irmo as described above and shown on the attached plat or map, requests annexation of said property into the Town of Irmo so as to become a part thereof in accordance with Section 5-3-150, Code of Laws of South Carolina, 1976, as amended. By signing below, the property owner(s) understand(s) that annexation into the Town of Irmo may not obligate the Town to provide, improve, or install public infrastructure to the annexed property. Public infrastructure includes but is not limited to roads, bridges, sidewalks, water and sewer service or stormwater/drainage facilities. A plat or map depicting the property is required and must be submitted with the legal description and this Petition

The undersigned property owner/applicant does hereby petition to annex into the Town of Irmo. located at the above address, as described by the Lexington County or Richland County tax map number, do hereby petition said property to be annexed into the corporate limits of the Town of Irmo.

The Town of Irmo to annex and incorporate into the limits of the Town of Irmo all that property of the petitioner as indicated in this application and as shown on the attached survey/boundary map. The petitioner does further respectfully request that the Town annex and incorporate this land into the Town under the zoning classification indicated in this application. I do hereby certify as the property owner/authorized agent that the information is shown on this application and any attached forms and/or plans are correct.

I hereby certify that the attached and the completed application contains the information required by the Town of Irmo as specified above. I understand the submission of incomplete or inaccurate information may result in a delay in the processing of this application.

. . .

By typing my name below, I understand and agree that this form of electronic signature has the same legal force and effect as a manual signature.

* First & Last Name

Stephen Dellinger

* Date

08/28/2023

Format: MM/DD/YYYY



Staff Report

Amendment to the Zoning Ordinance

DATES: Planning Commission: October 9, 2023
Town Council First Reading: October 17, 2023
Town Council Second Reading: November 21, 2023

TO: Irmo Planning Commission
Irmo Town Council

FROM: Douglas Polen, Assistant Town Administrator

SUBJECT: Zoning Ordinance Amendment

ACTION REQUESTED: Consideration of a text amendment to Articles 1 - 3 of the Zoning Ordinance

Background

Staff has been reviewing the Zoning Ordinance and is planning major revisions to many chapters. This proposed ordinance amendment features many notable changes, including the following:

1. Restrict single-family detached residential to the RS, Single-Family Residential; RG, General Residential; and FA, Fringe Agricultural, zones.
2. Restrict townhomes, multi-family housing, and patio homes to the RG, General Residential, District.
3. Place special exception restrictions on Vape Shops and other tobacco-related stores.
4. Give the Zoning Administrator more flexibility over the appropriate zoning districts for uses not listed in the ordinance.
5. Give the Zoning Administrator more flexibility regarding parking requirements.
6. Changes to the conditions for townhomes and patio homes

Staff Findings

Staff recommends **APPROVAL** of this ordinance change.

Article 1 Establishment of Zoning Districts, Purpose of Districts, and Rules for the Interpretation of District Boundaries

Section 1-1 Establishment of Districts

For the purpose of this Ordinance, the Town of Irmo is hereby divided into the following zoning districts:

Map Symbol	
RS	Single-family Residential District
RG	General Residential District
CO	Office-Commercial District
CN	Neighborhood-Commercial District
CG	General Commercial District
LM	Light Manufacturing District
FA	Fringe Agricultural District
MD	Mixed-use Development District

Note that the current PDD, Planned development district, designation shall be retired as of the effective date of this Ordinance.

Section 1-2 Purpose of Districts

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

RS, Single-family residential district. The RS district is intended to foster, preserve, and protect areas of the community in which the principal use of land is for detached, single-family dwellings, and certain residential support facilities at low densities.

RG, General residential district. The RG district is intended to accommodate higher density residential development and a variety of housing types on small lots or in project settings, in areas accessible by major streets.

CO, Office-Commercial district. The CO district is intended to accommodate office, selected service, and institutional uses, and residential uses. It is designed principally for use along major streets and subdivision borders to help ameliorate the consequences of change impacting these areas and to serve as transitions between more intense commercial uses and residential areas. These intentions shall be considered in decisions of requests for CO zoning.

