Live streaming will be available from our YouTube channel at: https://www.youtube.com/c/TownofIrmo

AGENDA

I. Call to Order
II. Pledge of Allegiance
III. Invocation
IV. Approval of the Agenda
V. Reading of the Minutes – September 19, 2023, October 3, 2023, and October 10, 2023
VI. Report of Standing
   A. Administrative Briefing
   B. New In-Town Businesses
      Blue Heron Wellness – 10415 Broad River Road Unit H
      Max Living Chiropractic Northwest, LLC. – 7735 Broad River Road
      Palmetto Ophthalmology Associates – 101 Oak Park Drive
VII. Consideration of Communications
   A. Recognition of Friarsgate-Ballentine Animal Hospital as the October 2023 Small Business of the Month.
   B. Presentation of a Proclamation recognizing Hush No More Against Domestic Violence (Walker).
   C. Presentation of a Proclamation recognizing Hispanic Heritage Month (Walker)
D. Recognition of the Artist of the Quarter – Lisa Alberghini.
E. Update from the Okra Strut Commission (Okra Strut Commission).
F. Information from the League of Women Voters (Walker).
G. School Showcase: District Five Foundation (Waldman).
H. Community Connections (Waldman):
   1. Escolares Pathway Information Meeting
   2. Domestic Violence Awareness Walk
   3. Vettes are Forever Club Car Show and Cookout
   4. Letters Home
   5. Shatter the Myth
   6. McGregor Presbyterian Community Senior Workshops
   7. Various Halloween Events
   8. Irmo Shop Hop
   9. Puffs

VIII. Presentation by Citizens (Agenda Items IX and X only)
IX. UNFINISHED BUSINESS

X. NEW BUSINESS
   A. FIRST READING of ORDINANCE 23-23 to amend Appendix A – Zoning and Land Development Article 5, Sign Regulations (Planning Commission). Changes include guidelines for sign types, allowing electronic message centers on commercial signs, side signs on buildings, and administrative variances.
   B. FIRST READING of ORDINANCE 23-24 to annex TMS#002726-08-002 located at 1317 Murraywood Court, Lexington County into the town limits and assign a Single Family Residential (RS) zoning designation (Planning Commission).
C. **FIRST READING of ORDINANCE 23-25** to amend Appendix A – Zoning and Land Development Articles 1-3 (Planning Commission). This will move residential units out of commercial zones and other assorted changes.

D. **Approval** of a contract with 5th Pocket Skateparks to design and build a skatepark at Rawls Creek Park in the amount of $356,400 to be funded by Hospitality Tax Funds (Staff). 5th Pocket Skateparks was selected by a review committee after receiving proposals to design/build a skatepark.

E. **Approval** of a contract with Monument Warehouse, LLC. to design and build a First Responders Memorial not to exceed $105,000 (First Responders Memorial Advisory Committee). This would build a memorial next to the police department to honor and recognize first responders.

F. **Approval** of the SCPRT Grant Award Agreement in the amount of $500,000 towards the New Town Hall Project (Staff).

XI. Presentation by Citizens

XII. Discussion

XIII. Executive Session – Council may act on items discussed in the executive session after returning from the executive session.

XIV. Adjournment

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 (ADA), the Town of Irmo will not discriminate against qualified individuals with disabilities based on disability in its services, programs, or activities. If you need accommodation to attend the meeting, please contact the Town Administrator or Municipal Clerk for assistance at (803)781-7050, M-F between the hours of 8:30 – 5:00 (closed most Federal and State Holidays).
WHEREAS, the crime of domestic violence and intimate partner violence violates an individual's privacy, dignity, security, and humanity through the systematic use of physical, emotional, sexual, psychological, economic control and abuse; and

WHEREAS, survivors and families have remained quiet about the abuse occurring inside their homes. This personal decision stems from many reasons; and

WHEREAS, in 2022, more than 32,563 cases have been reported. These numbers do not include incidents occurring privately in relationships; and

WHEREAS, the effects of domestic violence on children, families, and law enforcement are devastating and can cause lifelong problems due to emotional and physical trauma; and

WHEREAS, HUSH No More Against Domestic Violence Month calls attention to everyone working together as a Town, to support survivors and families who decide to HUSH No More to end domestic violence and intimate partner violence; and

NOW, THEREFORE, I, Barry A. Walker Sr., Mayor of Irmo, do hereby proclaim the month of October as HUSH NO MORE AGAINST DOMESTIC VIOLENCE MONTH throughout the Town of Irmo and encourage all residents to unite together in elimination domestic and intimate partner violence, and letting everyone know that they have a right to tell it and heal.

IN WITNESS THEREOF, I have hereunto set my hand this 17th day of October 2023.

______________________________
Barry A. Walker, Sr., Mayor
WHEREAS, each year from September 15th to October 15th is celebrated as Hispanic Heritage Month to recognize the many outstanding contributions by Americans of Hispanic/Latino descent; and

WHEREAS, the rich cultural traditions of the Hispanic American community are a remarkable and continuing gift to South Carolina’s historic past and its traditions; and

WHEREAS, the Hispanic American community’s benefits a society as reflected through the leading roles Hispanic citizens play in public service, business and industry, education, publishing, medicine, science and technology, the arts, and sports; and

WHEREAS, throughout history, the State of South Carolina has grown considerably by welcoming people from around the world of every national and ethnic background; and

WHEREAS, we appreciate the contributions made by citizens of all cultures, including a flourishing Hispanic/Latino community whose members share the honored values and traditions of their homeland and uphold the principles of freedom;

NOW, THEREFORE, I, Barry A. Walker Sr., Mayor of Irmo, do hereby proclaim the month of October as HISPANIC HERITAGE MONTH throughout the Town of Irmo and encourage all residents to unite together to recognize the many outstanding contributions by Americans of Hispanic/Latino descent.

IN WITNESS THEREOF, I have hereunto set my hand this 17th day of October 2023.

___________________________________
Barry A. Walker, Sr., Mayor
Staff Report

Amendment to the Zoning Ordinance 23-22

DATES: Planning Commission: September 11, 2023
       Town Council First Reading: September 19, 2023
       Town Council Second Reading: October 17, 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 Article 4 of the Zoning Ordinance:
                   Community Appearance, Buffering, Screening, Landscaping, Common Open
                   Space, and Tree Protection

Background

Staff has been reviewing the Zoning Ordinance and is planning major revisions to many chapters.
There are numerous changes to the ordinance, with notable changes such as the following:

1. Clarifying when changes to buffers are required during redevelopment of a property, and
   allowing for Zoning Administrator determination in certain cases.
2. Clarifying the requirement for irrigation in planted areas.
3. Clarifying replacement trees when required trees die or are damaged/killed.
4. Clarifying trees and shrubs required in buffers
5. Clarifying interior and parking lot landscaping
6. Clarifying who can decide when a tree may be cut or how said tree is replaced

The ordinance is attached with most changes highlighted. Some areas have been moved around
and some new verbiage has been added without highlights, so the current ordinance is also
attached for comparison.

This ordinance does create two new fees to be added to the Master Fee Schedule. Under Sec. 4-
6.7, Tree Replacement, those removing trees with or without a permit that require mitigation may
pay into a Town Tree Fund rather than plant new trees. The fees for these new trees is
recommended to be $75/caliper inch of replacement, or a maximum of $10,000/acre for clear cut lots where measuring individual trees is difficult or impossible.

Staff Findings
Staff recommends APPROVAL of this ordinance change.

Planning Commission
At their September 12, 2023 meeting, the Planning Commission recommended adoption of the ordinance 6-0.
AN ORDINANCE TO AMEND APPENDIX A – ZONING AND LAND DEVELOPMENT;
ARTICLE 4 – COMMUNITY APPEARANCE, BUFFERING, SCREENING, LANDSCAPING,
COMMON OPEN SPACE, AND TREE PROTECTION

WHEREAS, the Town of Irmo desires to strengthen its Code of Zoning and Land Development
Regulation, amending said Code to address noted errors, omissions, vague language, and add
appropriate standards; and

WHEREAS, the following text amendment to the Town of Irmo Code of Zoning and Land
Development Regulations has been proposed through collaboration with the Planning Commission; and

WHEREAS, the Planning Commission, at their September 11, 2023, meeting, voted to recommend
approval of this amendment, as attached; and

WHEREAS, Council wishes to amend the Code of Municipal Ordinance as attached;

NOW, THEREFORE, BE IT ORDAINED and ordered by the Mayor and Town Council of the
Town of Irmo, South Carolina, in Council duly assembled on this 17th day of October, 2023, that the
Town of Irmo Code of Municipal Ordinance is hereby amended.

PASSED AND ADOPTED this 17th day of October, 2023.

_______________________________
Barry A. Walker, Sr., Mayor

ATTEST:

_______________________________
Renee Caviness, Municipal Clerk

1st Reading: September 19, 2023
2nd Reading: October 17, 2023
ORDINANCE 23 – 22

Changes to the Zoning and Land Development Regulations

Remove, in their entirety, Sections 4-1 through 4-5.7, and replace as follows. Subsequent sections to be renumbered.
Article 4 Community Appearance, Buffering, Screening, Landscaping, Common Open Space, and Tree Protection

The regulations contained in this article are intended generally to ensure land use compatibility, improve aesthetics, ensure adequate provision of open space, and protect trees within the Town of Irmo.

Section 4-1 Descriptions

There are five separate types of landscaping outlined in this Code, as described below:

A. Buffer Areas – landscaping placed around the exterior boundary of a parcel separating the subject property from adjacent properties and roads.
B. Screening – a specific type of buffer designed to block or obscure a particular element or use, such as a dumpster or exterior storage, from view.
C. Interior Landscaping – open space within a lot devoted to growing trees, shrubs, grass, and other vegetation, as well as decorative hardscape elements.
D. Parking Area Landscaping – trees and associated vegetation designed to break up the expanse of a parking area.
E. Common Open Space – open space particular to residential developments for the use and enjoyment of residents and property owners.

Section 4-2 Buffer Areas

4-2.1 Definition and purpose of buffer areas.

a. Buffer areas shall be required to separate incompatible land uses from each other in order to reduce potential nuisances such as views, noise, and light by providing spatial separation and landscaping to soften or mitigate those impacts.

b. The term buffer area refers to both the area of land where buffer vegetation is planted as well as the planting required thereon.

i. Both the amount of land and the type and amount of planting specified for each buffer area required by this section are designed to ameliorate conditions between incompatible adjacent land uses, or between a land use and a street.

ii. The planting requirements of buffer areas are intended to ensure that they reduce the impacts of adjacent incompatible land uses while also being horticulturally appropriate, as stated in Article 14, Irmo Planting Materials.

4-2.2 Location of buffer areas.

a. Buffer areas shall be located on the outer perimeter of a lot or parcel, extending to the lot or parcel boundary line, except for smaller parcels (outparcels) within a
larger development where internal buffer area requirements shall be determined through the design review process of the overall development.

b. Buffer areas shall not be located on any portion of an existing public or private street or right-of-way.

c. Buffer areas shall not impede sight triangles at drives or intersections.

4-2.3 Determination of Buffer area requirements.

To determine the Buffer area required between two adjacent parcels or between a parcel and a street, the following procedure shall be followed:

a. Identify the proposed land use.

b. Identify the adjacent land use along each property line or segment of property line. If the adjacent parcel is undeveloped (vacant), determine the zoning from the Zoning Map. The adjacent Future Land Use as designated by the Comprehensive Plan may be used with Zoning Administrator’s approval. Adjacent properties outside of Town limits will be treated the same as those within Town limits for buffering requirements.

c. Buffer areas shall not be required adjacent to existing buffer areas which meet the intent of this ordinance. Specifically, double buffer areas are not required. However, buffer areas may be required to bring combined buffer areas up to these standards.

d. Where no buffers are required between lots, the equivalent of a type A buffer shall be calculated for the length of the dividing property line. The calculated number of plants shall then be required somewhere on the property. The plants may be placed along the calculated property line, the interior of the property, or amongst other buffers. However, effort should be made to spread the vegetation out and not cluster all required additional plantings. These plantings will count towards the 10% required interior landscaping requirement.

e. Use of table.

a. Determine the buffer area required on each boundary (or segment thereof) of the subject parcel by referring to the Table of Buffer Area Requirements in Section 4-2.7.

b. The letter designations contained in the table refer to the Table of Buffer Area Types shown in Section 4-2.6.

f. Required buffers shall be planted whenever a vacant parcel is developed or when permitted work equal or greater than 50% of the value of the property is performed on developed property. Property valuation is determined by the County Assessor’s Office, while project valuation is determined through business licensing and associated contracts. Similarly, changes to a more intense land use shall necessitate an increase in buffer area requirements as required by the buffer table. In all cases of redevelopment or changes in the intensity of land use, additional plantings shall
be determined by the Zoning Administrator, who may grant an administrative variance at his or her professional discretion. Such findings may be appealed to the Zoning Board of Appeals.

4-2.4 Buffer area specifications.

a. The requirements are stated in terms of the minimum width of the buffer area and the number of plants required per 100 linear feet of buffer area.

b. Multiply the length of the buffer area segment by the plant requirements to determine the quantity of plants required. Fractions are rounded up to the nearest whole number.

c. The “plant multiplier” is a factor by which the number of plants required for a given buffer area segment may be modified, given a change in the width of that buffer.

d. Arrangement of plants, as well as plant type and plant species, shall be determined through the design approval process, based upon the proposed use of the subject property and the uses of adjoining properties.

e. Massing and grouping of plants should be intentional and part of the overall site design. Arrangement may be either formal and regimented or naturalistic. Examples of buffer area design approaches are shown in Section 4-2.6 for illustrative purposes only.

f. Where fences or walls are used, the design shall be appropriate to the project.

g. The ground plane of the buffer area shall be required shrubs, lawn, groundcover, and/or mulch. Bare ground shall not be allowed.

h. Any existing plant material, which otherwise satisfies the requirements of this section, may be counted toward satisfying all such requirements.

i. Irrigation is required except in certain circumstances as determined by the Zoning Administrator. Where irrigation is not in place a nearby water source shall be provided to facilitate watering of plants. See Sec. 4-2.5, below.

j. Plants shall meet the requirements of the American Standard for Nursery Stock.

k. Plants listed by Clemson University or the South Carolina Forestry Commission as invasive shall not be allowed.

2. Change in Land Use. When a land use of a previously developed parcel is changed to a more intense land use (according to Table 7.7), the buffer area shall be increased as necessary to meet the requirements for buffer areas between the new land use and existing adjacent uses.

3. Use of buffer areas. A buffer area may be used for passive recreation, such as paths or trails, providing all spatial and planting requirements are met. All other uses, including off-street parking, is prohibited.
4. Buffer area part of required yards. Where front, side, and rear yard setbacks or build-to-lines are required the buffer areas may be established inclusive of such required setbacks.

5. Buffer areas may be interrupted to provide vehicular and/or pedestrian ingress and egress to serve the property. In this case, the widths of ingress and egress areas are subtracted from the length of the buffer area segment.

4-2.5 Maintenance

1. Requirements for Maintaining Buffers and Interior Landscaping.
   a. Responsibility. The responsibility for maintenance of a required buffer, to include fences, shall remain with the owner of the property. Maintenance is required in order to ensure the proper functioning of a buffer as a landscaped area which reduces or eliminates nuisance and/or conflict. The owner shall be responsible for installing live, healthy plants. Replacement plants shall be provided by the owner for any required plants that die or are removed.

   b. Maintenance. Maintenance shall consist of mowing, mulching, edging, removal of litter, removal of dead plant materials, and necessary pruning. The removal of limbs higher than eight (8) feet is prohibited unless the individual limb has died due to damage. The removal of all limbs above eight feet, i.e. “topping,” is prohibited, as is preventing a tree from reaching said height by pruning. Topped trees will be required to be removed and replaced with new, healthy trees of a similar category (canopy or understory).

   c. All planted areas shall be provided with an irrigation system. In the case of redevelopment landscaping or remote vegetation, a readily available water supply to ensure continuous healthy growth and development may be permitted by the Zoning Administrator. Failure to do so is a violation of this Ordinance and may be remedied in the manner prescribed for other violations.

   d. Where replacement planting is required the total caliper inches of replacement trees shall equal at least one-third of the total diameter at breast height (DBH) of the trees to be removed. However, where replacement planting is required as a result of a violation of this Ordinance, the total caliper inches of replacement trees shall equal at least 100% of the total DBH of the trees that were removed. In the event trees are removed and cannot be measured, stumps may be measured or recent photographs may be studied to approximate diameter. Instead of replacement planting, parties are permitted to pay into the Town Tree Fund an amount set by Council per caliper inch. These funds will be used to plant trees on public property throughout the Town.

   e. Where pedestrian or bicycle trails are allowed within a buffer, these trails shall be maintained to provide for their safe use. Such maintenance shall include pruning of
plants to remove obstructions, removal of dead plant materials, litter, or other hazards.

f. Natural watercourses within a buffer shall be maintained as free-flowing and free of debris. Stream channels shall be maintained so as not to alter floodplain areas.

g. Failure to Maintain. Failure to maintain a buffer shall be considered violation of the zoning ordinance.

4-2.6 Buffer Area Types

<table>
<thead>
<tr>
<th>Buffer Type</th>
<th>Min. Buffer Width (Feet)</th>
<th>Width x .67 Plant Multiplier</th>
<th>Width x .5 Plant Multiplier</th>
<th>Width with Opaque Screen</th>
<th>Canopy Trees. Understory Trees, and/or Upright Evergreen per 100 LF</th>
<th>Shrubs per 100 LF</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type A</td>
<td>10</td>
<td>*</td>
<td>*</td>
<td>*</td>
<td>3</td>
<td>25</td>
</tr>
<tr>
<td>Type B</td>
<td>15</td>
<td>*</td>
<td>*</td>
<td>A</td>
<td>4</td>
<td>50</td>
</tr>
<tr>
<td>Type C</td>
<td>25</td>
<td>50</td>
<td>75</td>
<td>B</td>
<td>6</td>
<td>50</td>
</tr>
<tr>
<td>Type D</td>
<td>50</td>
<td>75</td>
<td>100</td>
<td>C</td>
<td>8</td>
<td>75</td>
</tr>
<tr>
<td>Type E</td>
<td>75</td>
<td>100</td>
<td>150</td>
<td>D</td>
<td>12</td>
<td>75</td>
</tr>
</tbody>
</table>

1. **Opaque Screens** may be wood or masonry (block, brick, or stucco) and must be a minimum of 6'0" tall and placed at the property line. If screening is used the buffer area requirement defaults to the next less intensive buffer area planting and width requirements. Along streets, opaque screens shall be placed at the interior edge of the buffer, not at the property line. Opaque screens may not be used along streets for Type A, B, or C buffers, except for residential uses, in which case no reduction of buffer type shall apply.

2. **Berms** must be two feet (2') in height and have a minimum crown width of two feet (2'). Buffer width may be reduced by 25% with the inclusion of a landscaped earth berm in addition to the required number of plantings. Reduction requires Zoning Administrator approval.

