



Jasper County Planning Department

358 Third Avenue - Post Office Box 1659
Ridgeland, South Carolina 29936
Phone (843) 717-3650 Fax (843) 726-7707

Jasper County Planning Commission

AGENDA

August 8, 2023
6:00 PM

Virtual Meeting

Watch Live via YouTube @

https://www.youtube.com/channel/UCBmloqX05cKAsHm_ggXCJIA

Call to Order: Chairman Pinckney
Invocation & Pledge of Allegiance
Approval of Agenda
Approval of Minutes: July 11, 2023

New Business:

- A. Zoning Text Amendment – Article 6:1 – Table 1, *Use Regulations*; Article 7:3 – Table 1, *Schedule of Lot Area, Yard, Setback, and Density*; Article 11:7, *Industry Specific Conditional Use Regulations*, Sections 11:7.31, *Duplexes*; 11:7.32 *Townhouses*; and 11:7.33, *Patio Homes*

Discussion:

- A. Discussion of proposed Tillman Subdivision
B. Open Discussion

Adjourn



Jasper County Planning and Building Services

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Lisa Wagner, CFM
Director of Planning and Building Services
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Jasper County Planning Commission

Staff Report

Meeting Date:	August 8, 2023
Project:	Zoning Text Amendment – Article 6:1 – Table 1, <i>Use Regulations</i> , Article 7:3 – Table 1, <i>Schedule of Lot Area, Yard, Setback, and Density</i> , and Article 11:7, <i>Industry Specific Conditional Use Regulations</i> , Sections 11:7.31, <i>Duplexes</i> , 11:7.32 <i>Townhouses</i> , and 11:7.33 <i>Patio Homes</i>
Applicant:	Staff Initiated
Submitted For:	Action
Recommendation:	Staff Recommends Approval

Description: At last month's Planning Commission Meeting, there was some discussion about duplexes being allowed in rural areas where no public water or sewer systems are available, and the Planning Commission did not feel these types of projects are appropriate in areas that are dependent upon septic tanks. Duplexes and Townhouses are attached units and are both allowed as a conditional use in the Residential(R), Residential Ridgeland Lakes(RRL), Community Commercial(CC), and General Commercial(GC) Zoning Districts. Duplexes are also allowed as a conditional use in the Rural Preservation(RP) Zoning District, while townhouses are not. Patio Homes are also a unique housing product as they are allowed to have zero lot lines (built at the property line). Patio Homes are allowed conditionally in the Residential(R), Residential Ridgeland Lakes(RRL), Community Commercial(CC) and General Commercial(GC) Zoning Districts. Staff has prepared an ordinance to amend several sections of the Zoning Ordinance that would prohibit duplexes from being built in the Rural Preservation Zoning District, add conditional use requirements, increase setback requirements and reduce the density for Duplexes, Townhouses, and Patio Homes.

Analysis: The specific sections of the ordinance and the proposed changes to the Jasper County Zoning Ordinance are outlined below. Strikethroughs represent language to be deleted, new language is shown in red and an explanation of each Article of the Zoning Ordinance to be amended is shown in blue.

1. Remove Duplexes as a conditional use from the Residential Ridgeland Lakes (RRL) and Rural Preservation (RP) Zoning Districts. Remove Townhouses and Patio Homes as a conditional use in the Residential Ridgeland Lakes (RRL) Zoning District.