CN, Neighborhood-Commercial district. The CN district is intended to meet the commercial and service needs generated by nearby residential areas. Goods and services normally available in these districts are of the "convenience variety." CN establishments can provide community members convenient access to frequently used neighborhood-oriented services and give residents the option of walking rather than depending on an automobile. The size of these districts should relate to surrounding residential markets

Section 1-7 Permits Required

No work shall commence without an approved zoning permit and/or building permit per SC Code § 6-29-950. Zoning approval is required before the issuance of building permits. Construction drawings may be submitted for review and approval to the building official [CC&I] on the same day of or after the submission of a development application and related submission(s) to the zoning clerk, zoning administrator, or designee. It is recommended to submit construction drawings on the same day or around the same time. Building permits issued in error are invalid until the zoning permit is approved. Any unapproved work must stop. If the work violates zoning standards, the project will have to be corrected or removed immediately. Neither the administrator nor council is obligated to allow the continuance of premature development activity or reimburse any applicant for expenses made before the approval.

Zoning standards are also applicable to the town, county, and State in their pursuit of development within the Town of Irmo per SC Code § 6-29-770. Simply, they too have to complete and submit the applicable application(s) and provide additional submissions for review and approval. This applies to public schools and colleges per SC Code § 6-9-110. The Codes states: *Code of Laws of South Carolina, 1976, exempts school district facilities, reviewed and approved by the State Department of Education, from a county, municipal, or other local ordinances or regulations which require the purchase or acquisition of a permit, license, or other device utilized to enforce a building standard. However, it does not exempt the district from zoning ordinances.*

Construction or development activity without an approved zoning permit and/or building permit, and/or noncompliance with zoning standards carry penalties outlined in Irmo's Code of Ordinances Section 1-8. *General Penalty.*

Article 2 Primary Zone District Regulations

Section 2-1 Establishment of Tables

The uses permitted in the several zoning districts established by Article 1, the off-street parking requirements, and the dimensional requirements of each are set forth herein. These requirements are presented through the use of tables in section 2.2.

Table 1 sets forth use and off-street parking requirements for all districts. Article 3, Table 2 sets forth lot area, yard, setback, height, density and floor area requirements for all districts.

Section 2-2 Use of Table 1

The North American Industry Classification System (NAICS) is the basis for determining the use of property permitted in the various primary zoning districts. Where uncertainty exists relative to a given use not specifically listed by Table 1, the *NAICS Manual* ~~should~~shall be consulted. The 2017-2022 (or most current) edition of the *NAICS Manual* is used in this Ordinance and ~~should~~shall be consulted hereafter for use determinations. If there is a discrepancy between the NAICS use description and the listed NAICS code number, refer to the *Manual* to verify the correct code number. While the NAICS Manual will be consulted, the determination of whether a use not listed below is appropriate in a certain zone shall be made by the Zoning Administrator. An applicant aggrieved by the Zoning Administrator's decision may appeal said decision to the Board of Zoning Appeals for a final determination.

In general, all uses listed by a given NAICS subsector number and category should be construed as being permitted if allowed in the assigned zoning district, unless specific uses are separately listed. When specific uses are separately listed, their uses allowed or not allowed in each zoning district apply to that specific use only. Example:

Use	NAICS	RS	RG	CO	CN	CG	LM	FA	Parking Standards ¹
Food and beverage stores	445			C	C	P	P	C	1.0 per 350 s.f. GFA
Convenience stores	44512			C	C	P	P	C	1.0 per 350 s.f. GFA
Farmers markets	445230			P	P	P	P	P	1.0 per 350 gross parcel area
Specialty food stores	4452			C	C	P	P	C	1.0 per 350 s.f. GFA

Convenience stores, farmers markets, and specialty foods stores have specific allowances within each zoning district. All other food and beverage stores are regulated as listed under the NAICS 445 subcategory.

If no uses are listed as permitted under a NAICS subsector, but the following specific uses are listed as permitted within the subsector, only those listed subsector uses are should be permitted, and no others. Example:

Use	NAICS	RS	RG	CO	CN	CG	LM	FA	Parking Standards ¹
Waste management and remediation services	562								
Solid waste collection	562111					P	P		1.0 per 500 s.f. GFA
Septic tank and related services	562991					P	P		1.0 per 500 s.f. GFA

Only solid waste collection and septic tank and related services are allowed under NAICS 562, Waste Management and Remediation Services.