3. **Canopy Trees, Understory Trees, and Upright Evergreen Trees** must be selected from the list of approved species. Canopy trees must be a minimum of 2.5" caliper at planting. Upright Evergreens and Understory Trees must be a minimum of 6'-0" tall at planting and should generally be specified as 6' - 8' tall. Over the total length of all buffer areas for a project, tree species and type may vary, as appropriate to the project. However, at least 1/3 of the total number of required trees shall be Canopy Trees. Likewise, no more than 1/3 of the total number of required trees shall be Understory Trees. Buffer area designs are subject to approval by the Town Community Development Director. Palmetto (Sabal palmetto) shall not count toward required tree requirements except by special exception. When allowed, Palmettos may be substituted at a ratio of three palmettos for each required tree.
4. **Evergreen and Deciduous Shrubs** must be a minimum size of 3 gallon at installation but shall be species that reach a mature height of at least 6’-0”. Other smaller shrubs and groundcover may be included as part of the overall buffer design but shall not count towards this requirement. For Type A, B, and C buffer areas fronting streets, the 6’-0” requirement does not apply.
### 4-2.7 Table of Buffer Area Requirements

<table>
<thead>
<tr>
<th>Proposed Land Use</th>
<th>Existing Land Use of Adjacent Parcel</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Single Family Detached</td>
</tr>
<tr>
<td>Single Family Detached¹</td>
<td>*</td>
</tr>
<tr>
<td>Duplex¹</td>
<td>*</td>
</tr>
<tr>
<td>Townhomes¹</td>
<td>*</td>
</tr>
<tr>
<td>Multi-Family</td>
<td>D</td>
</tr>
<tr>
<td>Mobile Homes</td>
<td>D</td>
</tr>
<tr>
<td>Nursing Home/Assisted Living</td>
<td>B</td>
</tr>
<tr>
<td>Mixed use²</td>
<td>*</td>
</tr>
<tr>
<td>Religious</td>
<td>C</td>
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<tr>
<td>Schools</td>
<td>B</td>
</tr>
<tr>
<td>Office/Professional</td>
<td>C</td>
</tr>
<tr>
<td>Retail/Commercial</td>
<td>D</td>
</tr>
<tr>
<td>Light Industrial</td>
<td>E</td>
</tr>
<tr>
<td>Heavy Industrial</td>
<td>E</td>
</tr>
</tbody>
</table>

¹ - If the project faces (faces) the street, no street buffer is required. If the project backs up to (doesn’t face) the street, street buffers are required as shown.

² - All buffers for mixed-use districts, both internal and external, shall be defined in the development plan, if required. If not defined in the development plan, they default to standard buffers. Required buffers for outparcels that are part of a larger project shall be determined through the design review process of the overall development.

* - No buffer required on property line, but equivalent of Type A to be planted on lot.

### 4-2.8 Existing Plant Material

1. Where practicable, the natural vegetation on a site shall be preserved according to the provisions of this chapter and the Town Tree Protection Ordinance.

2. Wherever healthy plant material exists on a site, the above-mentioned standards may be adjusted to allow credit for such plant material, if, in the opinion of the Zoning Administrator, such adjustment is in the best interests of the Town and preserves all intents of this chapter and the Tree Protection Ordinance.

### Section 4-3 Screening

#### 4-3.1 Definition

Screening is a type of buffer that is designed to block or obscure a particular element or use from view.

#### 4-3.2 Purpose

The purpose of screening is to minimize, if not eliminate entirely, the visual impact of potentially unsightly open storage areas, mechanical equipment, and refuse disposal facilities.
4-3.3 Where Required
Screening specified by this Section shall be required of all open storage areas not devoted to retail sales visible from any public street which includes:

A. Open storage areas for building materials, salvage materials, and similar unenclosed uses
B. Appliances
C. Mechanical systems, including roof-mounted heating ventilation and air conditioning (HVAC)
D. Trash containers of four or more cubic yards
E. Shipping Containers, where permitted

Screening shall be required for A-E above on all proposed new multi-family and non-residential uses, as well as whenever such uses as above are newly utilized on existing non-residential and multi-family uses.

4-3.4 Type Screening Required
Screening shall be accomplished by an opaque divide not less than six feet high or the height of the object to be screened, whichever is greater. Screening may be accomplished by the use of sight-obscuring plant materials (generally evergreens), earth berms, walls, fences, proper siting of disruptive elements, building placement or other design techniques approved by the Planning Commission. Roof-mounted mechanical systems shall be screened by architectural features such as parapet walls.

4-3.5 Retention Pond Screening
Where a retention or detention pond is included in the site design, said pond shall be landscaped by the use of sight-obscuring plant materials (generally evergreens), and be in compliance with all applicable County, State and Federal regulations.
Section 4-4 Landscaping

4-4.1 Definition
Landscaping is a type of open space permanently devoted and maintained for the growing of trees, shrubbery, and ground covers with complementary grass and mulch, as well as the addition of decorative features to the land such as plazas, courtyards, and other hardscape elements.

4-4.2 Purpose
The purpose of landscaping is to improve the appearance of vehicular use areas and development abutting public rights-of-way; to protect, preserve, and promote the aesthetic appeal, scenic beauty, character and value of land; and to promote public health and safety through the reduction of noise pollution, storm water runoff, air pollution, visual pollution, and artificial light glare.

4-4.3 Where Required
No proposed commercial, institutional, industrial, or other non-residential use, or multi-family development, shall hereafter be established and subsequently used unless landscaping is provided in accordance with the provisions of this Section. No existing building, structure, or vehicular use area shall be expanded or enlarged by 50 percent or more or renovated at 50% or more of value unless the minimum landscaping required by the provisions of this Section is provided throughout the building site. In all cases of redevelopment or changes in the intensity of land use, additional plantings shall be determined by the Zoning Administrator, who may grant an administrative variance at his or her professional discretion.

4-4.4 Interior Landscaping
a. The area to be landscaped shall be 10% of the total gross lot area.

b. This amount of land shall be devoted to landscaping, which includes hardscape elements (plazas and courtyards), trees, shrubs, and ground covers, with complementary grass, mulch, and other landscape treatment.

c. Any required landscaping, including parking lot islands or screening may be included in the required landscaped area. However, the required minimum bufferyards are excluded except as outlined in Sec. 4-2.3.

4-4.5 Parking Area Landscaping
a. All open vehicular use areas containing 10 or more parking spaces require one medium- or large-maturing tree per ten parking spaces.

b. Parking lots shall contain planter islands and peripheral landscaping to provide breaks in the expanse of paving.

   1. Landscaped islands shall be required. A maximum of 10 parking spaces in a row will be allowed without a landscaped island. However, this requirement may be adjusted by the Zoning Administrator, when strict application will significantly limit the efficiency of the parking area.
2. Planter islands shall have a minimum of 150 square feet in area (approximately 9'-0" x 18'-0" with appropriate radii).

3. Planter islands shall contain at least one 2.5-inch-caliper Canopy Tree.

4. Light poles, transformers, junction boxes, water meters, and/or fire hydrants shall not be placed where they conflict with required trees.

5. The island shall be landscaped with shrubs, ornamental grasses, groundcover, and/or mulch. The use of lawn within an island should be avoided or minimized.

4-4.6 Parking Curbs
All landscaped areas in or adjacent to parking areas shall be protected from vehicular damage by a raised concrete curb or an equivalent barrier. The barrier need not be continuous.

4-4.7 Parking and Interior Landscaping Widths
Trees shall have a minimum of 16 square feet of open soil surface area when planted in tree wells or concrete cutouts. Otherwise, trees shall have the minimum open soil surface areas listed below.
   A. Small-maturing trees - 16 square feet (four feet x four feet).
   B. Medium-maturing trees - 64 square feet (eight feet x eight feet).
   C. Large-maturing trees - 144 square feet (12 feet x 12 feet).
   D. Landscaped areas must be at least 25 square feet in size and a minimum of three feet wide to qualify.

4-4.8 Landscaping Plan
A landscaping plan shall be submitted as part of the application for a zoning permit. Applicants shall submit two (2) copies and one (1) digital landscaping plan either separately or with site plans. The plan shall contain:
   A. Name of the proposed development; the name, address, telephone number, and email address of the developer and the project designer; and a location map showing the proposed project; and,
B. Scaled plan no smaller than one inch equals 30 feet and no larger than 24” x 36”, showing the actual size, shape, and location of all existing and proposed features and landscaping as follows:
1. Proposed and existing buildings, pavements, rights-of-way/utility easements, watercourses, floodways/wetland, detention/retention pond, and final grades after grading;
2. Proposed landscaping, hardscaping, decorative features, and irrigation/watering system;
3. A table of planting materials stating species (botanical and common names), quantity, height, spread, and installation size (Section 4-1.6(a)) for all plants, using per Article 14 Irmo Planting Materials); and,
4. Tree survey, where applicable, per Section 4-5.4 and,
   a. Significant Trees Identification per Section 4-5.2 and Section 4-5.5.
   b. Distinguish trees and vegetation to be removed and/or preserved.

Section 4-5 Common Open Space

4-5.1 Definition
Common open space consists of land and/or water bodies used for recreation, amenity, or buffer in residential developments; it shall be freely accessible to all residents and property owners of a development, where required by this Ordinance. Open space shall not be occupied by buildings or structures other than those in conjunction with the use of the open space, including associated roads or parking, nor shall it include the yards or lots of residential dwelling units required to meet minimum lot area or parking area requirements.

4-5.2 Purpose
The purpose of this Section is to ensure adequate open space for residential development; to integrate recreation, landscaping, greenery and/or natural areas into such projects; to promote the health and safety of residents of such projects; and to compensate for the loss of open space inherent in single-family residential projects.

4-5.3 Where Required
The following uses/projects consisting of nine or more units shall provide common open space in the amounts prescribed:

<table>
<thead>
<tr>
<th>Proposed Uses/Projects</th>
<th>Common Open Space Ratio (% of total development acreage)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cluster developments (Conservation Design)</td>
<td>60</td>
</tr>
<tr>
<td>Town house projects</td>
<td>15</td>
</tr>
<tr>
<td>Multi-family projects</td>
<td>20</td>
</tr>
<tr>
<td>Single-family subdivisions of 10 or</td>
<td>10</td>
</tr>
</tbody>
</table>
A.  *New sites.* No proposed development, building, or structure in connection with the above shall hereafter be erected or used unless common open space is provided in accordance with the provisions of this Section.

B.  *Existing sites.* Expansion or enlargement of an existing development of 50 percent or more shall meet in full the minimum common open space requirements of this Section for the entire site. Expansion or enlargement involving less than 50 percent shall meet the minimum requirements for the enlargement only.

4-5.4 Common Open Space Plan
Proposed uses/projects set forth in section 4-5.3 shall submit an open space or landscaping plan as part of the application for a building permit. The plan shall:

A. Designate areas to be reserved as open space. The specific design of open space shall be sensitive to the physical and design characteristics of the site.

B. Designate the type of open space which will be provided and indicate the location of plant materials, decorative features, recreational facilities, etc.

C. Specify the manner in which common open space shall be perpetuated, maintained, and administered.

4-5.5 Types of Common Open Space and Required Maintenance.
The types of common open space which may be provided to satisfy the requirements of this Ordinance together with the maintenance required for each are as follows:

A. Natural areas are areas of undisturbed vegetation or areas replanted with vegetation after construction. Woodlands and wetlands are specific types of natural areas. Maintenance is limited to removal of litter, dead trees, plant materials, and brush. Natural water courses are to be maintained as free-flowing and devoid of debris. Stream channels shall be maintained so as not to alter flood plain levels.

B. Recreational areas are designed for specific active recreational uses, such as tot lots, tennis courts, swimming pools, ballfields, and similar uses. Recreational areas shall be accessible to all residents of the development. Maintenance is limited to ensuring that there exists no hazards, nuisances, or unhealthy conditions.

C. Greenways are linear green belts linking residential areas with other open space areas. These greenways may contain bicycle paths, footpaths, and bridle paths. Connecting greenways between residences and recreational areas is encouraged. Maintenance is limited to a minimum of removal and avoidance of hazards, nuisances, or unhealthy conditions.

D. Landscaped areas, lawns and required buffer areas, including creative hardscaped areas with gravel and pavers (tile, stone, brick, etc.), so long as the paver area does not occupy more than ten percent of the required open space or unless the pavers are made of pervious material. Lawns, with or without trees and shrubs, shall be watered regularly to ensure survival and mowed regularly to ensure neatness.
Landscaped areas shall be trimmed, cleaned, and weeded regularly.

E. Retention ponds and the adjacent landscaped area may be considered as common open space by the Zoning Administrator if the area is accessible, landscaped, and incorporates amenities such as benches, fishing piers, fountains or a trail system.

4-5.6 Preservation of Open Space

Land designated as common open space may not be separately sold, subdivided, or developed. Open space areas shall be maintained so that their use and enjoyment as open spaces are not diminished or destroyed. Open space areas may be owned, preserved, and maintained as required by this Section by any of the following mechanisms or combinations thereof:

A. Dedication of and acceptance by the Town.
B. Common ownership of the open space by a home-owner's association which assumes full responsibility for its maintenance.
C. Deed restricted, private ownership which shall prevent development and/or subsequent subdivision of the open space land and provide the maintenance.
D. In the event that any private owner of open space fails to maintain same, the Town may, in accordance with the open space plan and following reasonable notice, demand that deficiency of maintenance be corrected and may enter the open space to maintain same. The cost of such maintenance shall be charged to those persons having the primary responsibility for maintenance of the open space.

Section 4-6 Private Tree Protection

4-6.1 Purpose

The purpose of this Section is to protect and sustain the intrinsic value of trees and their ability to promote the public health, safety, and general welfare; to lessen air pollution; to increase air filtration; to reduce noise, heat and glare; to prevent soil erosion; to aid in surface drainage and minimize flooding; and to beautify and enhance the environment.

4-6.2 Protection of Significant Trees

Any pine tree measuring twenty (20) inches DBH (diameter breast high) or greater and all other tree species measuring twelve (12) inches DBH or greater shall constitute a "significant tree" for purposes of this Ordinance and shall be protected to the extent practical and feasible. To this end, no person, firm, organization, society, association, or corporation, or any agent or representative thereof, shall directly or indirectly destroy or remove any tree in violation of the terms of this Section.

4-6.3 Exceptions

Commercial timber, tree farms, nurseries, and agricultural operations are exempt from the protective requirements of this Section. Property cleared under the exceptions of this Section shall not be redeveloped and the Town shall withhold any development permit for a period of 24 months, unless a tree replacement schedule, approved by the Planning Commission, has been implemented.

4-6.4 Tree Survey
Prior to grading or clearing a lot or parcel for development and the issuance of a grading or building permit, the developer/owner applicant shall have conducted a tree survey identifying the location of all significant trees. Said trees shall be shown on a survey plat and physically marked with brightly colored tape or other markings.

4-6.5 Site Design (Significant Trees)
The design of any land development project or subdivision shall take into considerations the location of all significant trees identified on the tree survey. Lot and site design shall minimize the need to fell significant trees. Within any required buffer, common open space, screening, or landscaped area, all significant trees shall be utilized to the extent practicable to meet the tree planting requirements of this Article. Site plans shall clearly demonstrate the incorporation of significant trees into buffer, open space, screening, and landscape design. Outside of the buildable area, within the required setback areas, no more than 25 percent of significant trees shall be removed without replacement.

The site design shall be presented on a site plan showing:
A. Existing location and size of all significant trees.
B. Trees to be removed.
C. Trees to be preserved.
D. Percent of significant trees to be removed from the buildable area.

Site plan approval by the Zoning Administrator shall be prerequisite to the issuance of a grading and/or building permit.

4-6.6 Tree Protection
A. Prior to development. Where a grading permit, building permit, or subdivision approval has not been issued, the destruction of any significant tree, as defined by this Section, without prior approval of the Zoning Administrator, shall be prohibited.
B. During development. During development, a minimum protective zone, marked by barriers, shall be established (erected) at the dripline and maintained around all trees to be retained as required by this Section. There shall be no construction, paving, grading, operation of equipment or vehicles, or storage materials within this protected zone.
C. After development. No person shall break, damage, remove, cut, kill, or cause to be killed any significant tree, except for the following:
   1. In the event that any tree shall be determined to endanger the public health, safety or welfare, and require removal, written authorization may be given by the Zoning Administrator and the tree or parts thereof (i.e. dead limbs) removed.
   2. During the period of an emergency, such as a hurricane, tornado, ice storm, flood, or any other act of nature, the Zoning Administrator may waive the requirements of this Section.
   3. Where due to unusual site conditions or circumstances, the requirements of this Section pose a constraint to development and/or the use of a site or parcel, the Zoning Administrator or Zoning Board of Appeals may adjust the
requirements as necessary to moderate the constraint.
4. Trees involved in wetland mitigation.
5. Diseased (unhealthy) or invasive trees, with approval of the Zoning Administrator.
6. Trees located on lots occupied by single-family housing are not included in this ordinance.

4-6.7 Tree Replacement
Where significant trees have been removed, due to site design; where removal is necessitated at any time due to acts of negligence; or where sites were cleared of significant trees in violation of this Section, replacement trees shall be planted in accordance with a replacement schedule approved by the Zoning Administrator or Zoning Board of Appeals, who shall specify the number, species, DBH, and location of replacement trees, using the following criteria:
   A. Combined DBH of replacement trees is equal to or greater than the DBH of the trees removed and;
   B. Individual replacement trees are of the largest transplantable DBH available

In the event trees are removed and cannot be measured, stumps may be measured or recent photographs may be studied to approximate diameter.

Where replacement of trees is not feasible and/or desirable, the property owner may pay into the Town Tree Fund an amount set by Council per diameter inch removed with approval of the Zoning Administrator. These funds will be used by the Town to plant trees on public property.

Where, due to clear cutting in violation of this Section, the number of significant trees removed is unknown, a replacement plan specifying the numbers, species, DBH, and location of replacement trees shall be submitted to and approved by the Zoning Administrator prior to the issuance of a building permit. The Zoning Administrator may also require the inclusion of berms, walls, and/or more intensive buffer plantings prescribed by ordinance to help mitigate the effects of illegal clear cutting on the adjacent property.

Where replacement of trees is not feasible and/or desirable following a clear-cutting violation, the property owner may pay into the Town Tree Fund an amount set per Council per acre of property cleared, with the approval of the Zoning Administrator. These funds will be used by the Town to plant trees on public property.

As per the Town’s code concerning Forestry Activity, the Town may deny a grading, land development, or building permit for one year after completion of a legal timbering operation or five years for a timbering operation in violation of Town regulations. See the Town’s Land Development Design Standards for more information.
Staff Report

Amendment to the Zoning Ordinance

DATES:
Planning Commission: September 11, 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 Article 5 of the Zoning Ordinance: Sign Regulations

Background

Staff have been reviewing the Zoning Ordinance and is planning major revisions to many chapters. There are numerous changes to the ordinance, with notable changes such as the following:

1. Clarifying the guidelines for more sign types
2. Allowing Electronic Message Centers on commercial signs (they are currently only allowed on institutional uses)
3. Allowing signs on the side of commercial buildings with only one street face
4. Allowance for administrative variances in select circumstances

This ordinance has undergone so many changes that Staff is attaching both the proposed ordinance and the current ordinance for comparison.

Staff Findings

Staff recommends APPROVAL of this ordinance change.

Planning Commission

At their September 11, 2023 meeting, the Planning Commission recommended adoption of the ordinance 6-0.
Article 5 Sign Regulations

Section 5-1 Purpose
The purpose of this Article is to protect the dual interest of the public and the advertiser. The regulations herein are designed to protect public safety and welfare and to ensure the maintenance of an attractive community environment while satisfying the needs of sign users for adequate identification, communication, and advertising.

