

**CHAPIN UNIFIED ZONING & DEVELOPMENT ORDINANCE  
STEERING COMMITTEE MEETING  
Council Chambers, Chapin Town Hall**

**September 21, 2023  
3:00 P.M.**

**AGENDA**

**Call to order**

**Freedom of Information Act Compliance**

**Approval of Minutes**

1. August 24, 2023 Meeting Minutes

**New Business**

2. Unified Zoning and Development Ordinance draft review
  - a. Article 5: Land Development Standards
  - b. Article 7: Landscaping, Buffers, and Tree Preservation
  - c. Article 8: Parking and Loading

**Adjourn**

**TOWN OF CHAPIN  
UNIFIED DEVELOPMENT ORDINANCE COMMITTEE  
MEETING MINUTES**

**Thursday August 24, 2023  
3:00 P.M.**

**Town Hall**

**Members Present:** Planning Commission Members Rae Davis (arrived at 3:05 p.m.), Caleb Pozsik, Yvonne Hudson (via Zoom), Clay Cannon, Josh Edwards

**Staff Present:** Planning and Zoning Manager Kevin Singletary, Town Clerk Shannon Bowers, Town Administrator Nicholle Burroughs

**Staff Absent:** Mayor Al Koon

**Guests:** Riccardo Giani - MRB Group (via Zoom)

**Call to Order:** Vice Chair Pozsik called the meeting to order at 3:01 p.m. She then determined there was a quorum and acknowledged the appropriate notifications in compliance with the SC Freedom of Information Act had been met. Administrator Burroughs noted that the packet link to the full UDO document originally did not work and that the problem was fixed within the twenty-four-hour notice period.

**Approval of Minutes:** Member Cannon moved to approve the August 1, 2023 and August 16, 2023 meeting minutes as presented. Vice Chair Pozsik seconded the motion. No further discussion, motion passed unanimously.

Vice Chair Caleb Pozsik:	Yes
Member Clay Cannon:	Yes
Member Josh Edwards:	Yes
Member Yvonne Hudson:	Yes

**New Business**

**Full Draft Review – Unified Zoning and Development Ordinance:** Mr. Singletary began by stating the path forward would be to note any major notes on the document, leaving out grammatical/format related notes. The committee then discussed the following notes: defining “Administrator” throughout the document, making language clear that applicant is responsible for determining any other covenances/deeds/restrictions, placement of zoning district map, descriptions, quorum requirements, and member criteria for town boards, open space requirements, indicating which zoning districts allow for conservation subdivisions are to be encouraged, density table as it relates to conservation subdivisions, multifamily in mixed use, removing maximum density, including calculation to accurately reflect open spaces, setback requirements, and making sure uses (such as garden centers, short term rentals, tobacco stores) were clearly defined in the permitted use table.

**Adjournment:** Vice Chair Pozsik moved to adjourn the meeting. Member Cannon seconded the motion. Meeting was adjourned at 5:10 p.m.

UDO COMMITTEE APPROVED (Date): \_\_\_\_\_

\_\_\_\_\_  
Rae Davis, PC Chair

ATTEST: \_\_\_\_\_

Shannon Bowers, Town Clerk

Article 5 Land Development Standards

5. Land Development Standards

5.1. Purpose

The public health, safety, economy, good order, appearance, convenience, morals, and general welfare require the harmonious, orderly and progressive development of land within the Town of Chapin. In furtherance of this general intent, the regulation of land development by the Town of Chapin is adopted for the following purposes, among others:

- To encourage the development of an economically sound and stable community;
- To assure the timely provision of required streets, utilities, other facilities and services to new land developments;
- To assure the adequate provision of safe and convenient traffic access and circulation, both vehicular and pedestrian, in and through new land developments;
- To assure the provision of needed public open spaces and building sites in new land developments through the dedication or reservation of land for recreational, educational, transportation and other public purposes; and
- To assure, in general, the wise and timely development of new areas or redevelopment of areas in harmony with the adopted Town of Chapin Comprehensive Plan.

5.2. Applicability

5.2.1. The following development shall comply with the improvement requirements in this article:

- a. The developer, owner, or applicant shall be responsible for the improvements required with all new, significantly improved, or expansion of development that require Minor (Section 10.8) or Major Subdivision Review (Section 10.9).
- b. New development and significantly improved as required for Major Architectural Review (Section 10.6)

5.2.2. The applicant shall be responsible for the installation and construction of required improvements according to the provisions of this ordinance, except as may otherwise be specifically provided herein or by Town policy or agreement.

5.2.3. Approval of a final plan and/or plat shall be subject to the applicant having installed the improvements designated in this article, or having Improvements Guarantee to the satisfaction of the Town and Lexington County for installation of said improvement(s).

5.3. General Requirements

5.3.1. Street Improvements: Land designated for public or private streets shall be cleared and filled in accordance with the latest edition of the "South Carolina Standard Specifications for Highway Construction", South Carolina State Highway Department, or as determined appropriate by Lexington County or authority having jurisdiction.

Deleted: the

Deleted: Engineer or Administrator

- 5.3.2. Water and Sewer Facilities: Water and sewer facilities shall be provided in accordance with the standard procedures and policies of the Town , the Department of Health and Environmental Control (DHEC) and by the water and sewer provider, if different from above.
- 5.3.3. Utility Lines: All utility lines within a development site shall be installed underground, unless there are existing above-ground lines that serve the property. When it is found to be necessary and desirable to locate public utility lines in a location other than street right-of-way, easements shall be shown on the plat for such purposes. When the water main is located in the street right-of-way and it will be necessary to cut into the street surface to serve abutting lots, a connection shall be stubbed out to the property line to serve each lot before the street is surfaced. Such easements shall be not less than twenty (20) feet along rear property lines and fifteen (15) feet alongside property line, subject to the approval of the authority having jurisdiction, and, where possible, shall be centered on rear and side lot lines.
- 5.3.4. Natural Gas: When gas lines are located in a street right-of-way, where possible, such lines shall be located outside the portion of the street to be surfaced to prevent cutting into the paved surface to serve abutting properties.
- 5.3.5. Improvement of Existing Substandard Conditions: Where the existing right of way is substandard, the developer shall be required to dedicate the appropriate amount of right-of-way (as measured from the centerline of the existing street) as well as install all noted sidewalk zone improvements including expanded sidewalks and street trees, lighting, storm drain improvements and street furniture as a part of the development process.
- 5.3.6. Flood Hazard Areas: In accordance with the Town's Flood Prevention Ordinance, any development that contains land subject to flooding shall be accompanied by evidence that no appreciable expansion of the area subject to flooding would result from the proposed development of the land, and that the proposed development will be adequately protected from inundation without appreciable interference with the flow of any watercourse or into an impounding basin. In no case shall any fill, levee, or other protective works be approved unless sufficient compensating adjustments of waterways, ditches, or impounding basins are made to prevent any appreciable expansion of flood hazard area.
- 5.3.7. Storm Drainage: An adequate drainage system, including necessary improved open channels, pipes, culverts, storm sewers, intersection drains, drop inlet, bridges, and other necessary appurtenances shall be installed by the developer and shall be according to plans and specifications approved by the Lexington County Stormwater Management Division.

**Deleted:** having authority

**Deleted:** Requests for waivers based on practical hardships shall be made to the Planning Commission. Appeals to this decision shall follow the process outlined in Section 10.7.4.

**Deleted:** being subdivided

**Deleted:** subdivider

- 5.3.8. Surveying and Engineering
  - a. Installation of Permanent Reference Points: Permanent reference points shall be placed in accordance with the following requirements:
    1. General Standards: Boundary surveys shall be performed, in accordance with the state minimum standards published by the State Board of

Registration for Professional Engineers and Land Surveyors, unless more stringent requirements are specified. A minimum of two points in any survey must be tied to the state plane coordinate system. The survey may be done on the horizontal ground distance and tied back to the state plane coordinates.

2. **Control Monuments:** Vertical control monuments shall be placed in or near the centerline of pavement of subdivision streets at a minimum of 1 per 4 acres. Where practical, control monuments shall be placed at points of curvature and points of tangency of curves. The control monument may be poured on the job or be a concrete marker of the type commonly used in the area: at least 3 feet long and tapered with a 12-inch long, 1/4-inch diameter brass or bronze rod embedded in the top. Control monuments shall be placed in a cast iron water main valve type box with a cover flush with the pavement.
3. **Property Marker:** A steel or wrought iron pipe, rebar, or the equivalent, not less than 0.5 inches in diameter and at least 24 inches in length shall be set at all property corners and points of curves, except those located by monuments. They shall be flush with the ground.
4. **Accuracy:** Land surveys within the Town limits shall be Class A surveys, set at an accuracy of at least 1:10000.

5.3.9. Improvement Guarantees

- a. **Types Allowed:** Prior to approval of a Final Subdivision Plat the applicant shall provide a performance guarantee to ensure the completion of required improvements within a period of time as agreed upon by the Administrator and/or Lexington County Engineer and the applicant, and expressed in the guarantee. Such guarantee may be in the form of a performance bond, a surety bond, a cash deposit, or a letter of credit. A performance guarantee shall be posted in the amount of 125% of the total cost of improvements, or in an amount otherwise approved by the Administrator and/or Lexington County Engineer.
  1. **Performance / Surety Bonds and Letters of Credit:** The performance or surety bond, or letter of credit, shall be in a form acceptable to the Town. It shall include a pledge by the bank, insurance company or other bonding/lending institution that the funds necessary to carry out the terms of the agreement are guaranteed for payment, and will be released only upon receipt of written instruction from the Town.
  2. **Cash Deposits:** If surety is in the form of a cash deposit with the Town of Chapin, proportional parts thereof shall be refundable in relation to progress payments less retainage, subject to approval of the Town and subject to a minimum deposit balance of 25% of the project cost.
  3. **Maintenance Guarantees for Private Streets:** If the applicant completes all required improvements and complies with all conditions of the subdivision agreement as determined by the Town and Lexington County, the remainder of monies retained by a financial institution or by

the Town may be released to the applicant or his successor in title. Prior to release, the applicant shall provide the Town and Lexington County, prior to the issuance of any building permit, a performance bond, a surety bond, or a cash deposit equal to the amount determined by Town and Lexington County that would ensure the repair of any damage to the existing improvements during the course of any construction, but in no case will the amount of the security be less than \$1,000 for each individual building lot. Prior to the issuance of any certificate of occupancy, Lexington County and the Town shall determine whether or not any breakage or damage has occurred. If no damage to any off-site improvements has occurred, then Lexington County may release the security to the applicant or his successor in title. If damages have occurred, they shall be repaired, or the Town or County may draw on the security before it is released.

5.3.10. Street Layout Standards

- a. General Standards: All streets, which shall hereafter be established in connection with the development of a subdivision, shall comply with the following design standards:
  - 1. The layout of the streets as to arrangement, character, width, grade, and location may be required to conform to the Town's Master Plan, Official Maps, Comprehensive Plan, and other adopted plans involving transportation infrastructure.
  - 2. Connectivity between compatible uses and adjoining street systems to reduce curb cuts on major thoroughfares and encourage local traffic to use alternative routes on local streets. Compatible uses are uses of similar intensity and characteristics permitted in similar zoning districts, as determined by the Administrator.
  - 3. Where a subdivision abuts or contains an existing or proposed collector or through street, the Planning Commission may require marginal access streets, reverse frontage with screen planting, deep lots, or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.
  - 4. Roads of an existing subdivision shall not be used as the sole means of ingress and egress in developing any new subdivision, minor or major, or extending an existing one unless granted by the Planning Commission. If, in the judgement of the Planning Commission, the increased traffic and noise would create a safety hazard or otherwise be detrimental to residents of the existing subdivision, additional access shall be provided.
- b. Continuation of Existing Street Pattern  
Wherever topography will permit, the arrangements of streets in a subdivision shall provide for the alignment and continuation or projection of

existing streets in adjoining areas. This is to mean the interconnectivity of subdivision developments.

c. Block Sizes

The Planning Commission shall examine every proposed subdivision as to its compliance with the following provisions:

1. **Nonresidential Blocks:** Non-residential blocks shall be of such length and width as may be suitable for their prospective use, including adequate provision for off-street parking, pedestrian connections, and service.
2. **Residential Blocks:** the length of residential blocks hereafter shall not exceed fourteen hundred (1400) feet or be less than **five** hundred (500) feet from corner to corner. Provided, however, such length requirements may be modified when appropriate due to the topography or physical shape of the property being subdivided. The width of any residential block shall be sufficient to permit two (2) tiers of lots, where topography and land ownership permits, except as otherwise provided in these regulations.
3. **Crosswalks:** When any type of block exceeds **five** hundred (500) feet , crosswalks for pedestrians shall be required. The Planning Commission may grant relief to this requirement if there are sufficient crosswalks and alternate routes for pedestrian circulations within the site. When required, such right-of-way shall not be less than ten (10) feet wide and improved to include a concrete, asphalt or other approved surface sidewalk six (6) feet wide and four (4) inches thick.

Deleted: six

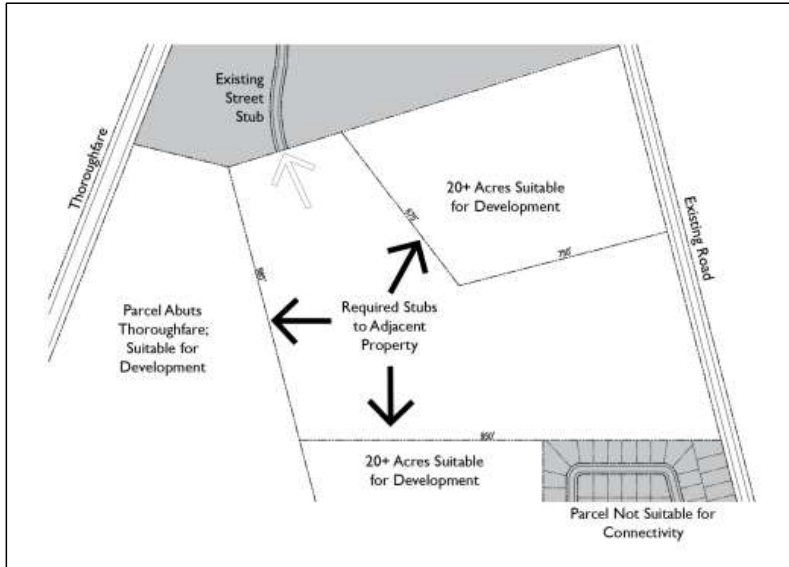
Deleted: seven

d. Connectivity to Adjacent Properties

New developments shall, connect to any existing street stubs from adjacent properties and stub to all adjacent properties. Street stubs shall continue the existing street pattern if applicable.