Again, the Zoning Administrator shall use the NAICS manual and the above guidelines to help determine which specific unlisted uses are allowable in which districts. It is not possible that every use within the NAICS sectors will be listed in the tables or covered in the *NAICS Manual*. However, if the Planning Official/Zoning Administrator is unable to make a determination, the applicant may apply for a ruling from the Board of Zoning Appeals that the proposed use is the same as, or substantively like, an allowable or conditionally allowable use that is listed in the tables, and therefore allowable. The Planning Official/Zoning Administrator may rely on such rulings in making future use determinations.

Any uses listed in Table 1 that are not covered in the *NAICS Manual* are identified by the letters “NA” (Not Applicable) in the NAICS column.

All uses are to be considered commercial (business, industry, enterprise, etc.) uses unless otherwise specified under conditional uses. Unless otherwise specified in conditional use regulations, private, non-commercial, not for sale or profit uses are may be allowable and are not strictly applicable to the use tables. Such uses include what are normally considered hobbies. Again, the Zoning Administrator shall determine the appropriateness of the use in any specific zone.

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

Where the letter "C" is shown, the use to which it refers is Conditionally Permitted in the indicated district, subject to applicable requirements (conditions) set forth in this Ordinance.

Where the letters "SE" are shown, the use to which it refers is subject to a Special Exception determination by the Board of Zoning Appeals in the indicated district, according to applicable requirements set forth in this Ordinance.

Where the space is blank (no letter), the use to which it refers is Not Permitted in the indicated district.

A reference following a use category means the use must meet the additional conditions and requirements of the referenced section.

To aid in the use of Table 1, it is arranged by NAICS Sectors, followed by the uses and codes included in the respective sector:

Sector 11: Agriculture, Forestry, Fishing, and Hunting
Sector 21: Mining
Sector 22: Utilities
Sector 23: Construction
Sectors 31-33: Manufacturing
Sector 42: Wholesale Trade
Sectors 44-45: Retail Trade
Sectors 48-49: Transportation and Warehousing
Sector 51: Information
Sector 52: Finance and Insurance
Sector 53: Real Estate, Rental, and Leasing
Sector 54: Professional, Scientific, and Technical Services
Sector 55: Management of Companies and Enterprises
Sector 56: Administrative Support, Waste Management, and Remediation Services
Sector 61: Educational Services
Sector 62: Health Care and Social Assistance
Sector 71: Arts, Entertainment, and Recreation
Sector 72: Accommodation and Food Services
Sector 81: Other Services (except Public Administration)
Sector 92: Public Administration

Uses and NAICS code references are displayed within the appropriate sector in numerical order, beginning with Sector 11 (Agricultural, Forestry, Fishing, Hunting) and running through Sector 92 (Public Administration). Residential uses are listed following Public Administration, without sector references.

A Note on Off-Street Parking: As with the appropriateness of uses in certain districts, required off-street parking requirements cannot be determined for all uses, and occasionally the given calculation for required off-street parking may be deemed inappropriate by the Zoning Administrator for specific projects. The Zoning

Administrator shall always use this Zoning Ordinance as a guide for the off-street parking requirement, but developers may always request a variance to the requirement based on past experience with similar developments, the parking requirements of nearby jurisdictions, data from the Institute of Transportation Engineers or similar groups, or factors specific to the proposed development. The Zoning Administrator may take this data into consideration when deciding upon required parking. Both the applicant and the Zoning Administrator have the right to request that the Board of Zoning Appeals hear the variance request should the Administrator not be able to issue a decision or should the applicant feel aggrieved by the Administrator's decision.

Required off-street parking for residential uses is set at two (2) spaces per unit. These parking spaces shall not be less than nine (9) feet by nineteen (19) feet. In practice, this sets the practical distance between a garage door and the edge of right-of-way at nineteen (19) feet. Garages and carports may be used for the calculation of off-street parking but must have a clear width at the garage door of eighteen (18) feet in order to be considered as accommodating two vehicles. Garage doors at least nine (9) feet in width but less than eighteen (18) feet in width shall be considered to accommodate one (1) vehicle. In all cases a garage or carport must have a depth of twenty or more feet in order to be considered capable of accommodating a vehicle.