Section 5-2 Applicability and Conformance
This Article regulates the number, size, placement, and physical characteristics of signs; allows certain signs without permits; prohibits certain signs; and requires permits for certain signs.

From and after the adoption of the ordinance codified in this Section, no sign may be erected or enlarged in the Town of Irmo unless it conforms to the requirements of this Article.

Section 5-3 Use of Signs on Private Property
Signs shall be allowed on private property in accordance with Table 3. If the letter "A" appears for a sign type in a column, such a sign is allowed without prior permit approval in the zoning districts represented by that column. If the letter "P" appears for a sign type in a column, such a sign is allowed only with prior permit approval in the zoning districts represented by that column. Special conditions may apply in some cases. If the letter "N" appears for a sign type in a column, such a sign is not allowed in the zoning districts represented by that column under any circumstances.

Where uses are permitted, conditionally permitted, or allowed by special exception per Table 1, use of signage is regulated as follows:

Table 3
Use of Signs by Type per Zoning District, and Institutional (IN) Uses

<table>
<thead>
<tr>
<th>Sign Type</th>
<th>RS</th>
<th>RG</th>
<th>CG</th>
<th>CO</th>
<th>CN</th>
<th>LM</th>
<th>FA</th>
<th>IN¹</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permanent Signs</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Freestanding</td>
<td>N</td>
<td>N</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
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<tr>
<td>Incidental²</td>
<td>A</td>
<td>A</td>
<td>A</td>
<td>A</td>
<td>A</td>
<td>A</td>
<td>A</td>
<td>A</td>
</tr>
<tr>
<td>Building (wall)</td>
<td>N</td>
<td>N</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Canopy</td>
<td>N</td>
<td>N</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Marquee</td>
<td>N</td>
<td>N</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>N</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td>Roof, mounted</td>
<td>N</td>
<td>N</td>
<td>P</td>
<td>N</td>
<td>P</td>
<td>P</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td>Roof, integral</td>
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<td>N</td>
<td>P</td>
<td>N</td>
<td>P</td>
<td>P</td>
<td>N</td>
<td>N</td>
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<tr>
<td>Projecting</td>
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<td>P</td>
<td>P</td>
<td>P</td>
<td>N</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td>Window</td>
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<td>N</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
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<td>Message boards</td>
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<td>N</td>
<td>N</td>
<td>N</td>
<td>P</td>
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<tr>
<td>Subdivision identification</td>
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<td>P</td>
<td>P</td>
<td>P</td>
<td>N</td>
<td>P</td>
<td>N</td>
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<tr>
<td>Temporary</td>
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<td></td>
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<td></td>
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<td></td>
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<tr>
<td>Banner</td>
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<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
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<tr>
<td>Poster</td>
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<td>A</td>
<td>A</td>
<td>A</td>
<td>A</td>
<td>A</td>
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<tr>
<td>Portable</td>
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<td>N</td>
<td>N</td>
<td>N</td>
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<td>N</td>
<td>N</td>
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<tr>
<td>Inflatable</td>
<td>N</td>
<td>N</td>
<td>P</td>
<td>N</td>
<td>N</td>
<td>P</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td>Sandwich board</td>
<td>N</td>
<td>N</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
</tbody>
</table>
Section 5-4 Allowable Signs That Do Not Require a Permit

Signs that do not require a permit or registration shall adhere to the following regulations:

A. Unless otherwise stated, signs may be located in zoning districts according to Table 3.
B. All signs not requiring a permit shall conform to all the applicable requirements contained in this Ordinance.
C. Any limitations on the number of signs allowed per lot are prescribed in this Article.
D. All such signs shall be located off the street right-of-way unless permission has been granted for such location by the appropriate local, State, or Federal transportation authority.
E. Such signs may be internally or externally illuminated, except as herein prescribed.

5-4.1 Incidental Signs

No sign with a commercial message legible from a position off the lot on which the sign is located shall be considered incidental. Incidental Signs shall include:

A. On-premise directional and instructional signs
B. Warning, No Trespassing, Posted, No Hunting, etc., signs
C. Historical markers
D. Any sign inside a building
E. Flags, insignia, pennants, symbols, etc., of a religious, governmental, or non-profit organization
F. Government and public utility signs and logos
G. Hospital, medical, or institutional directional signs, providing they contain no advertising. Maximum sign face surface area shall be three (3) square feet and the maximum height shall be eight (8) feet. Such signs shall not be illuminated.

Section 5-5 Regulations on Signs Requiring a Permit

5-5.1 Freestanding Signs (Pole Signs, Ground Signs, and Monument Signs)

Freestanding signs are any permanently mounted signs that are placed on, or anchored in, the ground and are not attached to a building or other structure. Freestanding signs are permitted as follows:

A. Where allowed and as specified in this Article, freestanding signs are permitted where the activity associated with the sign is a permitted, or conditionally permitted, use under zoning district regulations.
B. Except as otherwise stated, one freestanding sign is permitted per street frontage; however, lots with frontage (on one street) greater than 150 linear feet shall be permitted a second free standing sign.
C. The maximum height is:
   1. 12 feet in Institutional Uses (IN) and in CO and CN zoning districts, and as conditionally permitted in FA zoning districts
   2. 25 feet in GC and LM zoning districts, except where contiguous to I-26 where signs may be erected to a height of 50 feet
   3. Where additional height is required to raise the base of the sign to mean elevation (average street level) of the fronting street, the Planning Official may allow greater heights.
D. The maximum sign surface area in square feet shall be:
   1. 20 square feet for Institutional Uses and as conditionally permitted in CO, CN, and FA zoning districts
2. In CG zoning districts and as permitted outright in CN zoning districts, the maximum sign surface area for single occupancy sites is 50 square feet. Maximum sign surface area for multiple occupant sites is 62.5 square feet (refer to Common Signage Plans below).

3. In uses permitted outright in CO zoning districts the maximum sign surface area for single occupancy sites is 36 square feet. Maximum sign surface area for multiple occupant sites is 45 square feet (refer to Common Signage Plans below).

4. In LM zoning districts, the maximum sign surface area is 75 square feet.

E. Such signs shall be set back a minimum of 5 feet from property lines in all zoning districts; an exception is if such signs are located adjacent to a residential use in any zoning district, the side setback shall be a minimum of fifteen (15) feet.

F. Pole signs may only be internally illuminated. Monument (ground) signs may be internally or externally illuminated as specified in the illumination provisions of this Section.

G. Changeable copy sign elements shall not be mounted on a separate structure but must be incorporated into the allowable sign surface area of the permitted freestanding sign.

H. Gasoline pricing signs shall not be separate sign structures but shall be incorporated into the allowable sign surface area of the permitted freestanding sign.

I. Freestanding signs requiring a permit are not permitted on undeveloped lots or parcels.

5-5.1(1) Types of Freestanding Signs

A. Pole sign – A freestanding sign mounted on a pole.

B. Ground sign or monument sign – A sign constructed on the ground with a continuous footing or foundation and with the base of the sign at-grade.

5-5.2 Signs on Building Walls

A building wall sign is any sign attached to a wall, painted on the wall surface, or erected and confined within the limits of an exterior wall of any building or structure and is supported by such wall or building, and that displays only one sign surface. Building wall signs are permitted as follows:

A. For multi-tenant buildings, each tenant is allowed only one (1) of the following per street frontage: wall, awning, or projecting sign.

B. Where allowed and as specified in this Section, signs on building walls are permitted on parcels where the activity associated with the sign is a permitted or conditionally permitted use under zoning district regulations.

C. Principal building walls may have signage on all faces that front on a public street.

D. Building wall signs shall reflect the proportional and dimensional relationships of the structure. The ratio of window and door openings to wall surface area must be considered. All building wall signs within a multiple-occupant development shall be in proportion and scale to each other.

E. In general, the surface area dimension of building wall signs should not exceed ten (10) square feet per building side that faces a public street unless the size of the building is such that a larger sign can be justified. For multiple-occupant buildings, building wall signs shall reflect the proportional and dimensional relationships of the individual store fronts. For smaller store fronts, the appropriate size may be less than ten (10) square feet, while larger sizes may be appropriate for larger store fronts.

F. No building wall sign shall extend beyond any point of a roofline, parapet, or mansard roof.

G. Such signs shall be located so that they do not block the view of windows or doors and are placed in-between, and do not overlap, vertical architectural elements.

H. Building wall signs may be internally or externally illuminated as specified in the illumination provisions of these regulations.
5-5.3 Projecting Signs (Suspended Signs, Signs Over Sidewalks, and Shingle Signs)
A projecting sign is oriented perpendicular to a building or structure and is wholly or partly dependent upon a building for support. Such signs are permitted as follows:

A. A single occupancy building is permitted only one (1) projecting sign or wall sign per building frontage. For multi-tenant buildings, each tenant is allowed only one (1) projecting sign or wall sign per building frontage.

B. Where allowed and as specified in this Section, projecting signs are permitted where the activity associated with the sign is a permitted or conditionally permitted use under zoning district regulations.

C. Sign surface area of projecting sign shall reflect the proportional and dimensional relationships of the structure. In general, the surface area of projecting signs should not exceed ten (10) square feet unless the size of the building is such that a larger sign can be justified.

D. A minimum eight (8) foot clearance between the bottom of the sign and the sidewalk, pavement, or ground surface shall be maintained.

E. Signs hanging over sidewalks shall not project from the building wall to an extent that they obstruct the view of pedestrians, bicyclists, or motorists, or of street intersections, traffic signs, devices, or signals.

F. Projecting signs may be mounted no higher than the bottom of the second-floor sill or no higher than the cornice, whichever is lower.

G. All projecting signs at the intersection of building corners shall intersect at right angles to the building front.

H. Projecting signs may be internally illuminated only as specified in the illumination provisions of these regulations.

5-5.4 Signs on Awnings, Canopies, and Marquees
For the purposes of this Ordinance, an awning, canopy, and marquee shall be defined as follows:

**Awnings** – An architectural projection or shelter projecting from and supported by the exterior wall of a building and composed of rigid or non-rigid materials and/or fabric on a supporting framework that may be either permanent or retractable. Example: A canvas-covered frame extending from a building wall to an area over the sidewalk in front of a shop.

**Canopy** – A freestanding, open-sided structure constructed of rigid materials or non-rigid materials, including, but not limited to, metal, wood, concrete, plastic, canvas, or glass. The structure covering the fueling area at a gas station is considered to be a canopy. Other examples include picnic shelters, gazebos, and cabanas.

**Marquee** – A fixed hood of permanent construction which is supported solely from a building wall and extends beyond the building. Example: The structure over the front sidewalk area at a movie theatre.

For single-occupant buildings, only one (1) of the following per street frontage: wall sign, awning sign, or projecting sign. For multi-tenant buildings, each tenant is allowed only one (1) of the following per street frontage: wall sign, awning sign, or projecting sign. Signs on awnings, canopies, and marquees are permitted as follows:

A. Awnings, canopies, and marquees may have signage on all faces that front on a public street.

B. Where allowed and as specified in this Section, canopy, awning, and marquee signs are permitted where the activity associated with the sign is a permitted or conditionally permitted use under zoning district regulations. Any sign affixed to an awning, canopy, or marquee that is not flush with or integral to the awning, canopy, or marquee is prohibited. Awnings, canopies, and marquees may not have signage projecting beyond, below, or above the structure.
C. The sign surface area shall reflect the proportional and dimensional relationships of the surface area of the portion of the awning, canopy, or marquee visible from the street level, and shall not exceed twenty (20) percent of the surface area of the awning, canopy, or marquee to which the sign is attached.

D. Awning, canopy, and marquee signs may be mounted no higher than the bottom of the second-floor sill or no higher than the cornice, whichever is lower.

E. A minimum eight (8) foot clearance shall be maintained between the bottom edge of an awning, canopy, or marquee and the sidewalk, pavement, or ground surface.

F. Awnings or marquees shall project no closer than eight (8) feet from the street curb.

G. Awnings shall not be illuminated. Canopies and marquees may only be illuminated internally.

5-5.5 Message Board Signs for Institutional Use
A. Message board signs are digital or manual changeable copy signs that are permitted only for institutional uses and are intended to provide schedules of events, rules, regulations, announcements, or similar messages, excluding commercial advertisement or promotional messages (refer to regulations for changeable copy signs below). Institutional uses include educational, religious, recreational, civic, municipal, and other institutional uses including historic markers that are allowable in any zoning district under the zoning district regulations.

B. One (1) such sign oriented per street frontage per premise may be erected. The maximum sign surface area of an institutional use message board sign that contains no facility identification or logo shall be no greater than 20 square feet. If the principal identification sign and the message board are combined to serve as one (1) sign, the maximum surface area shall be 45 square feet.

C. The maximum height is 12 feet. Where additional height is required to raise the base of the sign to mean elevation (average street level) of the fronting street, the Planning Official may allow greater heights.

D. Message board signs shall be set back a minimum of 5 feet from property lines in all zoning districts, except if such sign is located adjacent to a residential use in any zoning district, then the side setback shall be a minimum of fifteen (15) feet.

E. Signs shall be illuminated as specified in the illumination provisions of these regulations.

F. Such signs may not include commercial advertisement or promotional messages of any sort.

G. Locations with permanent message board signs shall not employ the use of temporary signs of any type.

5-5.6 Roof Signs
Roof signs, where permitted by Table 3, shall not exceed the maximum sign surface area of the allowable freestanding sign in that district. Uses employing roof signs shall not be allowed a freestanding sign, except for uses with multiple street fronts, where a freestanding sign is allowed on street fronts on which the roof sign is not oriented.

5-5.7 Subdivision (and Other Residential Development) Identification Signs
For the purposes of this Ordinance, a subdivision identification sign is a permanent sign that identifies a subdivision or neighborhood and is located internal to and visible from the initial point of entry to a subdivision or from surrounding streets. Such signs are permitted for all residential subdivisions and multi-family residential developments in all zoning districts in which such developments are permitted.

A. One (1) subdivision entrance sign not exceeding twenty (20) square feet in size and four (4) feet in height located at the main entry or entries to any subdivision; or two (2) identical signs not exceeding sixteen (16) square feet in size each, and four (4) feet in height, placed symmetrically on each side of an entry road of any residential subdivision are permitted.
B. Providing that an encroachment permit is granted by the governing jurisdiction, subdivision entrance signs may be located in the right-of-way of an internal subdivision street including a center median but outside of the paved section of the roadway and a driveway or intersection sight triangle.

C. Such sign may be externally illuminated as specified in the illumination provisions of these regulations.

D. Where a single ground sign is erected, such sign shall have a minimum of fifty (50) square feet of landscaped area at the base of the sign. Where two (2) ground signs are erected, each sign shall have a minimum of twenty-five (25) square feet of landscaped area at the base of each sign. Landscaping shall be regularly maintained.

E. Such sign shall display no information other than the name of the subdivision.

5-5.8 Signs in Mixed-Use Development Districts
Unless alternate standards are specified in an approved development plan, all signage regulations of this Article shall apply.

Section 5-6 Sign Measurements and Design Standards

5-6.1 Sign Frame Area
The sign frame area consists of the dimensions of a geometric shape formed by all supports, frames, braces, borders, and embellishments that extend beyond the sign surface area and that enclose the sign surface area and does not contain any copy, logo, advertising, name, or message. The sign frame area shall not be used in the calculation of sign size but shall be used in calculating sign heights and clearances.

5-6.2 Sign Surface Area
The sign surface area is the area inside a geometric shape enclosing any message, logo, symbol, name, photograph, or display face. All sign size regulations in this Ordinance are calculated from the sign surface area dimensions as defined above.
5-6.3 Double-Sided Signs
In the case of signs mounted back-to-back, only one side of the sign is to be used for computation of the sign surface area. Double-sided signs shall be defined as two-sided signs with parallel faces twelve (12) inches apart or less, or with faces joining at an angle of ten (10) degrees or less. Otherwise, the surface area of each sign is to be separately computed.

5-6.4 Multiple Cabinet Signs
For freestanding and projecting signs that contain multiple modules on one structure and are oriented in the same direction, the modules together are counted as one (1) sign.

\[
\text{Total Sign Surface Area} = (A)(B) + (C)(D) + (E)(F)
\]

5-6.5 Round, Cube, and Other 3-D Signs
In the case of cylindrical signs, signs in the shape of cubes, or other signs that are substantially three-dimensional with respect to their display surfaces, the entire display surface or surfaces are included in computations of the area.

5-6.6 Individual Element Signs
When signs are constructed of individual elements attached or applied to a wall, fence, or building wall, the sign area is determined by calculating the area of an imaginary rectangle drawn around the sign elements that encompasses all the written and graphical elements of the sign. Sign elements will be measured as one (1) unit when the distance between the elements is less than two (2) times the dimension of each element.
5-6.7 Signs on a Base Material
When a sign is on a base material and attached without a frame, such as a wood board or Plexiglas panel, the dimensions of the base material are to be used to compute sign surface area.

5-6.8 Signs on Awnings, Canopies, and Marquees
When signs are incorporated into awnings, canopies, and marquees, the sign area is determined by computing the area of an imaginary rectangle drawn around the sign face that encompasses all the written and graphical elements of the sign.
5-6.9 Sign Height
Sign height is measured from the natural grade below the sign to the highest point of the sign frame area. The height shall not be measured from the top of an earth berm, support foundation, or planting box.

5-6.10 Sign Clearances
Sign clearances are measured from the grade directly below the sign to the bottom of the sign frame. When a sign extends over sidewalks, walkways or other spaces accessible to the public, the bottom of the sign structure shall be at least eight feet above the ground.

5-6.10(1)
No sign shall be located in the visual clearance zone as defined in Article 3 Zoning Regulations for Use of Lots of this Ordinance.
5-6.11 Sign Materials and Code Compliance
Signs must be constructed in accordance with all applicable provisions of the building code and national electrical code, consist of durable all-weather materials, be maintained in good condition (including paint), and shall not be permitted to fall in disrepair.

