

Public Comment
April 18, 2016

1. Mike Smith

2. Tom Markovich

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TIME TO DEFINE AND
CODIFY

RUSTIC ELEGANCE

WHY NEEDED

- TERM MORE FREQUENTLY USED – DECREASE CONFUSION,
- OCCASIONAL REQUEST FOR RUSTIC ELEGANCE DURING DEVELOPMENT PHASE,
- PROVIDE PLANNING WITH MORE GUIDANCE,
- PROVIDE CONTINUITY IF PERSONNEL CHANGE AMONG STAFF.

REQUESTED ACTION

- DIRECT PLANNING WITH DEVELOPING RUSTIC ELEGANCE GUIDANCE,
- A DELIVERABLE DATE OF 6/20

Recycle

- 1) County administrator should coordinate a education plan for recycling ~~waste~~ house hold waste with the OCSD superintendent for elementary and middle school students
- 2) Redesign traffic flow through convenience center to make unloading of house hold waste and recyclables from autos easier and faster.
- 3) Use people that courts have sentenced to do community service to help direct traffic flow at redesigned convenience centers.
- 4) Have better and more efficient planning to replace roll off bins before they are full. At present times replace most sheets from recyclables so that they go into house hold garbage bins.

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5) Have a better and more efficient method to replace full house hold garbage bins. At present time this may shut down businesses centers while bins are being replaced.

6) Municipalities do not recycle anything.

All garbage goes to house hold waste which means everything goes to Waste Management. This causes land fill to fill up faster and ~~to~~ added cost to haul away. need to get municipalities to start recycling.

7) Municipalities use curbside pickups of tree limbs, leaves, furniture and junk.

They dump this at C+D land fill. They do not send trees or leaves to ~~mulch~~ mulch plant. County Citizens can't dump

trees or leaves at C+D land fill. Should be the same ~~for~~ for municipalities

1. The first step in the process of...

is to identify the key components...

of the system and their interactions...

Next, we need to determine the...

scope of the study and the...

data sources that will be used...

Once the data has been collected...

it is necessary to analyze the...

results and draw conclusions...

Finally, the findings should be...

communicated to the relevant...

stakeholders and used to...

improve the system or process...

being studied. This is a...

continuous process that...

requires ongoing monitoring...

and evaluation to ensure...



South Carolina Foothills Heritage Fair

www.carolinafoothillsheritagefair.org

SCFHF

PO Box 380


Fair Play, SC 29643

Oconee County Planning Commission

415 South Pine Street

Walhalla, SC

To whom it may concern:



This letter is to inform all interested parties that the South Carolina Foothills Heritage Fair supports the proposal to establish an Agricultural Advisory Board as set forth under the proposed Ordinance 2016-17 to be presented to the planning commission on Monday April 18th. We hope this will be forwarded directly on to Oconee County Council for approval.

We believe that this to be an important step forward for the agriculture interests of Oconee County and that this board must always consist of persons who have, not just an interest in ag, but who actively participate in this important industry.

Thank you,

Charlie Whiten

President, SCFHF



Josh Stephens

From: Vicki Clark <vickijclark6@gmail.com>
Sent: Monday, April 18, 2016 10:47 AM
To: Josh Stephens
Subject: Oconee County Farm Bureau

April 18, 2016

OCFB
2015 Sandifer Blvd
Seneca SC 29678

Ref: Agriculture Planner

We at Oconee County Farm Bureau would like to express our desire to have an ag planner here in Oconee County.

Agriculture, as you know, is a huge industry here in our county and we feel it would benefit our farmers to have someone in that position.

Sincerely,

Tim Donald
President
Oconee County Farm Bureau

**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE**

ORDINANCE 2016-17

AN ORDINANCE TO AMEND CHAPTER 2, ARTICLE IV OF THE CODE OF ORDINANCES OF OCONEE COUNTY PERTAINING TO COMMITTEES IN ORDER TO ESTABLISH THE OCONEE COUNTY AGRICULTURAL ADVISORY BOARD; AND OTHER MATTERS RELATED THERETO.

WHEREAS, Oconee County, South Carolina (the "County") is a body politic and corporate and a political subdivision of the State of South Carolina and is authorized by the provisions of Title 4, Chapter 9 of the Code of Laws of South Carolina 1976, as amended, to establish such boards, commissions, and committees in the County as may be necessary and proper to provide services of local concern for public purposes, to prescribe the functions thereof and to regulate, modify, merge, or abolish any such agencies, departments, boards, commissions, and positions; and,

WHEREAS, the County enjoys a rich agricultural heritage; and

WHEREAS, agriculture is a major economic engine for the County; and

WHEREAS, the agricultural interests and concerns in the County are diverse and evolving; and

WHEREAS, the preservation and growth of agriculture in the County is a matter of vital concern.

NOW THEREFORE, be it ordained by the Oconee County Council (the "Council"), in meeting duly assembled and voting, with quorum present and acting by, through, and on behalf of Oconee County, a body politic and corporate and a political subdivision of the State of South Carolina, and upon third and final reading, the following:

Section 1: Establishment of Oconee County Agricultural Advisory Board.

There is hereby established the Oconee County Agricultural Advisory Board (the "Board"), purposed to aid and advise the County on all matters related to agriculture in order to ensure that the diverse agricultural interests in the County are supported and developed, that communication and cooperation among the varied agricultural concerns in the County are fostered, and that agriculture's vital role in the economy and character of the County is both maintained and developed.

Section 2: Membership.

The Board shall consist of seven members appointed by the Council in accordance with the following requirements and recommendations:

1. The Board shall consist of seven (7) members, selected and appointed by a majority vote of Council, with one (1) member selected from each of the five (5) council districts and two (2) members selected at-large, without regard to district of residence. Council may receive recommendations for the two at-large seats from the County Planning Commission.
2. Each Board member's primary residence shall be located in Oconee County; and
3. Council shall endeavor to appoint, but not require candidates to be appointed from, the following:
 - a. A member of the Bee Keepers' Association;
 - b. A member of the Fruits and Vegetable Growers (Clemson Extension);
 - c. A member of the Oconee Cattlemen's Association;
 - d. A member of the Oconee Poultry Growers; and
 - e. An Oconee Soil and Water Conservation District Commissioner or designee.
4. All appointed board members shall have a demonstrated background, experience, and interest in agriculture and actively participate in one of the following areas of agriculture:
 - a. Agri-tourism
 - b. Certified organic farming
 - c. Poultry farming
 - d. Cattle farming
 - e. Fruits and/or Vegetable farming
 - f. Bee Keeping
 - g. Silviculture & Forestry operations
 - h. Aquaculture
 - i. Agri-business
 - j. Or another agricultural pursuit, as that term is commonly understood.
5. Interested candidates for the Board will be requested to complete the "Questionnaire for Board/Commission" and submit it to the Clerk to Council for distribution to Council. Council is not required to select a member from the submitted questionnaires; members of Council may directly solicit a candidate for any appointment by the Board. However, all potential candidates, whether those submitting questionnaires on their own or those solicited for appointment by members of Council, must complete the "Questionnaire for Board/Commission" and submit it to the clerk to Council for distribution to Council before being appointed to any county board or commission by any member of Council.
6. All appointments to the Board will be made upon recommendation by a Council member and an affirmative vote by full Council.

Section 3: Term of Members.

1. The length of the regular term served by each member shall be four (4) years, beginning on January 1st of the year of appointment.
2. For the purposes of implementing the standards of this section and thereby establishing a reappointment/replacement schedule of the membership of the Board to staggered terms, the following shall apply:
 - a. All members appointed by Council district shall serve for the same length as the remaining term of the Council member who appointed them, after which the term of such Board members shall be equal to and coincide with the term of the Council member appointing or reappointing them, with all terms or parts thereof beginning January 1st of the year of appointment or reappointment.
 - b. The first at-large member appointed by Council after adoption of the restatement of this section shall serve for four (4) years, and the second such at-large member shall serve for two (2) years, after which the term of each such at-large member shall be four years following appointment/reappointment, with all terms or parts thereof beginning January 1st of the year of appointment or reappointment.
 - c. In the event the regular term of a member in good standing expires prior to reappointment or replacement by Council, said member shall continue to serve until his or her replacement is appointed and qualified. The date of reappointment or replacement, however, in no way alters the scheduled length of the term.
3. **Removal.**
 - a. A member who is absent from three (3) consecutive meetings or who fails to attend at least fifty (50%) of the regularly scheduled meetings of the Board within any twelve (12) calendar month period without adequate excuse, such as documented illness, shall be reported by the chairperson of the Board to Council and is subject to replacement by Council.
 - b. Any member may be removed or replaced at will by majority vote of Council upon the motion of the appointing Council member, at any time, unless appointment is required by or regulated by state or federal law.
 - c. Should any member of this Board move or establish residence outside the County where such member was residing at the time of the appointment to this Board, such relocation shall constitute a resignation by the member, and a replacement member shall be appointed to fill the unexpired term of such resigned member.

Section 4: Organization, Meetings, Officers.

1. **Officers:** The Board shall organize itself, electing one (1) of its members as chairman and one (1) as vice-chairman, whose terms must each be for one-year (1). The chairman and vice-chairman shall have the right to vote. The Board may appoint a secretary, who may be a member of the Board or an employee of the County. If the secretary is a member of the Board, he or she shall also have the right to vote.

Vacancies in such offices by reason of death, resignation, or replacement shall be filled for the unexpired term of the officer whose position becomes vacant, in the same manner as the original election or appointment.

2. **Meetings:** The Board shall establish a meeting schedule during its first meeting of the calendar year. The Board shall meet at least once per month.
3. **By-laws:** In addition, the Board shall duly adopt such By-Laws as may be necessary for the orderly performance of its duties and functions. Any By-Laws which may be adopted by the Board for the orderly performance of its duties shall comply with all provisions of the general law of the State of South Carolina and of this Ordinance, and of all other Ordinances of Oconee County, including but not limited to the Freedom of Information Act.
4. **Staff Liaison:** The Board shall have a staff liaison to be designated by the County Administrator. The staff liaison may serve as secretary should that be the wish of the Board. It is the responsibility of the staff liaison to notify the Clerk to Council regarding resignations and/or vacancies on any board. It is also the responsibility of the staff liaison to monitor the appointment schedule and inquire and report to the Clerk to Council if current members wish to be considered for reappointment or replacement.
5. The Board shall comply with the provisions of the South Carolina Freedom of Information Act ("FOIA") and the requirements set forth in the Code of Ordinances and subsequent ordinances concerning freedom of information and the conduct of public meetings.

Section 5: Powers and Duties.

The responsibilities and duties of the Board shall be as follows:

1. To serve in an advisory role to Council on any matter concerning agriculture in order to ensure that the diverse agricultural interests in the County are supported and developed, that communication and cooperation among the varied agricultural concerns in the County are fostered, and that agriculture's vital role in the economy and character of the County is both maintained and developed;
2. To formulate plans and recommend their implementation to Council, including, but not limited to, ways to bolster agri-business, agri-tourism, and agriculture in general;
3. To make policy recommendations, through the Planning Commission, to Council regarding agricultural land use;
4. To coordinate policy development with other jurisdictions and agencies to better promote the agricultural industry; and
5. To serve as an educational and public awareness forum for agriculture-related topics.