*Table 1
Schedule of Permitted, Conditional, and Special Exception Uses and Off-Street Parking Requirements by
Zoning District*

Use	NAICS	RS	RG	CO	CN	CG	LM	FA	Parking Standards ¹
Agriculture, forestry, fishing and hunting	11								
Crop production	111						P	P	None
Urban garden	111	C/ SE	C/ SE	P	P	P	P	P	None
Seasonal roadside produce stands	111			P	P	P	P	P	2.0 per stand
Animal production and aquaculture	112						P	P	None
Forestry and logging	113						P	P	None
Fishing, hunting, and trapping	114								

Vending machine operators accessory use ⁹	45421			C	C	P	P	C	None additional
Vending machine operators primary use ⁹	45421					P	P		2 spaces per machine
<u>Cigarette & Cigar Stores; Vape Shops</u>	<u>459991</u>					<u>SE</u>	<u>SE</u>		<u>1.0 per 350 s.f. GFA</u>
Transportation and warehousing	48—49								
Air transportation	481								
Rail transportation	482					P	P	P	1 per 1000 gross yard area
Water transportation	483								
Truck transportation	484					P	P		1.0 per 500 s.f. GFA
Transit and ground passenger transportation	485					P	P		1.0 per 500 s.f. GFA
Bus and transit stops only	485	C	C	C	C	C	C		None
Pipeline transportation (except transmission lines)	486						P		1.0 per 500 s.f. GFA and/or 1,000 gross yard area
Pipeline transportation (transmission lines only)	486	P	P	P	P	P	P	P	None
Scenic and sightseeing transportation	487					P	P		1.0 per 500 s.f. GFA
Support activities for transportation	488					P	P		1.0 per 500 s.f. GFA
Postal service	491	P	P	P	P	P	P	P	1.0 per 250 s.f. GFA
Couriers and Messengers	492					P	P		1.0 per 500 s.f. GFA

Use	NAICS	RS	RG	CO	CN	CG	LM	FA	Parking Standards ¹
Warehousing and storage and distribution centers	493					P	P		1.0 per 5,000 s.f. GFA
Information	51								
Publishing industries (except internet)	511			P		P			1.0 per 350 s.f. GFA
Motion picture and sound recording industries	512			C		P	P		1.0 per 350 s.f. GFA
Broadcasting (except internet)	515			C		P	P		1.0 per 350 s.f. GFA
Telecommunication	517			P	P	P	P		1.0 per 350 s.f. GFA

Health care and social assistances	62								
Ambulatory health care services	621			P	C	P	P	C	1.0 per 300 s.f. GFA
Hospitals	622			P		P	P		0.7 per bed design capacity
Nursing and resident care facilities	623				P	P			1.0 per 4 beds
Residential intellectual and developmental disability facilities (group homes)	62321	P	P	P	P	P		P	1.0 per 4 beds
Social assistance	624			P	P	P			1.0 per 200 s.f. GFA
<u>Day Care Centers</u>	<u>624410</u>			<u>P</u>	<u>P</u>	<u>P</u>			<u>1.0 per 350 s.f. GFA</u>
Arts, entertainment, and recreation	71								
Performing arts, spectator sports, and related industries ⁴	711					P	P		1.0 per 5 seats
Museums, historical sites, and similar institutions	712			P		P	P		1.0 per 350 s.f. GFA
Historic sites ⁵	71212	P	P	P	P	P	P	P	By individual review
Nature parks and other similar institutions ⁶	71219	P	P	P	P	P	P	P	By individual review
Amusement, gambling, and recreational industries	713					P	P		1.0 per 350 s.f. GFA
Gambling industries	7132								
Golf course and country clubs	713910				P		P	P	5.0 per hole
Bowling alley	713950					P	P		5.0 per lane

Use	NAICS	RS	RG	CO	CN	CG	LM	FA	Parking Standards ¹
Accommodations and food service	72								
Accommodations	721				P	P	P		1.0 per rental unit
Rooming and boarding houses	721310		P		P	P			1.0 per bedroom
Food services and drinking places	722			P		P	P		1.0 per 125 s.f. GFA

Justice, public order, and safety activities	922	P	P	P	P	P	P	P	1.0 per 350 s.f. GFA
Courts	92211			P		P	P		1.0 per 350 s.f. GFA
Correctional institutions	92214								
Administration of human resource programs	923			P	P	P	P		1.0 per 350 s.f. GFA
Administration of environmental quality programs	924			P	P	P	P		1.0 per 350 s.f. GFA
Administration of housing programs, urban planning, and urban development	925			P	P	P	P		1.0 per 350 s.f. GFA
Administration of economic programs	926			P	P	P	P		1.0 per 350 s.f. GFA
Space research and technology	927			P		P	P		1.0 per 350 s.f. GFA
National security and international affairs	928			P		P	P		1.0 per 350 s.f. GFA
Residential uses	N/A								
Single-family (including modular)		P	P	P	P	P		P	2.0 per unit
Two-family (duplex)			P			P			2.0 per unit
Townhouses, patio homes , <u>patio homes</u> , multi-family (see conditional uses for townhouses and patio and zero lot line houses)		€	C		€	€			2.0 per unit, <u>multi-family; 2.1 per unit, townhouses and patio homes.</u>
Mobile homes (see Sec. 8-2.3 <i>Nonconforming Mobile Homes</i>)									