5-6.12 Sign Illumination
All illuminated signs shall conform to the following requirements:

A. All signs when illuminated shall have such lighting shielded so as not to directly shine on abutting properties or in the line of vision of the public using the streets or sidewalks.
B. No sign shall be illuminated in such a way that it causes intense illumination onto any residential premises located in any zoning district, in a manner which by intensity, duration, location, or other characteristic is incompatible with the residential character of the property in which such illumination is cast.
C. Internally illuminated signs may not project light beyond the face of the sign or otherwise cause a glare.
D. Externally lighted signs shall have their lighting directed in such a manner as to illuminate only the face of the sign.
E. All lighted signs shall meet all applicable electrical codes and shall bear a nationally recognized electrical testing laboratory label (such as a UL label).
F. No illumination simulating traffic control devices or emergency vehicles shall be used, nor shall lights which are intermittently switched on or off, changed in intensity or color, or otherwise displayed to create the illusion of flashing or movement be permitted.
G. Signs containing changeable copy produced by light emitting diodes (LEDs), incandescent or low voltage lamps or bulbs, or cathode ray tubes (CRTs) shall include automatic brightness compensation features to adjust brightness to compensate for sun angle and ambient light conditions and to ensure that the sign is visible but not necessarily radiant.
5-6.13 Changeable Copy Signs

Changeable copy signs are signs or portions thereof with characters, letters, or illustrations that can be changed or rearranged by any means [manual, electronic [digital], atmospheric, mechanical, remote, etc.] without altering the face or surface of the sign. For the purposes of this Article, a sign on which the message or image changes more often than once every fifteen (15) seconds shall be considered a sign employing a confusion of motion and is not allowable. Digital changeable copy signs are permitted as follows:

A. Digital changeable copy is permitted only on permanent principal freestanding signs and marqueses and shall comply with all the regulations of freestanding and marquee signs as applicable.
B. Sign copy or image shall maintain a static message or image for at least fifteen (15) seconds.
C. The actual change between sign message and/or image shall be instantaneous.
D. Changeable copy signs shall not employ motion or the illusion of motion by any means to depict action or create a special effect or scene.
E. Such signs are not permitted to create the illusion of blinking, alternating, chasing, contracting or expanding, flashing, fading, repeating, oscillating, pulsating, rotating, rolling, running, scrolling, strobing, twinkling, or simulate moving video images, etc.
F. Signs shall not employ flashing lights or lights of changing degree or intensity of color.
G. Signs containing changeable copy produced by light emitting diodes (LEDs), incandescent or low voltage lamps or bulbs, or cathode ray tubes (CRTs) shall include automatic brightness compensation features to adjust brightness to compensate for sun angle and ambient light conditions and to ensure that the sign is visible but not necessarily radiant.
H. Digital changeable copy signs, including digital message board signs, shall not be operated between the hours of 9:00 p.m. and 7:00 a.m. if located 300 feet of a residential dwelling unless the sign face is visually obscured from the residence.
I. Digital changeable copy signs shall be a minimum of 100 feet from any intersection with a traffic light.
J. Only one electronic digital sign per street frontage shall be allowed.
K. A sign on which the only copy that changes is an electronic or mechanical indication of time or temperature shall be considered a "time and temperature" portion of a sign and not a changeable copy sign for purposes of this Ordinance.

Section 5-7 Common Signage Plan

5-7.1 Applicability

A common signage plan is required for a lot or parcel with more than one principal use or building (not including accessory uses or buildings) or that qualifies on the basis of street frontage for more than one free-standing sign.

5-7.2 Plan Requirements

The plan shall contain all information required for permits generally and shall specify standards for consistency among all signs on the lot or parcel including all signs on buildings and walls affected by the plan with regard to:

A. Lettering or graphic style;
B. Lighting;
C. Location of each sign on the buildings;
D. Material; and
E. Sign proportions.
5-7.3 Sign Surface Area for Common Signs for Multiple Occupants
The sign surface area Common signs for multiple occupants may be increased up to twenty-five percent (25%) of the maximum surface area allowed for single-occupancy signs per zoning district.

5-7.4 Number of Signs
In all zoning districts on lots with multiple uses or multiple users, the Common Signage Plan shall limit the number of freestanding signs to a total of one for each street on which the lots included in the plan have frontage and shall provide for shared or common usage of such signs. Exception: lots with frontage (on one street) greater than 150 linear feet shall be permitted a second freestanding common sign.

5-7.5 Common Signage Plan Binding
Once approved by the Planning Official, the common signage plan shall become binding on all business and uses occupying the affected zone lots but may be amended by filing a new or revised plan that conforms with all requirements of this Section.

If any new or amended Common Signage Plan is filed for a property on which existing signs are located, it shall include a schedule for bringing into conformance, within six months, all signs not conforming to the proposed amended plan or to the requirements of this Section in effect on the date of submission.

Section 5-8 Temporary Signs
The following conditions shall apply to all temporary signs:

A. Unless otherwise specified, no such sign, with or without a permit, shall be displayed for a period exceeding 30 days, nor again be displayed on the same establishment or lot more than three times during a calendar year; however, "for sale," "for rent," "for lease" and contractor's signs may be displayed until completion of purpose for which such signs were established. Temporary sign permits for uses included in the IN column in Table 3 and sale and grand opening signs may not exceed 30 days duration.

B. Posters shall not exceed six square feet in area.
C. Banners shall not exceed twenty-four square feet in area.
   1. On private property:
      a. No banner shall be attached to vehicles, utility poles, trees, or plants;
      b. No more than one banner shall be displayed at one time;
      c. Banners shall be replaced at not less than 30-day intervals; and
      d. Banners shall be maintained in good repair.
   2. On public streets and rights-of-way:
      a. Banners over public streets are prohibited in the Town of Irmo except to announce special events sponsored by domiciled eleemosynary institutions.

D. Sandwich board signs (or A-frame signs) are allowed a temporary sign permit in neighborhood commercial (CN) and general commercial (CG) districts provided they meet the requirements as follows:
   1. A sandwich board sign (or A-frame sign) shall not be used in conjunction with a banner sign and neither be displayed for more than 30 days at a time, nor again be displayed on the same establishment more than three times during a calendar year;
   2. Sandwich board signs (or A-frame signs) shall not exceed 24 inches in width and 36 inches in height from the top of the sign to the ground where the sign is located;
   3. Each sign face shall not exceed six square feet;
4. Sandwich board signs (or A-frame signs) may not be placed on any public sidewalk or between a sidewalk and the adjacent roadway;
5. Sandwich board signs (or A-frame signs) cannot be located within a public right-of-way;
6. Sandwich board signs (or A-frame signs) shall be maintained in good repair;
7. Florescent colors are prohibited.

E. **Restaurant sandwich board and easel signs.** Where restaurants are permitted per Table 1, restaurants are permitted temporary placement of sandwich boards and easel signs displaying menus. Easel boards shall not exceed 24 inches in width and 36 inches in height from the top of the sign to the ground where the sign is located. Sandwich board and easel signs shall be located as not to obstruct public passage. Restaurant establishments shall only display sandwich boards or easel signs when the establishment is open for business.

F. **Temporary Campaign and Election Signs** are permitted in all zoning districts provided that:
   a. One (1) sign per street frontage per candidate (or issue being voted on) shall be allowed. If the property lies on a corner lot or double frontage lot, then a second sign may be oriented along the second street so long as the two signs are at least 100 feet apart as measured by the shortest straight line.
   b. Signs in areas zoned residential shall not exceed six (6) square feet in sign face area and shall not exceed four (4) feet in height. Signs in areas not zoned residential shall not exceed twenty (20) square feet in sign face area and shall not exceed ten (10) feet in height.
   c. No sign shall be placed in any right-of-way; on any telephone pole, street sign, fence, or public property; or within a driveway or intersection sight triangle.
   d. Temporary campaign and election signs shall not be illuminated.
   e. In accordance with SC law, no such political sign shall be placed within 200 feet of any building in which an election poll is being conducted.
   f. All such signs shall be erected no sooner than the first day of filings for each specific election or referendum for which they are made.
   g. All such signs shall be removed within seven (7) days after the election or referendum for which they were made. Signs for runoff elections may remain until seven (7) days after the final election to which the signs apply.

**Section 5-9 Prohibited Signs**

All signs not expressly permitted in this Article are prohibited. Prohibited signs include, but are not limited to:

A. Signs painted on or attached to trees, fence posts, telephone or other utility poles, or natural features.
B. Signs displaying intermittent lights resembling the flashing lights customarily used in traffic signals or in police, fire, ambulance, or other rescue vehicles or warning signals, and signs using the words "stop," "danger," or any other word, phrase, symbol, or character in a manner that might mislead or confuse motorists.
C. Abandoned signs – A sign which no longer correctly directs or exhorts any person or advertises a bona fide business, lessor, owner, activity conducted, or product available.
D. Dilapidated signs – Any sign which is insecure or otherwise structurally unsound, has defective parts in the support, guys and/or anchors, or which is unable to withstand the wind pressure as determined by the Planning Official or Building Inspector using applicable codes. Dilapidated signs also include the entire area of a sign on which advertising copy could be placed and the permanent
form or removable letter form wording on a sign surface that is not properly maintained as provided in the standard building code.

E. Vehicles with signs either attached to or painted on them and that are conspicuously parked in close proximity to the right-of-way and obviously parked in such a way as to advertise any business to the passing motorist or pedestrian are prohibited unless said vehicle is parked within a defined public parking space within a paved parking area permitted by the Town.

F. Signs with salacious content.

G. Off-premise advertising signs – Any sign, including digital and changeable copy signs, that identifies or communicates a message related to an activity conducted, a service rendered, or a commodity sold that is not the primary activity, service, or commodity provided on the site where the sign is located. Except as allowed under Temporary Signs, any sign which relates in its subject matter to products, accommodations, services, or activities that are sold or offered elsewhere than upon the premises on which such sign is located is not allowed. Off-premise advertising signs include, but are not limited to, those signs commonly referred to as outdoor advertising signs, billboards, or poster boards.

5-9.1 Signs in the Public Right-of-Way
No sign shall be allowed in the public right-of-way, including the railway right-of-way, except for the following:

A. Public signs erected by or on behalf of a governmental body to post legal notices, identify public property, convey public information, and direct or regulate pedestrian or vehicular traffic;

B. Church signs, in accordance with State law;

C. Informational signs of a public agency or utility regarding its facilities;

D. Emergency signs;

E. Directional signs; and

F. Signs of a temporary nature not to exceed 24 hours duration for such events as yard sales, auctions, public gatherings, etc., provided such signs shall not be attached to a tree, utility pole, traffic sign, or other public structure.

5-9.1(1) Signs forfeited
Any sign installed or placed on public property, except in conformance with the requirements of this Section, shall be forfeited to the public and subject to confiscation. In addition to other remedies hereunder, the Town shall have the right to recover from the owner or person placing such sign the full costs of removal and disposal.

Section 5-10 Removal of Signs
A. The lawful use of any permanently mounted sign existing at the time of the enactment of this Ordinance may be continued although such use does not conform with the provisions of this Ordinance, except those declared abandoned or dilapidated, which shall be removed or have remedial action taken upon them by notification of the Planning Official.

B. Any existing sign that is subsequently abandoned shall be removed, and any existing sign exceeding the allowable face area by 25 percent, and that is subsequently destroyed or damaged to the extent of 60 percent or more of its replacement cost, shall be removed or brought into conformity with these regulations.

C. Any existing nonconforming temporary sign shall be removed within 90 days of enactment of this Ordinance.
D. Temporary signs shall be removed within three days of the termination period.

E. An order under this Section shall be issued in writing to the owner or responsible party of any such sign, or of the building or premises on which such sign is located, to comply within five days' time. Upon failure to comply with such notice, the Planning Official may cause the sign to be removed and any costs of removal incurred in the process may be collected in a manner prescribed by law.

Section 5-11 Sign Permit Application
Each application to erect a sign, where a sign permit is required by this Ordinance, shall be accompanied by the following information:

A. Common signage plan, where applicable, in accordance with the requirements of section 5-7.
B. Identification of ownership and/or leaseholder of property on which the sign is to be erected, including street address.
C. Name and address of the owner of the sign.
D. Site plan with dimensions (non-professionally drafted plan is acceptable) showing the location of the sign with respect to the property and right-of-way lines, building and setback lines, and buildings, parking areas, existing free-standing signs, and buffer areas.
E. Correct size, shape, configuration, sign frame and surface areas, height, nature, number, and type of sign to be erected.
F. The value of the sign and sign structure.
G. The zoning administrator may waive any of the informational requirements listed above deemed unnecessary to process an application.
H. For signs thirty-two square feet and larger in area, the applicant shall include a drawing by a registered South Carolina engineer or architect and a written certification from a registered South Carolina engineer or architect that the sign is structurally sound and safe; does not constitute a hazard to persons or property on the premises, on adjoining property, or in the vicinity of its location; and that the sign is in compliance with all requirements of building or other construction codes and the requirements of this Ordinance.
AN ORDINANCE TO AMEND APPENDIX A – ZONING AND LAND DEVELOPMENT;
ARTICLE 5 – SIGN REGULATIONS

WHEREAS, the Town of Irmo desires to strengthen its Code of Zoning and Land Development Regulation, amending said Code to address noted errors, omissions, vague language, and add appropriate standards; and

WHEREAS, the following text amendment to the Town of Irmo Code of Zoning and Land Development Regulations has been proposed through collaboration with the Planning Commission; and

WHEREAS, the Planning Commission, at their September 11, 2023, meeting, voted to recommend approval of this amendment, as attached; and

WHEREAS, Council wishes to amend the Code of Municipal Ordinance as attached;

NOW, THEREFORE, BE IT ORDAINED and ordered by the Mayor and Town Council of the Town of Irmo, South Carolina, in Council duly assembled on this 21st day of November, 2023, that the Town of Irmo Code of Municipal Ordinance is hereby amended.

PASSED AND ADOPTED this 21st day of November, 2023.

_____________________________________________________________________
Barry A. Walker, Sr., Mayor

ATTEST:

_____________________________________________________________________
Renee Caviness, Municipal Clerk

1st Reading: October 17, 2023
2nd Reading: November 21, 2023
ORDINANCE 23 – 23

Changes to the Zoning and Land Development Regulations

Remove, in its entirety, Article 5, and replace as follows.
Irmo Sign Ordinance – Revised

Article 5 – Sign Regulations

SECTION 5-1 – PURPOSE AND GENERAL PROVISIONS

The purpose of this Article is to protect the dual interest of the public and the advertiser. The regulations herein are designed to protect public safety and welfare and to ensure the maintenance of an attractive community environment while satisfying the needs of sign users for adequate identification, communication, and advertising.


a. The regulations set forth in this article shall apply and govern in all zoning districts. No sign shall be erected, altered or maintained unless it is in compliance with the regulations of this article.

b. A permit shall be required for the erection, alteration or reconstruction of any sign unless otherwise noted and shall be issued by the department of planning and development.

c. All signs must be constructed of durable materials, maintained in good condition and shall not be permitted to become dilapidated or a hazard to the health, safety or general welfare of the community.

d. The Zoning Administrator or designated agent shall require the property owner or tenant to remove, replace or repair the sign as is deemed appropriate by the Zoning Administrator.

e. All signs attached to buildings must meet all applicable wind standards as defined by the International Building Code. All freestanding signs greater than six feet (6’) in height must meet all applicable wind and seismic standards as defined by the International Building Code.

f. The purpose of this section is to provide comprehensive regulations for signs within the town that will eliminate confusing, distracting and unsafe signs, ensure the efficient transfer of information; and, enhance the visual environment of the town. It is declared that the regulation of signs within the town is necessary and in the public interest and also is related to the following goals:

   i. To protect property values within the town;

   ii. To protect the general public from damage or injury caused by, or partially attributable to the distractions and obstructions which result from improperly designed or situated signs;

   iii. To provide a pleasing overall environmental setting and community appearance which is deemed vital to tourism and to the continued economic attractiveness of the town;

   iv. To improve the legibility and effectiveness of commercial and governmental signs;

   v. To allow signs appropriate to the planned character of each zoning district; and

   vi. To promote the public safety, welfare, convenience and enjoyment of the unique historic character of the town.
g. Any signs, displays or devices allowed under this article may contain, in lieu of any other copy, an otherwise lawful noncommercial message that does not direct attention to a business operated for profit, or to a commodity of service for sale, and that complies with size, lighting and spacing requirements of this article.

h. All signs shall comply with existing state and federal laws.

SECTION 5-2 – SIGNS PERMITTED BY ZONE

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X – Allowed with Permit
R – Allowed by Right, no permit required
(Blank) – Not allowed

1 – This column does not represent a zoning district. It applies to institutional and other non-residential uses permitted in residential zoning districts, such as schools, churches, parks, etc.
SECTION 5-3 – SIGN REGULATIONS BY TYPE

A. General Regulations
   1. All sign dimensions listed are maximums.
   2. All signs are to be externally lit unless otherwise noted

B. Awning & Canopy Signs
   1. Definitions:
      a. Awning – An architectural projection or shelter projecting from and supported by the exterior wall of a building and composed of rigid or non-rigid materials and/or fabric on a supporting framework that may be either permanent or retractable. Example: A canvas-covered frame extending from a building wall to an area over the sidewalk in front of a shop.
      b. Canopy – A freestanding, open-sided structure constructed of rigid materials or non-rigid materials, including, but not limited to, metal, wood, concrete, plastic, canvas, or glass. The structure covering the fueling area at a gas station is considered to be a canopy. Other examples include picnic shelters, gazebos, and cabanas.
      c. Marquee – A fixed hood of permanent construction which is supported solely from a building wall and extends beyond the building. Example: The structure over the front sidewalk area at a movie theatre.
   2. Permitted Zones: CG, CN, CO, LM, FA, IN
   3. Requirements:
      a. Awnings and marquees are considered wall signs for purpose of area allowances, with only one sign permitted per building side. Awnings may only be externally lit, while marquees may be internally or externally lit.
      b. Canopy signs may be no more than 8% of the area of the canopy façade, with one sign permitted per street frontage. This is in addition to any signage on the primary structure. Canopy signs may be externally or internally lit.
      c. Any signage on an awning, canopy or marquee must be flush or integral with the awning, canopy, or marquee, and may not project beyond, below, or above the structure.
      d. A minimum eight (8) foot clearance shall be maintained between the bottom edge of an awning, canopy, or marquee and the sidewalk, pavement, or ground surface.
      e. Awnings or marquees shall project no closer than eight (8) feet from the street curb.

C. Freestanding Signs
   1. Definition: means any sign supported by structures or supports that are placed on, or anchored in, the ground and that are independent from any building or other structure.
2. Permitted Zones: CG, CN, CO, LM, FA, IN

3. Requirements:
   a. In CN, CO, FA, and IN Districts
      1. Height: Twelve feet (12) feet, except six (6) feet for IN uses in a residential district
      2. Area: twenty (20) square feet per exposed side; forty (40) square feet aggregate
      3. Location: At least ten (10) feet from any street right-of-way.
      4. Changeable copy signs shall constitute no more than fifty percent (50%) of the total sign area and must be placed on the same sign structure as the fixed sign.
      5. Externally lit only
      6. One sign per street frontage is permitted
      7. In developments where existing signage is non-conforming, newly proposed signage may meet the standards of the existing signage with permission of the Zoning Administrator.
   b. In CG and LM Districts
      1. Height: Twenty-Five (25) feet, except along I-26 where signs may be fifty (50) feet
      2. Area: Fifty (50) square feet per exposed side; one hundred (100) square feet aggregate
      3. Location: At least ten (10) feet from any street right of way
      4. Electronic message centers or changeable copy signs shall constitute no more than fifty percent (50%) of the total sign area. Such signs must be placed on the same sign structure as the fixed sign. Gasoline pricing signs are considered changeable copy signs. Electronic message centers must be dimmed from sundown to sunup in such manner as to not negatively affect drivers and any nearby residential lots.
      5. Such signs may be externally or internally lit
      6. One sign per street frontage is permitted

D. Governmental Flags
   1. Definition: means any fabric, banner or bunting containing distinctive colors, patterns or symbols, used as a symbol of government, political subdivision or other entity.
   2. Permitted Zones: All
   3. Requirements
      a. Height of Flagpole: Fifteen (15) feet maximum residential; Twenty-five (25) feet maximum commercial
b. Area of Flag: Per the guidelines of the U.S. General Services Administration, a flag pole should be approximately three (3) to four (4) times the length of the flag. As such, a fifteen (15) foot tall pole should utilize 3’ x 5’ flags, a twenty (20) foot pole should use 3’ x 5’ or 4’ x 6’ flags, and a twenty-five (25) foot pole should use 4’ x 6’ or 5’ x 8’ flags. The maximum flag sizes allowed per this ordinance are fifteen (15) square feet per flag, no more than thirty (30) square feet total (residential); Forty (40) square feet per flag, no more than one hundred twenty (120) square feet total (commercial).

c. Number of Flagpoles Allowed: One (1) residential; Three (3) commercial

d. Setback: Pole must be setback from all property lines an amount equal to or greater than the height of the pole

e. Governmental flags must be externally lit or removed at dusk.

f. If the flags of the United States and the State of South Carolina are flown, a third, commercial flag may be flown on the third pole. The flag will not be included in the overall sign area total on the lot.