The Board shall report directly to Council, or other appropriate advisory boards, commissions, and/or committees as appropriate and necessary in order to carry out the foregoing functions.

Section 6: Salaries and Funding.

Members of the Board shall not receive any salary or reimbursements related to serving on the Board.

Section 7: Severability.

Should any section of this Ordinance be, for any reason, held void or invalid, it shall not affect the validity of any other section hereof.

Passed and approved this ___ day of _____ 2016.

OCONEE COUNTY, SOUTH CAROLINA

By: _____
Paul Cain, Chairman of County Council
Oconee County, South Carolina

ATTEST:

By: _____
Elizabeth Hulse, Clerk to County Council
Oconee County, South Carolina

First Reading:
Second Reading:
Public Hearing:
Third Reading:

This document contains three different approaches to establishing standards for cottage-type developments that do not easily fit with existing regulations.

Please note that although the drafts currently focus only on cottage style dwellings centered on a common open space, any of the three approaches can be modified to account for a broader range of cluster developments.

DRAFT – For Discussion Purposes ONLY

This draft illustrates how the cluster housing standards could be presented as a section of the performance standards. Please note that the definitions would be amended into the 'Definitions' section, and the standards inserted into the Subdivision Regulations.

Definitions

Cluster: A group of four to 12 dwellings, arranged around a common open space.

Common Open Space: An area improved for passive recreational use or gardening typically required to be owned and maintained commonly, through a homeowners' or condominium association or similar mechanism.

Cluster Housing Development: One or more clusters of dwellings developed under a single land development plan, or as part of another land development plan.

Footprint: The gross floor area of a dwelling's ground-level story.

Cluster Housing Development Standards

In addition to other rules or requirements governing development in this Code, all cluster housing developments (CHD's) proposed to be located in the unincorporated areas of Oconee County shall be subject to the standards contained in this section. In the event of any conflict, the standards set forth in this section shall apply.

A. Density

1. The maximum density for CHD's shall be eight (8) units per acre.
2. Dwelling clusters shall consist of between four (4) and twelve (12) units.

B. Common Open Space (COS)

1. Each cluster of dwellings shall include a COS situated to provide a sense of openness and community for the residents.
2. A minimum of four hundred (400) square feet of COS shall be required for each dwelling in the cluster, with no COS measuring less than three thousand (3,000) square feet in total area.
3. The minimum width of any side of a COS shall be twenty (20) feet.
4. All parts of each open space shall be contiguous and useable.
5. Although desired to be met by a single space, the total COS area required for any cluster may be divided into multiple sections to account for difficult or special features impacting the lot; all proposed divisions of a COS must be approved in writing by appropriate permitting staff prior to preliminary plan approval.
6. A COS must be designed so that dwellings are situated along at least two (2) sides.

DRAFT – For Discussion Purposes ONLY

7. Parking areas (permanent or overflow), driveways/alleys, required yard setbacks, privately owned areas, or any other areas required as a dedicated feature by this Code shall not be counted toward meeting required COS.

C. Amenities

1. Community buildings and other amenities included in CHD's shall be situated so as to provide reasonably equal access opportunities for all residents.
2. All amenities shall be designed to be in harmony with the concept and theme of the CHD.
3. All amenities and other features shall be owned and maintained in common by CHD residents through a homeowner's association or similar mechanism.
4. Oconee County shall not be held responsible for the upkeep and maintenance of any common amenity or feature of a CHD.

D. Dwelling Design and Location

1. The gross floor area of each cottage shall typically not exceed 1,200 square feet.
2. Unless prevented by unusual site conditions, unenclosed covered front porches measuring a minimum of sixty (60) square feet in area shall be a feature on all dwellings.
3. The maximum height of a dwelling shall not exceed twenty five (25) feet.
4. Each dwelling shall be situated in a cluster oriented on a COS. No dwelling shall be more than twenty five (25) feet from the COS.
5. The primary entry of each dwelling shall be accessed from its cluster's COS.

E. Parking

1. Garages and carports shall be situated so as to limit visibility from the COS. All garages and carports shall be designed so as to be consistent and compatible with the dwelling units in the CHD.
2. A dedicated parking area may be utilized, provided it consists of enough parking spaces to serve each resident and a reasonable number of guests.
3. All parking areas shall be separated from the COS by landscaping and/or architectural screening. Chain link, mesh, or other similar fencing shall not be used as screening.

F. Walkability

1. All CHD's shall be designed to enhance walkability.
2. Sidewalks and/or appropriately surfaced walking paths no less than four (4) feet in width shall be provided to provide safe, all-weather access to COS, amenities, bus stops, and other public features.
3. Sidewalks shall be installed along the side of any public road abutting the site. This requirement may be waived for good cause by the Planning Commission.

DRAFT – For Discussion Purposes ONLY

This draft illustrates one of the ways that cluster housing standards can be amended into zoning standards as an overlay. As shown in this document, each development could have its own overlay, with "Development A" being subject to the "Development A Cluster Housing Overlay", and "Development B" being subject to the "Development B Cluster Housing Overlay". However, it is also possible to have something similar to the I-85 Overlay District, with each development being a sub-district. Either way would necessitate an amendment of the Code (similar to what is done for a rezoning) as part of the development approval process.

• **Sec. 38-11.x. – Cluster housing overlay district.**

(a) *Title:* Cluster housing overlay district.

(b) *Definition:* The cluster housing overlay is not intended to be a separate zoning district, but shall be assigned to areas of Oconee County deemed appropriate by county council for the development of cluster housing neighborhoods.

(c) *Intent:* This overlay is intended to facilitate the development of cluster housing neighborhoods in an effort to expand the diversity of housing stock in Oconee County, thereby enhancing the vibrancy of the lifestyle and prosperity of Oconee County.

(d) *Boundary:* The boundaries of the cluster housing overlay district are shown on the Official Oconee County Zoning Map.

(e) *Definitions:* For the purposes of this overlay, the following definitions shall apply.

1. **Cluster:** A group of four to 12 dwellings, arranged around a common open space.
2. **Common Open Space:** An area improved for passive recreational use or gardening typically required to be owned and maintained commonly, through a homeowners' or condominium association or similar mechanism.
4. **Cluster Housing Development:** One or more clusters of dwellings developed under a single land development plan, or as part of another land development plan.
5. **Footprint:** The gross floor area of a dwelling's ground-level story.

DRAFT – For Discussion Purposes ONLY

a. Standards:

1. Density:

1. The maximum density for CHD's shall be eight (8) units per acre.
2. Each cluster shall consist of between four (4) and twelve (12) cottages.

2. Common Open Space (COS):

1. Each cluster of cottages shall include a COS situated to provide a sense of openness and community for the residents.
2. A minimum of four hundred (400) square feet of COS shall be required for each cottage in the cluster, with no COS measuring less than three thousand (3,000) square feet in total area.
3. The minimum width of any side of a COS shall be twenty (20) feet.
4. All parts of each open space shall be contiguous and useable.
5. Although desired to be met by a single space, the total COS area required for any cluster may be divided into multiple sections to account for difficult or special features impacting the lot; all proposed divisions of a COS must be approved in writing by appropriate permitting staff prior to preliminary plan approval.
6. A COS must be designed so that cottages are situated along at least two (2) sides.
7. Parking areas (permanent or overflow), driveways/alleys, required yard setbacks, privately owned areas, or any other areas required as a dedicated feature by this Code shall not be counted toward meeting required COS.

8. Amenities

1. Community buildings and other amenities included in CHD's shall be situated so as to provide reasonably equal access opportunities for all residents.
2. All amenities shall be designed to be in harmony with the concept and theme of the CHD.
3. All amenities and other features shall be owned and maintained in common by CHD residents through a homeowner's association or similar mechanism.
4. Oconee County shall not be held responsible for the upkeep and maintenance of any common amenity or feature of a CHD.

5. Cottage Design and Location

1. The gross floor area of each cottage shall typically not exceed 1,200 square feet.
2. Unless prevented by unusual site conditions, unenclosed covered front porches measuring a minimum of sixty (60) square feet in area shall be a feature on all cottages.
3. The maximum height of a cottage shall not exceed twenty five (25) feet.
4. Each cottage shall be situated in a cluster oriented on a COS. No cottage shall be more than twenty five (25) feet from the COS.
5. The primary entry of each cottage shall be accessed from its cluster's COS.

6. Parking

1. Garages and carports shall be situated so as to limit visibility from the COS. All garages and carports shall be designed so as to be consistent and compatible with the dwelling units in the CHD.

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2. A dedicated parking area may be utilized, provided it consists of enough parking spaces to serve each resident and a reasonable number of guests.
 3. All parking areas shall be separated from the COS by landscaping and/or architectural screening. Chain link, mesh, or other similar fencing shall not be used as screening.
4. Walkability
1. All CHD's shall be designed to enhance walkability.
 2. Sidewalks and/or appropriately surfaced walking paths no less than four (4) feet in width shall be provided to provide safe, all-weather access to COS, amenities, bus stops, and other public features.
 3. Sidewalks shall be installed along the side of any public road abutting the site. This requirement may be waived for good cause by the Planning Commission.

DRAFT – For Discussion Purposes ONLY

This is a draft base zoning district that could be used for parcels rezoned to facilitate cottage/pocket neighborhoods.

• Sec. 38-10.x. – Cluster housing district (CHD).

Title: Cluster housing district.

Definition: Those areas suitable for the development of cluster housing neighborhoods.

Intent: This district is intended to provide for the standards necessary to facilitate the development of cluster housing neighborhoods in an effort to expand the diversity of housing stock in Oconee County.

Dimensional requirements: *

Density and Lot Size		Minimum Yard Requirements			Max. Height		
Min. Lot Size	Max. Density	Min. Width (ft.)	Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)	Structure Height (ft.)	
Residential Uses	1/4 acre (21,780 sq ft) Utilities Available	8 dwellings per acre	80	25	5	10	65
	1 acre Utilities not available	8 dwellings per acre	80	25	5	10	65
Minimum Lot Size		Minimum Yard Requirements			Max. Height		
Min. Lot Size	Min. Width (ft.)	Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)	Structure Height (ft.)		
Nonresidential Uses	1/2 acre	80	35	10	30	65	
Min. Number Required	Min. Area	Min. Width (ft.)	Relation to Dwellings				
Common Open Space	1 per cluster; staff may approve division into multiple portions for difficult or special conditions	The greater of 3000 sq ft or 400 sq ft per dwelling; no other required area may count toward minimum	20	Must be located so that dwellings are situated on 2 sides; all parts must be contiguous and useable			

Additional Standards:

1. Amenities:

1. Community buildings and other amenities included in CHD's shall be situated so as to provide reasonably equal access opportunities for all residents.
2. All amenities shall be designed to be in harmony with the concept and theme of the CHD.

DRAFT – For Discussion Purposes ONLY

3. All amenities and other features shall be owned and maintained in common by CHD residents through a homeowner's association or similar mechanism.
4. Oconee County shall not be held responsible for the upkeep and maintenance of any common amenity or feature of a CHD.