2-3.3(1) *Conditions for Urban Garden Uses*

- A. No on-site sales are permitted.
- B. Urban Gardens do not include animal production.
- C. Urban Gardens must comply with all requirements set forth in the Irmo General Ordinances, unless otherwise expressly set forth herein.
- D. Notwithstanding any provision in this Ordinance to the contrary, hoop-houses, greenhouses, trellises, raised beds, tool sheds, and any other structures used by the Urban Garden for the purposes set forth above are expressly allowed. The placement of structures shall adhere to the accessory structure setback requirements of this Ordinance. Garden plants may be grown up to three (3) feet from any property line.
- E. Notwithstanding any provision in this Ordinance to the contrary, machinery and equipment used by the Urban Garden for the purposes set forth above are expressly allowed. When not in use, all such machinery and equipment shall be stored so as not to be visible from any public street, sidewalk, or right-of-way. An exception is that machinery and equipment temporarily rented or borrowed may be kept on-site and un-stored for a period of no more than fourteen (14) consecutive days.

2-3.4 *Conditional Uses for Mobile Food Services (Vendors, Food Trucks)*

Refer to the use of food trucks in Special Events temporary uses in this Article.

- A. Obtain a permit from the Town of Irmo.
- B. Comply with all SCDHEC Retail Food Establishments Regulations 61-25.
- C. Display the SCDHEC food letter grade.
- D. Maintain with the vehicle written permission for use from the private property owner or authorized lease holder of the private party of each vending location, if operating on private property.
- E. When not in operation, the mobile food service vehicle must be removed from the parcel and the operator must remove from the parcel all materials associated with the business. No mobile food service vehicle shall operate between the hours of 10:00 PM and 6:00 AM if the parcel upon which the mobile food service vehicle is located is within 400 feet of a parcel zoned residentially.
- F. The use of any sound amplification is prohibited regardless of the intended purpose.
- G. The sale or service of alcoholic beverages is prohibited, except as may be permitted under Special Events temporary uses.
- H. A garbage receptacle shall be provided for customers in a convenient location that does not impede pedestrian or vehicular traffic.
- I. All litter or debris generated within a minimum of a 25-foot radius of the mobile food service vehicle shall be collected and removed by the mobile food service vehicle operator.
- J. Ancillary service items (tables, chairs, etc.) which are not a component of the mobile food service vehicle shall not be allowed.
- K. The mobile food service vehicle shall be positioned in a parking space; shall not block drive aisles, other access to loading/service areas, or emergency access and fire lanes; and shall be positioned at least 15 feet away from fire hydrants, any fire department connection, buildings, driveway entrances, alleys, handicapped parking spaces, sidewalks, tree trunks, and vegetation.
- L. Mobile Food Services may not operate at any one location more than eight (8) days per month.

2-3.5(A) *Conditional Uses for Townhouses*

Due to the unique design features of townhouses, the dimensional and density requirements of Table 2 are hereby modified, as follows:

- A. Such projects shall have a minimum of one acre.
- B. Minimum lot area shall be 32,000 square feet per unit, on average.
- C. Not more than ~~eight-six~~ townhouses may be joined together, with approximately the same (but staggered) front line.
- D. Side yard setbacks at the end unit shall be as required for the district in which the project is to be located, with not less than 20 feet distance between buildings in the project area.
- E. Rear yard setbacks shall be 25 feet.
- F. Minimum lot width shall be 24 feet, on average.
- G. Sidewalks not less than five feet in width shall be provided along the front property line of each project building.
- G. Each home shall feature two (2) off-street parking spaces, plus one additional parking space for each ten (10) units spread through the development for overflow/guest parking. Additional parking placed on individual lots may count towards this requirement with Zoning Administrator approval.
- ~~H. Rear yards, where enclosed, shall be by a masonry or brick wall not less than six feet in height.~~
- ~~I. Where proposed for the RG district, maximum density of a townhouse project shall not exceed four units per acre.~~
- H. The building façades shall alternate between units.
- J.I. Where proposed adjacent to single-family detached neighborhoods, the Planning Official may require additional screening and/or buffering to protect adjoining single-family residents.