1. Exemptions: Street stubs shall not be required where the conditions listed below would prevent connections:
  - a. Topographical conditions (pre-development slopes of 18% or greater)
  - b. Environmental conditions (marshes, floodplains, etc.)
  - c. Property shape
  - d. Property accessibility (existing platted subdivision with no stubs)
  - e. Incompatible adjacent land uses
2. Location: Where multiple connection opportunities exist, street stub connections shall be prioritized in the site design as follows:
  - a. Adjacent parcels 20 acres or greater in size.
  - b. Adjacent parcels that abut or are traversed by existing or proposed streets.

- c. To minimize overall access points along an arterial or collector street.



\*Source: Summerville, SC Unified Development Code.

- 3. **Design:** Stub streets and streets intended for extension during future phases shall be constructed to extend to the property line or as close to the line as practical. It shall be the responsibility of the second development to construct the connection to an existing stub street. Stub streets shall not exceed 150 feet in length without a paved turnaround (permanent or temporary)
  - 4. **Adjacent Parking Areas:** Where most feasible, parking areas that are adjacent to each other shall be connected to limit curb cuts and access points along the public right-of-way. This connection shall have a maximum width of 24', with two 12' wide travel lanes.
- e. **Cul-de-sacs and Dead-End Streets**  
Dead end Streets are strongly discouraged and Cul-de-sacs are not encouraged to be a dominant feature within a development site as they can restrict opportunities for interconnectivity for local vehicular and pedestrian traffic. Dead end street and Cul-de-sacs shall be considered and approved by the Planning Commission during the preliminary plat stage. If a dead-end street or cul-de-sac is proposed, it shall be subject to the following:

1. Permanent dead-end streets shall be no longer than 500 feet and shall be provided with a turnaround such as a cul-de-sac.
2. Temporary dead-end streets shall be provided with a temporary turnaround area which shall be designed considering traffic usage, maintenance, and removal.
3. Half streets are prohibited along property lines, entire street right-of-way shall be platted within the proposed subdivision.
4. The Planning Commission may require the reservation of an access easement at the terminus of a cul-de-sac so that connections to existing or future pedestrian trails or street stubs may be established, if not possible elsewhere on the site.

5.3.11. Street Design Standards

a. General

When a development creates new streets, they shall be subject to the street design standards of this section. The Planning Commission, in coordination with Lexington County and SCDOT when applicable, shall approve the street design, location, and classification during the review of the preliminary plat in the Subdivision process (Section 10.9). The following are general standards for the design of roadways:

1. SCDOT Standards: Intersection sight distance on major thoroughfares shall be determined by the SCDOT. Grades on major thoroughfares shall be established by the SCDOT. On major thoroughfares, the centerline radius of a curvature shall be determined by the SCDOT. In the event of any conflicts or contradictions, administrator shall use the ARMS Manual by SCDOT, or defer to Lexington County Engineer, or authorized representative from SCDOT, as appropriate.
2. Traffic Control devices: Signs and/or signals, shall be installed by the Developer as deemed appropriate by the Lexington County, its agencies and/or SCDOT. The authority to require traffic control devices may be exercised by the Town at any time during the approval process.
3. Street Jogs: Street jogs shall be avoided, unless approved or recommended by SCDOT or Lexington County.
4. Naming of Streets: Streets that are extensions of, or obviously in alignment with existing named streets, shall be a continuation of that street, and bear that name. The name of new streets shall be subject to the approval of the Planning Commission and shall comply with the Lexington County Addressing and Road Naming Ordinances. Street name signs shall be installed at all intersections. The location and design of such signs shall be approved by the Planning Commission and Lexington County.
5. Split Level Streets: Streets which are constructed so as to have two traffic ways, each at different levels within the same right-of-way, shall

**Deleted:** subdivision

**Deleted:** State Highway Department

**Deleted:** State Highway Department

**Deleted:** State Highway Department

**Deleted:** the South Carolina Department of Highways and Public Transportation

**Deleted:**

**Deleted:** not duplicate or be similar in sound to existing names in Lexington County, irrespective of the use of the suffix street, avenue, circle, way, boulevard, drive, place, or court or the like. Developers shall follow

**Deleted:** within a subdivision

provide a paved traffic surface of at least twenty (20) feet on each level and a slope between the two traffic ways of three to one (3:1) or flatter

6. **Intersections:** The centerline of no more than two (2) streets shall intersect at any one point. Streets shall be laid out so as to intersect as nearly as possible at right angles and no street shall intersect any other street at an angle of less than sixty (60) degrees (angles of intersection to be measured at the intersection of street centerline). Curved streets shall have a minimum tangent of one hundred (100) feet at intersections.
7. **Nonconforming Right-of-ways:** Proposed **developments** which include an existing platted street that does not conform to the minimum right of way requirements of these regulations shall provide additional width along one or both sides of such street so that the minimum right of way required by these regulations is established. **Developments** abutting only one side of such street shall provide a minimum of one half, measured from the centerline of the existing right of way, of the right of way required by these regulations.

**Deleted:** Subdivisions

**Deleted:** Subdivisions

b. Street Sections

During review of the sketch plan/preliminary Plat, the applicant shall identify all proposed streets and existing street classifications on the site plan. The applicant will be required to install all improvements within the development site. All private and public streets are subject to the requirements within this section and the requirements for Lexington County.

Street Classifications	Right-Of-Way (Min/Max)*	Travel Lane Width (Min/Max)	On-street parking**	Planting Strip (both sides of street)	Sidewalk
1. Residential or Light Commercial Collector	50'/66'	12/16.5'	N/A	4'	4'
2. Residential Local	50'/60'	11/12''	Determined by PC	4'	4'
3. Private Commercial	50'/60'	11'/12'	Determined by PC	4'	
4. Private Residential	50'	10.6'	Determined by PC	4'	
5. Downtown Street	50'/60'	24'	Required	4'	10'
6. Private Rear lane (Residential)	20'	10'	Determined by PC	N/A	N/A
7. Private Alley (Commercial)	24'	12'	N/A	N/A	N/A

\*Right-of-way widths shall not be in conflict with SCDOT standards

**\*\*All parking spaces shall comply with parking space dimensions in Parking Section.**



\*Example Street Section, Source: City of Buffalo, NY - Unified Development Ordinance

1. **Additional Standards for Streets:** The intent of the Town's street design standards within the UDO is to not conflict with the street design requirements of the Lexington County Public Works Department. In addition to the above table, private, local, and collector streets as described in the above table shall comply with street grade, horizontal curves, and intersection sight distance as required by SCDOT or Lexington County.

c. Sidewalks

1. **General Standards:** Sidewalks shall be installed and shall be constructed on both sides of streets and to the specifications of Section 5.3.11.b. Sidewalks shall be constructed within the street right-of-way or public access easement, as reviewed and approved by the Town and Lexington County. Sidewalks shall be a minimum of 4 feet wide unless otherwise noted.
2. **Timing of Sidewalk Construction:** To ensure that all street improvements are constructed prior to the completion of a project, Sidewalk as required by Section 5.3.11.b, must be constructed before each house or structure receives a final Certificate of Occupancy or, if the street is already constructed, prior to acceptance or approval of all improvements. This intent of this section is not to require the construction of a sidewalk at a time where permitted activities damage or otherwise impact the sidewalk. This does not apply to pedestrian paths or trails that will be provided outside of the normal right-of-way.
3. **Existing Sidewalks:** Where existing sidewalk abuts an area where new sidewalk is to be developed, the new sidewalk shall be the same width as the existing sidewalk if the existing sidewalk exceeds the standards in Section 5.3.11.b. In cases where it is appropriate, a new sidewalk may

be permitted to taper down to the minimum width in Section 5.3.11.b. over a distance determined and approved by the Planning Commission.

4. **Commercial and Multi-Family Developments:** Within commercial areas and places with high pedestrian volumes, sidewalks should be designed to meet the anticipated pedestrian/traffic volume as well as accommodate outdoor seating. Multi-family and commercial developments shall provide sidewalks for interior movement of pedestrians and for interior to connect to public sidewalk system, as required by Article 8.
  
- d. Street Tree Planting Requirements
  1. **Planting Areas:** Planting strips in accordance with cross sections in Section 5.3.11.b.
  2. **Location and Number:** Street trees shall be planted at forty (40) foot intervals within five (5) feet of the street right-of-way on both sides of the street, but must be outside the right-of-way. Street trees shall be installed within the planting strip between the sidewalk and the curb of a street to ensure that the trees provide adequate shade and protection from vehicular traffic. Street trees may also be located in other locations, such as within public access easements, where practical and as determined by the Town and Planning Commission during the review of the Preliminary Plat
  3. **Applicable to TC and VC:** Street trees may be installed within tree wells, and shall be installed to replicate existing spacing patterns of street trees. The Administrator, in coordination with Lexington County or SCDOT, shall determine the appropriate spacing of street trees.
  4. **Tree Species:** Diverse species of street trees from the Town's Approved Tree Species List shall be used. The street type, soil, and irrigation to be used should inform the species used.
  5. **Minimum Tree Size:** At the time of planting, small maturing trees should be 2.5-inch caliper, with the lower side of the crown a minimum of 6 feet above grade to avoid hazards to pedestrians.
  6. **Tree Wells:** Tree size and longevity is directly related to soil volume and quality; projects where tree wells are utilized will be evaluated on an individual basis to determine the ideal size of the tree well for the application and context in an attempt to maximize volume. Where possible with new construction, a continuous trench of soil (even underneath hardscape) should be provided for root growth.
  7. **Root Barriers:** To ensure the protection of the street ~~trees'~~ root system, as well as utility lines and paved surfaces, all street trees shall be installed with root ~~barriers~~.
  
- e. Street Lighting
  1. **General Standards:** It is the intent of the town to have well-lit streets for cars and most importantly for the safety and comfort of pedestrians.

Deleted: Guards  
Deleted: trees  
Deleted: guards

Lighting shall be placed such that it is well coordinated with the expected canopy of street trees. Standard 15,000 lumen H.P.S street lights shall be installed, and appropriately shielded to prevent light spillover to adjacent properties and light pollution. The Town of Chapin will require street lights to be installed at a minimum ratio of one light for every six units or 200' whichever is less in residential developments. In nonresidential developments, ~~one light per 175'~~ as measured by street length. The maximum height for street lights is 25'. Lighting plans with fixture designs and schematics shall be submitted and approved prior to installation.

Deleted: it

2. Maintenance and Ownership: The developer shall be responsible for the operating cost of said lights at the standard rate subject to the rate and class of service approved by the South Carolina Public Service Commission.

f. Exceptions

1. The Town recognizes that the required street sections and streetscape may not always be constructed as prescribed in this article. Reasonable relief may be granted by the Planning Commission if the connection to an existing right-of-way or construction of a new right-of-way encounters any of the following constraints:
  - a. Insufficient existing street right-of-way
  - b. Topographic features
  - c. Conflict with SCDOT or County road project
  - d. Legal constraints

5.3.12. Street Access Standards

- a. Applicability: Any development that requires an access point (rear alley/lane or driveway) for purposes of ingress and/or egress shall be subject to the provisions of this section. All new accesses must be approved by the appropriate permitting authority. The Town encourages developments that limit and/or combine access points to prevent high concentrations of access points along main roads.
- b. Maximum Number: For single-family, two- and three-family dwellings, only one driveway shall be permitted per lot. In Rural Districts (RA, RR) and Suburban Residential Districts (SR), circular driveways may be permitted on lots greater than 100 feet in width. The maximum width for driveways in residential areas is 16'. Commercial driveways may have two lanes, ingress and egress, each 12' in width, unless otherwise required by SCDOT. For double frontage lots, one curb cut per street may be permitted. For all other building types, the maximum number of driveways allowed for any property is outlined in the table below:

Table 5.3.12.b	
Frontage Width	Maximum Permitted Driveways per Street Frontage
Up to 150 feet	1 driveway
150 feet or more	2 driveways

c. Locations and Spacing

1. **Street Intersections:** No curb or other access point shall be located closer than 20 feet from the intersecting point of the 2 street right-of-way property lines involved. No curb or other access point shall be closer than 25 feet from the intersection of the 2 curb lines involved.
2. **Spacing:** All access points shall have a minimum separation from certain features as follows:

Feature	Minimum Separation
Adjacent Property Line (except shared driveways)	5ft*
Another curb cut on local street	25ft**
Less than 35 mph	200ft**
40 mph	250ft**
45 mph	300ft**
50 mph	400ft**
55+ mph	500ft**
*May be waived or reduced by the Planning Commission in certain cases during preliminary plat review if not in conflict with a required buffer as described in Article 7.	
** As measured from centerline of the driveway or street	

5.4. Open Space

5.4.1. General Standards

The Planning Commission shall require that open space be reserved for active or passive recreation where such reservations would be appropriate. Each reservation shall be of suitable size, dimension, topography and general access for the particular purposes envisioned by the Planning Commission. These areas shall be shown on the Plat and marked "reserved for recreation open space".

Deleted: and green

To ensure the orderly development of the community, the subdivider may be required by Town Officials or the Planning Commission to reserve and negotiate to sell needed spaces for parks, schools, fire stations and playgrounds, as required by local governmental units, for a period not to exceed thirty (30) days from the date of submission of the Sketch Plan. The reservation period may be extended for one (1) additional thirty (30) day period if a governmental unit files with the Planning Commission a written statement indicating a desire to negotiate.