3. Dwelling Design and Location:

1. The gross floor area of each dwelling shall typically not exceed 1,200 square feet.
2. Unless prevented by unusual site conditions, unenclosed covered front porches measuring a minimum of sixty (60) square feet in area shall be a feature on all dwellings.
3. The maximum height of a dwelling shall not exceed twenty five (25) feet.
4. Each dwelling shall be situated in a cluster oriented on a COS. No dwelling shall be more than twenty five (25) feet from the COS.
5. The primary entry of each dwelling shall be accessed from its cluster's COS.

4. Parking:

1. Garages and carports shall be situated so as to limit visibility from the COS. All garages and carports shall be designed so as to be consistent and compatible with the dwelling units in the CHD.
2. A dedicated parking area may be utilized, provided it consists of enough parking spaces to serve each resident and a reasonable number of guests.
3. All parking areas shall be separated from the COS by landscaping and/or architectural screening. Chain link, mesh, or other similar fencing shall not be used as screening.

5. Walkability:

1. All CHD's shall be designed to enhance walkability.
2. Sidewalks and/or appropriately surfaced walking paths no less than four (4) feet in width shall be provided to provide safe, all-weather access to COS, amenities, bus stops, and other public features.
3. Sidewalks shall be installed along the side of any public road abutting the site. This requirement may be waived for good cause by the Planning Commission.

*See Article 9 for general provisions and exceptions to dimensional requirements.

(Ord. No. 2012-14, § 1, 5-15-2012)

ARTICLE 13. - CLUSTER SUBDIVISIONS

Footnotes:

— (3) —

Editor's note—Ord. No. 08-04-16, adopted April 13, 2009, amended art. 13 in its entirety to read as herein set out. Former art. 13 pertained to bonus density, consisted of §§ 13.1, 13.2, and derived from Ord. No. 09-11-05, adopted November 23, 2004.

13.1. - Purpose.

The purpose of this article is to promote cluster subdivisions in order to:

- A. Maintain the character of undeveloped Berkeley County.
- B. Provide legitimate useable open space for the community and county citizens.
- C. Preserve existing historical and ecologically significant lands.
- D. Reduce the need for costly infrastructure that sprawling subdivisions require.
- E. Reduce the total impervious coverage while maintaining as much existing natural cover as possible.
- F. Reduce non-point source pollutants and other site runoff that negatively affects local and regional water quality.
- G. Provide for flexible site layouts that are sensitive to the land's natural features.
- H. Provide a mixture of lot sizes, housing choices, and densities within a development.
- I. Meet the demand for housing within the rural areas of the county without compromising rural character.
- J. Provide opportunities for social interaction among community members by promoting walking, biking, and other outdoor activities.

(Ord. No. 09-04-16, 4-13-2009)

13.2. - Definitions.

- A. Active use recreational facility: Any recreational facility which meets one of the following needs of a neighborhood or community: athletic fields, buildings or structures for recreational activities, community garden, workout courses, swimming pool, ball courts (tennis or basketball), children's play areas, noncommercial dog play area, waterway accesses and facilities, trails constructed of an all-weather surface. Other active use recreational facilities, not listed, may be approved upon review by the administrative officer.
- B. Base units allowed: The amount of units allowed for each zoning classification prior to the calculations of density bonuses.
- C. Civic land use: Land dedicated and accepted by the county for public facilities such as, but not limited to, libraries, fire stations, EMS stations, schools, law enforcement stations, emergency facilities, satellite offices, excluding roadway dedications, utility easements, drainage easements, and improvements.

Berkeley County

- D. Density multiplier: Amount of density permitted per acre for each specified zoning category.
- E. Gross buildable acreage: The remaining number of acres in a tract, parcel, or property after the primary protected acreage is subtracted from the total gross acreage.
- F. Net buildable acreage: The area of a development site derived by subtracting the land devoted to existing utility or public rights-of-way, existing floodways and bodies of water, and jurisdictional wetlands, from the total area of the development site. Net acreage is used in determining the allowable density on a parcel or site.
- G. Open space inventory: An inventory map and description which shows all protected areas, both primary and secondary, and any other areas to remain as permanent open space after development.
- H. Open space multiplier: The unit found in the unit yield plan calculation chart which is utilized to calculate the net buildable acreage.
- I. Primary protected areas: Those areas that should be permanently protected from development including, but not limited to, existing bodies of water and streams, jurisdictional wetlands, existing utility easements, drainage easements, public rights-of-way, and required bufferyards.
- J. Total gross acreage: Entire acreage of the tract, parcel or property to be developed.
- K. Unit yield plan: A plan identifying the net buildable acreage utilizing the procedures outlined herein. The unit yield plan outlines the formula and calculation of density available on site.
- L. Viewshed: An area of land, water, and other environmental elements that is visible from a fixed vantage point both on site or from a public corridor. Viewsheds are areas of particular scenic or historic value that are deemed worthy of preservation against development or other change as determined during the planning process. As an example, a view of a historic plantation home from the road would be considered a viewshed worth preserving for the community as a whole.

(Ord. No. 09-04-16, 4-13-2009)

13.3. - General provisions.

All subdivisions that wish to reduce lot sizes and gain additional density through cluster development within Berkeley County must be designed according to the following:

- A. Each cluster development is subject to the underlying residential zoning classification for determining the base density, base lot size, uses, and accessory uses.
- B. Those lands that do not meet the minimum requirements must adhere to the minimum lot size and coverage within each specific zoning classification.
- C. The minimum total land area to apply for a cluster subdivision is 10 acres.
- D. One principal dwelling per lot.
- E. No less than 20 percent of the total subdivision site shall be conveyed or held as permanent open space. Bodies of water, streams, floodways, jurisdictional wetlands, floodplains, retention/detention areas and underground utility easements or rights-of-way may constitute up to 40 percent of the required permanent open space. Retention areas shall permit access to water and must encompass at least 10,000 square feet of area. At least 60 percent of the required open space must be useable and accessible land which is connected to the other designated on- or off-site open space areas.

(Ord. No. 09-04-16, 4-13-2009)

13.4. - Application procedure and approval process.

- A. A pre-submission meeting is strongly suggested, but not required, with the planning and engineering staff prior to the submission of the unit yield plan and preliminary plan.
- B. When the request for unit yield plan approval is received three copies of the unit yield plan must be submitted to the administrative officer and used as the baseline for the review of the subdivision submittal.

The unit yield plan must include the following information:

- i. Recorded plat.
 - ii. Open space inventory.
 - iii. A site plan showing primary protected areas.
 - iv. A breakdown of the yield calculations for net buildable acres and any bonus density.
 - v. If septic service is to be utilized DHEC must approve the capacity for all structures prior to submittal.
 - vi. Any and all other supporting documentation.
- C. All changes to the unit yield plan resulting in an increase in dwelling units or a decrease in open space must be reviewed and approved by the administrative officer. This constitutes a new approval.

(Ord. No. 09-04-16, 4-13-2009)

13.5. - Procedures for preparing a yield plan.

- A. When developing the yield plan, determining the amount of lots requested, and any applicable bonus densities within the clustering subdivision the following steps shall be taken:
 - a. Identify the land that should be permanently protected as primary protected areas. That land consists of:
 - 1. Bodies of water, streams, and floodways.
 - 2. Jurisdictional wetlands.
 - 3. Existing utility easements or public rights-of-way.
 - 4. Required bufferyards.
 - b. A unit yield plan must be submitted showing how many acres, to the tenth of an acre, are not within primary protected area and remain accessible. Accessible is interpreted as land which is not surrounded by protected area and can be accessed by a minimum 20-foot required right-of-way. While creating the yield plan, take into consideration needed rights-of-way and stormwater facilities.
 - c. To calculate the total units allowed, all the primary protected area acreage is subtracted from the total gross acreage which yields the gross buildable acreage. The gross buildable acreage is then multiplied by the open space multiplier found in the yield plan calculation chart to get the net buildable acreage. The net buildable acreage is then multiplied by density multiplier found in the unit yield plan calculation chart to get the base units allowed. The base units are then multiplied by the percentage bonus density the administrative officer has approved up to 25 percent to yield the total units allowed on site.

Unit Yield Plan Calculation and Lot Size Regulations Chart

Open Space	Density	Maximum Gross	Minimum Lot	Average Lot
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Berkeley County

	Multiplier	Multiplier	Density	Size	Size
R-1, R- 1MM, R-2	.80	3.50	3.50	5,500 sq. ft.	7,000 sq. ft.
R-1R	.70	.87	.75	1.25 Acre	N/A
Flex 1	.70	.77	.70	30,000 sq. ft.	N/A

Note: All calculations rounded up or down to the nearest whole number Example: 5.55 = 6, whereas, 5.45 = 5

Calculation for figuring Total Units:

Total Gross Acreage - Primary Protected Area Acreage = Gross Buildable Acreage

Gross Buildable Acreage × Open Space Multiplier = Net Buildable Acreage

Net Buildable Acreage × Density Multiplier = Base Units Allowed

Base Units Allowed (Bonus ≤ 25%) = Total Units Allowed

(Ord. No. 09-04-16, 4-13-2009)

13.6. - Bonus density.

- A. The following bonus densities may be added to the yield plan as a matter of right. Bonus densities are additive in nature up to 25 percent per subdivision.
 - B. Additional open space bonus density.
 - a. For every ten percent additional open space above the minimum required amount that is not encumbered by wetlands, water bodies, rights-of-way or utility easements, a five-percent bonus density may be applied, or fraction thereof, up to ten percent.
 - C. Recreational/civic uses bonus density.
 - a. For active use recreational facilities and/or civic land set aside totaling five acres, a two and one-half-percent bonus density may be applied.
 - b. For active use recreational facilities and/or civic use land set aside totaling between five acres but below ten acres, a five-percent bonus density may be applied.
 - c. For active use recreational facilities and/or civic use land set aside totaling above ten acres, a seven and one-half-percent bonus density may be applied.
 - d. If the subdivision includes a recreational trail system or connects to an existing recreational trail system, an additional two and one-half-percent bonus density may be applied per the administrative officer.

- D. Smart design/low impact design bonus density.
- a. If the subdivision is designed such that no residential structures are built within the 100-year FEMA floodplain, a five-percent bonus density may be applied.
 - b. If cul-de-sacs or dead end roads are not utilized within the subdivision, a five-percent bonus density may be applied.
 - c. For every point of connection to an existing subdivision, neighborhood, or a secondary street, not including the main entrance, five-percent bonus density may be applied per connection not to exceed ten percent.
 - d. For designs that protect and preserve 75 percent of the existing grand trees, a two and one-half-percent density may be applied.

(Ord. No. 09-04-16, 4-13-2009)

13.7. - Subdivision layout design criteria.