2-3.5(B) Conditional Uses for Multi-Family Housing

Due to the unique design features of multifamily housing (apartments), the dimensional and density requirements of Table 2 are hereby modified, as follows:

- A. Such projects shall have a minimum of one acre.
- B. Multifamily buildings may not cover more than twenty-five percent (25%) of the total lot acreage.
- C. Front yards, rear yards and side yards shall surround multifamily buildings by twenty-five (25) feet on all sides.
- D. Off-street parking must be provided for not less than two vehicles per single housing unit in the multifamily housing complex.
- E. Street access. Multifamily housing shall access only roads with a minimum of four paved lanes with one lane being a turning lane. Such roads may be pre-existing or modified by the developer and approved by SCDOT and the Town of Irmo.

2-3.6 Conditional Uses for Patio and Zero Lot Line Housing

Due to the unique design features of patio and zero lot line housing, the dimensional and density requirements of Table 2 are hereby modified, as follows:

- A. Such projects shall have a minimum of one acre.
- B. Minimum lot area shall be 3,000 square feet per unit, on average.
- C. Minimum lot width shall be 40 feet.
- D. Where a unit is to be constructed at or on the property line, a five-foot maintenance easement shall be provided on the adjoining lot.

- E. At least one side yard extending not less than five feet from the property line shall be provided. Where a second side yard is provided, though not required, it too shall have a minimum width of five feet.
- F. The side yard of the exterior units shall be five feet from the "outside" property line.
- G. A minimum patio or yard area of 700 square feet shall be provided on each lot.
- H. Rear yard setbacks shall be not less than 20 feet.

~~I. Where proposed for the RS district, maximum density of such housing shall not exceed six units per acre.~~

I. Each home shall feature two (2) off-street parking spaces, plus one additional parking space for each ten (10) units spread through the development for overflow/guest parking. Additional parking placed on individual lots may count towards this requirement with Zoning Administrator approval.

J. Where proposed adjacent to traditional single-family detached neighborhoods, within the RG district, the Planning Official may require additional screening and/or buffering to protect adjoining single-family residents.

2-3.7 Conditional Uses for Accessory Apartments

Accessory apartments, where permitted as conditional uses, shall meet the following conditions:

- A. The principal structure (dwelling) must be owner-occupied.
- B. The apartment, whether attached or detached, cannot exceed fifty (50) percent of the gross floor area of the principal dwelling or contain more than two bedrooms.
- C. The apartment must be a complete living space with kitchen and bathroom facilities separated from the principal unit.
- D. An accessory apartment may be accessory only to a single-family dwelling, and not more than one apartment shall be allowed per dwelling or lot.
- E. The apartment shall meet all yard setback requirements and, where detached from the principal dwelling, shall be set back not less than twenty (20) feet from the principal dwelling.
- F. Where detached from the principal residence and readily apparent from the street, the accessory apartment shall be compatible in appearance and orientation with the principal residence and the surrounding community.
- G. A third off-street parking space shall be required.
- H. Neither the primary residence nor the accessory apartment shall be a manufactured home or mobile home.

2-3.8 Conditional Uses for Home Occupations

Home occupations, as defined by this Ordinance, shall meet the following requirements where conditionally permitted by Table 1:

- A. The home occupation shall be carried on wholly within the principal residence. Attached or detached garages, storage buildings, barns, workshops, and other auxiliary structures may be used only for the storage of parts and materials.
- B. The floor area dedicated to such use shall not exceed twenty-five (25) percent of the floor area of the principal residence.
- C. No activity shall be conducted out of doors, nor shall there be any outdoor storage, display, or refuse area in the yard.
- D. No merchandise or articles shall be displayed so as to be visible from outside the principle residence.
- E. No person not residing in the principle residence shall be employed on the premises.
- F. No traffic shall be generated in an amount above that normally expected in a residential

- H. The Zoning Board of Appeals shall approve all exterior building materials for any and all structures located within such proposed facilities.

H.I.