E. Holiday Decorations

1. Definition: Signs or other material temporarily displayed on traditionally accepted civic, patriotic or religious holidays containing no commercial message

2. Permitted Zones: All

3. Requirements: Materials may be displayed for no more than thirty (30) days with the exception of Christmas decorations, which may be displayed from November 15 – January 15.

4. Such signs may be internally or externally lit.

F. Home Occupation

1. Definition: A sign advertising a home-based business

2. Permitted Zones: RS, RG, or residential uses in other zones.

3. Requirements: One (1) square foot, unlit, mounted against the wall of the principal building. Only permitted on residential structures.

G. Incidental Sign

1. Definition: A sign which provides information that is secondary to the use of the lot on which it is located, such as “no parking,” “entrance,” “loading zone,” or “drive through,” and other similar directives. No sign with a commercial message legible from a position off the lot on which the sign is located shall be considered incidental.

2. Permitted Zones: CG, CN, CO, LM, FA, IN

3. Requirements: maximum height is four (4) feet.

4. Such signs may be internally lit in the CG zone, or externally lit in any allowable zone.
H. Informational Sign

1. Definition: Signs which direct the reader to the location of a public facility, to a facility operated by a nonprofit entity, to a facility relating to the public health, safety or welfare, to scenic or historical districts, or general business or industrial districts or a subdivision.

2. Permitted Zones: All

3. Requirements:
   a. The Zoning Administrator is authorized to develop written and publicly posted guidelines for these types of signs.
   b. The signs are erected by the town or other governmental entity.
   c. The entire cost of the signs is borne by the entity requesting the sign.
   d. The signs are installed at locations where they would not constitute a traffic hazard.
   e. Such signs are allowed in the right-of-way and may not be lit

I. Multi-Face Sign

1. Definition: Free standing sign advertising more than four businesses located within the same development

2. Permitted Zones: CG, CO, CN, LM

3. Requirements:
   a. In the CO & CN Districts
      i. Height: Fifteen (15) feet
      ii. Area: Forty-five (45) square feet per side, ninety (90) square feet in aggregate
      iii. Number and Location: One sign per street frontage. Developments with more than 800’ of frontage on one road may have two signs on that same road if the signs are at least 600’ apart, in addition to any allowable signage on the other frontage(s). Signs shall be placed at least ten (10) feet from any street right-of-way.
      iv. Changeable copy signs shall constitute no more than fifty percent (50%) of the total sign area.
      v. Such signs may be externally or internally lit.
   b. In the CG & LM Districts
      i. Height: Twenty-five (25) feet
      ii. Area: Sixty-five (65) square feet per side, one hundred thirty (130) square feet in aggregate
iii. Number and Location: One sign per street frontage. Developments with more
than 800’ of frontage may have two signs on the same road if the signs are at least
600’ apart, in addition to any allowable signage on the other frontage(s). Signs
shall be placed at least ten (10) feet from any street right-of-way.

iv. Electronic message centers or changeable copy signs shall constitute no more than
fifty percent (50%) of the total sign area.

v. Such signs may be externally or internally lit.

J. Multi-Family Dwelling

1. Definition: Permanent signs announcing the entrance to a multi-family dwelling, such as an
   apartment complex.
2. Permitted Zones: RG
3. Requirements:
   a. Number: One (1) permanent sign shall be permitted per principal entrance to the
      subdivision.
   b. Sign Area: Fifty (50) square feet per exposed side; one hundred (100) square feet
      aggregate
   c. Location: Such signs shall be located on the premises of the dwelling, set back at least
ten (10) feet from any street right of way
   d. Height: Multiple family group dwelling signs shall not exceed six (6) feet in height as
      measured from average grade of lot.
   e. Such signs may be externally lit.

K. Outdoor Display

1. Definition: Temporary or permanent outdoor placement of inventory intended for
   immediate sale and used to advertise or promote the interests of any persons when placed
   in view of the general public, traveling along a public street right-of-way. Outdoor vehicle
   sale lots are considered outdoor displays.
2. Permitted Zones: CG, LM
3. Requirements
   a. In addition to a freestanding sign, a business may use a display with a valid sign permit.
The display must be set ten (10) feet back from the right-of-way and be no more than
ten (10) feet in height. Multiple displays may be used provided that they conform to the
   required setbacks and height limitations subject to approval of the Zoning Administrator.
   b. Displays that are not intended for immediate sale and/or do not meet the guidelines of
      this ordinance will be considered outdoor storage of inventory.
   c. Temporary Displays are displays that are only used during business operating hours.
      After business operating hours, temporary displays must be placed indoors or behind a
      solid six (6) foot stockade fence.
   d. Permanent Displays are defined as a display that is used during business hours as well as
      after business hours. Permanent displays may be accompanied, in lieu of the required
      fencing, by a ten (10) feet wide vegetative strip placed along the right-of-way. The
vegetative strip must meet the Type A Buffer Requirements detailed in this Code. Shrubs at a ratio of 3:1 may replace required trees with Zoning Administrator Approval.

e. No off-premise displays are allowed

f. Permanent and temporary outdoor displays shall meet all other requirements of free-standing signs.

g. Displays may be externally lit

L. Projecting Sign

1. Definition: Any sign affixed to a building or wall in such a manner that its leading edge extends more than six inches beyond the surface of such building or wall.

2. Permitted Zones: CG, CN, CO

3. Requirements: Such signs may extend outward from the wall of a building not more than four feet and no part of any projecting sign shall extend above the roof line of a building or into a public road, although such signs may project over a sidewalk. A minimum eight (8) foot clearance shall be maintained. Maximum allowable size is calculated along with any other wall signs.

4. Such signs may be externally lit.

M. Public / Official Notice

1. Definition: Public agency signs are those erected by any public agency, such as the state, county, or local government. Such signs include traffic signals and signs, informational signs, and the like. Official notices are postings placed by any court, officer, or other public agency.

2. Permitted Zones: All

3. Permitted in the right-of-way

N. Real Estate

1. Definition: A temporary sign erected by the owner, or his agent, advertising the real property upon which the sign is located for rent, for lease, or for sale.

2. Permitted Zones: All

3. Requirements
   a. Residential: Unlit, maximum size four (4) square feet, four (4) feet in height
   b. Commercial: Unlit, maximum size thirty-two (32) square feet, ten (10) feet in height

O. Sandwich Board/Pedestal

1. Definition: means a freestanding movable sign, not secured or attached to the ground or any building or structure, composed of a sign panel and supporting structure or one or more panels which form both the structure and sign face, and which is intended to be placed in a sidewalk or pedestrian way. (Also known as "A" and "T" stands.)

2. Permitted Zones: CG, CO, CN, IN

3. Requirements
a. Only one sandwich board or pedestal sign shall be allowed for any single building; provided, however, that where more than one business occupies a building, each business may have a sandwich board or pedestal sign.
b. A minimum separation of 20 feet shall be maintained between sandwich boards or pedestal signs.
c. Sandwich boards or pedestal signs shall not exceed 24 inches in width and 36 inches in height; provided, however, that a minimum unobstructed sidewalk width of 42 inches shall be maintained.
d. No sign shall be placed in a manner which obstructs the clearance vision at a street intersection.
e. Sandwich boards or pedestal signs located within a public right-of-way shall be placed within that portion of the public right-of-way which abuts the building containing the business or use. Signs must always be placed as close as practical to the business being advertised; for example, such signs may not be placed along the road on the far side of a parking lot from the business.
f. Sandwich boards or pedestal signs placed in the internal area of a shopping center walkway are permitted without a permit, provided that permission is given by the property owner. Such signs shall not be placed in a manner in which they may be construed to be a freestanding sign advertising to vehicle traffic.
g. Such signs must be brought indoors when the business being advertised is closed.

P. Subdivision, Permanent
1. Definition: Permanent signs located at the entrance of a subdivision
2. Permitted Zones: RS, RG
3. Dimensional Requirements
   a. Number: Two (2) permanent subdivision signs shall be permitted per principal entrance to the subdivision if single sided signs are placed on either side of the entrance, as on a wall. Otherwise, one (1) permanent subdivision sign is permitted per principal entrance.
   b. Sign Area: Fifty (50) square feet per exposed side; one hundred (100) square feet aggregate
   c. Location: Such signs shall be located on the premises of the land subdivision, at least ten (10) feet from any street right of way.
   d. Height: Subdivision signs shall not exceed eight (8) feet in height as measured from average grade of lot.
   e. Such signs may be externally lit and shall be accompanied by appropriate landscaping, as approved by the Zoning Administrator.

Q. Subdivision, Temporary
1. Definition: Temporary signs announcing a new subdivision development
   a. Permitted Zones: RS, RG
2. Requirements
a. Number: One (1) temporary subdivision sign shall be permitted per principal entrance to the subdivision.
b. Sign Area: The sign area shall not exceed thirty-two (32) square feet in gross surface area for each exposed face nor exceed an aggregate gross surface area of sixty four (64) square feet.
c. Location: Temporary subdivision signs shall be located on the premises of the land subdivision, at least ten (10) feet from any street right of way.
d. Height: Temporary subdivision signs shall not exceed ten (10) feet in height as measured from average grade of lot.
e. Special Conditions: Temporary subdivision signs shall be removed from the premises once fifty (50%) percent of the lots are conveyed or when a permanent subdivision sign is permitted and constructed.
f. Such signs may be externally lit.

R. Temporary Sign

A. Definition: Any sign conveying a message which is made of impermanent materials designed to be used temporarily and is not permanently mounted. Temporary signs may include, but are not limited to,
   a. freestanding banners
   b. banners attached to permanent structures.
   c. feather banners
   d. any advertising and informational materials stuck into the ground using temporary wooden stakes or wire frames, including political signs; temporary directional signs; work under construction signs, garage sale signs; real estate open houses; and signs advertising civic, philanthropic, religious, or educational organizations or events.
   e. Changeable copy portable signs, while made of permanent materials, are considered temporary signs and are not permitted within the Town of Irmo.

B. Permitted Zones: All

C. Requirements
   a. Single-Family Residential Lots: One (1) sign with a maximum size of four (4) square feet is allowed to remain on a permanent basis without permit.
   b. All other Lots:
      i. One (1) sign per fifty (50) feet of road frontage with a maximum of four (4) signs
      ii. Maximum size of thirty-two (32) square feet per sign (Banners) or four (4) square feet (other temporary signs)
      iii. Height: Temporary signs shall not exceed ten (10) feet in height as measured from average grade of lot.
      iv. Maximum of sixty (60) days per year. Days may be non-consecutive.
      v. On lots featuring more than one business, each business may display one (1) sign per fifty (50) feet of the development’s road frontage, up to two (2) signs, and signs may only be displayed for thirty (30) days per year. Temporary
internal signage, such as wire frame signage in a multi-business parking lot, are permitted but count towards the signage and time limits.

vi. Such signs must be permitted by the zoning administrator and the permit must show the beginning and ending dates of the sign placement. Signs found to be placed without a permit will have their original placement date estimated by the Zoning Administrator.

c. During the period thirty (30) days prior to a political primary or election until seven (7) days following such an event the maximum number of temporary signs allowed and the need for any permits shall be waived. Signs shall be placed on private property and not in the right-of-way and must meet the size requirements listed in this section.

d. Such signs shall not be permitted in the right of way.

e. Such signs shall not be illuminated.

5. Wall Sign

1. Definition: any sign attached parallel to, but within 12 inches of, a wall, painted on the wall surface of, or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building, and which displays only one sign surface.

2. Permitted Zones: CG, CN, CO, LM, FA, IN

3. Requirements

a. Awning, canopy, and projecting signs are included in the total square footage allowed on a wall sign

b. No part of any sign shall extend above the roof line of a building

c. In the CN, CO, LM, FA, and IN zones

i. The total area of signs on the exterior front surface of a building shall not exceed ten square feet or eight percent of the front surface of the building, whichever is greater.

ii. No signs shall be permitted on the side or rear of a building except in the case of buildings with multiple street frontages, which may place signs on all street frontages using the above size calculation.

iii. Such signs may be externally lit

d. In the CG District

i. The total area of signs on the exterior front surface of a building shall not exceed eight percent of the front surface of the building.

ii. The total area of signs on the exterior side or rear surface of a building shall not exceed three percent of that surface of the building.

iii. Such signs may be internally or externally lit

e. For multi-tenant buildings in all districts, wall area shall be calculated by multiplying the building height by the width of that particular business’s façade. Businesses without an external façade, such as in an office building, are not permitted a separate wall sign.

f. On large retail facades with more than one distinct entrance, such as a Walmart Supercenter or Lowe’s, multiple signs may be permitted with the approval of the Zoning Administrator.
SECTION 5-4 — PROHIBITED SIGNS

A. Prohibited signs shall be defined by example as follows:

1. No sign displaying intermittent lights resembling the flashing lights customarily used in traffic signals or on police, fire or rescue vehicles is permitted nor shall any sign use the words "stop," "danger" or any other word, phrase, symbol or character in a manner that might mislead or confuse an automobile or other vehicular driver.

2. Permanent moving signs, windblown signs or devices to attract attention, all or part of which move by any means, including fluttering, rotating or otherwise moving devices, set in motion by movement of the atmosphere or by mechanical, electrical or other means, including but not limited to, flags, pennants, posters, propellers, discs, ribbons, streamers, strings of light bulbs, spinners, moving, fluttering or revolving devices, regardless of whether they contain written messages, except as permitted in this article.

3. Except as provided in this article, no signs, whether temporary or permanent, except traffic signs, signals and information signs erected by a public agency, are permitted within any street or highway right-of-way.

4. Any sign and/or sign structure which obstructs the view of, may be confused with or purports to be a governmental or traffic direction/safety sign.

5. Signs copying or imitating official government signs or which purport to have official government status.

6. Roof Signs. Any sign or sign structure, other than freestanding, any portion of which extends above the parapet, building roofline or canopy against which the sign is located.
7. Signs which display intermittent or flashing lights or lights of varying degrees of intensity, color, or moving parts, except barber's poles, time/temperature signs and signs erected by a public agency. Such prohibited signs include those placed in and on windows and glass doors for the purpose of attracting attention. Permitted freestanding digital changeable copy signs are not prohibited by this section.
8. Portable or mobile signs utilizing any type of illumination or electrical connections.
9. Changeable copy signs unless they meet the requirements of Sec 5-3.C, above. Portable changeable copy signs are prohibited.
10. Signs that identify or advertise a product or business not located at the premises. Off-premises signs are defined as any sign, including digital and changeable copy signs, that identifies or communicates a message related to an activity conducted, a service rendered, or a commodity sold that is not the primary activity, service, or commodity provided on the site where the sign is located. Except as allowed under Temporary Signs, any sign which relates in its subject matter to products, accommodations, services, or activities that are sold or offered elsewhere than upon the premises on which such sign is located is not allowed. Off-premises advertising signs include, but are not limited to, those signs commonly referred to as outdoor advertising signs, billboards, or poster boards.
11. Signs that create a safety hazard by obstructing clear view of pedestrian and vehicular traffic.
12. Signs that display a message or graphic representation that is lewd, indecent or otherwise offensive to public morals.
13. Abandoned signs, defined as a sign which no longer correctly directs or exhorts any person or advertises a bona fide business, lessor, owner, activity conducted, or product available.
14. Dilapidated signs, defined as any sign which is insecure or otherwise structurally unsound, has defective parts in the support, guys and/or anchors, or which is unable to withstand the wind pressure as determined by the Planning Official or Building Inspector using applicable codes. Dilapidated signs also include the entire area of a sign on which advertising copy could be placed and the permanent form or removable letter form wording on a sign surface that is not properly maintained as provided in the standard building code.
15. Searchlights and beacons.
16. Signs placed on vehicles or trailers which are parked or located for the primary purpose of displaying such sign. The parking of any vehicle which is not in operating condition or lacking current registration bearing a commercial message in the public view. (This does not apply to allowed portable signs, lettering on buses, taxis or vehicles operating during the normal course of business).
17. Inflatable signs and tethered balloons.
18. Signs on street furniture (benches, trash cans, etc) except for one sign of less than 64 square inches showing the donor of the item, provided that the item is accepted by the town.
19. Portable signs, except those permitted by this Ordinance
20. Signs referencing businesses which have been out of business for more than 30 days
21. Sign structures no longer containing signs;
22. Signs which emit audible sound, odor or visible matter;
23. Signs violating any provision of any law of the state relative to outdoor advertising;
Proposed Ordinance

24. Signs made structurally sound by unsightly bracing;
25. Snipe signs; any form of leaflets, handbills, posters, flyers, announcements, or any other advertising and informational materials that are tacked, nailed, posted, pasted, glued, or otherwise attached to trees, poles, fences, buildings, the ground or other objects.
26. Any sign which obstructs free ingress to or egress from a required door, window, fire escape or other required exit way;

B. Nonconforming signs
1. Any sign that does not meet the regulations herein in terms of size, height, construction, quantity, or type; as of the date of passage of this Ordinance shall hereby be declared nonconforming. To avoid undue hardship, any nonconforming signs associated with single tenant uses, and wall signs in multiple-tenant developments may remain in use until such time as they are voluntarily removed by the owner; damaged in excess of fifty percent (50%) of their current replacement cost by fire, storm, or other act of God; or if the business being advertised by the sign ceases operation. Any of the above conditions shall cause the sign to lose its grandfathered status, and the sign owner shall be required to remove the sign within thirty (30) days. Failure to do so shall constitute authorization for the City to remove it and assess the full cost to the sign owner; in addition to any other penalties prescribed for violation of this Ordinance. Such signs shall not be expanded, even if the tenant does not change. For multiple-tenant developments, existing, nonconforming directory signs (regardless of construction) may remain in use until such time as fifty percent (50%) of the original tenants at the time of passage of this Ordinance change. At such time, the nonconforming directory signs shall be removed by the landowner, and may be replaced with a conforming directory sign. Failure to do so shall constitute authorization for the Town to remove it and assess the full cost to the sign owner; in addition to any other penalties prescribed for violation of this Ordinance. Such signs shall not be expanded, even if the tenant(s) does (do) not change.

C. Enforcement
1. Signs which are found to be in violation of the provision of this article shall be subject to the following provisions. Where notice is required, such notice shall be by certified mail and may be reasonable under the circumstances surrounding the violation. Notices shall be addressed to the last known address of the sign owner.
   a. Notice of violation. The Zoning Administrator shall send notice, by certified mail to the sign owner, stating the nature of the violation and granting an appropriate period of time to correct the violation.
   b. In the event the certified mail is not accepted, notification of the violation shall be posted on the sign with a description of the violation and timeline to remedy the violation.
   c. Continued violation. In the case where the Zoning Administrator has sent notice to the sign owner, or posted the sign when notice is not accepted and granted an appropriate period of time to correct the violation and the violation has not been remedied a citation may be issued to the sign owner. Each day such violation continues shall constitute a separate offense.
d. Nothing herein contained shall prevent the Town from taking such other lawful action as is necessary to prevent or remedy any violation.