Article 6, Use Regulations, Section 6.1 - Table 1

Residential Uses	NAICS	R	RRL	RP	RC	CC	GC	ID	RE	MB
Site Built Housing	NA									
Existing Single-Family Detached	NA	P	P	P	P	P	P	N	N	N
Single-Family Detached	NA	P	P	P	P	P	P	N	N	N
Second Single Family Residential Dwelling Unit (Sec. 11:7.30)	NA	C	N	C	N	C	N	N	N	N
Duplexes (Sec. 11:7.31)	NA	C	C-N	C-N	N	C	C	N	N	N
Multi-Family, Apartments (Sec. 11:7.31.A)	NA	N	N	N	N	C	C	N	N	N
Townhouses (Sec. 11:7.32)	NA	C	C-N	N	N	C	C	N	N	N
Patio Homes (Sec. 11:7.33)	NA	C	C-N	N	N	C	C	N	N	N

2. Add a condition to Article 11:7.31, 11:7.32, and 11:7.33 to require duplexes, townhouses, and patio homes to be located in areas where water and sewer is available and to clarify these types of housing products that are built for rental purposes will be considered a major subdivision.

Article 11:7.31 Duplexes:

Due to the unique design features of duplex housing, the following supplemental design requirements shall apply:

1. Such projects shall be located in areas that are served by public water and sewer providers. Septic systems, including community septic systems, are strictly prohibited.
2. Such projects shall have a minimum of one (1) acre and a maximum of ten (10) acres in the Residential, Community Commercial and General Commercial Zoning Districts.
3. Such projects shall have a minimum of two (2) acres and a maximum of ten (10) acres in the Rural Preservation District.
4. For all units, the lot area, yard, and setbacks shall be as prescribed in Article 7:3-Table1.
5. Building orientation shall be representative of that exhibited by surrounding single-family development.
6. The size, bulk, height and scale of proposed structures shall reflect the characteristics of existing single-family structures in the area.

7. At least one duplex front door should be visible from the front of the structure.
8. Entrances should be visible and approaches to the front entrance of each dwelling unit should be clearly delineated by improved walkways and landscaping.
9. Not less than 10 percent of the project site shall be diverted to contiguous common open space which is designed for use by the residents.
10. The site plan shall be designed in a way to complement the existing character of the surrounding area. The Planning Commission may impose such other requirements as it deems necessary to protect the established character of the neighborhood, where appropriate.
11. When a duplex development is proposed on a single parcel of land for rental purposes, it shall be considered a major subdivision, except within an approved Planned Development District (PDD) where a master plan has been approved, and must comply with major site plan requirements,

Article 11:7.32 Townhouses:

Due to the unique design features of townhouses, the following supplemented design requirements shall apply:

1. Such projects shall be located in areas that are served by public water and sewer providers. Septic systems, including community septic systems, are strictly prohibited.
2. Such projects shall have a minimum of one and half (1-1/2) acre.
3. Not more than eight (8) or fewer than three (3) townhouses may be joined together, with approximately the same front line (may be staggered).
4. Minimum distance between rows of buildings shall be not less than 20 feet.
5. For all units, the lot area, yard, and setbacks shall be as prescribed in Article 7:3-Table 1.
6. Sidewalks not less than four (4) feet in width shall be provided along the front property line of each project, building.
7. Not less than 10 percent of the project site shall be diverted to contiguous common open space which is designed for use by the residents.
8. The site plan shall be designed in a way to complement the existing character of the surrounding area. The Planning Commission may impose such other requirements as it deems necessary to protect the established character of the neighborhood, where appropriate.

9. When a townhouse development is proposed on a single parcel of land for rental purposes, it shall be considered a major subdivision, except within an approved Planned Development District (PDD) where a development agreement is in effect and a master plan has been approved, and must comply with major site plan requirements.

Article 11:7.33 Patio Homes:

Due to the unique design features of patio homes, the following supplemental design requirements shall apply:

1. Such projects shall be located in areas that are served by public water and sewer providers. Septic systems, including community septic systems, are strictly prohibited.
 2. Such projects shall have a minimum of one (1) acre and a maximum of ten (10) acres.
 2. ~~For units in the applicable areas of the Levy Limehouse Overlay District (LLOD) or where water and sewer service is provided in accordance with Article 6 of the Jasper County Land Development Regulations, the lot area, yard, and setbacks shall be as prescribed in Section 8:4. For units not meeting these requirements, the minimum lot size shall be .5 acre and the yard, and setbacks shall be as prescribed in Section 7:3, Table 1.~~
 3. For all units, the lot area, yard, and setbacks shall be as prescribed in Article 7:3-Table 1.
 4. Not less than ten percent (10%) of the project site shall be diverted to contiguous common open space which is designed for use by the residents.
 5. The site plan shall be designed in a way to complement the existing character of the surrounding area. The Planning Commission may impose such other requirements as it deems necessary to protect the established character of the neighborhood, where appropriate.
 6. When a patio home development is proposed on a single parcel of land for rental purposes, it shall be considered a major subdivision, except within an approved Planned Development District (PDD) where a development agreement is in effect and a master plan has been approved, and must comply with major site plan requirements.
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3. Change minimum lot sizes for Duplexes, Townhouses, and Patio Homes in the Residential (R), Community Commercial (CC), and General Commercial Zoning Districts for the purpose of reducing allowed density. Increase setbacks for Duplexes, Townhouses, and Patio Homes.

Article 7:3, Table 1, Schedule of Lot Area, Yard, Setback, and Density

Section 7:3 Table 1:

Schedule of Lot Area, Yard, Setback, and Density

By District

	R	RRL	RP	RC	CC	GC	ID	RE	MB
Minimum Lot per Unit									
Non Residential Area (SF)	40,000	N/A	2 acres	2 acres	10,000	10,000	12,000	2 acres	12,000
Residential									
Single Family	.5 acre	7,800	1 acre	.5 acre	(B)	(A)	N/A	N/A	N/A
Patio	6,500 5 acre	N/A	N/A	N/A	10,000	3,500	N/A	N/A	N/A
Duplex	8,500 5 acre	N/A	2 acres N/A	N/A	5,000 10,000	5,000 10,000	N/A	N/A	N/A
Townhome	2,000 4,000	N/A	N/A	N/A	1,800 2,000	1,800 2,000	N/A	N/A	N/A

(A) 4 Per Acre For Single Family Dwelling Units 6-Per-Acre-For-Attached-Units.

(B) 2 Per Acre For Single Family Dwelling Units; 4-Per-Acre-For-Attached-Units.

Minimum Yard & Building Setback (feet)										R = Residential C = Community & General Commercial						
	Multifamily, Single-Family & Non-Residential Uses									Patio	Duplex		Town-home			
	R	RRL	RP	RC	CC	GC	ID	RE	MB		Per UNIT	All Districts				
Minimum lot width	50	50	200	200	80	80	90	200	90	Minimum lot width	45	50		20		
Front										Front	R	C	R	C	R	C
Major Street (Multi-Lane)	60	60	60	60	60	60	60	200	60	Major Street (Multi-lane)	60*	60*	60*	60*	60*	60*
Major Street (Two-lane)	35	35	45	45	35	35	45	200	45	Major Street (Two-lane)	25 35	35	25 35	35	25 35	35
Minor Street	25	15	25	25	25	25	25	150	25	Minor Street	15 25	25	15 25	25	15 25	20
Side										Side	R	C	R	C	R	C
Residential	10	10	25	50	5	5	N/A	N/A	N/A	Interior	N/A	N/A	0	0	0	0
Non-Residential	10	N/A	25	50	5	5	10	100	10	Street-Side/Exterior	5 10	10	10	10	10	10
Rear										Rear	R	C	R	C	R	C
Residential	25	20	25	100	10	10	N/A	100	N/A	Residential	25	20	25	20	25	15
Non-Residential	40	N/A	50	150	10	10	15	100	15	Non-Residential	N/A	N/A	N/A	N/A	N/A	N/A

*Access to units along a multi-lane major street shall generally have a common access onto a frontage road or similar, which shall be considered a minor street; the frontage road or similar may encroach into the 60' front setback from the multi-lane major street.

Recommendation: Staff recommends approval of the Zoning Text Amendment as outlined above and reflected in the proposed ordinance, which is attached to this staff report.