5.4.2. Amount of Open Space Required

Development subject to these standards shall provide open space set-asides in an amount that meets or exceeds the minimum area in Table 5.4.2.a: Required Open Space, based on the use and the zoning district where the development is

proposed. If there is a conflict with the requirements herein, this article shall govern.

a. Required Open Space

Size of Development*	Minimum Open Space Area (% of Development Site Area)		
	Less than 10 acres	10-15 acres	Greater than 15 acres
District			
Agricultural (RA or RR)	50%	50%	50%
Suburban Residential (SR1, SR2, & SR3)	20%	20%	25%
Town Residential 1-2 (TR1 and TR2)	10%	10%	15%
Town Residential 3 (TR3)	10%	20%	25%
Village Commercial (VC)	5%**	5%**	10%**
Town Center (TC)	Exempt	5%**	10%**
Commercial (CC, IC, OC)	Exempt	Exempt	Exempt
Public or Institutional (PI)	5%	5%	5%
Industrial (LI)	Exempt	Exempt	Exempt

*\*This shall include the total area of a development, including properties involved in future phases (i.e. The entirety of all property(s)) Example: A 10-acre property that is being subdivided for a residential development within an SR1 Zoning District must allocated 20% or (2 acres) to one or more of the open space types in Section 5.4.3.*

*\*\*Shall consist of public, or quasi-public, spaces for either pedestrian connections, plazas, or other on-site amenities as determined by the Planning Commission.*

Deleted: subdivided

b. Specific Requirements for Major Subdivisions

1. **Amenity Centers:** It is the intent of this section to provide residents of sizable residential subdivisions with quality amenities that add to the livability and quality of life. Depending on how many lots are within a residential subdivision, an amenity center shall be required. The amount of area allocated to open space shall comply with the percentages in Table 5.4.2.a. The Town classifies four types of amenity centers, the requirements for each and their applicability are as follows:

Deleted: requirements

- a. **Basic Amenity Area**
  - i. **Number of Lots:** 10 to 49
  - ii. **Open Space Type:** Each development shall include a walking trail (pervious or impervious), or connection to existing trail. A covered picnic area with a minimum of 2 tables and a designated area for recreation.
- b. **Standard Amenity Areas**
  - i. **Number of Lots:** 50 to 149
  - ii. **Open Space Type:** A park of a naturally beautiful space and/or landscaped environment, including sitting areas, picnic tables,

and potentially covered spaces, and/or a play area within a park setting including swings, jungle gym, or other similar features. Specific features shall be determined by Planning Commission during preliminary plat review. Shall have an improved trail within the development and connect to adjacent trails if applicable.

iii. Recreation Facility: One type of sport court or field is required. Examples include basketball, tennis, volleyball, pickleball or tennis court, disc golf course, or other outdoor sport court or filed greater than 1,743 sq. ft.

iv. Gated Boat Storage: If the development has water access to Lake Murray, sufficient space shall be provided for the dry storage of boats and boat trailers. The structure or area dedicated to boat storage shall have sufficient landscaping around the perimeter of the gated area, to be determined by the Planning Commission. Additionally, this area shall have a Type B buffer, as described in Section 7.5 when adjacent to a residential lot.

v. Covered school bus pick up

vi. Mail Kiosk

c. Enhanced Amenity Areas

i. Number of lots: 150 - 299

ii. Open Space Type: Two (2) play areas within a park setting, including swings, jungle gym, or other similar feature as determined by Planning Commission during preliminary plat review. Play areas shall be equally spaces and should be no more than 1,200' linear feet from each other. Shall have an improved trail within the development and connect to adjacent trails if applicable.

iii. Recreation Facility: One type of sport court or field is required. Examples include basketball or tennis court, disc golf course, volleyball, ~~pickleball or tennis court, disc golf course, or other outdoor sport court or filed greater than 1,743 sq. ft.~~

iv. Clubhouse: Minimum of 1600 square feet, including an indoor amenity such as a gym, sauna, and bathrooms or other similar community amenities.

v. Swimming Pool: Minimum of 1800 square feet. Perimeter of the pool area shall be landscaped and included in the overall landscape plan.

d. Major Amenity Areas

i. Number of lots: 300 or more

ii. Open Space Type: One play area per 150 lots that are not separated by 1,200' as measured by walking distance along a sidewalk or trail. Play areas shall be developed within a park

Deleted: court.

- setting, including swings, jungle gym, or other similar feature as determined by Planning Commission during preliminary plat review. Shall have an improved trail within the development and connect to adjacent trails if applicable.
- iii. Recreation Facility: Two types of sport court or field is required per 300 lots. Examples include basketball or tennis court, disc golf course, volleyball, pickleball or tennis court, disc golf course, or other outdoor sport court or field greater than 1,743 sq. ft.
  - iv. Clubhouse: Minimum of 1600 square feet, including an indoor amenity such as a gym, sauna, and bathrooms or other similar community amenities
  - v. Community Facilities: The applicant shall consider space for community facilities such as police and sheriff stations, fire stations, schools, libraries, and other community services due to the size of the development. The Planning Commission may request that the applicant provide correspondence as part of the record to ensure that these community services have been contacted.
- e. Exceptions
- i. Additional or Non-Listed Amenities: Other types of amenities may be submitted to the planning commission for consideration to replace one of the required amenities listed above. Any open space types in Table 5.4.3.a may be substituted for a similar feature within this section if approved by the Planning Commission.
  - ii. Conflicts: Any conflicts with other regulations within this ordinance shall be resolved by the Planning Commission. If there are conflicts with existing topographical features, utilities, easements, or other type of hardship, a variance to these requirements may be submitted.

**Formatted:** Underline

**Deleted:** court.

**Formatted:** Underline

5.4.3. Areas Counted Toward Open Space Requirement

- a. The features and areas identified as counting toward open space shall be credited towards compliance with the amount of open space required in accordance with Section 5.4.2.a above.

**Deleted:** Variances to these provisions shall have a recommendation by the Planning Commission first prior to the hearing by the Zoning Board of Appeals.

Open Space Type	Description
Parks	A large public green area <u>dedicated for use</u> recreation or gatherings. <u>Area is designed and landscaped.</u>
Plaza	An open space that may be improved, landscaped, or paved, usually surrounded by buildings or streets.
Square	Open space that may encompass an entire block, is located at the intersection of important streets, and is set aside for civic purposes, with landscaping consisting of paved walks, lawns, trees, and civic buildings

**Deleted:** d

**Deleted:** for

**Deleted:** Dedicated and designed green space area

Playground	A land use designed principally to offer recreation, passive or active, to the public, <u>particularly children, with the use of structures and or equipment.</u>
Community Garden	A private or public facility for cultivation of fruits, flowers, vegetables, or ornamental plants by the surrounding community.
Pedestrian Passageway	A publicly accessible path that navigates between buildings or developments to encourage pedestrian movement.
Greenway	A linear park, alternative transportation route, or open space conservation area that provides passive recreational opportunities, pedestrian and/or bicycle paths, and/or the conservation of open spaces or natural areas.
Trail, or Trail Connection	A way designed for and used by equestrians, pedestrians, and cyclists using nonmotorized bicycles, sometimes a part of a local or regional system, <u>through a natural space(s) and/or landscaped area.</u>

- b. The following areas shall not be counted as open space set-aside areas:
  1. Private yards not subject to an open space or conservation easement;
  2. Street rights-of-way or private access easements, including sidewalks located within those rights-of-way or easements,
  3. Required buffer that is inaccessible to all residents and not intergrated with an accessory to open space features of Table, 5.4.3.a,
  4. Open parking areas and driveways including parking lot landscaping;
  5. Land covered by structures, unless accessory to open space features of Table 5.4.3.a;
  6. Outdoor storage areas; and,
  7. Stormwater ponds not located and designed as a site amenity (e.g., with low fencing, trails, vegetative landscaping, gentle slopes, fountain or other visible water circulation device, and pedestrian access or seating) and surrounding areas.

5.4.4. Location

Open space shall be located within the development site and be easily accessible and useable by occupants and users of the development. Where possible, a portion of the open space should provide focal points for the development through prominent placement or easy visual access from streets.

5.4.5. Configuration

- a. Open space shall be compact and contiguous unless a different configuration is needed to continue an existing trail or accommodate preservation of natural features.
- b. If the development site is adjacent to existing or planned public trails, parks, or other public open space area, consideration should be given to adjoining, extending, and enlarging the trail, park, or other public open space area.

5.4.6. Ownership and Management

- a. All open space areas shall include deed restrictions, covenants, or other legal instruments that ensure continued use of the land for its intended open space purposes, in perpetuity, and provide for the continued and effective management, operation, and maintenance of the land and facilities.
- b. Responsibility for managing and maintaining open space rests with the owner of the land. Failure to maintain open space in accordance with this Section and the development approval shall be a violation of this Ordinance.
- c. Open space areas may be considered by the Town for rezoning to as Parks & Open Space (PO).

5.4.7. Exemptions

The following development is exempted from the standards in this Section:

- a. Residential development that creates fewer than 10 dwelling units;
- b. Utility Uses;
- c. Agricultural Uses; and
- d. Industrial Uses

5.5. Alternative Development Patterns

5.5.1. Purpose: The alternative development options of this section allow for variety in development standards while maintaining the overall character of a neighborhood. These options have several public benefits:

- They allow for development that is more sensitive to the environment, especially in areas;
- They allow for the preservation of open and natural areas;
- They promote better site layout and opportunities for private recreational areas;
- They promote opportunities for workforce housing by allowing for a mixture of lot and building sizes, and
- They promote energy-efficient development.

5.5.2. Applicability: The developer or applicant desiring to use these alternative development patterns within this section shall comply with the Major Subdivision application requirements.

5.5.3. Conflict With Other Regulations: If there is a conflict between the requirements for alternative development patterns and any other requirement of this Ordinance, the standards of this section take precedence, otherwise these alternative development patterns are subject to all other applicable requirements of this Ordinance.

5.5.4. Conservation Subdivision

- a. Purpose: The use of conservation subdivision design seeks to optimize land use in and around the Town of Chapin, while maintaining a balance

Formatted: Underline

between the preservation of agriculturally, environmentally and historically significant areas and allowing reasonable and sustainable growth to continue in the Town. New development shall avoid disturbance of areas or elements defined as “sensitive” or “significant”. The use of conservation subdivision design shall not be required, but is encouraged for use on residential subdivisions:

1. ;
  2. Located in areas where conservation of undeveloped and/or agricultural land is desirable, feasible, and meaningful to the preservation of natural, rural, and agricultural places.
- b. Application: The developer/applicant shall supply a completed subdivision application (Section 10.9, Major Subdivision) to the Administrator which shall include a draft of the conservation easement for the portion of the property that will remain as permanent open space or agricultural land and a fully dimensioned site plan, drawn to scale, which shall demonstrate, delineate, and label all of the following:
1. Topography, including areas to be graded, earth movements, drainage provisions, existing contour lines and any proposed new contour lines and any other significant topographical features.
  2. The location and type of sensitive areas deemed to be of agricultural, environmental, or historical significance, as defined in Appendix I: Definitions of this Ordinance. All construction contracts shall include language protecting sensitive areas, agricultural land, areas of conservation, and areas containing sensitive elements.
  3. The location and type of all proposed areas to be preserved as open space or agricultural land, including areas of mitigation and preservation. These areas shall be marked for identification upon site inspection.
  4. Existing zoning, land use(s), and approximate density of residential uses.
  5. Septic or waste water provisions as provided by SCDHEC.
  6. For areas of agricultural preservation, a buffer strip of at least seventy-five (75) feet must be delineated. When possible, existing woodlands should be used, if not, a variety of rapidly growing indigenous trees and shrubs should be planted thickly in the buffer strip.
  7. Any other provisions not specifically required or excluded herein, as required by this Ordinance.
- c. Density: The density allowed by the parcel’s zoning unless a density bonus is awarded to the developer by the Town of Chapin Planning Commission.
1. Density Bonuses: Density bonuses may be awarded to developers who dedicate land for public use, such as trails and parks. Additionally, density bonuses may be awarded for the provision of affordable or workforce housing for low to moderate income families.
  2. Density bonuses up to an extra 4 du/ac per 10% of open space over the requirement.

**Deleted:** certain identified

**Deleted:** of

**Deleted:** (sensitive area overlay zones/districts);

- d. Open Space Requirements: A minimum of fifty percent (50%) of the parcel must be designated as permanent open space.
  - 1. Ownership of Open Space: Shall be protected by a conservation easement held by the homeowners association, local conservation commission, land trust, or Town of Chapin that is recorded in the office of the County Registrar of Deeds. The owners of the open space are responsible for the payment of any taxes, upkeep, insurance, and any other responsibilities associated with "ownership" of the land.
  - 2. Usable Open Space: At least half of the required open space shall be useable for agricultural or passive, low-impact recreational purposes, as determined by the Planning Commission. Open space shall be in such location that it allows for connection to adjacent undeveloped properties, and/or open spaces.
- e. Final Plat Requirements
  - 1. In addition to the final plat requirements conditioned by subdivision approval by the Planning Commission, and requirements in Article 10. Included with the final plat, the subdivider shall submit a Developers Agreement regarding the liability for and maintenance of the open space. In addition, the developer must include a conservation easement/open space covenant protecting the open space from any further development.
- f. Appeals
  - 1. Any appeals to the decision regarding this section shall follow the appeal process outlined for subdivision applications (Article 10).

**Deleted:** subdivider's  
**Deleted:** a  
**Deleted:** subdivider

5.5.5. Commercial or Industrial Subdivision

- a. Purpose and Intent  
In order to prevent creation of traffic hazards, insure the provision of off-street parking and provision of necessary utilities, plans for Commercial Subdivisions such as shopping centers, industrial parks, and mixed-use areas where the site is or is not subdivided into lots and public streets; is, or is not, retained in one ownership, the site plan shall be submitted to the Planning commission for review and approval.
- b. Types of Commercial Subdivisions
  - 1. Group commercial or industrial developments consist of more than one commercial or industrial structure erected on a single lot or property.
- c. Application Process: The developer/applicant shall supply a completed subdivision application (Section 10.9) to the Town of Chapin. In addition, the following shall be required, unless otherwise determined by the administrator:

**Deleted:** ,  
**Deleted:** but  
**Deleted:** These regulations are considered minimum and may be superseded by more restrictive regulations such as the zoning ordinance....

1. Site Analysis consistent Section 10.3.1.a
  2. Site Plan consistent with all relevant information detailed in Section 10.3.1.c.
  3. Traffic Impact Study consistent with the requirements of Section 5.6
  4. Construction Documents consistent with Section 10.3.1.d.
- d. General Standards for Commercial Subdivisions: In addition to other requirements within this Section, the applicant shall demonstrate compliance with the following:
1. Conformance with Ordinance: The submitted applications shall be compliance with standards and requirements for parking, signage, setbacks, spacing between buildings, residential area requirements, screening, buffers, and landscaping for Commercial Subdivisions.
  2. Water, Sewer, and Drainage: Adequate provisions for water supply, sanitary sewerage, and storm drainage shall be installed by the developer according to the plans and specifications approved by the proper authorities.
  3. Access and Egress: shall conform to the Driveway Regulation of the South Carolina Department of Transportation, the Town of Chapin's Unified Development Ordinance (UDO), and the Traffic Impact Study findings.
  4. Enforcement: No building permits shall be issued and no connection to a public water system or public sewer system shall be made until the construction drawings for the Commercial Subdivision are approved by the Planning Commission and so noted on prints of the development plan.