- A. Upon approval of the yield plan, an application for a preliminary plan may be submitted for review and approval by the preliminary plan committee. This submittal must comply with the Berkeley County Land Development Regulations.
- B. For all districts which have access to water and sewer services lot sizes should vary throughout the subdivision. Minimum lot size shall be 5,500 square feet; however, the average building lot in the subdivision must meet or exceed 7,000 square feet. However, sites that will utilize septic and well services the soils must be suitable for the minimum lot size or the yield plan may be reduced by the area of land that is not suitable for septic or well services.
- C. Dwelling unit visibility from external roads should be minimized through the use of appropriate bufferyards and meandering entrances that limit the views into a subdivision.
- D. Any secondary protected areas must be identified, consisting of prime wooded or agricultural lands, historic sites, cemeteries, and significant viewsheds. Secondary protected areas may not have rights-of-way, utility easements, or structures placed upon them, but may be included in the overall net acreage.
- E. All site setbacks must meet the underlying zoning requirements.
- F. The administrative officer and/or preliminary plan review committee may add to the required standards or modify a proposed design in order to ensure that the overall purposes and intents of the ordinance are maintained.

(Ord. No. 09-04-16, 4-13-2009)

DIVISION 3. - OPEN SPACE DEVELOPMENT DISTRICTS (CLUSTER DEVELOPMENTS)

This section applies only to open space development districts (cluster developments).

Sec. 30-51. - Definition.

For the purposes of this section, open space development districts (cluster developments) may be defined as residential developments that concentrate homes and buildings in specific areas on the site in order to allow the remaining land to be undisturbed and used for recreation, open space, wildlife corridors, and preservation of environmentally sensitive features.

(Ord. No. 39-2006/07, § 1(C), 8-16-07)

Sec. 30-52. - Establishment of an open space development district.

Similar to planned development districts, open space development districts shall be established on the official zoning map by the same procedure as for amendments (article IX) and in accordance with the requirements of this section.

Additionally, each open space development district shall be identified by a prefix and number indicating the particular district, as for example "OSDD - 98 - 1" (Zone - Year - Number), together with whatever other identification appears appropriate.

(Ord. No. 39-2006/07, § 1(C), 8-16-07)

Sec. 30-53. - Permitted uses in open space development districts.

All land use within an open space development district must be either residential or undisturbed area and as specified in the open space development district ordinance.

(Ord. No. 39-2006/07, § 1(C), 8-16-07)

Sec. 30-54. - Development standards for open space development districts.

The following development standards are intended to be incentives for the use of open space development districts:

- (1) Areas allowed. Open space development districts are eligible for approval in areas the comprehensive plan designates residential.
- (2) Minimum total area required. Minimum area requirements for establishing an open space development district shall be five acres.
- (3) Minimum undisturbed area. At least 50 percent of the total development district shall be left undisturbed. Such undisturbed areas are to be perpetually kept as open space by conservation easement, dedication to the appropriate governmental jurisdiction, or other acceptable legal means. At least 75 percent of the open space shall be contiguous, with no portion less than 100 feet wide. Reasonable effort must be made to locate green space adjacent to green space in an adjoining property so that wildlife corridors may be preserved.
- (4) Minimum lot size. The minimum lot size shall be 4,000 square feet.
- (5) Minimum setbacks. The minimum front and rear yard setbacks shall be 15 feet. The minimum side yard setbacks shall be five feet.

- (6) Total number of lots (dwelling units) allowed. Total number of residential lots allowed is determined by subtracting the area of the streets, rights-of-way, shares areas, and other unbuildable areas from the parent parcel, and then dividing the remaining available land by the minimum lot size.
- (7) Overall site design. Irregular lot shapes and shared driveways are allowed.

(Ord. No. 39-2006/07, § 1(C), 8-16-07)

Sec. 30-55. - Additional requirements for open space development districts.

The site plan requirements, financial guarantee requirements, required action by planning commission and council, administration action requirements, and procedures for changes to approved plans shall be the same as that required for planned development districts (article II, division 2).

(Ord. No. 39-2006/07, § 1, 8-16-07)

Secs. 30-56—30-60. - Reserved.

Abbeville County

4.9. - Planned Development District (POD)

4.9.1: Intent.

The intent of the Planned Development District is to encourage flexibility in the development of land in order to promote its most appropriate use; to improve the design, character, and quality of new development; to facilitate the provision of streets and utilities; and to preserve the natural and scenic features of open areas.

4.9.2: General.

- A. Any area may apply to be zoned as a Planned Development District if one (1) or more of the following conditions are met:
 - 1. Separate land uses, which would not otherwise be permitted to locate within the same zoning district, are proposed for development on one or more adjacent parcels.
 - 2. Exceptions or variations to the existing regulations are essential for the project in terms of site, design, or dimensional requirements.
- B. Minimum lot Size: 1 acre.
- C. Minimum Lot Depth: 200 feet.
- D. Lot shall adjoin or have direct access to at least one street.
- E. The site shall be in one (1) ownership, or if in several ownerships, the application for amendment to the Zoning Chapter shall be filed jointly by all of the owners.

4.9.3: Uses.

- A. Permitted Uses: The following uses or combination of uses shall be considered:
 - 1. Any use proposed by the developer and considered by the Planning Commission and County Council as being compatible to other nearby uses within and beyond the district may be permitted in such district, upon approval by the Planning Commission and County Council. A listing of permitted uses within a particular Planned Development District shall be adopted as part of the regulations applying to that district. Thereafter, the uses permitted in the district shall be restricted to those listed, approved and adopted.

4.9.4: Design Criteria and Development Standards.

- A. Overall site design shall be harmonious in terms of landscaping, enclosure of principal and accessory uses, sizes of structures, street patterns, and use relationships. Variety in building types, heights, facades, setbacks, and size of open spaces shall be encouraged.
- B. Densities for residential dwelling units shall not exceed one (1) unit per 2,500 square feet of land area, including yard and other dimensional requirements.
- C. Bufferyards: As determined as needed by the Planning Commission and County Council.
- D. Open Space: As determined as needed by the Planning Commission and County Council.
- E. All standards of the existing zoning district shall apply, if not specified otherwise in that particular PD district.

4.9.5: Administrative Procedures with Regard to Planned Development Districts.

- A. Zoning Chapter Amendment Required: Any request pertaining to the establishment of a Planned Development District shall be considered an amendment to the Zoning Ordinance and shall be administered and processed in accordance with Sections 5.3, and 5.4. The request shall first be submitted to the Planning Commission for review, public hearing, and recommendation, then forwarded to County Council for final action. If approved by the County Council, all information pertaining to the proposal shall be adopted. Any proposed changes in the district shall be treated as amendments to the Zoning Ordinance and must be considered accordingly.

- B. **Time Limitation:** If the approved planned development project has not begun within two (2) years of its approval date by County Council, the planned development district shall become null and void and the land classification shall revert to its previous zoning classification.

4.9.6: **Submission Materials Required for Development Plan.**

- A. **Purpose and Effect:** An application for rezoning to a Planned Development District shall include a Development Plan incorporating the information required in Section B below and such additional information as the applicant may deem necessary to provide a detailed understanding of the proposed planned development. Although it is unnecessary to become involved in the preparation of engineering drawings at this stage, the Development Plan must be sufficiently detailed to be judged for its superiority to other forms of development or other zoning districts.

- B. **Application Contents:** The following information and documentation, together with such additional information as required by the Commission, the County Planner, or his designee, shall constitute a complete rezoning application:

1. The applicant's name and address and ownership interest in the subject property.
2. The name and address, and signed written consent of those having an ownership interest, if different than the applicant filing the application.
3. The tax map identification number.
4. The present and proposed zoning classification and use of the subject property and adjacent land.
5. A survey showing property boundary lines, metes and bounds, utility transmission lines and public rights-of-way crossing and adjacent to the subject property.
6. A vicinity map.
7. A general topographic map accompanied by a plan for the management of storm water and general site drainage.
8. A written statement generally describing the proposed development's compliance with the Comprehensive Plan.
9. One or more Development Plans at a scale approved by the Zoning Administrator depicting or describing the following features of the development:
 - a) A land use plan map with a description of the type, location, and nature of land use (and building type) within each area of the development indicating the acreage and proposed density and lot requirements of each subarea.
 - b) A proposed traffic circulation map which illustrates internal trafficways related to the development, existing and proposed access points, and through roads accessing adjacent parcels.
 - c) A general description of the means of providing water service, sanitary sewerage, utilities, refuse collection, schools, fire protection, libraries, parks and similar services, where applicable.
 - d) A delineation and description of the open space areas.
 - e) A statement identifying easements and restrictive covenants relating to the establishment of common open space or service facility within the planned development, and the establishment and activation of any entity that is to be responsible for the management and maintenance of any public or private common area.
10. A tabulation of the following information:
 - a) The maximum total number of dwelling units proposed by type of structure, by subarea, if applicable.

- b) The maximum total square feet of building floor area proposed for nonresidential uses by type of use, by subarea, if applicable.
 - c) The total land area, expressed in acres and as a percent of the total development area, proposed to be devoted to residential and non-residential uses.
 - d) The minimum lot requirements for each proposed use (if different than the minimum lot requirements specified in the current zoning district).
11. If the planned development is proposed for construction in phases during a period exceeding a single construction season, a proposed phasing plan shall be submitted stating the portions of each use and public spaces to be provided during each stage.
 12. A statement identifying each of the regulations or other applicable provisions of this Ordinance which the applicant proposes to be modified as part of the Development Plan, the proposed modification, and the justification thereof.
 13. A performance bond may be required of the developer, as determined by the County Planner, the Planning Commission, and/or the County Council.

ARTICLE X. - PLANNED DEVELOPMENT DISTRICT (PDD)

Sec. 10.1. - General provisions.

10.1.1. Purpose. The intent and purposes of the Planned Development District (PDD) are as follows:

To provide for planned residential, commercial, industrial and mobile home districts, containing a variety of structures and diversity of building arrangements, with complementary and compatible uses; and public and semi-public facilities developed in accordance with an approved development plan.

To allow diversification of uses, structures, and open spaces in a manner compatible with existing and permitted land uses on abutting properties.

To reduce improvement and energy costs through a more efficient use of land design and smaller networks of utilities and streets than is possible through application of other zoning districts and subdivision requirements.

To ensure that development will occur according to limitations of use, design, density, coverage, and phasing stipulated on an approved development plan.

To preserve the natural amenities and environmental assets of the land by encouraging the preservation and improvement of scenic and functional open areas.

To encourage an increase in the amount and use of open space areas by permitting a more economical and concentrated use of building areas than would be possible through conventional zoning districts.

To provide maximum opportunity for application of innovative concepts of site planning in the creation of aesthetically pleasing living, shopping and working environments on properties of adequate size shape and location.

10.1.2. Permitted uses. The following uses shall be permitted in the Planned Development District if designated on an approved development plan:

- A. Planned residential community. Complementary and compatible commercial uses may be included if they are compatible and harmoniously designed into the total residential community within a planned development district.
- B. Planned mobile home community. Complementary and compatible residential and commercial uses may be included if they are compatible and harmoniously designed into the total residential community within a planned development district.
- C. Planned commercial development. Complementary and compatible residential and light industrial uses may be included if they are compatible and harmoniously designed into the total commercial center within a planned development district.
- D. Planned industrial development. Complementary and compatible commercial uses may be included if properly related to the total industrial park within a planned development district.