Attachments:

1. Proposed Ordinance for Zoning Text Amendment – Article 6:1 Use Regulations, Article 7:3 - Table 1 Schedule of Lot Area, Yard, Setback, and Density, Article 11:7.31, 11:7.32, and 11:7.33

**STATE OF SOUTH CAROLINA
COUNTY OF JASPER**

ORDINANCE #2023-____

AN ORDINANCE

OF JASPER COUNTY COUNCIL

To Amend Article 6:1 – Table 1, *Use Regulations*; Article 7:3 – Table 1, *Schedule of Lot Area, Yard, Setback, and Density*; Article 11:7, *Industry Specific Conditional Use Regulations*, Sections 11:7.31, *Duplexes*; 11:7.32 *Townhouses*; and 11:7.33, *Patio Homes* of the Jasper County Zoning Ordinance, to remove duplexes, townhouses, and patio homes as a conditional use from certain Zoning Districts, add conditional use requirements, increase the setback requirements and reduce the allowed density for duplexes, townhomes, and patio homes.

WHEREAS, one of the principles of the Jasper County Comprehensive Plan and the Jasper County Zoning Ordinance is to keep Jasper rural; and

WHEREAS, the Jasper County Zoning Ordinance regulates the location and use of buildings, structures and land, the size of yards, the density and distribution of population, and establishes development standards; and

WHEREAS, Article 6:1 – Table 1, *Use Regulations* of the Jasper County Zoning Ordinance, allows Duplexes, Townhouses, and Patio Homes as a conditional use in certain Zoning Districts; and

WHEREAS, Article 7:3 – Table 1, *Schedule of Lot Area, Yard, Setback* of the Jasper County Zoning Ordinance regulates density, minimum lot size, and setback requirements; and

WHEREAS, Article 11:7, *Industry Specific Conditional Use Regulations* of the Jasper County Zoning Ordinance are intended to ameliorate the impact and improve the siting of uses, buildings, and projects that are allowed conditionally; and

WHEREAS, the Council finds it is in the public interest to invoke the pending ordinance doctrine upon first reading of this Ordinance, and announces a public hearing to be held prior to

or at second reading of this Ordinance, tentatively scheduled for the September 5, 2023 regularly scheduled County Council meeting; and

WHEREAS, the Jasper County Planning Commission has recommended approval by County Council to amend Article 6:1 – Table, *Use Regulations*; Article 7:3 – Table 1, *Schedule of Lot Area, Yard, Setback, and Density*; and Article 11:7, *Industry Specific Conditional Use Regulations*, Sections 11:7.31, *Duplexes*; 11:7.32, *Townhouses*; and 11:7.33, *Patio Homes* of the Jasper County Zoning Ordinance, to remove duplexes, townhouses, and patio homes as a conditional use from certain Zoning Districts, add conditional use requirements, increase the setback requirements and reduce the allowed density for duplexes, townhomes, and patio homes.

WHEREAS, this matter is now before the Jasper County Council for determination;

NOW THEREFORE, BE IT ORDAINED, by the Jasper County Council duly assembled and by the authority of same:

1. Amend Jasper County Zoning Ordinance, Article 6:1 – Table 1 to read as follows:

Article 6, Use Regulations, Section 6.1 - Table 1:

Residential Uses	NAICS	R	RRL	RP	RC	CC	GC	ID	RE	MB
Site Built Housing	NA									
Existing Single-Family Detached	NA	P	P	P	P	P	P	N	N	N
Single-Family Detached	NA	P	P	P	P	P	P	N	N	N
Second Single Family Residential Dwelling Unit (Sec. 11:7.30)	NA	C	N	C	N	C	N	N	N	N
Duplexes (Sec. 11:7.31)	NA	C	G-N	G-N	N	C	C	N	N	N
Multi-Family, Apartments (Sec. 11:7.31.A)	NA	N	N	N	N	C	C	N	N	N
Townhouses (Sec. 11:7.32)	NA	C	G-N	N	N	C	C	N	N	N
Patio Homes (Sec. 11:7.33)	NA	C	G-N	N	N	C	C	N	N	N

2. Amend Jasper County Zoning Ordinance, Article 7:3 – Table 1, *Schedule of Lot Area, Yard, Setback, and Density* as shown on Exhibit A attached.