2. Any sign installed or placed on public property, except in conformance with the requirements, shall be forfeited to the public and subject to confiscation. In addition to other remedies under this article, the town shall have the right to recover from the owner or person placing a sign the full costs of removal and disposal of such signs.

3. Violation of this article or failure to comply with any of the requirements hereof unless remedied by actions and within the time frame prescribed by the administrator shall be classified as a misdemeanor punishable by a maximum $200.00 fine, and/or a maximum of 30 days imprisonment. In addition, each sign displayed or erected in violation of this article represents a separate offense. Any person, firm, organization, society, association or corporation, or any agent or representative thereof who commits, participates, or assists in such violations may each be found guilty of a separate offense and suffer the penalties herein provided.

SECTION 5-5 – OTHER SIGN REGULATIONS

5-5.1 Sign Surface Area

A. Sign area means the area of a sign shall be that area which is contained within a single continuous perimeter enclosing the extreme limits of such sign, and in no case passing through or between elements of such sign. It shall include any material or color forming an integral part of the display or used to differentiate such signs from its background, but shall not include supports.

B. Double Sided Signs - Where two sides of a double-faced sign are separated by an angle of forty five (45) degrees or less, each sign face shall be calculated separately. At greater than forty five (45) degrees the sign area shall be calculated as one face.

C. Round, Cube, and Other 3-D Signs - In the case of cylindrical signs, signs in the shape of cubes, or other signs that are substantially three- dimensional with respect to their display surfaces, the entire display surface or surfaces are included in computations of the area.
5-5.2 **Sign Height**

1. Sign height is measured from the natural grade below the sign to the highest point of the sign frame area. The height shall not be measured from the top of an earth berm, support foundation, or planting box.

2. Sign clearances are measured from the grade directly below the sign to the bottom of the sign frame. When a sign extends over sidewalks, walkways or other spaces accessible to the public, the bottom of the sign structure shall be at least eight feet above the ground.

3. No sign shall be located in the visual clearance zone as defined in Article 3 Zoning Regulations for Use of Lots of this Ordinance.
5-5.3 Signs in the Public Right-of-Way

No sign shall be allowed in the public right-of-way, including the railway right-of-way, except for the following:

A. Public signs erected by or on behalf of a governmental body to post legal notices, identify public property, convey public information, and direct or regulate pedestrian or vehicular traffic;
B. Church signs, in accordance with State law;
C. Informational signs of a public agency or utility regarding its facilities;
D. Emergency signs;
E. Directional signs; and
F. Signs of a temporary nature not to exceed 24 hours duration for such events as yard sales, auctions, public gatherings, etc., provided such signs shall not be attached to a tree, utility pole, traffic sign, or other public structure.

For the purposes of this ordinance, all areas on or adjacent to a private road interior to adjacent property lines are considered right-of-way. Put simply, neither permanent nor temporary signs shall be placed in the area immediately adjacent to a private road simply because said private road is not a public right-of-way. In the interior of a commercial development, signs may be permitted in this area with permission of the Zoning Administrator. Sign applicants may seek appeal from the Zoning Administrator or the Board of Zoning Appeals.

5-5.4 Signs Forfeited

Any sign installed or placed on public property, except in conformance with the requirements of this Section, shall be forfeited to the public and subject to confiscation. In addition to other remedies hereunder, the Town shall have the right to recover from the owner or person placing such sign the full costs of removal and disposal.

5-5.5 Removal of Signs

A. The lawful use of any permanently mounted sign existing at the time of the enactment of this Ordinance may be continued although such use does not conform with the provisions of this Ordinance, except those declared abandoned or dilapidated, which shall be removed or have remedial action taken upon them by notification of the Zoning Administrator.
B. Any existing sign that is subsequently abandoned shall be removed, and any existing sign exceeding the allowable face area, and that is subsequently destroyed or damaged to the extent of 50 percent or more of its replacement cost, shall be removed or brought into conformity with these regulations.
C. Any existing nonconforming temporary sign shall be removed within 90 days of enactment of this Ordinance.
D. Temporary signs shall be removed within three days of the termination period.
E. An order under this Section shall be issued in writing to the owner or responsible party of any such sign, or of the building or premises on which such sign is located, to comply within five days' time. Upon failure to comply with such notice, the Planning Official may cause the sign to
be removed and any costs of removal incurred in the process may be collected in a manner prescribed by law.

5-5.5 Sign Materials and Code Compliance

Signs must be constructed in accordance with all applicable provisions of the building code and national electrical code, consist of durable all-weather materials, be maintained in good condition (including paint), and shall not be permitted to fall into disrepair.

5-5.6 Sign Illumination

All illuminated signs shall conform to the following requirements:

A. All signs when illuminated shall have such lighting shielded so as not to directly shine on abutting properties or in the line of vision of the public using the streets or sidewalks.
B. No sign shall be illuminated in such a way that it causes intense illumination onto any residential premises located in any zoning district, in a manner which by intensity, duration, location, or other characteristic is incompatible with the residential character of the property in which such illumination is cast.
C. Internally illuminated signs may not project light beyond the face of the sign or otherwise cause a glare.
D. Externally lighted signs shall have their lighting directed in such a manner as to illuminate only the face of the sign.
E. All lighted signs shall meet all applicable electrical codes and shall bear a nationally recognized electrical testing laboratory label (such as a UL label).
F. No illumination simulating traffic control devices or emergency vehicles shall be used, nor shall lights which are intermittently switched on or off, changed in intensity or color, or otherwise displayed to create the illusion of flashing or movement be permitted.
G. Signs containing changeable copy produced by light emitting diodes (LEDs), incandescent or low voltage lamps or bulbs, or cathode ray tubes (CRTs) shall include automatic brightness compensation features to adjust brightness to compensate for sun angle and ambient light conditions and to ensure that the sign is visible but not necessarily radiant.

5-5.7 Changeable Copy Signs

Changeable copy signs are signs or portions thereof with characters, letters, or illustrations that can be changed or rearranged by any means (manual, electronic [digital], atmospheric, mechanical, remote, etc.) without altering the face or surface of the sign. For the purposes of this Article, a sign on which the message or image changes more often than once every fifteen (15) seconds shall be considered a sign employing a confusion of motion and is not allowable. Digital changeable copy signs are permitted as follows:

A. Digital changeable copy is permitted only on permanent principal freestanding signs and shall comply with all the regulations of freestanding and marquee signs as applicable.
B. Sign copy or image shall maintain a static message or image for at least fifteen (15) seconds.
C. The actual change between sign message and/or image shall be instantaneous.
D. Changeable copy signs shall not employ motion or the illusion of motion by any means to depict action or create a special effect or scene.
E. Such signs are not permitted to create the illusion of blinking, alternating, chasing, contracting or expanding, flashing, fading, repeating, oscillating, pulsating, rotating, rolling, running, scrolling, strobing, twinkling, or simulate moving video images, etc.

F. Signs shall not employ flashing lights or lights of changing degree or intensity of color.

G. Digital changeable copy signs, including digital message board signs, shall not be operated between the hours of 9:00 p.m. and 7:00 a.m. if located 300 feet of a residential dwelling unless the sign face is visually obscured from the residence. All such signs must be dimmed to minimum levels during this time.

H. Digital changeable copy signs shall be a minimum of 100 feet from any intersection with a traffic light.

I. Only one electronic digital sign per street frontage shall be allowed.

J. A sign on which the only copy that changes is an electronic or mechanical indication of time or temperature shall be considered a "time and temperature" portion of a sign and not a changeable copy sign for purposes of this Ordinance.

SECTION 5-6 – ADMINISTRATIVE VARIANCES

The Zoning Administrator is authorized to grant administrative variances upon written application by the landowner for the number, height, setback, square footage or placement of signs in cases where unusual circumstances or a particular hardship which would make a strict interpretation of the ordinance go beyond the intent of the Town Council. Examples of cases where a variance might be granted would be as follows:

1. In areas of the town where rights-of-way are unusually large, the setback requirement may be granted a variance as the sign would be a sufficient distance from the pavement without any setback.

2. On lots where there is more than one business in separate and distinct buildings and each building could meet the subdivision requirements to be a separate lot, a variance may be granted to treat each building as a separate lot.

3. The Zoning Administrator, at his discretion, may refer any request for a variance to the Board of Zoning Appeals; likewise, the applicant may appeal any decision of the Zoning Administrator to the BZA.
### 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

**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**

<table>
<thead>
<tr>
<th>Zone</th>
<th>Present Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>RS</td>
</tr>
<tr>
<td>East</td>
<td>RS</td>
</tr>
<tr>
<td>South</td>
<td>R1 (County)</td>
</tr>
<tr>
<td>West</td>
<td>RS &amp; R1 (County)</td>
</tr>
</tbody>
</table>

**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 RS, 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.

**Planning Commission**

At their October 9, 2023 meeting, the Planning Commission voted 7-0 to recommend APPROVAL of this annexation.
Annexation Request Form

Submitted by: Stephen & Deborah Dellinger
Submitted On: 2023-08-28 12:32:21
Submission IP: (75.63.210.141)
proxy-IP (raw-IP)
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 | info@townofirmosc.com | Follow Us @TownofIrmoSC

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.
**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

* 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

**PROPERTY INFORMATION**

* What County is the property located?
  🔄 Lexington   ☑ Richland

* Tax Map Number:
  002726-08-002

* Applicant Name(s):
  Stephen & Deborah Dellinger

* Applicant Phone:
  (803)394-2181

* Applicant Email:
  StephenDellinger11@gmail.com

* Applicant Address:
  1317 Murraywood Ct, Columbia, SC 29212

* 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

* Legal Description
  1317 Murraywood Court

* Property Location/Address
  1317 Murraywood Ct, Columbia, SC 29212

* 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.
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
AN ORDINANCE TO ANNEX 0.40 ACRES OF REAL PROPERTY LOCATED AT 1317 MURRAYWOOD COURT, TMS 002726-08-002, INTO THE LIMITS OF THE TOWN OF IRMO; TO ZONE SAID PROPERTY RS, SINGLE FAMILY RESIDENTIAL; AND TO AMEND THE OFFICIAL ZONING MAP OF THE TOWN OF IRMO TO SO REFLECT

WHEREAS, a request has been presented to the Irmo Town Council by the current record titleholder of property located at 1317 Murraywood Court, TMS #002726-08-002, to annex said property into Town and to classify the property as RS, Single Family Residential; and

WHEREAS, the Town and its Planning Commission, per SC Code § 6-29-760 Procedure for enactment or amendment of zoning regulation or map; notice and rights of landowners; time limit on challenges met the State’s zoning procedural standards. Simply, notice was advertised in The New Irmo News at least fifteen days prior to the public hearing, notice was conspicuously posted on or adjacent to the property, and a public hearing was held; and

WHEREAS, the Irmo Planning Commission, during a meeting held on October 9, 2023, recommended to the Irmo Town Council to annex said property and to classify said property to the appropriate zoning classification of RS, Single Family Residential.

NOW, THEREFORE, BE IT ORDAINED and ordered by the Mayor and Town Council of the Town of Irmo, South Carolina, in Council duly assembled, that the subject parcel be annexed into the Town of Irmo; and

BE IT FURTHER ORDAINED that the Zoning Classification pertaining to the subject parcel be hereby classified as RS, Single Family Residential; and

BE IT FURTHER ORDAINED that the official zoning map of the Town of Irmo be, and the same hereby is, amended to so reflect.

PASSED AND ADOPTED this 21st day of November, 2023

Barry A. Walker, Sr., Mayor

ATTEST:

Renee Caviness, Municipal Clerk

1st Reading: October 17, 2023
2nd Reading: November 21, 2023
Public Hearing: November 21, 2023
1317 Murraywood Court Annexation, Ordinance 23 - 24

Planning Commission | October 9, 2023
Town Council | October 17, 2023 & November 21, 2023

Subject Property
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 have 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 and multi-family housing 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
7. Changes to the requirements for pools

Staff Findings

Staff recommends APPROVAL of this ordinance change.

Planning Commission

At their October 9, 2023 meeting, the Planning Commission voted 7-0 to recommend 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:

<table>
<thead>
<tr>
<th>Map Symbol</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>RS</td>
<td>Single-family Residential District</td>
</tr>
<tr>
<td>RG</td>
<td>General Residential District</td>
</tr>
<tr>
<td>CO</td>
<td>Office-Commercial District</td>
</tr>
<tr>
<td>CN</td>
<td>Neighborhood-Commercial District</td>
</tr>
<tr>
<td>CG</td>
<td>General Commercial District</td>
</tr>
<tr>
<td>LM</td>
<td>Light Manufacturing District</td>
</tr>
<tr>
<td>FA</td>
<td>Fringe Agricultural District</td>
</tr>
<tr>
<td>MD</td>
<td>Mixed-use Development District</td>
</tr>
</tbody>
</table>

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 I, 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 be consulted. The 2017-2022 (or most current) edition of the NAICS Manual is used in this Ordinance and should 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:

<table>
<thead>
<tr>
<th>Use</th>
<th>NAICS</th>
<th>RS</th>
<th>RG</th>
<th>CO</th>
<th>CN</th>
<th>CG</th>
<th>LM</th>
<th>FA</th>
<th>Parking Standards¹</th>
</tr>
</thead>
<tbody>
<tr>
<td>Food and beverage stores</td>
<td>445</td>
<td>C</td>
<td>C</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>C</td>
<td></td>
<td>1.0 per 350 s.f. GFA</td>
</tr>
<tr>
<td>Convenience stores</td>
<td>44512</td>
<td>C</td>
<td>C</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>C</td>
<td></td>
<td>1.0 per 350 s.f. GFA</td>
</tr>
<tr>
<td>Farmers markets</td>
<td>445230</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
<td>1.0 per 350 gross parcel area</td>
<td></td>
</tr>
<tr>
<td>Specialty food stores</td>
<td>4452</td>
<td>C</td>
<td>C</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>C</td>
<td></td>
<td>1.0 per 350 s.f. GFA</td>
</tr>
</tbody>
</table>

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:

<table>
<thead>
<tr>
<th>Use</th>
<th>NAICS</th>
<th>RS</th>
<th>RG</th>
<th>CO</th>
<th>CN</th>
<th>CG</th>
<th>LM</th>
<th>FA</th>
<th>Parking Standards¹</th>
</tr>
</thead>
<tbody>
<tr>
<td>Waste management and remediation services</td>
<td>562</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1.0 per 500 s.f. GFA</td>
</tr>
<tr>
<td>Solid waste collection</td>
<td>56211</td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1.0 per 500 s.f. GFA</td>
</tr>
<tr>
<td>Septic tank and related services</td>
<td>56299</td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1.0 per 500 s.f. GFA</td>
</tr>
</tbody>
</table>

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 OfficialZoning 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 OfficialZoning 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

<table>
<thead>
<tr>
<th>Use</th>
<th>NAICS</th>
<th>RS</th>
<th>RG</th>
<th>CO</th>
<th>CN</th>
<th>CG</th>
<th>LM</th>
<th>FA</th>
<th>Parking Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Agriculture, forestry, fishing and hunting</strong></td>
<td>11</td>
<td></td>
<td></td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
<td>None</td>
</tr>
<tr>
<td>Crop production</td>
<td>111</td>
<td></td>
<td></td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
<td>None</td>
</tr>
<tr>
<td><strong>Urban garden</strong></td>
<td>111</td>
<td>C/ SE</td>
<td>C/ SE</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
<td>None</td>
</tr>
<tr>
<td>Seasonal roadside produce stands</td>
<td>111</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
<td>2.0 per stand</td>
</tr>
<tr>
<td><strong>Animal production and aquaculture</strong></td>
<td>112</td>
<td></td>
<td></td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
<td>None</td>
</tr>
<tr>
<td>Forestry and logging</td>
<td>113</td>
<td></td>
<td></td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
<td>None</td>
</tr>
<tr>
<td>Fishing, hunting, and trapping</td>
<td>114</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Use</td>
<td>NAICS</td>
<td>RS</td>
<td>RG</td>
<td>CO</td>
<td>CN</td>
<td>CG</td>
<td>LM</td>
<td>FA</td>
<td>Parking Standards1</td>
</tr>
<tr>
<td>---------------------------------------------------</td>
<td>--------</td>
<td>------</td>
<td>------</td>
<td>----</td>
<td>----</td>
<td>----</td>
<td>----</td>
<td>----</td>
<td>------------------</td>
</tr>
<tr>
<td>Vending machine operators accessory use9</td>
<td>45421</td>
<td>C</td>
<td>C</td>
<td>P</td>
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<td>Single-family (including modular)</td>
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<td>Townhouses, patio homes, multi-family (see conditional uses for townhouses and patio and zero lot line houses)</td>
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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.

H. 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.

I. Rear yards, where enclosed, shall be by a masonry or brick wall not less than six feet in height.

J. Where proposed for the RG district, maximum density of a townhouse project shall not exceed four units per acre.

K. The building façades shall alternate between units.

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

H.1. 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-cigarete 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

<table>
<thead>
<tr>
<th></th>
<th>FA</th>
<th>RS</th>
<th>RG</th>
<th>CO</th>
<th>CN</th>
<th>CG</th>
<th>LM</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum lot Size (square feet)</td>
<td>43,560</td>
<td>12,500</td>
<td>(E)</td>
<td>6,000</td>
<td>6,000</td>
<td>6,000</td>
<td>NA</td>
</tr>
<tr>
<td>Width at front buildable line (feet)</td>
<td>150</td>
<td>70</td>
<td>60</td>
<td>60</td>
<td>60</td>
<td>60</td>
<td>60</td>
</tr>
</tbody>
</table>

Minimum yard & building setback in feet (F)

<table>
<thead>
<tr>
<th></th>
<th>Front (A)</th>
<th>Side</th>
<th>Rear</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Residential</td>
<td>Non-residential</td>
</tr>
<tr>
<td>Major street – multi-lane (refer to major street definition)</td>
<td>25</td>
<td>25</td>
<td>25</td>
</tr>
<tr>
<td>Major street - two lane</td>
<td>40</td>
<td>40</td>
<td>40</td>
</tr>
<tr>
<td>Minor street (refer to definition)</td>
<td>1520</td>
<td>1520</td>
<td>1520</td>
</tr>
<tr>
<td>Maximum height (ft.) (B)</td>
<td>40</td>
<td>40</td>
<td>40</td>
</tr>
<tr>
<td>Maximum residential density (C)</td>
<td>1</td>
<td>4</td>
<td>16</td>
</tr>
<tr>
<td>Maximum floor area ratio:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Non-residential uses (D)</td>
<td>NA</td>
<td>0.25</td>
<td>0.25</td>
</tr>
</tbody>
</table>

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
3-8.6 Swimming Pools and Spas

Swimming pools and spas shall be enclosed and include a self-closing and self-latching gate of 48” (inches) minimum height. Swimming pools and spas shall be enclosed in accordance with the applicable standards of the International Building Code, such as by a self-latching gate of 48” minimum height or, if accessible only through a dwelling or structure, an alarm that produces an audible warning shall sound when windows, doors or screens less than 48” above the indoor finished floor are opened. Pools must be maintained with clean water (stagnation and/or fungus must be removed) or the pool must be drained.