Deleted: staff

5.5.6. Planned Developments (PD)

- a. Purpose and Intent: The PD is intended to encourage innovative land planning and site design concepts that cannot be achieved by other mechanisms provided by this Ordinance. PDs should achieve a high level of environmental sensitivity, aesthetics, high quality development and other community goals by:
1. Allowing greater freedom in selecting the means to provide access, open space and design amenities.
  2. Promoting quality urban design and environmentally sensitive development by allowing development to take advantage of special and unique site characteristics, locations, building types and land uses.
  3. Provide mixed-use spaces that would not have otherwise been possible per existing zoning districts.

b. Process and Applicability

1. PDs are executed as two different process. First, is a Rezoning which follow the general procedures of Article 10. Second, Plat and/or plan approval~~s~~, per Article 10. A complete master plan and written report shall be developed and submitted for approval as part of the rezoning process in order to determine the desired standards and design of the project. Those documents shall be submitted in accordance with the following standards:
  - a. Master Plan: Applicants shall first develop and present a master plan, complying with the Sketch Plan requirements in Article 10, for the entire parcel~~(s)~~ which includes, but is not limited to:
    - i. Size: Size, in acres, shall be listed on the master plan. PDs shall have a minimum of 10 acres. If the project is intended to be developed in phases, the master plan shall include all potential phases.
    - ii. Districts: Land allocations by land use, including specific modifications to the Ordinance requirements of those districts clearly highlighted.
    - iii. Street Layout and Regulating Plan: The design and location of the streets shall be provided. Streets shall conform with the street sections in Article 5 of this Ordinance. Additional bicycle and pedestrian circulation shall also be indicated.
    - iv. Lot Layout: Proposed subdivisions of property, required open space, street regulating plan, neighborhood structure(s). The PD shall have provisions to allow for a systematic methodology to provide a variety of lot sizes.
    - v. Open Space: Proposed areas of open space and proposed design and use of open spaces.
    - vi. Stormwater Requirements: Stormwater shall be considered on a PD-wide basis and the general locations shall be indicated. Floodplain information shall also be included on the master plan.
    - vii. Resources: The general location of all historic, cultural, and environmentally sensitive resources shall be depicted on the master plan.
  - b. Written Report: A written report shall be submitted to explain the type, nature, intent and characteristics of the proposed development, and shall specifically include:
    - i. Site Description: A general description of the proposal, including a detailed description of the site, location, context, and any cultural, environmental and/or historic resources.

- Deleted:** considered a
- Deleted:** -step
- Deleted:** there
- Deleted:** a Final
- Deleted:** shall occur

**Deleted:** Subject to Open Space requirements in table. These should be clearly indicated on the master plan.

- ii. Vision Statement: The goals, tenets, any special initiatives which the development intends to achieve shall be clearly identified for review and discussion.
  - iii. Rationale: A detailed description of the provisions of the Ordinance which prevent the development, as desired shall be provided. This shall include analysis showing how the general Land Development standards in Article 5, Permitted Use Table in Article 4, and Zoning Districts in Article 3 limit the intended development. Specific descriptions of all amenities, building types, or land uses that are not defined in the Ordinance shall be required.
  - iv. Modification to Ordinance: A detailed description of exceptions or variations from the requirements of this Ordinance, per the incompatibilities listed above. All items not explicitly listed as modifications will be subject to the requirements of this Ordinance.
  - v. Land Allocation: Tables showing the total number of acres in the proposed development and the percentage designated for each proposed type of land use, including open spaces, recreation areas, public facilities, wetlands and wetland impacts. This should be coordinated with the Districts as shown in the master plan. If the development is intended to be phased, the phasing plan shall be indicated on the tables.
  - vi. Program: A complete development program, including number of residential units and proposed densities, building types, minimum and maximum lot sizes, and square feet and identification of other nonresidential uses.
  - vii. Building Design Standards: Guidelines to achieve aesthetics and high-quality development shall be included. These may be further detailed in the covenants after all Town approvals have been secured.
  - viii. Compatibility Statement: A statement of how the proposed development is consistent with adopted plans and documents of the Town of Chapin or Lexington County.
  - ix. Traffic Impact Study (TIS): A Traffic Impact Study to be performed as outlined in Section 5.6.
  - x. Interconnectivity:
  - xi. Other: Additional relevant information as requested by the Administrator.
- c. Performance Guarantee: Before approval of a PD, the Town Council may require a contract with safeguards satisfactory to the Town guaranteeing completion of the development plan in a period to be specified by the Town, but which period shall not exceed 5 years unless extended by the Town for due cause show. Such guarantee

may include the submission of a performance bond in an amount set by the Town.

- d. Final Plat: Upon approval of the Rezoning (inclusive of the master plan), the applicant shall proceed towards approval of a Final Plat per Article 10.
2. Expiration of Approval: The Town shall have the right to review a concept plan approved as part of a PD when no building permits have been issued in the past 2 years, and may choose not to issue further permits within the PD until a revised concept plan has been approved.

5.5.7. Previously Approved Planned Developments

- a. Purpose: The intent of this section is to be utilized only for the continuation of previously established and approved Planned Developments before the enactment of this Ordinance.
- b. Minor Plan Amendments Permitted by the Administrator: The amendment of previously approved PDs shall be approved by the Administrator, if the amendment results in a development intensity that is no greater than the previously approved intensity in terms of total square feet, total number of units, height, and build-upon area. Additionally, a minor plan amendment shall be limited to technical considerations that could not be reasonably anticipated during the approval process, or any other change that has no material effect on the character of the approved PD development or any of its approved terms or conditions.
- c. Major Plan Amendments Permitted by Town Council Approval Only: All major changes not subject to the section above, shall be reviewed by the Planning Commission (PC) and approved by Town Council in accordance with the procedures outlined in Section 5.5.6.b.
- d. Any existing PD may choose to rezone to a standard Town zoning district by going through the rezoning process in accordance with the procedures outlined in Article 10.

5.6. Traffic Impact Study

5.6.1. Applicability

An impact study shall be required if a proposed project:

- a. Produces 50 peak hour (AM, PM, or Midday) two-way trips or more; or
- b. Produces 500 daily (24 hour) two-way trips or more; or
- c. Expansion of existing development that would produce additional traffic, meeting or exceeding the thresholds within this section. When determining whether the project meets the threshold, trips from the existing land use shall be included in the trips that are considered "produced" by the project.

5.6.2. Application Process

A TIS shall be completed as the first step of the project approval process. Prior to the submission of any TIS and preliminary plat, the applicant shall complete and submit a Traffic Impact Study Requirement Evaluation form obtained from the Administrative Official's office. The Town will evaluate the request and determine whether a TIS is required. The TIS is the responsibility of the applicant. The TIS shall be prepared in accordance with the Traffic Impact Study Guidelines adopted by the Town of Chapin and obtained from the Administrative Official's office. All traffic studies must be prepared under the supervision of, and signed, stamped and dated by, a professional Civil Engineer registered in South Carolina. Coordination with other entities in the county government or South Carolina Department of Transportation (SCDOT) shall be the responsibility of the applicant. All phases of a development are subject to review, and all traffic plans for the entire development shall be integrated with the overall traffic analysis.

5.6.3. Contents Traffic Impact Study (TIS)

- a. Study Contents: At minimum a TIS shall include the following:
  1. Introduction: A written narrative describing the proposed land use(s), size, and projected opening date of the project and all subsequent phases.
  2. Existing Land Use
  3. Proposed Land Uses
    - a. Location and context
    - b. Description of development
    - c. Zoning Characteristics
    - d. Site Plan
  4. Recently approved (within the last 12 months of application submittal, or still in the process of development) developments within (a certain distance as measured along the nearest public street or road).
  5. Analysis
    - a. Existing traffic volumes on all roads to be accessed using current SCDOT Annual Average Daily Trip (AADT) counts where possible.
    - b. Infrastructure Analysis
    - c. Trip generation tables
    - d. Trip distribution patterns
    - e. Turning movement diagrams for peak hours
    - f. Access analysis
    - g. Traffic Control Devices
    - h. Mitigation and Alternatives
    - i. Summary
- b. Responsibility for Costs of Improvements: The costs of implementation of an approved mitigation program shall be the responsibility of the applicant. No

8/18/23 MRB Draft. Version 5. KS Notes.

certificates of zoning compliance or building permits shall be issued unless provisions of the TIA are met.

DRAFT

Article 7 – Landscaping, Buffers, and Tree Preservation

7.0 Landscaping, Buffers, and Tree Preservation

7.1 Purpose and Intent

The Town of Chapin recognizes that healthy natural environments provide important benefits that generally promote public health, safety, order, aesthetics, prosperity, local ecology, and general welfare. In support of these objectives, this ordinance regulates and mitigates the negative impacts of the development on natural resources, such as trees and vegetation, and to preserve and enhance the aesthetic and ecological values of landscapes. Further, this section details requirements that help promote the following:

- Provision of open space
- Preservation of green space
- Creating an attractive community
- Increase general property values
- Protect scenic and ecologically sensitive resources
- Reduce stormwater volume and pollutants
- Benefit the public health and enjoyment of residents
- Eliminate heat islands
- Shelter and protect habitats for wildlife
- Reduce conflict between different uses and intensity of uses

7.2 Administration

7.2.1 Applicability

Except as contained herein, the regulations within this article shall apply to the following:

- a. All new development. Redevelopment of parcels, buildings, or structures are subject to Section 11.11, Nonconforming Site Features.
- b. Development requiring Minor or Major Architectural Review (Section 10.5 and 10.6).
- c. Regulations pertaining to tree removal shall apply to all properties within the Town's jurisdiction.
- d. New parking areas or existing parking areas expanded by more than 50% or by 12 spaces or more.
- e. Other areas within this article that specifically identifies an applicable situation or development.

7.2.2 Timing

Review for compliance with the standards in this Section shall occur during the applicable development review procedures within Article 10.

7.2.3 Landscape Plan Required

A landscaping plan shall be submitted with an application for development subject to the requirements of this Section. The landscaping plan shall depict the following:

- a. North Arrow and Scale.
  - b. Topographic information and final grading adequate to identify and properly specify planting for areas needing slope protection.
  - c. Tree survey to include size and species including an identifying numbering system to distinguish between individual trees; the tree number shall be on the tree itself and notated on the survey. In addition protected trees defined as Significant, Historic, or Iconic Trees in section 7.6.3 shall be noted as such on the tree survey, or an accompanying document,
  - d. The location and contours, at one (1) foot intervals, of all proposed berms as landscaped features.
  - e. Property Survey showing the location and dimensions of all existing (to remain) and proposed structures, setback line and required buffer yards, parking lots, driveways, landscaped islands and strips, sidewalks, service areas, screening, fences, walls, berms, above or underground utilities and storm drainage systems, freestanding electrical equipment, recreational facilities, and other freestanding structural features as determined necessary by the Town.
  - f. Location of plant material, including name of plants (botanical and common), installation size, spread at time of planting and at maturity, quantities of plants, and other remarks as appropriate to describe plant selection. (lawns and beds of annual or perennial plants may be designated by common names only)
  - g. Onsite and abutting land use features [within 50 feet], and use(s) of adjacent parcel(s).
  - h. Protection plan for existing trees that are to be saved
  - i. Location of irrigation systems.
- 7.2.4 All landscaping plans for nonresidential and multi-family sites having an area greater than one acre shall be prepared by a registered landscape architect.
- 7.2.5 Landscaping plans for sites having an area of one acre or less may be prepared by other design professionals with competency in landscape design when the design is incidental to their work.
- 7.2.6 The Administrator may approve revisions to landscaping in an approved site plan in order to accommodate seasonal planting problems or a lack of plant availability as long as:
- a. There is no significant reduction in the quantity of plant material.
  - b. There is no significant change in the size or location of plant materials.
  - c. The plant substitutions are of the same general category and have the same general design characteristics as the materials being replaced.

**Deleted:** to if they are

**Deleted:** according

### 7.3 Landscaping Standards

#### 7.3.1 Undeveloped Commercially Zoned Parcels

For the purposes of this Section, commercially zoned parcels shall include the Town Center (TC), Village ~~Commercial~~ (VC), Public Institutional (PI), Corridor Commercial (CC), Interstate Commercial (IC), Office Commercial (OC), and Light Industrial (LI) zoning districts. Undeveloped Commercially Zoned Parcels shall have planted or naturally occurring vegetation maintained by the property owner while vacant, to maintain an attractive appearance. Vegetation shall consist of topographically/geologically appropriate or native grasses, shrubs, trees, live ground cover, annuals, perennials, ornamental grasses or other vegetation that will secure the soil and create an attractive appearance, in compliance with Town property maintenance standards within Article IV. – Vacant Lots, Premises, Land – Section 10.401 of the Town Code

**Deleted:** Center

#### 7.3.2 Clearing of Land, Removal, or Disturbance of Trees

It shall be unlawful for any property located within the Town limits to clear land of trees, shrubs, and natural feature without receiving approval from the Administrator. Violations to this requirement shall follow the procedures in Article 12 Violations and Enforcement.

#### 7.3.3 Installation of Required Landscaping

- a. Unless a bond is provided in accordance with the sections below, all landscaping required by this Section shall be installed prior to the issuance of a ~~Certificate of Occupancy and/or any other required permit or approval.~~
- b. If the season or weather conditions prohibit planting of trees or shrubs, the developer may provide a bond, an irrevocable letter of credit, or other financial surety in an amount equal to 125 percent of the cost of installing the required landscaping to guarantee the completion of the required planting. A zoning permit for the development shall be issued only on approval of the financial surety. All required improvements must be completed within the time period established in the development approval, or within 24 months of the date the developer provides financial surety, whichever period is shorter. The developer may request, and the Administrator may grant, for good cause shown, the financial surety shall be canceled and/or returned upon completion of the required landscaping. If the developer fails to complete all required improvements within the period for completion, as may be extended, the Administrator shall send written notice to the developer identifying the failure(s) and providing the developer a period of 30 days to complete the required improvements. If the required improvements are not completed within the 30-day period, the

**Deleted:** Zoning Permit

**Deleted:** ,

Town may draw on the financial surety to complete the required improvements.

- c. Clustering and/or random spacing of plants and trees is encouraged to produce a natural appearance in the landscape, except where uniformity is required for opaque screening.
- d. Landscaping, including berms, shall be installed, and maintained so as not to interfere with the sight distance requirements of this ordinance or the sight distance needs of vehicular traffic in parking areas and at entrance and exit locations.
- e. Monocultures shall be avoided in formally designed parks, buffers, and screens.
- f. When there is a conflict with the quality, planting requirements, trimming, or removal of vegetation, the applicable ANSI Standards shall apply.
  - 1. ANSI Z60.1 American National Standard for Nursery Stock
  - 2. ANSI Z133.1 American National Standard for Arboricultural Operations
  - 3. ANSI A300 American National Standard for Tree Care Operations

7.3.4 Credit for Existing Vegetation

Existing vegetation in good health that meets all applicable standards in this Section may be used to satisfy any planting requirements, provided the vegetation visually enhances the aesthetic of the property and is protected before and during development.