3. Amend Jasper County Zoning Ordinance, Article 11:7:31, *Duplexes* to read as follows:

Article 11:7.31 Duplexes:

Due to the unique design features of duplex housing, the following supplemental design requirements shall apply:

- 1. Such projects shall be located in areas that are served by public water and sewer providers. Septic systems, including community septic systems are strictly prohibited.*
- 2. Such projects shall have a minimum of one (1) acre and a maximum of ten (10) acres in the Residential, Community Commercial and General Commercial Zoning Districts.*
- 3. Such projects shall have a minimum of two (2) acres and a maximum of ten (10) acres in the Rural Preservation District.*
- 4. For all units, the lot area, yard, and setbacks shall be as prescribed in Article 7:3-Table1.*
- 5. Building orientation shall be representative of that exhibited by surrounding single-family development.*
- 6. The size, bulk, height and scale of proposed structures shall reflect the characteristics of existing single-family structures in the area.*
- 7. At least one duplex front door should be visible from the front of the structure.*
- 8. Entrances should be visible and approaches to the front entrance of each dwelling unit should be clearly delineated by improved walkways and landscaping.*
- 9. The site plan shall be designed in a way to complement the existing character of the surrounding area. The Planning Commission may impose such other requirements as it deems necessary to protect the established character of the neighborhood, where appropriate.*
- 10. When a duplex development is proposed on a single parcel of land for rental purposes, it shall be considered a major subdivision, except within an approved Planned Development District (PDD) where a development agreement is in effect and a master plan has been approved.*

4. Amend Jasper County Zoning Ordinance, Article 11:7:32, *Townhouses* to read as follows:

Article 11:7.32 Townhouses:

Due to the unique design features of townhouses, the following supplemented design requirements shall apply:

1. *Such projects shall be located in areas that are served by water and sewer.*
 2. *Such projects shall have a minimum of one and half (1-1/2) acre.*
 3. *Not more than eight (8) or fewer than three (3) townhouses may be joined together, with approximately the same front line (may be staggered).*
 4. *Minimum distance between rows of buildings shall be not less than 20 feet.*
 5. *For all units, the lot area, yard, and setbacks shall be as prescribed in Article 7:3-Table 1.*
 6. *Sidewalks not less than four (4) feet in width shall be provided along the front property line of each project, building.*
 7. *Not less than 10 percent of the project site shall be diverted to contiguous common open space which is designed for use by the residents.*
 8. *The site plan shall be designed in a way to complement the existing character of the surrounding area. The Planning Commission may impose such other requirements as it deems necessary to protect the established character of the neighborhood, where appropriate.*
 9. *When a townhouse development is proposed on a single parcel of land for rental purposes, it shall be considered a major subdivision, except within an approved Planned Development District (PDD) where a development agreement is in effect and a master plan has been approved.*
5. Amend Jasper County Zoning Ordinance, Article 11:7:33, *Patio Homes* to read as follows:

Article 11:7.33 Patio Homes:

Due to the unique design features of patio homes, the following supplemental design requirements shall apply:

1. *Such projects shall be located in areas that are served by public water and sewer providers. Septic systems, including community septic systems, are strictly prohibited.*