Section 2-3.18 Special Exceptions for Cigarette and Cigar Stores and Vape Shops

- A. A Tobacco/Vape Smoke Shop definition may be: a business who's main function is the retail sale of tobacco products and paraphernalia.
1. This includes tobacco products, leaf, flake and e-cigarette or any product containing nicotine or tetrahydrocannabinol derived from tobacco or hemp plant whether smoked chewed, absorbed, dissolved, inhaled, snorted, sniffed or ingested. However this definition excludes retail businesses such as grocery or convenience stores or pharmacies.
 2. Tobacco Paraphernalia includes any equipment, device or instrument intended to facilitate smoking, chewing, absorbing, dissolving, inhaling, snorting, sniffing or ingesting tobacco or tobacco products. This includes but is not limited to: pipes, bongs, water bongs, electric operas, e-cigarettes or hookahs.
- B. A tobacco/vape smoke shop may be permitted in the CG and LM zones by Special Exception as approved by the Board of Zoning Appeals
- C. Such stores shall not be located within 1,000 feet of Public or Private schools, daycares, healthcare facilities, religious buildings (churches), government offices or public parks.
- D. Per Zoning ordinance Section 5-4 – Prohibited Signs, “[s]igns which display intermittent or flashing lights or lights of varying degrees of intensity or moving parts, except barber’s poles and signs erected by a public agency” are prohibited. This includes the LED, neon, and incandescent lights often found at tobacco and vape shops, and are prohibited at any business in Town, including those governed by this Section.

Section 2-4 Temporary Uses

The Planning Official is authorized to issue a permit for temporary uses as specified herein. No temporary use may be established without receiving such permit.

Except as otherwise specified, temporary use permits may be renewed no more than twice within one calendar year, separated at not less than 60-day intervals, provided that said use will not create traffic congestion or constitute a nuisance to surrounding uses. Any temporary use that is determined to be creating a nuisance or disruption may have its temporary permit revoked by the Planning Official. The following temporary use, and no others, may be permitted by the Planning Official, subject to the conditions herein.

- A. Tents or other temporary structures** for the conduct of any permitted use in the non- residential zoning districts for a period not to exceed sixty (60) days.
- B. Open lot sales of live plants and plant accessories, produce, and Christmas trees** in the CN, CG, LM, and FA districts for a period not to exceed 45 days.
- C. Contractor's office and equipment shed**, in any district, for a period covering the construction phase of a project, not to exceed one year unless re-permitted; provided that such office be placed on the property to which it is appurtenant and all required permits for the project have been

Article 3 Zoning Regulations for Use of Lots

Section 3-1 Schedule of Lot Area, Yard, Setback, Height, Density, and Impervious Surface Requirements

Refer to Article X, section, for land development regulations on the creation of lots and the subdivision of land.

*Table 2
Schedule of Lot Area, Yard, Setback, Height, Density, Floor Area, and Impervious Surface Requirements,
by District*

	FA	RS	RG	CO	CN	CG	LM
Minimum lot Size (square feet)	43,560	12,500	(E)	6,000	6,000	6,000	NA
Width at front buildable line (feet)	150	70	60	60	60	60	60
Minimum yard & building setback in feet (F)							
Front (A)							
Major street – multi-lane (refer to major street definition)	25	25	25	25	25	25	25
Major street - two lane	40	40	40	40	40	40	40
Minor street (refer to definition)	15 20	15 20	15 20 0	15 20	15 20	15 20	15 20
Side							
Residential	10	5	5	5	(G)	(G)	(G)
Non-residential	40	40	40	5	(G)	(G)	(G)
Rear							
Residential	30	20	20	15	15	15	15
Non-residential	50	50	50	15	15	15	15
Maximum height (ft.) (B)	40	40	40	(H)	(H)	(H)	(H)
Maximum residential density (C)	1	4	16	4	7	4	NA
Maximum floor area ratio: Non-residential uses (D)	NA	0.25	0.25	0.4	0.6	NA	NA

Table Notes:

1. Refer to yard and setback modifications of this Article
2. Due to the unique design features of townhouses, patio homes, and zero lot line housing, the dimensional requirements of Table 2 are modified under Conditional Uses for Townhouses and Conditional Uses for Patio and Zero Lot Line Housing
3. Abbreviations
 - a. NA = not applicable

Table References:

- A. Measurement from front property line abutting the street right-of-way