7.3.5 Species of Vegetation

Vegetation shall be adapted to the site conditions where it will be planted. The selection of trees shall be from the Town of Chapin's Approved Tree Species List. The use of species identified as invasive plant pest species by the South Carolina Exotic Pest Plant Council is prohibited.

7.3.6 Irrigation

Except for individual single-family lots, all newly-planted and relocated plant material shall be watered by permanent irrigation systems. Trees shall be watered at a reasonable rate or as needed based on species, size, soil type, and local weather conditions. All other vegetation shall be watered sufficiently to ensure healthy growth and longevity in the landscape.

7.3.7 Tree and Shrub Types

The following Tree and Shrub types referenced in this article are defined as follows:

- a. Canopy Tree: At least 25 feet in height or more at maturity.
  - 1. Minimum Caliper measurement at planting shall be 2.5" diameter or greater
- b. Understory Tree: Less than 25 feet in height at maturity.
  - 1. Minimum Caliper measurement at planting shall be 2.5" diameter or greater.

**Deleted:** ,

**Deleted:** shrubs, and other vegetation

**Deleted:** , or suggested climate and region appropriate species maintained by the South Carolina Forestry Commission is encouraged

- c. Shrub: Less than 10' in height at maturity
  1. Minimum Height at planting shall be 2'

7.3.8 Tree and Shrub Spacing and Proximity to Structures and Paving

The intent of this section is to install vegetation appropriately depending on their size or characteristics, while not harming or potentially harming other plants, proposed buildings, vehicles, or pedestrians.

- a. Shrubs and trees shall be installed no closer than two feet to a curb, gutter, sidewalk or building.
- b. Understory trees shall be planted no closer than 10 feet to a building. Canopy trees no closer than 25 feet to a building, unless otherwise required.
- c. Shrubs shall not be planted within six feet of tree trunks.

7.3.9 Screening Unsightly Elements

- a. Utilities: Mechanical equipment such as ventilation systems, commercial exhaust fans, rooftop terminations, commercial cooling equipment, heating and air conditioning units, TV antennas, and satellite dishes, shall be completely screened from view at time of planting or installation by lattice, fence, brick enclosures, vegetation, or combination thereof.
- b. Waste Receptacles: Screening of waste receptacles, compactors, and dumpsters shall be accomplished with an opaque wall of masonry, rot-resistant wood, or composite material. The materials of the screen shall be complementary to the materials found on the primary building.
- c. Delivery, Service, and Loading Areas: Delivery, service, and loading areas shall be completely screened from the public right-of-way and any adjacent residential use.

7.3.10 Lighting of Landscape features

- a. Accent lights used to call attention to signs or landscape features are permitted provided they meet all of the following conditions:
  1. They are comprised of white or clear lights.
  2. They do not exceed 25 watts per fixture.
  3. They are directed onto the surface of the sign or into the plant material.
  4. The bulb is not exposed.
  5. They do not spillover beyond the plane of the building
  6. They are not moving or animated.

7.4 Parking Landscaping

7.4.1 Parking Lot Screening

- a. Applicability: All new or expanded parking areas shall be screened from the public right-of-way or primary vehicular access point(s) with vegetation. An opaque screen is intended to exclude all visual contact with the screened feature from an adjacent property, public street, or right-of-way. An opaque screen may be composed of a wall, fence, building, or berm; planted vegetation; existing vegetation; or a combination thereof; as approved by

the Zoning Administrator. Parking lot screening is not required where property or street buffers are retained or required.

- b. Minimum Height of Screen: Shall include a hedge, dense shrub planting, masonry wall, wood fence, or combination of such features that results in a continuous visual screen along the length of its frontage. Hedges and shrubs may be installed at a height of 2', as long as the species selected grows to at least 4' in height within 4 years of installation.
  - 1. Exceptions may be granted by the Zoning Administrator where the parcel has irregular configuration, utility easements or legal constraints which prevent compliance.
- c. Minimum Length of Screen: The length of a required screen shall be that which is necessary to totally visually screen the feature from protected properties, streets, and rights-of-way as provided in this section. The Zoning Administrator may approve accommodations for reasonable access and use, as necessary.
- d. Minimum Plantings: Parking lot screens shall comply with the following landscaping standards:
  - 1. A parking lot shall contain at least one overstory tree for every 40 linear feet of street frontage, excluding portions of the frontage where driveways are located and areas necessary to avoid intrusion into clear sight triangles. Existing trees preserved or planted within required buffer may count towards this requirement.
  - 2. Where there are conflicts with other planting regulations, the more stringent regulation shall apply, as determined by the Zoning Administrator.

#### 7.4.2 Parking Area Interior Landscaping

- a. Applicability: The following shall comply with the standards in this subsection:
  - 1. Any new vehicular surface area (parking lot) whether principal or accessory use containing 10 or more parking spaces; or,
  - 2. Any new, additional, or expanded portion of an existing vehicular surface area which cumulatively would create greater than 10 parking spaces.
- b. General Standards
  - 1. No parking space shall be further than 60' linear feet from a large maturing tree.
  - 2. One large maturing tree shall be required at the end of every row of parking. This includes trees located within required landscape islands.
  - 3. Landscaped areas within or adjacent to parking areas must be protected from vehicular damage by a raised curb, wheel stops or approved equivalent barrier of at least six inches in height.
  - 4. Creative landscaping plans that incorporate larger islands or different spacing of landscaped areas than required in this section may be

approved by the Zoning Administrator, as long as the minimum area of landscaping and minimum number of trees is provided.

**Deleted:** Appeals to this determination are made to the Board of Zoning Appeals for final decision.

c. Landscape Islands

1. Landscape islands shall be provided within each row of parking spaces so that the maximum amount of uninterrupted parking spaces is no greater than twelve (12).
2. No more than 12 continuous parking spaces shall be permitted in a row without an interrupting landscaped island, except in the following circumstance:
  - a. The parking lot is gravel, or covered with other soft pervious pavement materials, and spaces are not striped.
3. Landscaped islands with a planting area of at least 12 feet wide by 18 feet long area shall be established parallel to parking spaces and at the end of the parking aisle in order to separate the last space from any adjacent driveways.
4. Islands shall be curbed for traffic control and safety.
5. At least one (1) canopy tree shall be provided within each landscaped peninsula. All landscaped peninsulas and medians shall be landscaped with mulch, sod, shrubs, or ground cover vegetation. If there is a conflict with overhead utilities, two understory trees shall be provided per island.

d. Building Exterior Perimeter Plantings

1. Plant material is required along 10 percent of the length of exterior building walls and structures to provide separation between the building and the vehicular surface area.

7.5 Perimeter Buffering

Perimeter buffers are intended to provide spatial separation between uses of differing intensities. Where the buffer requirements herein are in conflict, the greater buffer width and/or plantings shall apply.

7.5.1 Purpose of Buffer Requirements

- a. To minimize the potential negative impact between adjacent land uses and streets, and to promote land use compatibility.
- b. To preserve and retain existing vegetation within required buffers to preserve natural landscapes and native plant species, unless it conflicts or does not comply with the requirements in the buffer table below.

7.5.2 Applicability

- a. Where a new use or development is established, or expanded by more than 20 percent, and a buffer is required per Table 7.4.4.1.
  1. Where a new use or redevelopment is subject to Section 11.11 Nonconforming Site Features.

7.5.3 General Standards

- a. The use of evergreen trees and plants are strongly encouraged within required buffer areas.
  - 1. **Exception:** Canopy trees shall be planted unless factors such as overhead utility lines or buffer size require the planting of smaller trees. Such substitutions must be approved by the Administrator.
- b. In addition to the tree planting requirements, a minimum of 40 percent of the buffer area shall be planted in a combination of approved shrubs, annuals perennials, live ground cover, or ornamental grasses.
- c. All areas shall be maintained in a minimum of three inches of mulch or pine straw. Plant materials shall be designed and installed in a manner that provides variability of height at maturity
- d. Spacing and arrangement of plant material must be primarily based on the mature dimensions of the plants.
- e. The buffer yard should not result in using more than 35% of the available lot and may be reduced accordingly by the Administrator.
- f. Fences, walls, and berms, and parking area surfaces & driveways shall be maintained in good condition and appearance at all times by the owner.

7.5.4 Property Buffer Types

- a. The property buffer widths shall be established for new development based upon the following buffer types (Table 7.4.4.1):
  - 1. **Type A:** Shall apply when any use is similar to an adjacent use or has only a slight impact on the adjacent use. Type A buffers shall be planted or installed. Use of existing landscaping for credits (Section 7.3.4) to be determined by the Administrator.
  - 2. **Type B:** Shall apply when any use is somewhat different from an adjacent use or has a moderate impact on adjacent uses. Type B buffers shall be planted or installed. Use of existing landscaping for credits (Section 7.3.4) to be determined by the Administrator.
  - 3. **Type C:** Shall apply when any use is clearly different from an adjacent use or has a definite impact on adjacent uses. Use of existing landscaping for credits (Section 7.3.4) to be determined by the Administrator.
  - 4. **Type D:** Shall apply when any use is incompatible with an adjacent use or has a large impact on adjacent uses. Type D buffers shall be planted or installed. Use of existing landscaping for credits (Section 7.3.4) to be determined by the Administrator.
  - 5. **Type E:** Shall apply when any use is incompatible with or has a severe impact on adjacent uses. Type E buffers shall be planted or installed. Use of existing landscaping for credits (Section 7.3.4) to be determined by the Administrator.

<b>Table 7.4.4.1: Property Buffer Types</b>
---

	Low Impact	Medium Impact		High Impact	
	Type A	Type B	Type C	Type D	Type E
Minimum Width	5 ft	10 ft	20 ft	50 ft	100 ft
Canopy Trees per 100 linear ft.	4	6	8	10	12
Shrubs per 100 linear ft.	12	18	30	40	50

b. Required Buffer Yard Types

Using the types of buffers defined in Table 7.4.4.1, property buffers shall be required when the following uses are directly adjacent to each other or a specified zoning district:

Zoning District of proposed development	Adjacent Zoning District										
	Vacant Land	RR or RA	SR1, SR2, and SR3	TR1 or TR2	TR3	Manufactured Homes or Parks	PI	TC or VC	OC	CC or IC	LI
RR or RA	N/A	N/A	C	C	C	B	C	D	D	D	D
SR1, SR2, or SR3	B	D	N/A	B	C	D	C	B	C	D	E
TR1 or TR2	B	D	B	N/A	B	C	B	B	B	E	E
TR3	B	D	C	B	A	B	B	A	A	D	E
Manufactured Homes or Parks	B	C	D	C	B	N/A	B	D	C	E	E
PI	B	C	C	B	B	B	N/A	A	B	D	D

c. Reduction in Buffer Width

The required width of a buffer yard may be reduced in accordance with this subsection, provided, only one width reduction is allowed along any length of a transitional buffer yard.

1. Fence or Masonry Wall Included

The width of a transitional buffer yard may be reduced by the amount shown in Table 7.4.4.1, if a fence or wall compose that is complimentary to the building in design and materials complies with the following:

- a. The minimum width may be reduced by 25% if a solid wall or fence, at least six feet in height, is constructed. The fence shall be supplemented with shrubs and Understory trees.
- b. A 50% width reduction may be granted with the installation of a solid brick wall, masonry wall faced with brick or stucco, or a berm with a minimum height of six (6) feet.

2. Conflicts with Existing Features

Where there are conflicts with overhead utilities, easements, topographic features, or other limitation determined by the administrator, one Canopy tree may be replaced by two understory trees.

d. Permitted Improvements within Perimeter Buffers

Perimeter buffers shall contain only vegetation. The following exceptions may be allowed provided the requirements in Section 7.4.4.2 are met.

1. Pedestrian Coverings: If awnings, colonnades, arcades, or galleries are incorporated into the building design, landscaping may be reduced or eliminated.
2. Vehicular Access Driveways: These may encroach into buffers only if the driveway is placed approximately perpendicular to the buffer, or if the driveway is shared by adjoining parcels.
3. Sidewalks, Bicycle Paths and Bicycle Parking: These may encroach, provided that they shall not count toward meeting the required landscaped area. Encouraged to be placed on the interior of buffers, as to not directly abut roadways.
4. Stormwater Management: Stormwater and drainage facilities that permit vegetation may encroach into the buffers if the planting requirements are fulfilled.
5. Signage, lighting fixtures, and street furniture.
6. Walls, fences, open-air structures, and sculpture.
7. Utility and services lines.

7.5.5 Street Buffers

- a. Applicability: Street buffers along the public right-of-way shall be required for the following projects:
  1. New or redevelopment nonresidential or multi-family or sites requiring a major architectural review or major subdivision approval.
  2. Developments requiring major subdivision approval
  3. New construction or expansion of a building by more than 20 percent within the Light Industrial (LI) zoning district.
  4. Exceptions: Street buffers shall not be required in the Town Center or Village Commercial zoning district. Development of residential dwellings on individual lots, or developments that are defined as minor

subdivisions. In certain cases, the Administrator may waive or reduce requirements based on the following criteria:

Deleted: review entity

- a. Where walkability is encouraged, or visibility is appropriate.
  - b. Where the required buffer would interfere with connectivity between parcels.
  - c. Conflicts with sight distances and other hazards to the public health or safety.
  - d. Commercial visibility for the purposes of attracted vehicular traffic shall not be considered a reason for waiver of buffer requirements.
- b. Location: All required street buffers shall be no less than six feet in width at any point and average eight feet in width, as measured perpendicularly to the street, along the entire length of the property.
- c. Tree Planting Requirements: Canopy trees shall be planted unless overhead utility lines or other factors require the use of medium or Understory trees, as approved by the Administrator. Fractions generated by applying the minimum number of plants to the actual linear footage of the buffer shall be rounded up to the nearest whole number. (For example, 125 feet of buffer length would be required to have two large trees or three medium trees or four small trees.) The planting schedule for street buffers shall be as follows:
1. Canopy Trees: 1 per .015 linear foot of frontage.
  2. Understory Trees: 1 per .060 linear foot of frontage.
- d. Other Planting Requirements: a minimum of 30 percent of the buffer area shall be planted in a combination of approved shrubs, perennials, ornamental grasses, live ground cover, or turfgrass. Additional plantings may not be required in significant natural forested areas maintained within the street buffer if so approved by the Administrator. All other areas, including bare ground under trees, shall be covered in a minimum of three inches of mulch. Spacing and arrangement of plant material must be primarily based on the mature dimensions of the plants.
- e. Berms: Berms shall be allowed to augment required street buffer plantings as long as a minimum of 50 percent of all required trees and plantings shall be planted along the street front portion of the berm.
- f. Waivers  
Where an existing easement, legal restraint, or obstruction makes complying with these regulations infeasible, the Administrator is empowered to waive these requirements. The applicant shall demonstrate compliance to the extent practicable and mitigate the lack of screening.