Section 3-9 Number of Principal Buildings Per Lot

Where permitted or conditionally permitted by Table 1 no more than one single-family dwelling, manufactured home, duplex, or patio home is allowed per lot. Refer to conditional uses for accessory apartments.

Where more than one principal building for all other uses is located on a lot, the required setbacks for the district shall be maintained along all property lines, and distances between principal buildings shall be approved by the fire chief prior to permitting.

Section 3-10 Visibility at Intersections

Railroad, street, and driveway intersections shall be unobstructed from the vision of motorists, pedestrians, and other possible users. No plantings or vegetation shall be placed or maintained, and no sign, fence, building, wall, or other structure shall be located, in a visual clearance area within an intersection. Sight distance standards, as determined by the South Carolina Department of Transportation (SCDOT), are described herein.

3-10.1 Visual Clearance Area

Visual Clearance Area - An area with a height of between two and one-half (2½) feet and ten (10) feet, measured from the upper edge of the curb or pavement, and located within an intersection or driveway sight triangle, where no sign, planting, fence, building, wall, or other structure shall be located. Exception: Poles and support structures less than twelve (12) inches in diameter may be permitted in such areas.

Visual Clearance Area
AN ORDINANCE TO AMEND APPENDIX A – ZONING AND LAND DEVELOPMENT; ARTICLE 1 – ESTABLISHMENT OF ZONING DISTRICTS, PURPOSE OF DISTRICTS, AND RULES FOR THE INTERPRETATION OF DISTRICT BOUNDARIES; ARTICLE 2 – PRIMARY ZONE DISTRICT REGULATIONS; AND ARTICLE 3 – ZONING REGULATIONS FOR USE OF LOTS

WHEREAS, the Town of Irmo desires to strengthen its Code of Zoning and Land Development Regulation, amending said Code to address noted errors, omissions, vague language, and add appropriate standards; and

WHEREAS, the following text amendment to the Town of Irmo Code of Zoning and Land Development Regulations has been proposed through collaboration with the Planning Commission; and

WHEREAS, the Planning Commission, at their October 9, 2023, meeting, voted to recommend approval of this amendment, as attached; and

WHEREAS, Council wishes to amend the Code of Municipal Ordinance as attached;

NOW, THEREFORE, BE IT ORDAINED and ordered by the Mayor and Town Council of the Town of Irmo, South Carolina, in Council duly assembled on this 21st day of November, 2023, that the Town of Irmo Code of Municipal Ordinance is hereby amended.

PASSED AND ADOPTED this 21st day of November, 2023.

Barry A. Walker, Sr., Mayor

ATTEST:

Renee Caviness, Municipal Clerk

1st Reading: October 17, 2023
2nd Reading: November 21, 2023
ORDINANCE 23 – 25

Changes to the Zoning and Land Development Regulations, Article 1 - Establishment of Zoning Districts, Purpose of Districts, and Rules for the Interpretation of District Boundaries

Section 1-2 Purpose of Districts

Remove the following paragraph:

CO, Office-Commercial district. The CO district is intended to accommodate office, selected service, institutional 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.

and replace as shown:

CO, Office-Commercial district. The CO district is intended to accommodate office, selected service, and institutional 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.

Changes to the Zoning and Land Development Regulations, Article 2 – Primary Zone District Regulations

Section 2-2 Use of Table 1

Remove, in its entirety, Section 2-2 Use of Table 1 and replace with the following:

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 shall be consulted. The 2022 (or most current) edition of the NAICS Manual is used in this Ordinance and 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:
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 should be permitted, and no others. Example:

<table>
<thead>
<tr>
<th>Use</th>
<th>NAICS</th>
<th>RS</th>
<th>RG</th>
<th>CO</th>
<th>CN</th>
<th>CG</th>
<th>LM</th>
<th>FA</th>
<th>Parking Standards¹</th>
</tr>
</thead>
<tbody>
<tr>
<td>Waste management and remediation services</td>
<td>562</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1.0 per 500 s.f. GFA</td>
</tr>
<tr>
<td>Solid waste collection</td>
<td>562111</td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1.0 per 500 s.f. GFA</td>
</tr>
<tr>
<td>Septic tank and related services</td>
<td>562991</td>
<td>P</td>
<td>P</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1.0 per 500 s.f. GFA</td>
</tr>
</tbody>
</table>

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 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 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 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.
ORDINANCE 23 – 25

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 nineteen 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

Add the following:

| Cigarette & Cigar Stores; Vape Shops | 459991 |   |   | SE | SE | 1.0 per 350 s.f. GFA |
| Day Care Centers | 624410 | P | P | P |   | 1.0 per 350 s.f. GFA |

Remove the Sections for Single-Family (including modular), Two-Family (duplex), and Townhouses, Patio Homes, Multi-Family and replace with the following:

| Single-Family (including modular) | P | P |   | P | 2.0 per unit |
| Two-Family (Duplex) | P |   |   |   | 2.0 per unit |
| Patio Homes | P | P |   |   | 2.0 per unit |
| Townhouses and Multi-Family | C |   |   |   | 2.1 per unit |
2-3.5(A) Conditional Uses for Townhouses

Remove in its entirety and replace with the following:

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 2,000 square feet per unit, on average.
   C. Not more than 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.
   H. 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.
   I. The building façades shall alternate between units.
   J. Where proposed adjacent to single-family detached neighborhoods, the Planning Official may require additional screening and/or buffering to protect adjoining single-family residents.

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

Add the following section:

   A. A Tobacco/Vape Smoke Shop is defined as 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.

**Changes to the Zoning and Land Development Regulations, Article 3 – Zoning Regulations for Use of Lots**

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

*Remove the line referring to Minor Street Front Setbacks and replace with the following:*

<table>
<thead>
<tr>
<th>Minor Street (refer to definition)</th>
<th>20</th>
<th>20</th>
<th>20</th>
<th>20</th>
<th>20</th>
<th>20</th>
<th>20</th>
</tr>
</thead>
</table>

Section 3-8.6 Swimming Pools and Spas

*Remove section entirely and replace with the following:*

Swimming pools and spas shall be enclosed in accordance with the applicable standards of the International Building Code, such as by a self-latching gate of 48” minimum height or, if accessible only through a dwelling or structure, an alarm that produces an audible warning shall sound when windows, doors or screens less than 48” above the indoor finished floor are opened. Pools must be maintained with clean water (stagnation and/or fungus must be removed) or the pool must be drained.
On July 26th, 2023, a Request for Proposals was publicly solicited for the design/build of a new skatepark to be located within Rawls Creek Park.

The Town received two bids which were reviewed by a selection committee. After careful consideration, the committee is recommending that 5th Pocket Skateparks be awarded a contract to design & build a 7,000 sq. ft. street area and 1,200 sq. ft. bowl for $356,400.

This recommendation was presented to the Council at the October 3 Workshop.

Funding can be accomplished by using Hospitality Funds. Staff will also submit for a second PARD Grant (80/20 match). Grant funding is dependent on delegation approval and available PARD funds in Richland County.

Staff has negotiated a contract with 5th Pocket for approval. If approved, the contractor would start the permitting process with construction beginning by fall 2024 and completed by December 2024.

Recommendation

Approval of a contract with 5th Pocket Skateparks in the amount of $356,400.
Date: August 30th, 2023  
To: B2023-02 Proposal Selection Committee  
From: Courtney Dennis - Town Administrator  
Re: Skate Park Proposal  

On August 24th, 2023, the Town of Irmo received two (2) Bid Proposals to design and build a Skate Park as described in the scope of B2023-02.

Proposals were received from:

- 5th Pocket Skate Park
- Grindline Skateparks, Inc.

CRITERIA FOR AWARD:

The Town reserves the right to refuse the proposals of any unqualified company. Further, any proposals submitted by respondents shall be considered the exclusive property of the Town and will not be returned to the respondent. The received proposals will be reviewed and selected by Town staff and members of the local skate community.

A Selection Committee was established by the Town Administrator consisting of the following five (5) members who were provided copies of the proposals:

Courtney Dennis – Town Administrator  
Doug Polen – Assistant Town Administrator  
Whitt Cline – Public Works Director  
Larry Watts – Hybrid Engineer  
Marie Ryan – Irmo Skate Park Committee Chair

EVALUATION PROCEDURE:

On August 30, 2023, the Selection Committee gathered and started the evaluation of each proposal while giving weight based on the following information:

Contractor Experience  30%  
Design Concept  50%  
Timeliness  10%  
Warranties on Workmanship  10%
These two firms were then interviewed by the committee. During the interview process, the short-listed firms were given the opportunity to discuss anticipated methods and their approach for furnishing the required services, and to seek further clarification of the project elements.

Based on the proposals and interviews with the short-listed firms, the Selection Committee has selected one firm for contract negotiation. Based upon the firm’s price proposal, the Committee will attempt to negotiate a scope of services and contract price that is satisfactory to the Town and firm. Upon completion of the negotiations, the committee will make its recommendation to the Irmo Town Council for consideration.

**SELECTION PROCESS:**

The Town shall select the most qualified respondent based on the Evaluation Criteria listed in this solicitation. In making this decision, the Town shall consider all established evaluation criteria listed herein. Each response shall be subject to the same review and evaluation process.

On 9/26/2023, the Selection Committee has selected 5th Pocket Skate Parks to be recommended to the Irmo Town Council for consideration.

Courtney Dennis
Doug Polen
Whitt Cline
Larry Watts
Marie Ryan
To whom it may concern,

5th Pocket Skateparks designs and builds custom concrete skateparks for a wide range of clients, both public and private. We work hand in hand with our clients, guiding them through our design process to further understand project needs and create a design/plan that is custom to your skatepark. Our unique approach to skatepark design is tailored to each project no matter what the existing site conditions or budget limitations may be.

5th Pocket customizes its design/build process to each community’s vision, allowing us to design and build skatepark features that are unique to every project; whereas using prefabricated or modular structures in this process can lead to underutilized space and designs that don’t integrate properly or safely into your park and the surrounding amenities. No two 5th Pocket parks are the same. Our design/build process is custom to the surrounding landscape.

5th Pocket Skateparks is based outside of Philadelphia PA. We want all of the surrounding communities in the tri-state area to have access to creative and professional skatepark design/build services no matter what their budget is. Because we are locally based we can mobilize our operations cheaply and provide high quality skatepark services within any size budget. We are not a company that is solely based on profits. 5th Pocket was born from volunteering, and giving back to the local skate community is a cornerstone of our mission.

Inside this proposal you will find estimates for the design and construction services we offer, previous concept designs and construction projects we have contracted for similar scope projects, and an overview of our company’s mission and experience. If you have any questions or concerns feel free to contact us personally.

Sincerely,
Jesse Clayton/Sloan Palder
Design & Construction Proposal -
DESIGN AND CONSTRUCTION SERVICES FOR
THE DEVELOPMENT OF A SKATE PARK

Index:

1.0 - PROJECTED QUOTE
2.0 - SKATEPARK AMENITIES
3.0 - DESIGN RENDERINGS
4.0 - COMPANY BACKGROUND
5.0 - COMPANY EXPERIENCE
6.0 - SIGNATURE PAGE
The attached design was developed through public design meetings held at Bluetile Skateshop in collaboration with the Irmo Skatepark Committee. This design takes into account the specific topography of the site with surveys provided by Larry Watts at Hybrid Engineering. We performed a site visit and walkthrough with Larry to discuss site specific details and the overall plan for the site's other amenities. The total square footage of this design is 8,500 sqft. The bowl is 2,200 sqft and the street area is 7,300 sqft. For the proposed budget we would offer a 7,000 sqft version of the street area contained in this design. We believe that a successful skatepark project offers a unique and diverse group of elements. We believe that having a modest 1,200 sqft bowl would add a very beneficial element to this project so we are adding it to our quote as an alternate if the skatepark committee can manage fundraising through in kind donations or private donors.

CONSTRUCTION SERVICES PROVIDED

<table>
<thead>
<tr>
<th>Service Description</th>
<th>Sq Ft</th>
<th>Rate Per Sq Ft</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Skatepark Construction (Street Area)</td>
<td>7,000</td>
<td>$43</td>
<td>$300,000</td>
</tr>
<tr>
<td>Skatepark Construction (Alternate Bowl)</td>
<td>1,200</td>
<td>$47</td>
<td>$56,400</td>
</tr>
</tbody>
</table>

Material breakdown for 7,000 sqft skatepark

- 230 yards concrete: $37,000
- 850 pcs #3 rebar: $7,000
- Form lumber: $6,000
- Clean fill/gravel 200 yards: $12,000
- 180ft of 2" sch 40 steel pipe: $2,000
- 160ft of 2x2x3/16" steel tube: $1,800
- Consumables: $1,500
- Misc: $1,500
- Equipment rentals: $20,000
SKATEPARK AMENITIES
Section 2.0

1. BANK TO CURB
2. LEDGES
3. HUBBA/BUMP TO LEDGE
4. DOWN RAIL/BUMP TO RAIL
5. MANUAL PAD
6. FLATR BAR
7. QUARTER PIPE
8. BOWL POCKET
9. STEEP HIP
10. FLAT BANK HIP
11. CHINA BANK
12. BANK TO LEDGE
13. EURO GAP
14. BOWL
PHILADELPHIA’S ONLY SKATER OWNED AND OPERATED
SKATEPARK DESIGN AND BUILD COMPANY:

5th Pocket Skateparks in a benefit corporation based in Langhorne, PA. We specialize in skatepark design and construction, as well as design consulting and construction management. We strive to offer an economical alternative to prefab parks while not compromising quality and creativity in skatepark design. Our unique designs will encourage progression in all styles and skill levels of skateboarding without creating a dangerous environment for beginners. We offer services regarding any step in the skatepark design/build process. Public or private, 5th Pocket can provide all the services necessary to make the skate space you are looking for a reality. We are experienced in all aspects of skatepark development, with over ten years of experience in cast in place concrete. From installation of drainage systems and earthwork to complex multi radius concrete forms and vertical and horizontal radius shotcrete, 5th Pocket Skateparks provides turn key services with any and all fabrication in the skatepark process.
Lansdale Skatepark
Lansdale, PA - 2020

Project Reference:
Karl Lukens-Lansdale Borough Rec
Director (267) 246-8042
Klukens@lansdale.org

Finished in 2020, Lansdale Skatepark was designed/built with input from local skaters of all ages and skill levels. Since 2014 our team has been in close conversation with the local skatepark committee about this project when it was just a hope and a dream. Lansdale skatepark is a great example of what can be achieved through constant persistence and resilient motivation.

"Honestly there was a point throughout the years that I thought this park wouldn't ever get built. 5th Pocket always kept the fire burning and I am so grateful to be able to come here everyday!"
-CJ Harker, local skater
Middletown Skatepark
Langhorne, PA - 2019

Project Reference:
Paul Kopera - Middletown Parks/Rec
(215) 262-5469
pkopera@middletownbucks.org

Finished in 2019, Middletown Skatepark was designed/built in place of an old defunct pre-fab skatepark we grew up skating at. Working closely with the township/locals we were able to provide a skatepark that fully addressed the needs of local skatepark goers. Ultimately, we were able to complete this project under budget and quicker than was proposed.

"The skatepark turned out greater than I could have ever imagined. Thank you 5th Pocket for everything you do!"
-Tom Barret, local skater
COMAPNY EXPERIENCE
Section 5.0

Bernie Cooke Skatepark
Brick, NJ - 2018

Project Reference:
Tony Vlahos - General Contractor,
Precise Construction
(732) 616-4780
tony@pcinj.com

Constructed in 2018, Bernie Cooke skatepark was designed/built as a piece of an overall city park redevelopment project. This skatepark is a great example of what can be achieved when adding a diverse number of features which complement one another. Bernie Cooke offers a place for all skaters of any ability to learn and grow. By designing and building, we were able maximize the budget and overall footprint of the skatepark.

"Good job 5th Pocket Skateparks. This will be the best park in New Jersey."
- Kevin Winters, local skater
REQUEST FOR PROPOSALS
B2023-02
SKATE PARK
DESIGN/BUILD

Contact Information

The following form should be completed and submitted with your proposal.

Company Name: 5th Pocket Skateparks

Address: 504 Bridle Dr

City, State, Zip: Langhorne, PA 19047

Phone Number: 609-658-7905

Fax Number:

E-mail Address: info@5thpocketskateparks.com

Printed Name of Authorized Agent: Sloan Palden

Title: Owner

Date: 8/17/2023
5th Pocket Skateparks
(215) 208-6070
504 Bridle Dr. Langhorne, Pennsylvania
info@5thpocketskateparks.com

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Staff Report

Bid Acceptance – First Responder’s Memorial

DATES: Town Council First Reading: October 17, 2023
TO: Iromo Town Council
FROM: Courtney Dennis, Town Administrator
SUBJECT: Bid for the First Responder’s Memorial
ACTION REQUESTED: Consideration of a bid by Monument Warehouse, LLC to construct the proposed First Responder’s Memorial

Background

The Town First Responder’s Memorial Committee received one bid for the proposed memorial, from Monument Warehouse, LLC in Elberton, Georgia. Five members of the Committee – Police Chief Bobby Dale, Councilman Bill Danielson, Police Lt. Andrea Grinstead, Jean How, and Kirk Luther – met on Thursday, October 12 and reviewed the three separate proposals from Monument Warehouse, recommending Option 2, Premium Jet Black Granite for $105,000.

Recommendation

Accept the bid from Monument Warehouse for an amount not exceeding $105,000.
EXHIBIT A: BID FORM
FIRST RESPONDERS MEMORIAL RFP NO. B2023-03

Bidder’s Name: Monument Warehouse LLC

The undersigned, having become familiar with the existing conditions and the bid specifications, hereby proposes and agrees, if this bid is accepted, to furnish all supervision, technical personnel, labor, materials, machinery, tools, appurtenances, equipment, and services to complete the work as described in the specifications in accordance with the Invitation for Bids.

PLEASE ATTACH AN ADDITIONAL SHEET ITEMIZING BIDS, BIDDING ON EACH INDIVIDUAL PROJECT FOR WHICH YOU ARE INTERESTED IN BIDDING
NOTE: THERE ARE THIRTEEN (13) INDIVIDUAL PROJECTS

Bidder accepts all of the terms and conditions, including without limitations those dealing with the disposition of bid security.

In submitting this bid, BIDDER represents that:

1. Bidder has examined all documents and of the following addenda:
   Addendum No. Date
   ______________________  ______________________
   N/A  N/A

2. Bidder □ has ☒ has not examined site and locality where work is to be performed, legal requirements (federal, state, and local laws, ordinances, rules, and regulations), and conditions affecting cost, progress, or performance of work and has made such independent investigations as Bidder deems necessary.

3. Bidder warrants that no gratuities, in the form of gifts, entertainment, or otherwise, were offered or given by the Bidder to any officer or employee of the Town to secure the bid or secure favorable treatment.

4. This bid is genuine and not made in the interest of or on behalf of any undisclosed person, firm, or corporation and is not submitted in conformity with any agreement or rules of any group, association, organization, or corporation; Bidder has not directly induced or solicited any other Bidder to submit false or sham bids; Bidder has not solicited or sought by collusion to obtain for itself any advantage over any other Bidder or Owner.

5. It is understood and agreed that the quantities shown herein are approximates only and are subject to increase or decrease.