10.1.3. Approval procedure. Approval of a proposed PDD shall be based upon the following criteria:

- Consistency with the City of Anderson Comprehensive Plan.
- Compatibility with surrounding development.
- Consistency with purpose of Planned Development Districts.

The procedure for obtaining approval of a planned development shall be as follows:

- A. Preapplication conference. At the prospective applicant's request, a preapplication conference shall be scheduled by the planning director and building official. The prospective applicant shall submit one copy of the concept plan to the planning director at least five working days prior to the preapplication conference. During that time frame, the planning director, building official, and other staff as required, shall review the concept plan, and prepare for the preapplication conference. The purpose of this meeting will be to acquaint the staff with the proposed project and to provide the prospective applicant with preliminary review comments to identify major concerns or the need for additional support data. Within five working days following the meeting, the planning director shall send a letter to the prospective applicant summarizing the major points of the meeting. The concept plan shall not be binding.
- B. Planned development land use plan. The applicant shall submit to the planning department, after payment of application fees, ten copies of the PD [Planned Development] land use plan and support data. The planning staff shall review the land use plan, and prepare a comprehensive staff report and recommendation for presentation to the planning commission at the next regularly scheduled meeting (as agenda deadlines dictate). The planning commission shall conduct a public review hearing, which may occur in conjunction with the regularly scheduled meeting. A copy of the staff report and recommendation shall be sent to the applicant at least five days prior to the public review hearing. Public notice of the review hearing shall occur at least 15 days prior to the hearing date. The planning commission shall prepare a recommendation (which may include conditions of approval) to the city council for official action.
- C. Development plan. After approval of the land use plan by city council, the applicant shall submit to the planning department four copies of the development plan and support materials.
 1. The development plan may cover all or a portion of the approved land use plan. (For instance, if the PD is to be a phased project, there may be several development plans over time.) The planning staff shall review the plan to determine if all appropriate data and information has been properly provided.
 2. The development plan shall be reviewed by the planning director in order to determine that:
 - It complies with the approved land use plan;
 - The phase of development can exist as a stable independent unit; and
 - Existing or proposed utility services and transportation systems are adequate for the uses proposed.
 3. The planning director shall either approve the development plan (which may include technical conditions, consistent with applicable ordinances, regulations, and policies), or deny the plan based upon specific findings which shall be stated. The applicant may appeal the decision to the board of zoning appeals.

10.1.4. Plan requirements.

- A. Concept plan requirements. The concept plan shall consist of a generalized sketch which is drawn to scale (the proportion and locations of land uses may be generalized), and which shows or addresses (with supporting information) the following items and matters:
 1. Boundary of the subject property, identified with a heavy line.
 2. Major natural features such as lakes, streams and conservation areas.
 3. Existing or proposed streets abutting the project and other major streets and intersections with 500 feet of access points to the subject property.
 4. Generalized location map and legal description, including acreage.
 5. Proposed land use types and locations (generalized).
 6. Gross densities.

7. Approximate minimum lot size.
8. Approximate number of units.
9. Approximate floor area for commercial or industrial uses.
10. Adjacent zoning.
11. Anticipated internal major road network.
12. Anticipated maximum building height.
13. Anticipated phasing plan.
14. Proposed method of providing water (fire protection), sewage disposal, stormwater management, parks/recreation facilities, schools.

B. Land use plan requirements. The land use plan, consisting of properly identified maps, exhibits and support materials, shall clearly indicate the following:

1. The project name, legal description, total acreage and location map.
2. Name of property owner.
3. Name and license number of surveyor.
4. Date prepared.
5. North pointing arrow.
6. Graphic scale.
7. Existing topography at contours to be determined by the building official, based on the USGS topographic maps, and other natural features including lakes, watercourses and conservation areas. On-site soil (based on the soil conservation service classification system), flood hazard areas and generalized vegetation. All plans shall be drawn to scale, not to exceed one inch equals 200 feet, unless otherwise permitted by the building official.
8. Existing and proposed land uses, with each phase of the total development identified as follows:
 - (a) Residential: Maximum gross density, total number of units, type of unit where feasible or necessary, minimum net lot size, minimum net living floor area, building heights, open space, and recreation areas.
 - (b) Commercial: Types of uses, gross floor area, floor area ratio, building height, setbacks and open space.
 - (c) Mobile homes: Maximum gross density, total number of units, type of unit where feasible or necessary, minimum net lot size, minimum net living floor area, open space, and recreation areas.
 - (d) Industrial: Types of uses, gross floor area, floor area ratio, building height, setbacks, open space and buffers.
9. The phasing of development and the manner in which each phase of development can exist as an independent stable unit.
10. The location of collector and arterial streets and highways proposed in the development, right-of-way widths, the location of access points to abutting streets and highways, and projected traffic generation based on established standards. (A traffic study may be required.)
11. Identification of existing major street setbacks and planned right-of-way lines as required.
12. Proposed method of providing the following services:
 - (a) Water service (including fire flows and gallons per day requirements).

- (b) Sewage disposal (including gallons per day generated).
 - (c) Stormwater management (per storm event).
 - (d) Schools (including school age population).
 - (e) Parks/recreation facilities.
- C. Development plan requirements. The development plan for the entire project or any phase, consisting of four copies of properly identified exhibits and support materials, shall include:
- 1. Development project name and phase number.
 - 2. Legal description and gross acreage of the proposed development, including and identifying land and water bodies.
 - 3. A location map identifying the relationship of the development plan to the approved land use plan.
 - 4. Subdivision plan if the applicant proposes to subdivide the project.
 - 5. The development plan, drawn at an approximate scale of one inch equals 100 feet with all dimensions provided, shall identify:
 - (a) Certified topography drawn at contour intervals to be determined by the building inspector, and showing all natural features.
 - (b) Existing street intersections or rights-of-way within 500 feet of access points.
 - (c) Surface improvements of primary streets serving the project.
 - (d) Location of all proposed uses.
 - (e) Number of dwelling units, density, minimum square footage of living area, minimum net lot area.
 - (f) Total square footage of commercial, industrial or office space and floor area ratio.
 - (g) Maximum building heights.
 - (h) Acreage, types and percent of open space and recreation areas.
 - (i) Pedestrian/bike path facilities.
 - (j) Stormwater management plan, including direction of surface drainage flow (storm event design flow).
 - (k) On-site soils based upon the soil conservation service classification system.
 - (l) On-site vegetation including that which is proposed to be removed during construction.
 - (m) Method of providing the following support utilities:
 - Water service (including fire flows and gallons per day requirements).
 - Sewage disposal (including gallons per day generated).
 - Solid waste disposal/storage.
 - (n) Existing or proposed easements.
 - (o) Parking spaces and location in accordance with Article 11
 - (p) Exterior lighting.
 - 7. Recreation area plan.
 - 8. Landscape, tree planting and screening plan.

9. Design elevations or renderings of structures.
 10. Sign plan, including scaled plans of proposed signs.
 11. Preliminary engineering plans for the provisions of road, water, sewer, and stormwater management for the proposed phase and relationship to the master infrastructure utilities plan.
 12. Proposed covenants, conditions, restrictions, agreements, and grants which govern the use maintenance and continued protection of building structures, drainage systems and landscaping within the planned development.
 13. Areas to be conveyed or dedicated and improved for roadways, parks, parkways, playgrounds, school sites, utilities, public buildings and other similar public and semi-public service uses. Improvement bonds for facilities to be owned and maintained by the city and not completed shall be posted before the issuance of building permits.
 14. Identification of owners, developers and the consultants involved in the development plan.
- 10.1.5. Amendments to the land use plan and development plans. Amendments to the approved land use plan or development plan shall be classified as either significant or non-significant. The determination of significance or non-significance shall be made jointly by the planning director and the building official.
- A. Significant amendments. The following criteria shall be used to identify a significant amendment:
1. A change which would include a land use not previously permitted under the approved PD.
 2. A change which would alter the land use type adjacent to a property boundary.
 3. A change which would require an amendment to the conditions placed on the project by the city council.
 4. A change which would increase the land use intensity within any development phase without a corresponding decrease in some other portion of the overall PD.
 5. An amendment to the phasing which would propose a land use in advance of the development it was designed to support.
 6. Any other change which would cause a significant impact on the surrounding properties.
- [For] amendments to the land use plan which are determined to be significant, [the developer] must submit plans and support data (following land use plan requirements) for review by the planning commission, a public review hearing, and final action by the city council.
- B. Non-significant amendments. The following criteria shall be used to identify a non-significant amendment:
1. A change which would reduce the number of units or floor area in one phase of the project and increase the number of units or floor area in another phase, and which does not adversely affect any conditions of the PD.
 2. A change which would increase the overall amenity space or open space within the PD.
- [For] amendments to the land use plan which are determined to be non-significant, [the developer] must submit plans and support data (following land use plan requirements) to the planning department.
- 10.1.6. Control of development. Upon the approval of the development plan or any phase thereof, the use of land and the construction or modification of any buildings or structures within the PD shall be in accordance with the approved development plan, rather than with the other provisions of this ordinance; however, all other ordinances, policies and resolutions shall apply to the project.

The planning director shall be responsible for certifying that all aspects of the PD, including conditions of approval (applicable to the subject portion of the project) have been satisfactorily completed prior to the issuance of a certificate of completion for the project or phase.

10.1.7. Other requirements. At the time of development, the PD or any phase proposed for development shall comply with all regulations and ordinances in force at the time of plan approval.

Sec. 10.2. - Planned development standards.

10.2.1. Purpose. Site development standards are established for planned development to insure adequate levels of light, air, and density, to maintain and promote functional compatibility of uses, to promote the safe and efficient circulation of pedestrian and vehicular traffic, to provide for orderly phasing of development, and to otherwise protect the public health, safety and general welfare.

10.2.2. Variances. Variances from the minimum standards set forth in this section may be granted for hardship by the board of adjustment and appeals. However, such variances must be specified in conjunction with the land use plan, otherwise all standards shall apply. Variance requests shall be identified in the public hearing notice. Variances requested after approval of the land use plan, may be approved by the board of zoning appeals only after a public hearing has been conducted. Abutting property owners shall be notified.

10.2.3. Preservation of natural features and vegetation. The natural topography, soils, and vegetation should be preserved and utilized, where possible, through the careful location and design of circulation ways, buildings and structures, parking areas, recreation areas, open space, and drainage facilities.

10.2.4. Circulation, access, and sidewalks. All streets shall meet minimum city standards with appropriate design widths of pavement surfaces to accommodate projected traffic with free movement, safety, and efficient use within the development. Provisions should be made for the continuation of all arterial streets and highways where applicable. Local/minor streets shall provide access to each parcel/lot of land within the development in a manner which will discourage through traffic.

A system of walkways between buildings (commercial and residential), common open spaces, recreation areas, community facilities and parking areas should be distinctly designed and adequately lighted for nighttime use. Each PD shall be serviced by sidewalks with a minimum width of 30 inches in the public right-of-way, to be located parallel to the front yard lines of each lot in the PD. Said sidewalks shall be installed by the PD developer.