#### 7.5.6 Berms

- a. Applicability: Where due to topographical constraints or opportunities berms are a feasible option, the applicant may propose to use berms in coordination with other requirements of this ordinance. If included in the landscape design, berms shall:
  - 1. Not be used for the display of vehicles, merchandise, or storage of any kind;
  - 2. Have a minimum height of eighteen inches, a minimum crown width of two feet, and a side slope with a width to height ratio of no greater than three to one (3:1). No berm shall exceed four feet in height once the soil settles;
  - 3. Be designed and constructed with an undulating appearance which mimics, as much as is practicable, a natural topographical feature of the site;
  - 4. Be substantially planted and covered with live vegetation. No berm shall consist entirely of turf grass, ground cover, mulch or similar material;
  - 5. Be fully installed, planted, stabilized and maintained prior to certification of zoning compliance; and
  - 6. Be designed to prevent standing water or to impede the flow of stormwater from adjacent properties.

#### 7.5.7 Berm Soil

The following shall apply to the soil to be using as a planting berm:

- a. The soil shall be imported topsoil or manufactured topsoil from off-site sources;
- b. The soil should be obtained from naturally well-drained sites where topsoil occurs at least four inches deep, but shall not be obtained from agricultural land, bogs or marshes;
- c. Berm soil shall be free of stones of one inch or larger in any dimension; roots, plants, sod, clods, clay lumps, or pockets of coarse sand; contaminants such as chemicals, construction materials and building debris, fuels, and other extraneous materials harmful to plant growth; and obnoxious weeds and invasive plants, including but not limited to quack grass, Johnson grass, poison ivy, nutsedge, nimblewill, Canada thistle, bindweed, bentgrass, wild garlic, ground ivy, perennial sorrel, and brome grass;
- d. The soil shall not be infested with nematodes, grubs, other pests, pest eggs, or other undesirable organisms and disease-causing plant pathogens; and
- e. Soil for berms shall be friable and with sufficient structure to give good tilth and aeration. Soil shall be within a pH range of 6.2 to 6.8.

#### 7.5.8 Environmentally Sensitive Features

- a. Lots that are adjacent to or contain one or more protected waterbodies shall incorporate a 50 ft. wide natural buffer along the entire length of the waterbody and shall be calculated from the boundary of the waterbody.

- b. Waterbodies include lakes, natural ponds, rivers, streams, and wetlands.
- c. Within this buffer, there shall be no structures, land disturbance, or vegetation removal.
- d. Exceptions:
  - 1. Vegetation removal is allowed for the following reasons:
    - a. Removing dead or dying trees
    - b. Removing invasive species
    - c. Providing an access corridor no wider than 15ft.
    - d. Forestry Activity

7.6 Tree Protection and Preservation

7.6.1 Purpose and Intent

The purpose of this section is to retain and protect significant trees and existing natural vegetation. Additionally, when development projects need to remove existing trees and vegetation, this section lays out ways to mitigate removed trees so that the aesthetic look of the Town may be preserved within the context of natural elements.

7.6.2 Applicability

- a. The standards in this section apply to all applications for development that involve the removal, retention, protection, and replacement of trees.
- b. All other projects as defined by Section 7.2.1.

7.6.3 Protected Trees

- a. Town of Chapin Approved Tree Species List: The Town of Chapin recognizes certain trees, because of their species and size, are an asset to both the Town and individual property owners and are hereby designated as “Significant”, “Historic”, and “Iconic” trees. Such trees are defined in this section.
- b. Significant Trees: Certain trees are deemed significant trees by the Town of Chapin. Significant trees are any trees from the approved tree species list that have a diameter at breast height (DBH) at or greater than 18”.
- c. Historic Trees: Certain trees are deemed historic trees by the Town of Chapin. Historic trees are any trees from the approved tree species list, or noninvasive hardwoods that have a circumference of 75 inches, or a diameter at breast height (DBH) at or greater than 24”.
- d. Iconic Trees: Certain trees are deemed iconic by the Town of Chapin. Iconic trees are any trees that have been identified by the Planning Commission or Town Council as Iconic due to their location, relation to historic events and/or property, overwhelming beauty and/or uniqueness, prominence in the visual beauty in the Town of Chapin, dedication to an individual(s) or event, or represent significant investment by the Town. A tree may be deemed iconic regardless of age, size, and/or species. The Town shall maintain a list of Iconic Trees in the Town of Chapin.

**Deleted:** <#>Any relief to this section may be petitioned with a variance application to the Board of Zoning Appeals (BZA). ¶

**Deleted:** understory

**Deleted:** and

**Deleted:** canopy

**Deleted:** shall be

**Deleted:** as those trees which are listed in Town of Chapin’s Tree List. This list shall be used to identify protected trees and as a guide for replanting of trees when applicable

**Deleted:** Historic trees shall not be removed, unless a credentialed arborist provides a report, finding the criteria for tree removal in Section 7.4.4.2. has been met, and that there is no reasonable means of preserving or saving the tree. Historic Trees that are removed shall be subject to mitigation, replacement, or tree coverage requirements....

**Formatted:** Indent: Left: 1.75", Outline numbered + Level: 4 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 1.5" + Indent at: 1.75"

**Deleted:** While living, Iconic Trees may not be removed or replaced without the express permission of the Planning Commission. In the event that an Iconic tree is removed, replaced, damaged, or otherwise impacted, the Planning Commission shall determine the new location of the replacement iconic tree. The Town shall maintain a list of Iconic Trees in the Town of Chapin....

**Deleted:** ¶

7.6.4 Tree Coverage Requirements

Applicability: In addition to the standards laid out within this Article, land or property shall maintain a minimum baseline canopy coverage area based on the zoning district and lot size. This canopy can be comprised of existing trees, new trees, or a combination of both, and shall be per the table below:

ZONING DISTRICT	Minimum Number of Trees Required
	1 Overstory Tree Required
Agricultural (RR and RA)	N/A
Suburban (SR1 and SR2)	Per 4,000 sq. ft. of lot size
Suburban Residential 3 (SR3)	Per 6,000 sq. ft. of lot size
Town (TR1, TR2, and TR3)	Per 6,000 sq. ft. of lot size
Town Center	N/A
Village Commercial	N/A
Commercial (CC, IC, and OC)	Per 6,000 sq. ft. of lot size
Institutional (PI)	Per 4,000 sq. ft. of lot size
Light Industrial	N/A

7.6.5 Unlawful to Remove, Cut, or Damage Protected Trees

a. Unless authorized by the terms of this section or approved by the Administrator during site plan review, no person shall cut down, remove, irreparably or irreversibly damage or destroy any protected or tree with a diameter at breast height (DBH) greater than 8",

b. ~~Historic trees shall not be removed, unless a credentialed arborist provides a report, finding the criteria for tree removal in Section 7.4.4.2. has been met, and that there is no reasonable means of preserving or saving the tree.~~

c. ~~Iconic Trees shall not be removed or replaced without the express permission of the Planning Commission. In the event that an Iconic tree is removed, replaced, damaged, or otherwise impacted, the Planning Commission shall determine the new location of the replacement iconic tree.~~

d. Forestry Activity Exempt

1. Pursuant to the provisions of the South Carolina Forestry Management Act Section 48-23-205, forestry activities are permitted on all forestland parcels that is:
  - a. Taxed on the basis of its present value as forestland under S.C. Code of Laws Section 12-43-220(d); or
  - b. Managed in accordance with a forest management plan; or
  - c. Certified under the Sustainable Forestry Initiative, the Forest Stewardship Council, the American Forest Foundations Tree Farm System, or any other nationally recognized forest certification system; or
  - d. Subject to a legally binding conservation easement under which the owner limits the right to develop or subdivide the land; or

Deleted:

- e. Managed and harvested in accordance with the best management practices established by the State Forestry Commission pursuant to S.C. Code of Laws Section 48-36-30.
- e. Time Restrictions
- f. In the event that the Administrator determines that any Forestry Activity on Forestland, that is otherwise permitted pursuant to subsection 7.4.5.2. above, has resulted in a change in the land from Forestland to non-forest or nonagricultural use, the Administrator may deny zoning permit:
  - 1. One year after the completion of a timber harvest if the activity results in the removal of all or substantially all of the trees from the parcel.
  - 2. Five years after the completion of a timber harvest if the harvest results in the removal of all or substantially all of the trees from the parcel and the harvest was a willful violation of Town regulations.
  - 3. Conflicts with applicable ordinances of Lexington County.

7.6.6 Tree Removal Permit

a. Permit Required

A Landscaping Permit shall be required for the removal of any tree on the Town of Chapin’s Approved Tree Species List exceeding 8” DBH (Diameter at Breast Height) or protected trees as described in Section 7.6.3.

Deleted: Zoning

Deleted: 4

b. Acceptable Reasons for Tree Removal

- 1. Removal of protected trees described in Section 7.6.3, shall be only be permitted when the applicant submits an arborist report with a landscaping permit application detailing the following findings:
  - a. The tree is dead.
  - b. The tree is affected by a pest or disease problem will result in rapidly declining tree health and a hazardous condition to other trees or safety.
  - c. The tree is in irreversible decline due to mechanical damage, poor maintenance or environmental stresses or a combination thereof and its condition cannot be improved with ANSI (Section 7.3.3.6) maintenance techniques.
  - d. The tree has an uncorrectable structural defect that results in an increased risk of whole or partial tree failure.
  - e. The tree is in an existing or proposed restricted growth space resulting in conflict with the surrounding hardscape or infrastructure and the conflict cannot be resolved.
  - f. The tree is in conflict with overhead utility lines and proper pruning cannot adequately reduce the conflict without severely disfiguring the tree or will result in crown reduction encompassing more than 50 percent of the normal crown. Applicant to demonstrate the impossibility of other options that do not include tree removal.

Deleted: historic and significant

Deleted: 4

Deleted: zoning

g. The tree is in conflict with proposed site reconfiguration/improvements or above/below ground utility upgrades and the conflict cannot be resolved or the correction of the problem will result in severe disfigurement of the tree or severe root damage which compromises structural stability or will result in crown reduction encompassing more than 50 percent of the normal crown.

2. Removal of trees, that species are on the Town of Chapin’s Approved Tree Species List, with a DBH between 8”<18” the Administrator shall approve the landscaping permit if one of the following factors is determined:

- a. the tree is in good health.
- b. the tree is a hazard to pedestrian, bicycle, or vehicular traffic.
- c. the tree presents a hazard to buildings, structures, or utility lines.
- d. the tree poses an immediate threat to health and safety of people or adjacent structures.
- e. the tree constrains reasonable development of the specific site, considering lot size, applicable setbacks, context, building type and use, stormwater requirements and other relevant site development considerations.

c. Tree Mitigation

1. Applicability: Mitigation and replacement for trees is not required for properties zoned RR, RA, SR1, SR2, SR3, TR1, TR2, and LI, unless the project falls under the “applicability” standards in Section 7.2.1. All properties shall be subject to the Tree Coverage Requirements in Section 7.4.4.1.

2. Required Submittal: A tree removal and replacement plan, including the location, genus, and size (DBH) of the tree to be removed; and the species, proposed locations, and caliper at the time of planting of replacement trees, Replacement plan must be approved by the Administrator prior to issuance of a landscaping permit or any other permits.

3. Installation of Replacement or Mitigated Trees: All trees removed in conjunction with approved tree removal permit shall be replaced within 90 days after removal. Exceptions to this timeline may be approved by the Administrator after determining that construction activities, weather conditions, or season warrant an extension. All trees shall be appropriately planted at the specified caliper (Section 7.3.1.7) and spaced appropriately from buildings, paved areas, and other vegetation.

4. Credits Toward Mitigation: Protected trees that are preserved on the property shall count towards mitigation. The type, size, and species of trees to be saved shall be included on the site plan.

5. Mitigation Schedule: Replacement trees of the same or similar species as the tree to be removed shall be planted as required in the tree

**Deleted:** When all other

**Deleted:** zoning

**Deleted:** .

**Deleted:** Health: Whether or not

**Deleted:** .

**Deleted:** Access: Whether or not

**Deleted:** .

**Deleted:** Structural Interference: Whether or not ...

**Deleted:** .

**Deleted:** Safety: Whether

**Deleted:** .

**Deleted:** Development: Whether or not

**Deleted:** and

**Deleted:** ,

**Deleted:** site plan approval

**Deleted:** or

**Deleted:** Trees with a DBH over 18”

**Deleted:** and that are found on the Town of Chapin Tree List, ...

replacement schedule in the table below. If tree replacement on the property is not possible because unique site conditions, safety concerns, and/or limitations of reasonable use of the property, the applicant may pay a fee to the Town in lieu of replacing trees per the schedule below:

Tree Type	Replacement: % of caliper inches	Mitigation: Cost/Caliper Inch
Understory Tree	25%	\$10/inch
Canopy Tree	33%	\$50/inch
Significant	50%*	\$50/inch*
Historic Tree	50%*	\$100/inch*
Iconic	(See Section 7.5.3.4)	(See Section 7.5.3.4)
	APPROVED REPLACEMENT	APPROVED MITIGATION
EXAMPLES:	Historic Tree: A 24-inch Live Oak tree is approved to be removed. The applicant may choose to plant back (4) 3-inch Live Oaks (12") to equal 50% of the tree to be removed	Historic Tree: A 24-inch (DBH) Live Oak tree is approved to be removed. The applicant must pay \$2,400 for the removal of the tree (24" x \$100 = \$2,400)
	Canopy Tree: A 12-inch Live Oak tree is approved to be removed. The applicant may choose to plant back (1) 4-inch live oak to equal 33% of the tree to be removed.	Canopy Tree: A 12-inch tree is approved to be removed. The applicant must pay \$600 for the removal of the tree (12" x \$50 = \$600)
*Replacement location of historic or significant trees removed shall be decided by the administrator or applicable review entity.		

- 6. Violations: Any tree removed without a permit shall be required to pay double the mitigation costs found in the above table.
- d. Exemptions
  - No permit is required for the following actions:
    - 1. Removal of Hazardous Trees: In the event that a tree poses an imminent threat to public safety or property, such as a result of a catastrophic event, the Administrator may waive the requirements of this section. Written and photographic documentation must be submitted to the Administrator, describing the threat which necessitates removal. The

**Deleted:** later

**Deleted:** initiated the

Administrator may require replacement of any trees which are removed where it is determined that the threat resulted from negligence.