2. Such projects shall have a minimum of one (1) acre and a maximum of ten (10) acres.
2. ~~For units in the applicable areas of the Levy Limehouse Overlay District (LLOD) or where water and sewer service is provided in accordance with Article 6 of the Jasper County Land Development Regulations, the lot area, yard, and setbacks shall be as prescribed in Section 8:4. For units not meeting these requirements, the minimum lot size shall be .5 acre and the yard, and setbacks shall be as prescribed in Section 7:3, Table 1.~~
3. For all units, the lot area, yard, and setbacks shall be as prescribed in Article 7:3-Table 1.
4. Not less than ten percent (10%) of the project site shall be diverted to contiguous common open space which is designed for use by the residents.
5. The site plan shall be designed in a way to complement the existing character of the surrounding area. The Planning Commission may impose such other requirements as it deems necessary to protect the established character of the neighborhood, where appropriate.
6. When a patio home development is proposed on a single parcel of land for rental purposes, it shall be considered a major subdivision, except within an approved Planned Development District (PDD) where a development agreement is in effect and a master plan has been approved, and must comply with major site plan requirements.

L. Martin Sauls IV
Chairman

ATTEST:

Wanda Simmons
Clerk to Council

ORDINANCE 2023- _____

First Reading: _____

Second Reading: _____
Public hearing: _____
Adopted: _____

Considered by the Jasper County Planning Commission at its meeting on
August 8, 2023.

Reviewed for form and draftsmanship by the Jasper County Attorney.

David L. Tedder

Date

EXHIBIT A
Section 7:3 Table 1:

Schedule of Lot Area, Yard, Setback, and Density

By District

	R	RRL	RP	RC	CC	GC	ID	RE	MB
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Minimum Lot per Unit

Non Residential Area (SF)	40,000	N/A	2 acres	2 acres	10,000	10,000	12,000	2 acres	12,000
Residential									
Single Family	.5 acre	7,800	1 acre	.5 acre	(B)	(A)	N/A	N/A	N/A
Patio	6,500 5 acre	N/A	N/A	N/A	10,000	3,500	N/A	N/A	N/A
Duplex	8,500 5 acre	N/A	2 acres N/A	N/A	5,000 10,000	5,000 10,000	N/A	N/A	N/A
Townhome	2,000 4,000	N/A	N/A	N/A	1,800 2,000	1,800 2,000	N/A	N/A	N/A

(A) 4 Per Acre For Single Family Dwelling Units 6 Per Acre For Attached Units.
(B) 2 Per Acre For Single Family Dwelling Units; 4 Per Acre For Attached Units.

Minimum Yard & Building Setback (feet)

R = Residential
C = Community & General Commercial

	Multifamily, Single-Family & Non-Residential Uses									Patio	Duplex	Town-home				
	R	RRL	RP	RC	CC	GC	ID	RE	MB				Per UNIT	All Districts		
Minimum lot width	50	50	200	200	80	80	90	200	90	Minimum lot width	45	50	20			
Front										Front	R	C	R	C	R	C
Major Street (Multi-Lane)	60	60	60	60	60	60	60	200	60	Major Street (Multi-lane)	60*	60*	60*	60*	60*	60*
Major Street (Two-lane)	35	35	45	45	35	35	45	200	45	Major Street (Two-lane)	25 35	35	25 35	35	25 35	35
Minor Street	25	15	25	25	25	25	25	150	25	Minor Street	45 25	25	45 25	25	40 25	20
Side										Side	R	C	R	C	R	C
Residential	10	10	25	50	5	5	N/A	N/A	N/A	Interior	N/A	N/A	0	0	0	0
Non-Residential	10	N/A	25	50	5	5	10	100	10	Street-Side/Exterior	5 10	10	10	10	10	10
Rear										Rear	R	C	R	C	R	C
Residential	25	20	25	100	10	10	N/A	100	N/A	Residential	25	20	20 25	20	5 25	15
Non-Residential	40	N/A	50	150	10	10	15	100	15	Non-Residential	N/A	N/A	N/A	N/A	N/A	N/A

*Access to units along a multi-lane major street shall generally have a common access onto a frontage road or similar, which shall be considered a minor street; the frontage road or similar may encroach into the 60' front setback from the multi-lane major street.