10.2.5. Parking facilities. Prior to planning commission approval of the PD land use plan and/or development plan, the planning director shall review and approve an overall parking scheme for the PD, in accordance with the requirements set forth in Article 11 of this ordinance.

10.2.6. Stormwater management. The design and construction of stormwater management systems shall be in accordance with the subdivision regulations and applicable codes, ordinances, resolutions, rules, and regulations.

10.2.7. Impervious surface area. The maximum impervious surface area shall be not more than 60 percent of the gross land area for planned residential communities and not more than 70 percent for planned commercial and industrial developments.

10.2.8. Signage. Signs shall be regulated in accordance with Article 12 of this ordinance. The planning commission shall recommend and council shall approve, based upon the type and intensity of development, which level of signage regulation shall be used for each use type in the PD.

10.2.9. Utilities systems. Water systems, sewerage systems, utility lines, and easements shall be provided in accordance with the appropriate sections of the subdivision regulations and applicable codes, ordinances, resolutions, rules, and regulations. All utilities shall be supplied through underground networks.

10.2.10. Landscaping. Prior to planning commission approval of the PD land use plan and/or development plan, the planning director shall review and approve an overall landscaping and

buffering scheme for the PD, in accordance with an appropriate level of landscaping requirements set forth in Article 13 of this ordinance, based upon the type and intensity of development.

10.2.11. Minimum area required.

Type of development	Minimum area required (acres)
Planned residential development	5 acres
Planned mobile home development	5 acres
Planned commercial development	10 acres
Planned industrial development	25 acres

10.2.12. Ownership. The land to be used in a Planned Development District shall be under single ownership by an individual, corporation or other legal entity at the time of approval, and proper assurances shall be provided that the project can be successfully completed, as deemed necessary by city council. Individual properties in a PD may be sold after a final plat has been recorded, with the properties subject to private deed covenants that ensure the continuance of the PD.

10.2.13. General private deed covenants. The entire PD shall be included within private deed covenants running with the land to ensure the continuance of the PD in accordance with the approved land use plan and development plan. Covenants shall be recorded and presented to the planning department after plan approval, but prior to issuance of building permits.

10.2.14. Delay in construction. In the event that construction is not begun within two years from the date of approval by the city council, the district shall revert to its previous zoning classification, and all regulations of that district shall thereupon be in full force and effect.

10.2.15. Common open space and amenity requirements. Common open space or amenity areas shall be provided within all planned developments in order to enhance the living and working environment.

A. Open space areas are defined as areas serving any one of the following four basic functions:

- [1]. Landscaping, screening, greenbelts, buffers, or similar areas which help define and delineate urban boundaries on a large scale (i.e. forest, water impoundment, open pasture);
- [2]. Outdoor recreation (passive or active);
- [3]. Conservation of areas with unique natural qualities or physical benefits which need protection or preservation from man-built developments; or
- [4]. Agricultural production.

B. Open/amenity space shall be provided within the planned development based on the following:

Type of Planned	Percentage of the
-----------------	-------------------

Development	Gross Land Area
Single-family residential (excluding lot area)	10%
Multi-family residential	25%
Office	20%
Commercial	20%
Industrial	15%

- [1]. Not more than 30 percent of the common open space may lie in a floodplain.
- [2]. The required yards, parking areas, and buffers shall not be credited toward the minimum open space requirements.
- [3]. The required open space and amenities shall be developed and landscaped in accordance with the approved land use and development plan prior to the issuance of more than 50 percent of the occupancy permits.

10.2.16. Density. The applicant shall propose, and the planning staff shall review using the following criteria, and recommend to the planning commission, the density standards for each PD:

- A. Existing density requirements.
- B. Existing density of surrounding development.
- C. Location of the planned development in relation to current and anticipated growth patterns in the region.
- D. Preservation of natural features of the site.
- E. Provision of landscaped common open space for the leisure and recreational use of residents and/or employees.
- F. Adequacy of public utilities, services, and facilities to serve development.

10.2.17. Minimum lot width, minimum setback requirements, maximum lot coverage, and maximum height of structures. No structure shall be erected within 25 feet of any external PD property line. Minimum lot width, minimum setback requirements, maximum lot coverage, and maximum height are not otherwise regulated within PD districts; provided, however, that the planning commission ensure that the characteristics of building siting design shall be appropriate as related to overall compatibility with adjacent uses, properties, and districts in keeping with the intent of this ordinance.

10.2.18. Special requirements for planned mobile home developments. All mobile home planned developments shall comply with the following special requirements:

- A. Mobile homes shall be placed no closer than 20 feet to one another or any other structure on the premises.
- B. [Mobile homes] shall be placed according to the standards set forth in section 14.15 of this ordinance.

Section 2.1.5 - Overlay districts:

6. The CSOD, Cluster Subdivision Overlay District, is hereby established. Cluster subdivisions are residential developments which offer an alternative to traditional subdivision design, with the principle purpose being to encourage open space in exchange for a reduced lot size. Cluster subdivisions shall be designed using a site planning technique that concentrates buildings and structures to the most buildable areas of a site, in order to preserve the remaining area as open space for recreation and preservation of significant site features. Reductions below the minimums otherwise required by the UDO for lot area, lot width, and setbacks are allowed within a CSOD, and such reductions are only permissible within a CSOD. By preserving open space, a cluster subdivision will provide another tool by which the County shall preserve its rural character. Cluster subdivisions are permitted in low to moderate density single-family residential districts, specifically: (i) R-30, Low Density Residential/Agricultural District, (ii) R-30P, Low Density Residential/Agricultural Panhandle District, (iii) R-15, Moderate Density Residential/Agricultural District, and (iv) R-15P, Moderate Density Residential/Agricultural Panhandle District. Cluster subdivisions are not permitted in any residential use district in which multiple-family developments or manufactured homes are allowed. Cluster Subdivision Overlay Districts are subject to the following general provisions:
 - a. Minimum acreage: The minimum tract area for a cluster subdivision shall be thirty (30) gross acres, shall consist of contiguous parcels, and must adjoin or have direct access to at least one collector street.
 - b. Minimum lot area: The minimum lot area (in square feet) per dwelling unit within a cluster subdivision shall be 5,000 square feet. This shall be the minimum lot area allowed for any lot with the minimum lot width of fifty feet (50'), as defined in item (c). The minimum lot area per dwelling unit shall increase proportionately with an increase in lot width.
 - c. Minimum lot width: In a cluster subdivision, where both central water and sewer services are available and adequate, the minimum lot width shall be fifty feet (50').
 - d. Variety of lot sizes: Individual lots in a cluster subdivision shall vary in size and layout. No more than thirty-four percent (34%) of the lots in a cluster subdivision shall have a single designated lot width. The following shall also apply:
 1. The minimum separation between any two designated lot widths shall be ten feet (10'). For example, if thirty-four (34%) of the total number of lots has a lot width of fifty feet (50'), thirty-four (34%) could have a lot width of sixty feet (60'), and the remaining could have a lot width of seventy feet (70') or greater.
 2. The planning commission may allow a developer to vary the width of individual lots to accommodate site restrictions (i.e., easements, corner lot widths, etc). However, such lots shall be counted with the nearest designated lot width.
 - e. Setbacks: The following minimum setbacks are required for individual lots within a cluster subdivision:
 1. Front Yard: The minimum front yard setback shall be twenty feet (20'). The front yard setback for a corner lot shall be as set forth in Chapter 5 of the UDO;
 2. Rear Yard: The minimum rear yard setback shall be thirty feet (30');
 3. Side Yard: The minimum side yard setback shall be seven feet (7'). However, a minimum side yard setback of five feet (5') is permissible provided all of the following conditions are met:
 - i. Dwelling units shall have fire resistant siding within a side yard. These materials are to be approved by the Lancaster County Building Official (i.e. brick, masonry, stone, concrete siding). Vinyl siding is not permissible with a five foot (5') side yard;

- ii. Vented soffits are not permissible within a five foot (5') side yard. Unvented soffits shall be permissible if no less than ten feet (10') from an adjacent dwelling unit or structure; and
 - iii. Windows of dwelling units shall be offset from the windows of adjacent units within a five foot (5') side yard.
- f. Open space requirement: For a cluster subdivision, no less than twenty-five percent (25%) of the site acreage, not including primary conservation areas as defined in subitem (3) of this Item (f), shall be set aside in perpetuity as open space. Open space shall be clearly labeled as such on any preliminary or final plat (including sketch plans) submitted for review. Open space in a cluster subdivision is also subject to the following:
- 1. Open space shall be defined as set forth in Chapter 19 of the UDO and as outlined in Section 17.1 of the UDO. Open space may include, but is not limited to, passive recreation, and natural preservation of important scenic vistas, environmentally sensitive lands, habitat for wildlife, and historically or archaeologically significant areas. Structures, swimming pools, and athletic facilities shall not count as open space. However, structures are permitted in the open space when they serve an accessory function, such as a gazebo, fishing dock, playground equipment or play structures;
 - 2. The amount of open space required to be set aside shall be determined by the following formula:
 Open Space Set Aside = Total Parcel minus Primary Conservation Areas multiplied by Open Space Percentage then added to Primary Conservation Areas

$$TO = ((TP - PC) \times OSP) + PC$$

TO	= Total Open Space Set Aside	(acres)
TP	= Total Parcel	(acres)
PC	= Primary Conservation Areas	(acres)
OSP	= Open Space Percentage	(% of Improvable Area)

Note: See Item 1 of this Subsection 6 for an example of how these formulas are applied;

- 3. Primary Conservation area includes those areas that cannot otherwise be built upon or improved and therefore would be preserved in a conventional development. Such areas specifically include wetlands, surface waters, and intermittent stream channels;
- 4. To fulfill the requirements of this item (f), the following shall be included in the required open space where practicable:
 - i. Wooded areas;
 - ii. Scenic vistas;
 - iii. Streams, ponds, wetlands and floodplains;
 - iv. Buffers, including landscaped, perimeter, river and stream;
 - v. Areas containing slopes in excess of twenty-five percent (25%);