2. **Forestry Activities:** Subject to the South Carolina Forestry Management Act Section 48-23-205, forestry activities on all forestland parcels shall be exempt from Tree Removal Permitting.
3. **No Mitigation Required:** Mitigation is not required for laurel oaks, sweet gum, pecan trees, or pine trees not on the Town of Chapin’s Tree List.

e. Palm and Palmetto Trees

The following requirements are specific to palm trees or palmetto plants.

1. The palm or palmetto tree(s) shall be of the following species:

Common Name	Botanical Name
Needle palm	Rhapidophyllum hystrix
Dwarf or Bush Palmetto	Sabal minor
Cabbage Palm or Palmetto	Sabal palmetto
Saw Palmetto or Scrub Palm	Serenoa repens

2. Palmetto Trees or Palms are subject to the following conditions:

- a. Palm or palmetto trees are only permitted at the entrance of a principal building, adjacent to a landscaped property entrance or sign, or part of a landscaped area featuring a flagpole(s).
- b. Only one palm or palmetto tree may be located at an entrance of the principal building, adjacent to a landscaped property entrance or sign, or part of a landscaped area featuring a flagpole(s), unless otherwise permitted by the Architectural Review Board for the purposes of; balance or consistency with existing vegetation.
- c. Any palm or palmetto tree shall be planted at the surface and properly supported per ANSI300 standards.

3. No palm or palmetto tree may be used as a shade tree, street tree, or as part of a buffer or landscaping requirement.

7.6.7 Tree Protection Zone (TPZ)

Before and during any land disturbance, construction or development, the following measures shall be utilized to protect trees, including tree crowns and roots, designated for retention per the site plan as approved by the Administrator. The location of the TPZ fencing and method of construction shall be noted on the site plan.

- a. Prior to clearing/grading/land disturbance, construction, and/or development of a property, the owner shall install all tree and root protection necessary to protect identified canopy and understory trees from damage.
- b. All trees shall be protected with a sturdy and visible fence before any land disturbance begins. At a minimum, such Tree Protection Zone (TPZ) shall be

**Deleted:** canopy and understory

**Deleted:** canopy and understory

- established and be equal to a one-foot radius on the ground for every inch of Diameter at Breast Height (DBH) or the extent of the drip line of each canopy and understory tree to be protected, whichever is greater.
- c. Tree protection fencing shall be installed and remain in place and in good condition until all clearing/grading/land disturbance, development and construction activities are completed.
  - d. The TPZ fencing shall be constructed from any material visible and substantial enough to prohibit and keep out vehicles, people, and all other activities associated with the clearing/grading/land disturbance, development and construction process, as approved by the Administrator. Examples include wood posts and rails, chain link fencing, wire fencing and posts, and other substantial materials. Tree protection fencing shall be a minimum of four feet high.
  - e. All Tree Protection Zones shall be designated as such with signs posted visibly on all sides of the fenced protection area, with lettering and colors that provide maximum readability in terms of distance and contrast.
  - f. No soil disturbance or compaction, stock piling of soil or other construction, paving or landscaping materials, vehicular traffic, or storage of heavy equipment is allowed in the tree protection zones of trees to be retained.
  - g. In situations where strict adherence to the provision of tree protection zones is not possible due to factors including, but not limited to, site conditions, overlapping tree protection zones, or grade changes, the Administrator may, through field determination and consultation, allow modifications to the required tree protection zone based on accepted best practices and procedures.

An Idea:

Article 8 – Off-Street Parking Standards

8. Off-Street Parking Standards

8.1. Purpose and Intent

Parking lots and similar facilities are necessary elements in the urban environment. However, the provision of parking facilities must be regulated to avoid negative impacts such as increased stormwater volumes, heat islands, reduced traffic efficiency, interruption of a vibrant streetscape and other recognized externalities of parking lots.

The purpose of this section is to ensure the adequate provision of parking in Chapin without degrading the built or natural environment, and to provide clear regulations regarding the location, sizing, and screening of off-street parking facilities. It is intended that these standards will ensure the development of parking in a manner consistent with the desired character and development patterns of the community.

8.2. Applicability

8.2.1. New Development

All new development shall provide off-street parking and loading areas in accordance with the standards of this Section

8.2.2. Existing Development

a. Change in Use

Additional off-street parking or loading facilities are not required when a building's use changes from one conforming use to another conforming that is similar in nature and need for parking and loading. This is also applicable when a non-conforming use is converted to a conforming use that is similar in nature and need for parking and loading.

Deleted: nor

8.2.3. Building Expansion

This section applies to existing structures that are expanded or enlarged in terms of the number of dwelling units, more than 20% of its floor area, or is otherwise significantly improved as defined by Article 11. Any additional off-street parking and loading spaces that may be required due to the improvement shall be provided in accordance with the requirements of this Section, and applied only to the expanded or enlarged part of the structure.

8.2.4. Historic Buildings

A designated building on the National Register of Historic Places, recorded with the State SCDAH or NPS that undergoes expansions under 20% of the number of dwelling units, floor area, or other work requiring Minor Architectural Review shall not require additional off-street parking or loading facilities.

Deleted: or Zoning Permit

8.2.5. Timing of Review

Review for compliance with the standards of this Article shall occur during review of a development application in accordance with Article 10 Development Review Procedures.

8.2.6. Parking Plan Required

All development applications subject to review for compliance with the standards of this Article shall include a parking plan which shall accurately convey compliance with this section.

8.3. General Standards

8.3.1. Use of Parking

Off-street parking areas required by this Section shall be used solely for the parking of licensed motorized vehicles in operating condition. Required parking spaces shall not be used for the sale, lease, storage, dismantling, or service of any vehicles, boats, motor homes, campers, mobile homes, building materials, equipment, or supplies except for farmer’s markets and food trucks on a temporary basis.

8.3.2. Identified as to Purpose

Off-street parking areas shall include painted lines, wheel stops, or other methods of identifying individual parking spaces and distinguishing such spaces or berths from an aisle.

8.3.3. Surfacing

- a. Except as provided for in section 8.3.3.b and 8.3.3.c below, all off-street parking areas shall be surfaced with asphalt, concrete, brick, stone, pavers, or an equivalent hard, dustless, and bonded surface material. Use of surfacing that includes recycled materials (e.g., glass, rubber, used asphalt, brick, block, and concrete) is encouraged. These surfaces shall be maintained in a smooth, well-graded, clean, orderly, and dust-free condition.
- b. The use of pervious or semi-pervious parking lot surfacing materials—including, but not limited to—pervious asphalt and concrete, open joint pavers, and reinforced grass/gravel/shell grids may be approved for off-street parking and loading areas, provided such surfacing is subject to an ongoing maintenance program (e.g., sweeping, annual vacuuming).
- c. Off-street parking spaces and driveways for single-family detached, two-family, and townhouse dwellings may utilize pervious material when located on a privately maintained roads, such as crushed stone or gravel. This shall not include major subdivision unless specifically approved or conditioned by the Planning Commission.

8.3.4. Maneuvering

Deleted: 2

Deleted: 3

Off-street parking areas shall be arranged so no parking or maneuvering incidental to parking shall occur on a public street or sidewalk.

8.3.5. Parking in Front of a Residential Structure

Except within a driveway surfaced as provided in Subsection 8.3.3.c, the parking of any vehicle is prohibited in the front yard. For the purposes of this section the front yard shall be considered any areas between the principal building and the right-of-way that is not specifically designated for parking. Parking of vehicles in the side or rear yard not within a driveway or parking area, must be screened from the public right-of-way, as determined by the Administrator.

Deleted: .

8.3.6. Parking of Recreation, Commercial, and Unlicensed Vehicles

- a. No recreational vehicle shall be parked or stored on any lot in a residential district for more than twenty-four (24) hours, other than in a carport, enclosed building, or rear yard.
- b. No vehicle or trailer subject to State licensing which does not display a current license plate shall be parked or stored on any lot in a residential district, except in an enclosed building or in the rear yard.
- c. No more than one travel or camping vehicle per family living on the premises shall be permitted to be parked on a lot in any residential district; and the vehicle shall not be occupied temporarily or permanently while it is parked or stored, except in an authorized mobile home park.
  1. Exception: In Rural Agricultural (RA) or Rural Residential (RR) the Administrator may grant temporary stays of camping or recreational vehicle in the form of a temporary use permit. Temporary stays shall not exceed more than 120 total calendar days within a 12-month period.
- d. Vehicles that have a gross combination weight rating or gross combination weight of 26,001 pounds or more, whichever is greater, inclusive of a towed unit(s) with a gross vehicle weight rating or gross vehicle weight of more than 10,000 pounds, whichever is greater. This includes front- and rear-end loaders, or any kind of commercial, industrial, agricultural and transportation vehicles/equipment used primarily for business purposes, shall not be parked or stored on or adjacent to any parcel in residential district for purposes other than unloading, loading, or delivery services. This excludes vehicles or trailers approved under the Home Occupation requirements.

Deleted: zoning

8.3.7. Americans with Disabilities Act

All parking facilities that require accessible parking spaces shall ensure that a portion of the total number of required parking spaces shall be specifically designated, located, and reserved for use by persons with physical disabilities, in

accordance with the standards in the Federal American with Disabilities Act (ADA) and or ICC A117.1.

8.4. Minimum Off-Street Parking Requirements

8.4.1. Except as otherwise expressly stated, off-street motor vehicle parking spaces shall be provided in accordance with the following table:

Table 8.4.1: Minimum Number of Off-Street Vehicle Parking Spaces	
Principal Use	Parking Standards
<b>Residential Uses</b>	
Accessory Dwelling Unit	1 space per unit, in addition to principal use standards
Bed and Breakfasts	1 space per unit, in addition 1 off-street space shall be reserved for the owner and 1 for staff (such as a housekeeper)
Day Care Home	2 space per unit, in addition 1 space shall be reserved for each employee on shift
Dwelling, Detached Single Family	3 spaces per unit
Dwelling, Attached Single Family	<del>3</del> spaces per unit
Dwelling, Two-Family	<del>2</del> space per unit
Dwelling, Three-Family	1 space per unit
Dwelling, Multi-Family	1.5 per unit
Rowhome	1 space per unit
Group Home, Small and Large	1 space per 3 beds, with 1 space for each employee or supervisor on shift
Manufactured Home	2 space per unit
Nursing Homes	1 parking space per 6 beds, in addition to 1 space per employee during peak-hour shift.
Short Term Rental	1 independently accessible parking space per unit, no tandem parking allowed.
<b>Commercial</b>	
Automobile Service Station	1 space per 2 employees at peak shift, in addition 1 space per 150 square feet of the automobile repair space.
Automobile, ATV, Motorcycle or Boat Sales	1 space per 2 employees at peak shift, in addition 1 space per 150 square feet of the automobile repair space (if applicable) All vehicles for sale shall be located on paved surfaces.
Automotive Parts Store	1 space per 400 square feet of gross floor area
Bars and Nightclubs	1 space per two seats or 1 space for every 75 sq. ft. of bar area, including outdoor areas, whichever is greater
Car Wash	1 space per peak hour employee, and 1 space per bay.
Catering Service	1 space per 400 square feet of gross floor area
Check Cashing	1 space per 400 square feet of gross floor area
Commercial Day Care Center	2 spaces per peak shift employee
Convenience Store	1 space per 400 square feet of gross floor area
Drive-In Movie Theaters	1 space per speaker outlet
Dry Cleaning	1 space per 600 square feet of gross floor area

Deleted: 2

Deleted: 1

RG MRB GROUP - Version 5 – 8/17.23. KS Notes.

Financial Institutions	1 space per 400 square feet of gross floor area
Funeral Homes	1 space per 4 seats within the sanctuary (if applicable) and/or 1 space per 2 employees, whichever is greater
Garden Centers	1 space per 400 square feet of gross floor area
General Retail	1 space per 200 square feet of gross floor area
Hardware Store	1 space per 400 square feet of gross floor area
Hotels/Motels	1 space for each room to be rented, in addition to 1 space per 2 employees at peak shift
Indoor Storage	1 space per peak employee and 1 space per 5 leasable units.
Liquor Stores	1 space per 400 square feet of gross floor area
Microbrewery, Micro-Distillery, or Micro-Winery	1 space per 300 square feet or 1 space per two seats, whichever is greater
Miniature Golf	4 spaces per <u>course</u> hole, plus 1 space for every 2 employees on peak shift
Mixed-Use Building	2 spaces per unit in addition to parking requirement for other associated use
Office Building	2 spaces for each 1,000 square feet of leasable floor area, plus 1 space for each 2 employees
Office, Medical	1 space per 400 square feet of gross floor area
Office, Non-medical	1 space per 400 square feet of gross floor area
Personal Service	1 space per 400 square feet of gross floor area
Pet Boarding	1 space per 400 square feet of gross floor area
Restaurant, Full-Service	1 space per two seats or 1 space for every 75 sq. ft. of dining area, including outdoor areas, whichever is greater
Sexually Oriented Businesses	1 space per 400 square feet of gross floor area
Specialty Retail	1 space per 400 square feet of gross floor area
Tattoo Parlor	1 space per 400 square feet of gross floor area
Vape or E-Cig Store and Lounge	1 space per 400 square feet of gross floor area
Veterinarian	1 space per 400 square feet of gross floor area
<b>Institutional, Civic, or Public</b>	
Amphitheaters	1 space per 4 seats
Cemetery and Mausoleums	4 spaces per acre, plus 2 spaces per employee on shift
Civic and Social Organizations	1 space per 600 square feet of gross floor area
Colleges, Universities, and Vocational Schools	1 space per 4 students at maximum capacity in addition to requirements for associated uses
Elementary Schools	1 space for each vehicle owned and operated by school staff and 2 spaces per classroom or administrative office
Farmers Market, Indoor	2 spaces per booth or vendor or 1 space per 400 square feet of gross floor area, whichever is less
Farmers Market, Outdoor	2 spaces per booth or vendor or 1 space per 400 square feet of gross floor area, whichever is less
Golf Course	4 spaces per <u>course</u> hole, plus 1 space for every 2 employees on peak shift
Government Building or Facility	1 space per 400 square feet of gross floor area

Hospital	1 space per 2 beds intended for patients, and 1 space for each 3 employees during peak shift
Kindergarten or Preschool	1 space for each vehicle owned and operated by school staff and 2 spaces per classroom or administrative office
Public Utility Stations	1 space per employee per shift
Recreational Facilities	10 spaces per athletic field or 4 spaces per .25 acre of areas dedicated to use, whichever is greater
Religious Assembly	1 space per 4 seats in the main assembly room
Secondary Schools	1 space for each vehicle owned and operated by school staff and 2 spaces per classroom or administrative office
Sports Stadium	1 space per 4 seats in addition to 1 space per peak hour employee
Theater	1 space per 4 seats
Transportation Terminal (Bus and Rail)	1 space per 2 passenger of a peak hour for departures and arrivals, including accounting for multiple buses or trains
<b>Industrial</b>	
Animal Shelters	1 space per 400 square feet of gross floor area
Correctional Facility	2 spaces per peak hour employee in addition to 1 space for every vehicle owned and operated by the facility
Crematory	1 space per 600 square feet of gross floor area
Heavy Equipment Rental	1 space per 2 employees at peak shift, in addition 1 space per 150 square feet of the automobile repair space (if applicable) All vehicles and equipment for rent shall be located on paved surfaces.
Indoor Shooting Range	1 space per 400 square feet of gross floor area
Junk Yard or Scrap Yard	2 spaces per employee at peak shift
Manufacturing or Production Facility	1 space per 1,000 square feet of gross floor area in addition to 1 space per employee at peak shift
Outdoor Shooting Range	2 spaces per shooting bay, in addition to 1 space per employee at peak shift
Outdoor Storage	1 space per 400 square feet of gross floor area, in addition to 1 space per employee at peak shift
Repossession Services	1 space per 400 square feet of gross floor area, in addition to 1 space per employee at peak shift
Truck Sales and Service	1 space per 2 employees at peak shift, in addition 1 space per 150 square feet of the automobile repair space (if applicable) All vehicles for sale shall be located on paved surfaces.
Warehouse	1 space per 1,000 square feet of gross floor area in addition to 1 space per employee at peak shift
Wholesale Trade	1 space per 1,000 square feet of gross floor area in addition to 1 space per employee at peak shift

8.4.2. Districts Excluded

There shall be no minimum off-street parking spaces required within the Town Center.