6. SC Contractor License #: N/A Irmo Business License #: Will apply if the bid is chosen
7. BIDDER REFERENCES & PAST EXPERIENCE (MINIMUM OF THREE (3))

Company Name: ____________________________________________________________________
Please refer attached - Past Projects

Address: ____________________________________________________________________________

Contact Person and Title: __________________________________________________________________

Phone: __________________________ Email: __________________________

Scope of Work: _______________________________________________________________________

Company Name: ____________________________________________________________________
Please refer attached - Past Projects

Address: ____________________________________________________________________________

Contact Person and Title: __________________________________________________________________

Phone: __________________________ Email: __________________________

Scope of Work: _______________________________________________________________________

Company Name: ____________________________________________________________________

Address: ____________________________________________________________________________

Contact Person and Title: __________________________________________________________________

Phone: __________________________ Email: __________________________

Scope of Work: _______________________________________________________________________

8. NAME OF INSURANCE CARRIERS (Include Certification(s) of Insurance)

General Liability  Hartford Accident & Indemnity  Expires 09/29/2024

Auto Liability  Grange Mutual Casualty Company  Expires 08/10/2024

Worker’s Compensation  State Auto  Expires 04/30/2024

I am authorized to make representations and decisions, binding the firm to this bid. I attest the
information provided is true and accurate.

Signature of Authorized Person  10/02/2023

President  Title

Print Name  Ganesh Muruganantham
Monument Warehouse LLC,
1551 Mineral Springs Rd,
Elberton GA 30635

Contact
Ganesh Muruganantham, President
(800) 300-8025 x 3102  gm@monumentwarehouse.com

Reference
FEIN: 27-1740331  Unique Entity ID: ZA4MNCZDJG87
DUNS: 053139750  Cage: 88ZQ2

We are a Quarrier, Manufacturer, Designer and Builder of lasting, and meaningful work of art in Granite, Marble, Porcelain, Bronze, and Stainless steel. From the quarry to installation, and concept to completion we do it all.

With over 250,000 square feet of built-up area, our own worldwide manufacturing and distribution facilities specializing in crafting monuments and memorials that we proudly call it ours. Based out of Elberton GA - "The granite capital of the world", we build memorials that are larger than life and often the best tribute that anyone could have built.

We are engineers, builders, craftsmen, designers, artists, sculptors, stone masons, graphics designers, CAD draftsmen, computer programmers, robotics engineers with decades of expertise in memorial building. Above all we are driven by passion. Passion to make a difference in our own unique ways.

We operate our own quarries and factories that manufacture the monuments. We use our own infrastructure for a seamless integration of the entire supply chain. This allows us to have complete control over the quality of the process.

Monument Warehouse LLC, 1551 Mineral Springs Rd, Elberton GA 30635
(800) 300-8025  www.monumentwarehouse.com  gm@monumentwarehouse.com
We have over 750 wholesale customers in the monument industry - Retail monument dealers, funeral homes, and cemeteries. Apart from wholesale, we work with veterans organizations, government agencies and independent organizations to help design and build large civic memorials, war memorials and memorial parks consisting of monuments, benches, statues, pavers, utilities for lighting, acoustics, water and fire features.

**Highlight**
Quarry Direct - From the Quarries to the installation - We are one single source
Infrastructure - Own quarries, factories worldwide with over half a million square feet of manufacturing infrastructure. About 200,000 square feet of production and warehousing space in India and about 200,000 square feet of production and distribution facilities in Georgia and Indiana.
Design capabilities - In house CAD/CAM department with experience in modern drafting and manufacturing software and tools.

**Key Personnel**
Ganesh Muruganantham - President - Mechanical engineer and an MBA from Cleveland State University. Worked in the industry for over 30 years.
Senthil Muruganantham - Vice President - Civil engineer and Architect from The Ohio State University. Worked in the industry for over 25 years.
Divya Muruganantham - Vice President - Textile engineer with over 15 years of experience in project design and management.

**Current line of business**
We design, manufacture, engrave and distribute granite monuments for funeral homes, cemeteries, and monument dealers nationwide. We help create meaningful civic monuments by working with government agencies and veterans organizations.

Monument Warehouse LLC, 1551 Mineral Springs Rd, Elberton GA 30635
(800) 300-8025  [www.monumentwarehouse.com](http://www.monumentwarehouse.com)  gm@monumentwarehouse.com
Pictures of our facility

Monument Warehouse LLC, 1551 Mineral Springs Rd, Elberton GA 30635
(800) 300-8025 www.monumentwarehouse.com gm@monumentwarehouse.com
October 2, 2023

Monument Warehouse LLC,
1551 Mineral Springs Rd,
Elberton GA 30635
(800) 300-8025
gm@monumentwarehouse.com

CONCEPT TO INSTALLATION - ALL UNDER ONE ROOF
QUARRY DIRECT - FROM OUR QUARRIES TO YOU

At Monument Warehouse we are fortunate to work with materials that are larger than life, permanent, long lasting, and help create work of art that is meaningful for years and generations to come by. We have over 45 years experience in the granite industry. We have manufactured and completed memorial projects directly through our inhouse team and indirectly through our network of dealers nationwide. We have attached pictures and details of our past and current projects.

We are honored to provide our proposal for the First Responders Memorial - Town of Irmo, SC.

Highlights
All Granite Construction
All the above grade materials we propose to use for the memorial is 100% all natural granite. All the monuments, benches and pavers will be made out of the granite chosen by the customer. All decorative elements for logos, emblems will be made out of high quality, all weather resistant porcelain from Italy.

We propose to use the lighting and any other decorative features using stainless steel, bronze or any material that is resistant to weathering.

Turnaround time - 180 days from the date of final approval.

We have worked with Florence County SC for Florence County Service Memorial honoring the first responders. This project is about to be completed this month. Please refer to the scope in the attached Past Projects information.

I will be glad to provide you with any additional information.

Sincerely,

Ganesh Muruganantham
President
Monument Warehouse LLC, 1551 Mineral Springs Rd, Elberton GA 30635
(800) 300-8025  www.monumentwarehouse.com  gm@monumentwarehouse.com
Proposal - Proposal price does not include South Carolina State Sales Tax

FIRST RESPONDER'S MEMORIAL - TOWN OF IRMO, SOUTH CAROLINA

Design, build, installation of First Responders Memorial - Per Bid Specifications. Obelisk monument, curved benches, 25ftx25ft Granite Pavers with engraving information for the donors. All site work including excavation, grading, concrete foundation, paver base, installation, permits and regulatory approvals.

Option 1: Blue Gray Granite - $95,400.00
FIRST RESPONDER'S MEMORIAL - TOWN OF IRMO, SOUTH CAROLINA

Design, build, installation of First Responders Memorial - Per Bid Specifications. Obelisk monument, curved benches, 25ftx25ft Granite Pavers with engraving information for the donors. All site work including excavation, grading, concrete foundation, paver base, installation, permits and regulatory approvals.

Option 2: Premium Jet Black Granite for the Monument and Benches - $105,000.00

Option 3: Morning Rose Granite for the Monument and Benches - $113,200.00
REFERENCES AND PROJECTS DONE BY US

World War II Memorial
6 Hayden Rowe St, Hopkinton, MA 01748

Nicole Brastos 508-435-2139 x1408 nbratsos@hopkintonma.gov

Completion May 2023
Duration 6 Months
REFERENCES AND PROJECTS DONE BY US

Oakwood Cemetery Memorials

Oakwood Cemetery Chapel, Oakwood Cemetery, Austin TX

Jennifer Chenoweth (512) 978-2310 Jennifer.Chenoweth@austintexas.gov

Completion  May 2023
Duration    6 Months
REFERENCES AND PROJECTS DONE BY US

Korean War Memorial America-Korean Alliance Peace Park
Completion Sept 2020
Duration 6 Months

Korean War Memorial 127 S Main St Suite 2 North Wales PA 19454

Master Yang (215) 661-1884 yangsmartialart@gmail.com
REFERENCES AND PROJECTS DONE BY US

Couch Cemetery - Town of Marshfield - Marshfield MA

Completion Aug. 2020

DPW/Engineering Department 870 Moraine Street Marshfield, MA 02050

Duration 5 Months

Tom Molinari Engineer (781) 834-5561 tmolinari@townofmarshfield.org

This granite cremation niche columbarium is a part of the cremation garden project that is done for the Town of Marshfield.
REFERENCES AND PROJECTS DONE BY US

Groveland Four Memorial - Lake County FL

Lake County FL 315 W. Main St, Ste 441 Tavares FL 32778

Completion Feb. 2020

Duration 5 Months

Ronald A. Falanga (352) 343-9424 rfalanga@lakecountyfl.gov
REFERENCES AND PROJECTS DONE BY US

STONE MEMORIAL FOR FALLEN NJ SERVICE MEMBERS

Department of Defense, USAG Picatinny Arsenal NJ 07885

Completion Oct. 2019
Duration 6 Months

Rachael Gullette (973) 724-8994 rachael.k.gullette.civ@mail.mil
REFERENCES AND PROJECTS DONE BY US

Hancock County Veterans Memorial Park, Greenfield IN

City of Greenfield 116 S State St Greenfield, IN 46140

Rick Walker (317) 462-3860 MrRichardWalker@att.net

Completion May 2011
Duration 8 Months
REFERENCES AND PROJECTS DONE BY US

Memorial for Michael Jackson - Gary IN  
City of Gray Gary IN

Completion  July 2009
Duration    2 Days

This is the only monument for the “King of Pop” Michael Jackson. We conceived, designed, manufactured and installed this monument in a record breaking time of 40 hours.
REFERENCES AND PROJECTS Completed
War at Home
Completion April 2022
City of Broken Arrow Broken Arrow OK

REFERENCES AND PROJECTS IN PROGRESS
RoseHill Cemetery - Columbarium - City of Idaho Falls ID
Completion Oct. 2022
Public Safety Memorial - Judicial Center
Florence County Florence SC 29501

REFERENCES AND PROJECTS IN PROGRESS
Pinewoood Cemetery - Columbarium Niches - City of Winter Park
Winter Park FL

Completion Oct. 2023
Completion Sept. 2023
REFERENCES AND PROJECTS IN PROGRESS

United States Secret Services - Design and Installation of Fallen Agent Memorial - JJRTC

Completion Sept 2023
Staff Report

Approval of Grant Agreement

DATE: Council Meeting: October 17th, 2023
TO: Irmo Town Council
FROM: Courtney Dennis, Town Administrator
SUBJECT: Legislative Grant Agreement
ACTION REQUESTED: Approval of the SCPRT Legislative Grant Agreement to secure $500,000 towards the New Town Hall Project

Background

During the recent legislative session, our lobbyist was able to work with the legislators to consider funding assistance for our New Town Hall Project.

Representative Nathan Ballentine submitted a request through the budget process to earmark $500,000 toward the project.

With the passage of the State Budget, the earmark was approved, and agreements have been prepared for the Council’s consideration.

Staff Findings

The agreement through the South Carolina Department of Parks, Recreation & Tourism (SCPRT) has been reviewed by our Town Attorney, and are confident that we can meet the requirements of the grant.

Once a Program Management Firm has been selected (currently under review), we will coordinate with them to assist in maintaining compliance with the grant requirements.

Recommendation

Approval of a Legislative Grant Agreement with SCPRT for $500,000.
South Carolina Department of Parks, Recreation & Tourism

LEGISLATIVE/EARMARKED AWARD AGREEMENT

Grantee: Town of Irmo

Project Name: Irmo Town Hall

Grant Period: October 4, 2023 – June 30, 2024

Grant Award: $500,000.00

South Carolina Department of Parks, Recreation and Tourism (SCPRT) does commit and grant to the Grantee, the sum in dollars set forth in the terms and conditions below for the project identified in Section 2 below. The acceptance of the Agreement and the Application for Grant, which is incorporated herein by reference, creates a contract between SCPRT and the Grantee, legally binding the Grantee to carry out the activities and obligations set forth in the Application and this Agreement, all in accordance with the terms and conditions set forth in this Agreement and in any appendices and any other documents or conditions attached herein and incorporated herein by reference.

Section 1: DEFINITIONS:
(a) Agreement means this Grant Award Agreement.

(b) Application means the Grant Program application forms submitted by the Grantee to SCPRT.

(c) SCPRT means the South Carolina Department of Parks, Recreation & Tourism.

(d) Grant means the dollars committed by SCPRT to the Grantee for the project.

(e) Grantee means the unit of government or organization designated for the Grant and set forth above.

(f) Project means the project identified and described in the Application.

(g) State means the State of South Carolina and any agencies or offices thereof.

Section 2: PROJECT DESCRIPTION: Build a new Town Hall Facility
Section 3: AMENDMENTS: Any changes in the scope of work of the grant must be submitted in writing by the Grantee to SCPRT, and such request must clearly identify the need for the change or relief. Any adjustment granted by SCPRT shall be appended to this Agreement as an amendment.

Section 4: PERFORMANCE: By acceptance of this Grant, the Grantee warrants that it will complete or cause to be completed the activities as described in the approved Application, including any approved amendments appended hereto. Should Grantee fail to cause the completion of all or part of the Project, SCPRT shall be entitled to reimbursement from the Grantee of any Grant funds that were received by the Grantee for any work that was not performed as determined by the review of the final close report as provided for in Section 6 below.

Section 5: FUNDING OVERRUNS/UNDERRUNS: The Grantee agrees that it will return surplus Grant funds that result from project cost underruns, and that it will commit and provide monies from its own resources for cost overruns that are required to complete the Project. This Agreement creates no obligation on the part of SCPRT or the State to provide funds for the cost overruns.

Section 6: REPORTING: The Grantee must submit to SCPRT an accounting of the expenditures of Grant funds by June 30th of each fiscal year until the project is complete. The Grantee must submit a final report within 90 days of completion of the project. The report must include a final accounting of all funds expended compared to the budget submitted with the application or amended grant; including a statement demonstrating success of the goal/goals to include the measures used to evaluate the success of the project as stated on the application. The Grantee agrees that it will reimburse SCPRT for unauthorized and unwarranted expenditures disclosed in the review. Upon request of SCPRT, the Grantee shall make available, and cause any non-profit involved to make available, for audit and inspection by SCPRT and its representatives all the books, records, files and other documents relating to any matters pertaining to the Project, the Application or this Agreement. All organizations classified as a not-for-profit/non-profit should submit a quarterly update on project status, including completed work and expenses, regardless of any progress changes.

Section 7: DISCRIMINATION: The Grantee shall not impose on its Contractors the obligation not to, discriminate against any employee or applicant for employment because of race, color, religion, age, sex, national origin, or handicap. The Grantee and any Contractor shall be required to take affirmative action to ensure that applicants for employment and employees are treated without regard to their race, color, religion, age, sex, national origin, or handicap.

Section 8: INTEREST OF CERTAIN FEDERAL OR STATE OFFICIALS: No elected or appointed Local, State or Federal Official shall be admitted to any share or part of this Agreement or to any benefit to arise from the same.

Section 9: INTEREST OF MEMBERS, OFFICERS, OR EMPLOYEES OF GRANTEE, MEMBERS OF LOCAL GOVERNING BODY, OR OTHER PUBLIC OFFICIALS: No member, officer, or employee of the Grantee, or its designees or agents, no member of the governing body of the locality in which the project is situated, and no other public official of such locality or localities who exercises any functions or responsibilities with respect to the Project during his tenure or for one year thereafter, shall have any interest, direct or indirect, in any contract or subcontract, or the proceeds thereof,
for work to be performed in connection with the Project or this Agreement. The Grantee shall incorporate, or cause to be incorporated, in all of its contracts or subcontracts relating to the Project and this Agreement this provision prohibiting such interest.

Section 10: MAINTENANCE OF RECORDS: The Grantee shall maintain records relating to procurement matters for the period of time prescribed by applicable procurement laws, regulations and guidelines, but no less than three years. All other pertinent Grant and Project records including financial records, supporting documents, and statistical records shall be retained for a minimum of three years after notification in writing by SCPRT of the closure of the Grant. However, if any litigation, claim, or audit is initiated before the expiration of any such period, then records must be retained for three years after the litigation, claim, or audit is resolved.

Section 11: GRANT PERIOD: The Grantee must complete all activities associated with the Project within thirty-six (36) months of the Date of Award of this Grant. Completion is defined as the final documentation by Grantee to SCPRT of Grant funds expended (see Section 6) and issuance by SCPRT of a notification in writing of the closure of the Grant. SCPRT may grant extensions to this completion period requirement at its discretion.

Section 12: SANCTIONS: If the Grantee fails or refuses at any time to comply with any of the terms and conditions of this Agreement, SCPRT may take, in addition to any relief that it is entitled to at law, any or all of the following actions: require repayment of all or a portion of any Grant funds provided; cancel, terminate, or suspend, in whole or in part, the Grant and this Agreement; or refrain from extending any further assistance or Grant funds to the Grantee until such time as the Grantee is in full compliance with the terms and conditions of this Agreement.

Section 13: APPLICABLE LAW: This Agreement is made under and shall be construed in accordance with the laws of the State of South Carolina, without regard to conflicts of laws principles. The federal and state courts within the State of South Carolina shall have exclusive jurisdiction to adjudicate any disputes arising out of or in connection with this Agreement.

Section 14: TERMS AND CONDITIONS: SCPRT reserves the right to add or delete terms and conditions of this Agreement as may be required by revisions and additions to changes in the requirements, regulations, and laws governing SCPRT and any other agency of the State.

Section 15: LIABILITY AND INDEMNIFICATION: The Grantee understands and warrants that it will defend SCPRT against any liability arising from the Project, the Grant Application or this Agreement and that SCPRT accepts no liability for the Project nor any responsibility other than its agreement to provide the Grantee the Grant funds for the Project, insofar as such funds are expended in accordance with the terms and conditions of this Agreement. During the term of the Grant, the Grantee shall maintain tort liability insurance or shall have a self-funded and excess liability program with coverage amounts sufficient to meet the limits set forth under the SC Torts Claims Act in Section 15-78-120, as may be amended, for the purpose of indemnifying SCPRT and the State up to the limits set forth in that Act from any and all claims or liabilities arising out of the Project, the Grant, or this Agreement.
Section 16: SEVERABILITY: If any provision of this Agreement is or becomes illegal, invalid, or unenforceable in any respect, the legality, validity, and enforceability of the other provisions of this Agreement shall not in any way be affected or impaired thereby.

Section 17: WAIVER OF CONFIDENTIALITY: Consistent with Executive Order No. 2022-19 which became effective July 1, 2022 (Executive Order), all information submitted to SCPRT relative to earmarked appropriations in the annual Appropriations Act shall be published on SCPRT.com and available for public review and inspection. By submitting the required documentation and signing the “Legislative/Earmarked Award Agreement” you hereby knowingly waive any right to confidentiality or non-disclosure in any and all materials related thereto.

This Agreement shall become effective, as of the Date of Award, upon receipt of one copy of this Agreement which has been signed in the space provided below. The agreement must have original signatures and must be returned within fifteen (15) days from the Date.

10/04/2023
Date of Award
Duane N. Parrish
Director
SC Department of Parks, Recreation & Tourism

ACCEPtANCE FOR THE GRANTEE

__________________________________________
Signature of Official with Legal Authority

to Execute this Agreement for the Grantee

__________________________
Date

Print Name of Authorized Official

Title

WITNESS:

__________________________________________
Signature of Witness

__________________________
Date

Print Name of Witness