- vi. Other areas containing unusual natural site features (such as major rock formations); and
 - vii. Other environmentally, historically or archaeologically significant or unique areas;
5. Open space shall be contiguous to the extent practicable, when not restricted by topography, existing water body and other natural features;
 6. Pedestrians shall have access to open space;
 7. Open space shall be deed restricted and shall not be developed for use other than open space;
 8. Open space shall remain under the ownership and control of the developer (or successors) or a homeowners association or similar organization that satisfies the criteria established in Section 17.4 and 17.5 of the UDO. The person or entity identified as having the right of ownership and control over such open space shall be responsible for the continuing upkeep and proper maintenance of the open space. The County shall have no responsibility for the maintenance of open space areas. If open space location meets a need in the County comprehensive plan, the County and developer may consider conveyance of completed open space to the County, upon planning commission and Council approval; and
 9. A cluster subdivision shall include provisions for the protection of trees and other natural amenities within the area or areas designated for open space. The removal of trees and natural vegetation in designated open space is strongly discouraged, though it is permitted during the development phases for the purpose of trails and other such recreational improvements as approved by planning staff. All open space shall be clearly labeled as such on any preliminary or final plat (including sketch plans) submitted for review. Trees over twenty-four inches (24") in diameter (DBH) shall be preserved and incorporated in designated open space where practicable, and upon the request of planning staff such trees existing within areas designated for trails and other such recreational improvements may also need to be shown and labeled. Upon completion of development phases, no person or entity shall remove or destroy any trees or natural vegetation from designated open space without approval from the zoning administrator. However, normal maintenance and removal of dead or fallen trees are permitted and recommended, and shall be the responsibility of the person or entity identified as having the right of ownership as outlined in subitem (8) of this item (f).
- g. Maximum density: The maximum number of dwelling units allowed per acre for a cluster subdivision shall not exceed the maximum for the residential use district in which it is located, as set forth in Section 2.1.1 of the UDO, where the total number of dwelling units allowed shall be based on the gross acreage of the site. For example, when the CSOD is located within the R-30, Low Density Residential/Agricultural District, where the maximum density is two and one-half (2.5) dwelling units per acre, a one hundred (100)-acre parcel of land shall be allowed to have no more than two hundred fifty (250) dwelling units built on the site. By comparison, when the CSOD is located within the R-30P, Low Density Residential/Agricultural Panhandle District, where the maximum density is one and one-half (1.5) dwelling units per acre, a one hundred (100)-acre parcel of land shall be allowed to have no more than one hundred fifty (150) dwelling units built on the site (See Item 1 of this Subsection 6 for additional examples).
 - h. Commercial requirement: There shall be no required commercial uses within a cluster subdivision.
 - i. Connectivity: The proposed cluster subdivision must have a minimum connectivity index of 1.4 as set forth in Section 13.7.9.1 of the UDO. The following shall also apply:
 1. Any cluster subdivision which will result in one hundred fifty (150) or more dwelling units dependent on a single point of access shall require the provision of a second means of ingress/egress and is subject to the requirements of Section 13.7.8.9 of the UDO;

2. One (1) stubbed out street shall be required to be provided to any adjacent undeveloped parcel or parcel used for a single-family home that contains a minimum of five (5) acres as set forth in Section 13.7.10.3 of the UDO. However, the planning commission may alter this requirement if the developer demonstrates that the connection would be difficult to provide because of topographical reasons; and
 3. Where practicable, the proposed cluster subdivision is required to connect to open space (i.e. bike paths, walking/hiking trails, etc) in adjacent developments.
- J. Site planning review standards: A cluster subdivision shall follow the site plan review standards and procedures as set forth in Chapter 13 of the UDO, including but not limited to Section 13.6. Furthermore, planning staff shall also include the following in their review:
1. Overall site design shall be harmonious in terms of landscaping, enclosure of principal and accessory uses, sizes of structures, street patterns, and use relationships;
 2. The site layout shall accommodate and preserve any features of historic, cultural, archaeological or sensitive environmental value. Individual lots, buildings, structures, streets, parking areas, utilities and infrastructure shall be designed and sited to minimize the alteration of natural features, vegetation and topography;
 3. Where practicable, individual lots, buildings, structures, streets, parking areas, utilities and infrastructure should be designed and sited to be compatible with surrounding development patterns;
 4. Where practicable, open space shall be located on a site in such a manner so that view sheds from existing public right-of-way are not obstructed, but are enhanced by the open space;
 5. Private streets are permitted in a cluster subdivision, provided such streets meet the construction standards of Chapter 13 of the UDO and Chapter 26 of the Lancaster County Code. The following shall apply:
 - i. As required in Section 26-51 of the Lancaster County Code, the minimum right-of-way and pavement width shall be as follows:

Road Type	Right-of-Way (feet)	Pavement (feet)
Local (closed drainage)	50	20
Local (open drainage)	66	20
Collector	66	24

- ii. On-street parking is permitted in a cluster subdivision where adequate right-of-way and pavement width is provided in accordance with standards of the South Carolina Department of Transportation (SCDOT); and
- iii. To ensure adequate clearance for emergency vehicles in a cluster subdivision, the planning commission may require signage and/or pavement markings to clearly indicate areas where on-street parking is prohibited;

6. Installing sidewalks on both sides of local streets in a cluster subdivision is encouraged. At a minimum, a sidewalk will be required on at least one side of every local street, with a sidewalk required on both sides of arterial and collector streets. Local, arterial and collector streets shall be clearly labeled as such on any preliminary or final plat submitted for review;
7. A traffic impact analysis shall be provided to the Development Review Committee (DRC) at the time of the DRC submittal for any development within a CSOD, as required in Section 13.7.10.1 (c) of the UDO. The traffic impact analysis must be conducted and sealed by a licensed South Carolina professional engineer hired by the applicant. The cost of the traffic impact analysis shall be paid by the applicant. Any road improvements, which are determined to be necessary, based on the results of the traffic impact analysis, shall be required to be incorporated into the final site plan prior to approval being given by the Development Review Committee. The traffic impact analysis shall be reviewed by the County and in conjunction with the South Carolina Department of Transportation. If a County level traffic planner is not available to review the traffic impact analysis, the County may choose to hire a third-party consultant to assist in this review at the request of the planning department. The applicant is responsible for fees associated with this review;
8. In general, landscaping requirements for a cluster subdivision shall comply with the requirements of Chapter 12 and Chapter 22 of the UDO. However, the planning commission may vary such requirements in response to applications demonstrating alternative landscaping based on creative site planning. Existing trees and natural vegetation shall be retained wherever possible and shall count towards meeting the landscaping requirements;
8. The following buffer requirements shall apply for a cluster subdivision:
 - i. In general, buffer requirements for a cluster subdivision shall comply with the requirements of Chapter 12 of the UDO where a buffer yard may be required between adjacent zoning districts;
 - ii. Existing trees and natural vegetation shall be retained wherever possible and shall count towards meeting the buffer requirements;
 - iii. Ingress/egress to the property shall be allowed within a buffer, as well as utility easements and sidewalks;
 - iv. A fifty foot (50') buffer shall be required on the frontage of all existing public streets. Where there is insufficient natural vegetation to provide a visual buffer for principal structures, plantings shall be installed by the developer. A minimum of twenty-five percent (25%) of the trees and seventy-five percent (75%) of the shrubs shall be evergreens;
 - v. The planning commission may allow a developer to vary the buffer requirement to preserve view sheds from existing view sheds, as required in subitem (4) of this item; and
 - vi. Buffer requirements within a cluster subdivision shall count as open space where it is contiguous with other areas designated as open space; and
10. Variety in architecture and building materials shall be encouraged within a cluster subdivision. It is encouraged that buildings are constructed using quality finish materials (i.e., brick, masonry, stone, concrete siding, or stucco). Vinyl siding is permissible if in combination with other building materials.
- k. Other zoning requirements: To the extent that this subsection (6), establishing the Cluster Subdivision Overlay District, may contain zoning and development standards and requirements that are inconsistent with or conflict with zoning and development standards and requirements contained elsewhere in the UDO, the zoning and development standards and requirements contained in this subsection (6) supersede all other zoning and development standards and requirements and this subsection (6) is deemed controlling. Notwithstanding the provisions of

this item (k), if a zoning and development standard and requirement contained in this subsection (6) is inconsistent with or conflicts with a zoning and development standard and requirement contained in subsections 2.1.5(1) FP, Floodplain and FW, Floodway Overlay Districts, 2.1.5(2) HNP, Historical and Natural Preservation Overlay District, 2.1.5(3) ESQ, Equestrian Oriented Subdivision Overlay District, 2.1.5(4) AC, Aviation Corridor Overlay and 2.1.5(5) CHOD, Carolina Heelsplitter Overlay District, then the zoning and development standard and requirement contained in subsections 2.1.5(1), 2.1.5(2), 2.1.5(3), 2.1.5(4) or 2.1.5(5) supersede the zoning and development standard and requirement contained in this subsection (6) and the provision contained in the respective subsection is deemed controlling.

- 1. **Examples of Applying Formulas:** Below are examples of applying formulas to determine the total number of dwelling units allowed and the amount of the site acreage to be set aside as open space within a Cluster Subdivision Overlay District.

Example A. Assume that a fifty (50) acre parcel is being developed. The residential use district is R-15, Moderate Density Residential/Agricultural District, where the maximum density is two and one-half (2.5) dwelling units per acre. Assume that there are five (5) acres of Primary Conservation area. The open space percentage is twenty-five percent (25%) (or as a decimal, .25).

- 1. The following formula would be used to determine the total number of dwelling units allowed:

Total Dwelling Units Allowed = Total Parcel multiplied by Maximum Dwelling Units per Acre

$$TU = (TP) (DUA)$$

TU	= Total Units Allowed	(dwelling units)
TP	= Total Parcel	{acres}
DUA	= Maximum Dwelling Units per Acre	(dwelling units/acres)

$$TU = (50)(2.5)$$

TU = 125 Total Lots or Dwelling Units Allowed

- 2. The following formula would be used to determine the amount of the site acreage to be set aside as open space:

Total Open Space Set Aside = Total Parcel minus Primary Conservation Areas multiplied by Open Space Percentage then added to Primary Conservation Areas

$$TO = ((TP - PC) OSP) + PC$$

TO	= Total Open Space Set Aside	{acres}
TP	= Total Parcel	{acres}

PC	= Primary Conservation Areas	(acres)
OSP	= Open Space Percentage	(% of Site Acreage excluding PC)

TO = Total Open Space Set Aside

TP = 50 acres Total Parcel

PC = 5 acres Primary Conservation Areas

OSP = 25% (or .25) Open Space Percentage

$$TO = ((50 - 5) .25) + 5$$

$$TO = ((45) .25) + 5$$

$$TO = (11.25) + 5$$

TO = 16.25 acres of Total Open Space Set Aside

Example B. Assume that a five hundred (500) acre parcel is being developed. The residential use district is R-30P, Low Density Residential/Agricultural Panhandle District, where the maximum density is one and one-half (1.5) dwelling units per acre. Assume that there are one hundred (100) acres of Primary Conservation area. The open space percentage is twenty-five percent (25%) (or as a decimal, .25).

- The following formula would be used to determine the total number of dwelling units allowed:

Total Dwelling Units Allowed = Total Parcel multiplied by Maximum Dwelling Units per Acre

$$TU = (TP)(DUA)$$

TU	= Total Units Allowed	(dwelling units)
TP	= Total Parcel	(acres)
DUA	= Maximum Dwelling Units per Acre	(dwelling units/acres)

$$TU = (500)(1.5)$$

TU = 750 Total Lots or Dwelling Units Allowed

- The following formula would be used to determine the amount of the site acreage to be set aside as open space:

Total Open Space Set Aside = Total Parcel minus Primary Conservation Areas multiplied by Open Space Percentage then added to Primary Conservation Areas

$$TO = ((TP - PC) OSP) + PC$$

TO	= Total Open Space Set Aside	(acres)
TP	= Total Parcel	(acres)
PC	= Primary Conservation Areas	(acres)
OSP	= Open Space Percentage	(% of Site Acreage excluding PC)

TO = Total Open Space Set Aside

TP = 500 acres Total Parcel

PC = 100 acres Primary Conservation Areas

OSP = 25% (or .25) Open Space Percentage

$$TO = ((500 - 100) .25) + 100$$

$$TO = ((400) .25) + 100$$

$$TO = (100) + 100$$

TO = 200 acres of Total Open Space Set Aside

Example C. Assume that a one thousand (1000) acre parcel is being developed. The residential use district is R-30, Low Density Residential/Agricultural District, where the maximum density is two and one-half (2.5) dwelling units per acre. Assume that there are one hundred (100) acres of Primary Conservation area. The open space percentage is twenty-five percent (25%) (or as a decimal, .25).