- 8.4.3. Planned and Negotiated Development Districts  
Within Planned Development Districts, required off-street parking standards shall be determined during review of the application.
- 8.4.4. Unlisted uses  
An applicant proposing to develop a principal use that is unlisted in Section 8.4.1, Minimum Number of Off-Street Parking Spaces shall propose the amount of required parking by one of the methods outlined below:
- a. Apply the minimum off-street parking space requirement specified in Section 8.4.1 for the listed use that is deemed most similar to the proposed use; or
  - b. Conduct a parking demand study by a transportation or traffic engineer or other experienced professional to demonstrate the appropriate off-street parking space requirement. The study shall estimate parking demand based on the recommendations of the ITE, ULI or another acceptable source of parking demand data. This demand study shall include relevant data collected from uses or combinations of uses that are the same or comparable to the proposed use in terms of density, scale, bulk, area, type of activity, and location.
- 8.4.5. Maximum Number of Off-Street Parking Spaces  
Except as otherwise stated within this Article, the maximum number of off-street parking spaces provided shall not exceed 125 percent of the minimum provided in Table 8.4.1. unless the need for more can be justified by a parking demand study as described in 8.4.4.b.
- 8.4.6. On-Street Parking  
Uses may count on-street parking spaces that are within the frontage of the lot, on public street rights-of-way abutting the subject property towards the off-street motor vehicle parking minimums.
- 8.4.7. Alternate Compliance  
The parking ratios of this section are not intended to prevent development or to make development economically impractical. To allow for flexibility in addressing the expected parking demand, alternative off-street parking requirements may be approved by the Board of Zoning Appeals under the Special Exception proceedings in Section 10.11. The applicant shall provide a parking study or a parking demand management plan demonstrating that the parking requirements in Table 8.4.1 do not accurately reflect the parking demand that can reasonably be anticipated for the proposed use.
- 8.4.8. Fractions

When measurements of the number of required spaces result in a fractional number, any fraction of less than one-half is rounded down to the next lower whole number, and any fraction of one-half or more is rounded up to the next higher whole number.

8.4.9. Bicycle Parking

A minimum of five (5) bicycle parking spaces is required for all uses requiring at least twenty-five (25) parking spaces. Thereafter, an additional two (2) bicycle parking spaces is required for each additional twenty-five (25) parking spaces. Bicycle parking facilities shall be standard bicycle racks or other secured lockable facilities. When feasible, the bicycle facilities shall be located near the entrance to the building.

8.5. Design Standards for Parking Lots

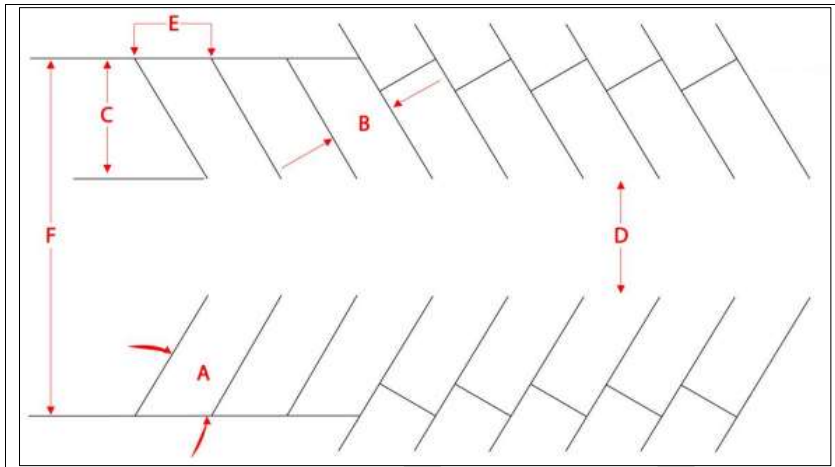
8.5.1. Dimensional Standards for Parking Spaces and Aisles

Except as otherwise provided, or determined by the Lexington County, standard vehicle parking spaces and aisles shall comply with the minimum dimensional requirements established in Table 8.5.1: Dimensional Standards for Parking Spaces and Aisles.

**Deleted:** Engineer

Table 8.5.1: Minimum Dimensional Standards for Parking Spaces and Aisles

Parking Angle	Stall Width	Stall Depth	Drive Aisle Width	Stall Length Along Curb	Double Row + Aisle, Curb to Curb
A	B	C	D	E	F
0	8'	8'	12'	20'	48'
30	9'	16.8'	12'	18'	45.6'
45	9'	19.1'	12'	12.7	50.2
60	9'	20.1'	14.5'	10.4'	54.7'
90	9'	18'	24'	9'	60'



8.5.2. Parking Area Location

- a. The below table regulates the location of parking areas in respect to the principal building and use. The front, side, and rear of the building shall be in respect to the primary building frontage, or where the use derives its address.

Table 8.5.2.a Parking Area Location		
Zoning District	Location	Additional Requirements
RA and RR	N/A	
SR1, SR2, and SR3	Side or Rear	Unless a circular driveway is present or installed per code
TR1 and TR2	Side or Rear	
TR3	Side or Rear	
TC	Rear	
VC	Side or rear	
OC	Front, side, and rear	Shall be located in the side or rear when located within 1000' linear feet of a TC or VC District. Additionally, see note*
PI	Front, side, and rear	See note*
CC and IC	Front, side, and rear	See note*
LI	N/A	
PO	N/A	

\*No more than 2 rows (one drive aisle) or 20% of the number of required parking, whichever is smaller, is permitted between the principal building and road.

- b. Parking Location for Double frontage or Corner lots
  - 1. Except in the IC and LI District, no property shall have more than 2 rows (with aisle) between any one building and abutting public streets.

8.5.3. Off-Site (Satellite) Parking

Except for spaces provided subject to the Americans with Disabilities Act, required Off-Street Parking spaces may be provided on a separate lot which does not contain the proposed use or structure subject to the following standards:

- a. New off-Site parking areas must comply with all applicable parking area design and accessibility standards.
- b. Off-site parking areas must be located within a 1,200-foot publicly accessible and established walking distance of the entrance of the use served by such parking.
- c. The walking distance between the off-site parking areas and the primary pedestrian entrances to the uses shall consist of a walkway protected by landscape buffer or a curb separation and elevation from the street grade. Periodic crossings at established crosswalks are allowable.
- d. The right to use the off-site parking must be evidenced by a deed, lease, easement, or similar written instrument establishing such use, for the duration of the use.
- e. Off- Site Parking shall not be provided within Residential Zoning Districts.

8.5.4. Shared Parking and Parking Reductions

When two or more uses share common parking facilities, the minimum amount of required parking may be reduced. The minimum amount of required parking shall be calculated as the sum of the required parking for the 2 uses separately, divided by the factor listed in the table below. The Administrator will classify the uses in the categories in the table prior to the calculation of off-street parking requirements. In all cases, the burden to demonstrate that a reduction in parking requirements is warranted shall rest with the applicant.

Shared Parking Reductions				
	Residential	Lodging	Office	Retail/Restaurant
Residential	1.0	1.1	1.4	1.2
Lodging	1.1	1.0	1.7	1.3
Office	1.4	1.7	1.0	1.2
Retail/Restaurant	1.2	1.3	1.2	1.0

**Deleted:** Zoning

8.5.5. Additional Parking Reductions

The Administrator may grant a reduction in the parking requirements set forth in this section in the following cases:

**Deleted:** Zoning

- a. Where uses in the same or adjoining development, having different peak hour demand, seek to share parking, the applicant must submit to the administrator an analysis and substantiated projections of peak parking demand — based on historic data from other locations or a similar use or a parking study — for the entire development to justify the shared use of parking spaces for separate uses.
- b. Where the special nature of a certain development (e.g., special types of housing projects inhabited by persons with low or no automobile ownership) does not require the amount of parking listed in Table 8.4.1
- c. Where fewer parking spaces are needed due to location and use — e.g., if there is a high concentration of residential units adjacent to a neighborhood-serving use, a parking reduction may be warranted.

Deleted:

- 8.5.6. The Administrator shall consider the following in determining whether a reduction is warranted and make the following findings in writing:
- a. The likelihood that the reduced number of parking spaces can satisfy demand;
  - b. The amount of time during the year when the number of spaces provided may be insufficient and the amount of resulting parking overflow;
  - c. The impact of periodic overflows upon the public streets and other parking facilities;
  - d. The nature of surrounding land uses, character of surrounding road system, and nearby circulation pattern.

8.5.7. Service and Loading Areas

- a. Service areas and any new parking shall be located in the rear. Screened from view and not visible from adjacent sidewalks, and public roads. Service areas, truck delivery, loading and waste collection routes shall be located at the rear. Service areas are encouraged to be shared with adjacent uses and properties, these aspects shall be considered during site plan evaluation.

8.5.8. Terraced Parking Bays

- a. When slopes over five percent exist, parking bays shall be terraced and landscaped between changes in level. The landscaping shall be:
  - 1. Equal to one three-gallon evergreen shrub for every three linear feet of the width of the adjacent parking bay.
  - 2. Equal to one three-gallon evergreen shrub for every three linear feet of the width of the adjacent parking bay.
  - 3. Planted in an area of minimum five feet in depth.

8.6. Pedestrian Access

In parking areas with more than 40 spaces, an on-site circulation system for pedestrian and non-motorized travel must be provided in accordance with the following requirements.

8.6.1. Connection to the Street

The on-site pedestrian circulation system shall connect all adjacent public rights-of-way, adjacent sidewalks, multi-use paths, public spaces to any main building entrance. The connection must follow a direct route and not involve significant out-of-direction travel for system users.

8.6.2. Connection to Abutting Properties

The on-site pedestrian circulation system must provide connection to existing paths and sidewalks on abutting properties or to the likely location of future paths or sidewalks on those properties. When the Zoning Administrator determines that no paths or sidewalks exist on a neighboring property or it is not possible to determine the likely location of future path or sidewalk connections or extending a connection would create a safety hazard on either property, no such connection is required.

8.6.3. Internal Connections

The on-site pedestrian circulation system must connect all buildings on the site and provide connections to other areas of the site likely to be used by pedestrians and non-motorized travel, such as parking areas, bicycle parking, recreational areas, common outdoor areas, plazas, and similar amenity features. The Planning Commission may require additional pedestrian pathways within the parking area.

8.6.4. Design

Required on-site pedestrian circulation facilities must be designed and constructed in accordance with the following requirements:

- a. The on-site pedestrian circulation system must be paved and be at least five feet in width.
- b. An appropriately sized planting strip, dependent on proposed tree species, shall be provided on both sides of the pedestrian circulation system to accommodate the planting of canopy or understory trees for the purpose of providing shade. One canopy tree shall be planted every 40' or one understory tree every 20', or combination thereof.
- c. When the on-site pedestrian circulation system crosses driveways, parking areas or loading areas, it must be clearly differentiated through the use of elevation changes, a different paving material, or other equally effective methods. Striping does not meet this requirement.
- d. When the on-site pedestrian circulation system is parallel and adjacent to a motor vehicle travel lane, it must be a raised path at least six inches above the vehicle travel lane surface or be separated from the vehicle travel lane by a raised curb, bollards, landscaping or another physical barrier. If a raised path is used, the ends of the raised portions must be equipped with accessible curb ramps.

- e. The on-site pedestrian circulation system must be illuminated to ensure that it can be used safely at night by employees, residents, and customers. Lighting shall meet the requirements of Section 8.8.

8.6.5. Parking Lot Connections

Applicability: Adjoining parking lots serving non-residential and multifamily uses shall be interconnected when feasible according to the following requirements:

- a. At least one connection shall be provided at all common lot lines that share a boundary of at least 60 feet.
- b. Where feasible, the connection shall align with any previously established connection on an adjacent property.
- c. An easement for ingress and egress to adjacent lots through the connection(s) shall be recorded in the form of an easement and documentation submitted to Town Staff.
- d. In the event these conditions cannot be met without undue hardship, the Zoning Administrator may waive or adjust the connection requirements as appropriate.

8.7. Lighting

8.7.1. Applicability: All parking lots serving non-residential and multifamily uses shall be required to adhere to the following standards. Additionally, all newly installed lighting fixtures shall adhere to the following standards, unless installed by a state or federal agency.

8.7.2. Standards and Design Requirements

- a. Height: Lighting standards in parking lots shall not exceed a maximum of 25 feet in height.
- b. Shielding: Lighting shall have a cutoff angle of 90° or less (full cutoff) and be shielded from the sky and adjacent properties and structures through shielding.
- c. Light trespassing: The maximum light trespass at the property line shall be 0.5 foot-candle.
- d. Design: The design of site lighting structures and fixtures shall be evaluated by the Administrator, or Planning Commission when applicable. All lighting fixtures that are affixed to a building shall be approved by the applicable design review authority.