- The following formula would be used to determine the total number of dwelling units allowed:

Total Dwelling Units Allowed = Total Parcel multiplied by Maximum Dwelling Units per Acre

$$TU = (TP) (DUA)$$

TU	= Total Units Allowed	(dwelling units)
TP	= Total Parcel	(acres)
DUA	= Maximum Dwelling Units per Acre	(dwelling units/acres)

$$TU = (1000)(2.5)$$

$$TU = 2500 \text{ Total Lots or Dwelling Units Allowed}$$

2. The following formula would be used to determine the amount of the site acreage to be set aside as open space:

Total Open Space Set Aside = Total Parcel minus Primary Conservation Areas multiplied by Open Space Percentage then added to Primary Conservation Areas

$$TO = ((TP - PC) OSP) + PC$$

TO	= Total Open Space Set Aside	(acres)
TP	= Total Parcel	(acres)
PC	= Primary Conservation Areas	(acres)
OSP	= Open Space Percentage	(% of Site Acreage excluding PC)

TO = Total Open Space Set Aside

TP = 1000 acres Total Parcel

PC = 100 acres Primary Conservation Areas

OSP = 25% (or .25) Open Space Percentage

$$TO = ((1000 - 100) .25) + 100$$

$$TO = ((900) .25) + 100$$

$$TO = (225) + 100$$

TO = 325 acres of Total Open Space Set Aside

For Consideration:

1] Keep existing Agricultural District with amendments to Use Matrix; and

2] Adopt Agricultural-5 District; and

3] Adopt Argicultural-50 District.

Sec. 38-10.6. - Agriculture district 5 (AD-5).

Title: Agriculture district 5.

Definition: Those areas in which rural lifestyles have traditionally been and continue to be intertwined with agricultural activity and production which has a significant economic impact to the area and Oconee County.

Intent: Agricultural districts are intended for the protection of farm land in Oconee County while ensuring sufficient residential and commercial development opportunities exist to serve the needs of citizens living in those areas.

Dimensional requirements:*

Agricultural and Residential Uses	Density and Lot Size			Minimum Yard Requirements			Maximum Non-Agricultural Building Area
	Min. Lot Size	Max. Density	Min. Width (ft.)	Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)	10% of Total Lot Area
	5 acres (217,800 sf)	1 dwelling per 5 acres*	100	35	10	20	
Non-Agricultural and Non-residential Uses	Minimum Lot Size		Minimum Yard Requirements			Maximum Non-Agricultural and Non-Residential Building Area	
	Min. Lot Size		Min. Width (ft.)	Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)	50% of Total Lot Area
	Special Exception		100	35	10	20	

Items noted in RED indicate significant differences from existing standards.

*Dwellings dedicated to housing farm employees shall be excluded in calculating maximum density.

All parcels of record duly recorded in the Oconee County Register of Deeds office on or before (enter date of adoption of this amendment) may be subdivided to create one non-conforming lot, provided resulting parcels conform with all minimum width and setback standards. The Planning Commission may for good cause approve additional subdivisions for bona fide family transfers.

Sec. 38-10.XXXXX. - Agriculture district 50 (AD-50).

Title: Agriculture district 50.

Definition: Those areas in which rural lifestyles have traditionally been and continue to be intertwined with agricultural activity and production which has a significant economic impact to the area and Oconee County.

Intent: Agricultural districts are intended for the protection of farm land in Oconee County while ensuring sufficient residential and commercial development opportunities exist to serve the needs of citizens living in those areas.

Dimensional requirements:*

Agricultural and Residential Uses	Density and Lot Size			Minimum Yard Requirements			Maximum Non-Agricultural Building Area
	Min. Lot Size	Max. Density	Min. Width (ft.)	Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)	10% of Total Lot Area
	50 acres (2,178,000 sf)	1 dwelling per 25 acres*	100	100	250	250	
Non-Agricultural and Non-residential Uses	Minimum Lot Size		Minimum Yard Requirements			Maximum Non-Agricultural and Non-Residential Building Area	
	Min. Lot Size		Min. Width (ft.)	Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)	50% of Total Lot Area
	Special Exception		100	100	250	250	

Items noted in RED indicate significant differences from existing standards.

*Dwellings dedicated to housing farm employees shall be excluded in calculating maximum density.

All parcels of record duly recorded in the Oconee County Register of Deeds office on or before (enter date of adoption of this amendment) may be subdivided to create one non-conforming lot, provided resulting parcels conform with all minimum width and setback standards. The Planning Commission may for good cause approve additional subdivisions for bona fide family transfers.

Zoning Use Matrix

Uses	AD	AD-5	AD-50	TRD	ARD	RRD	PRLD
Agricultural production, crops, livestock, and poultry	P	P	P	P	X	P	X
Agricultural production, crops, livestock, and poultry (excluding commercial chicken houses, commercial hog parlors, and commercial feed lots)	P	P	X	P	P	P	X
Agricultural support services-veterinarians, kennels, feed/seeds, supply stores, implements, etc.	P	C	C	P	P	P	X
Air strips	S	X	X	S	X	S	X
Auction houses	P	C	X	P	S	P	X
Auditorium/Indoor Public Assembly	S	X	X	P	X	X	X
Bed and Breakfast Inns	C	C	X	P	P	P	X
Building and Trade Contractors, including materials and supply uses	P	X	X	P	S	X	X
Cemeteries and accessory uses	P	P	X	P	P	P	X
Civic, fraternal, professional, and political organizations	PC	X	X	P	P	P	X
Commercial Fishing, Hunting and Trapping	P	C	X	P	S	S	S
Communications towers	S	S	S	S	S	S	S
Conservation subdivisions	C	X	X	C	C	C	X

DRAFT Zoning Use Matrix – Includes Suggested Agricultural Zoning Standards FOR DISCUSSION ONLY

Convenience stores (excluding motor vehicle services)	S	X	X	P	S	S	X
Correctional facilities and half-way houses	X	X	X	X	X	X	X
Day Care Facilities (all ages)	PX	X	X	P	S	S	X
Distribution and other Warehouses	PC	X	X	P	X	X	X
Educational buildings, and Research Facilities (all types)	S	S	S	S	X	S	P
Emergency services	P	P	P	P	P	P	X
Farm and roadside markets	P	P	P	P	P	P	P
Financial Services	SX	X	X	P	X	X	X
Forestry/Silviculture	P	P	P	P	P	P	P
Fuel supply services	P	X	X	X	X	X	X
Funeral homes and services	X	X	X	X	X	X	X
Golf courses, country clubs, driving ranges	X	S	X	S	S	X	X
Government buildings (excluding correctional facilities)	S	S	X	P	X	P	P
Group Homes	SX	X	X	S	S	S	S
Greenhouses, nurseries, and landscape commercial services	P	P	P	P	P	P	X
Gun and Archery clubs and shooting ranges	SP	S	P	S	X	S	X

DRAFT Zoning Use Matrix – Includes Suggested Agricultural Zoning Standards FOR DISCUSSION ONLY

Health care services, service retail, and emergency short term shelters	P S	S	S	P	S	P	X
Home occupations and businesses	C P	P	P	C	C	C	X
Hotels, Motels, and Inns	S X	X	X	S	X	X	X
Laundry Mats	P C	X	X	P	P	X	X
Laundry and dry cleaning services	X	X	X	P	X	X	X
Light Manufacturing	S C	C	X	P	X	X	X
Liquor stores and bars	X	X	X	X	X	X	X
Lumber and saw mills (permanent)	P	X	S	P	X	X	X
Lumber and saw mills (portable)	P	C	C	P	P	P	P
Manufactured Home Dealer	X	X	X	X	X	X	X
Heavy Manufacturing	X	X	X	X	X	X	X
Marinas	S	X	X	S	S	S	S
Mini storage or mini warehouses	X	X	X	X	X	X	X
Mining	S	X	X	S	X	X	X
Mixed Use Buildings and parcels	P C	C	X	P	X	P	X
Motor vehicle parking and garages (as a principal business use)	X	X	X	X	X	X	X
Motor vehicle sales and rental	X	X	X	S	X	X	X
Motor vehicle services and repair	P	X	X	P	P	X	X

DRAFT Zoning Use Matrix – Includes Suggested Agricultural Zoning Standards FOR DISCUSSION ONLY

Motor vehicle services and gas stations (excluding truck stops)	P C	X	X	P	X	P	X
Movie theater	X	X	X	P	X	X	X
Multi-family residential development (structures containing 5 or more residential units)	X	X	X	P	S	X	X
Multi-family residential development (structures containing no more than 4 residential units)	X	X	X	P	S	X	X
Museums, cultural centers, historical sites, sightseeing, and similar institutions	P	C	C	P	P	P	P
Office uses, general	X	X	X	P	X	X	X
Outdoor Retail	P	P	X	P	P	P	X
Places of worship	P	P	P	P	P	P	P
Public, Private, and Commercial parks and recreation, camping or social facilities	P	C	X	P	P	P	P
Public and private utilities	P	P	P	P	P	P	P
Railroad stations	X	X	X	P	X	X	X
Residential care facilities	X	X	X	S	X	S	X
Restaurants (up to 2,500 square feet)	P	C	C	C	S	C	X
Restaurants (greater than 2,500 square feet)	S	S	X	S	X	S	X

DRAFT Zoning Use Matrix – Includes Suggested Agricultural Zoning Standards FOR DISCUSSION ONLY

Retail uses (up to 5,000 square feet)	S	S	X	P	S	P	X
Retail uses (5,000—50,000 square feet)	X	X	X	S	X	S	X
Retail uses (greater than 50,000 square feet)	X	X	X	X	X	X	X
Roadside Stands	P	P	P	P	P	P	X
Salvage yard, Junkyard, and Recycling Operations	S	S	X	S	X	X	X
Single-family detached residential	P	P	P	P	P	P	X
Single-family subdivisions (10 units or less)	S	X	X	P	P	P	X
Single-family subdivisions (more than 10 units)	X	X	X	S	X	X	X
Solid waste landfill and Waste Management Services; (excluding hazardous waste)	S X	X	X	S	X	X	X
Taxidermy, slaughter houses and wild game processing	P	C	C	P	S	P	X
Waste management services (excluding hazardous waste)	S X	X	X	S	X	X	X

X—Not permitted

P—Permitted

C—Conditional use - permitted if conditions are met

S—Special exception - approved by Board of Zoning Appeals