ARTICLE 8: SPECIAL PURPOSE DISTRICTS

Section

8:1 Planned Development District (PDD)

8:2 Flood Hazard Overlay District (FHOD)- *Repealed June 6th, 2011*

8:3 Airport Compatibility Overlay District (ACOD)

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§ 8:1 PLANNED DEVELOPMENT DISTRICT (PDD)

8:1.1 Intent

The intent of the Planned Development District is to encourage flexibility in the development of land in order to promote its most appropriate use; and to do so in a manner that will enhance public health, safety, morals, and general welfare.

Within the PDD, regulations adapted to unified planning and development are intended to accomplish the purpose of zoning and other applicable regulations to an equivalent or higher degree than where such regulations are designed to control unscheduled development on individual lots or tracts, promote economical and efficient land use, provide an improved level of amenities, foster a harmonious variety of uses, encourage creative design, and produce a better environment.

In view of the substantial public advantage of "planned development," it is the intent of these regulations to promote and encourage or require development in this form where appropriate in character, timing, and location, particularly in large undeveloped tracts.

All PDD's shall conform to the Jasper County Comprehensive Land Use Plan and Land Use Map (latest edition). All PDD's shall endeavor to include a component for Affordable Housing as outlined in Article 6 Section 6:2.15.

Adopted November 13, 2007, Revised May 05, 2008
Revised June 06, 2011, Revised June 28, 2012
Revised April 7, 2014, Revised July 18, 2016
Revised October 3, 2016, Revised April 17, 2017

In keeping with the intent of Jasper County to maintain a rural character outside the Joint Planning District Boundaries, cluster development is encouraged. In cluster developments it is envisioned that patio homes and other similar types of residential developments are grouped together and surrounded with substantial undisturbed open space that is perpetually protected from future development. The use of cluster development is encouraged and where possible should be a component of the overall PDD Master Plan.

8:1.2 Purpose.

The purpose of the Planned Development District (PDD) is to permit development for specialized purposes where tracts suitable in location, area, and character are to be planned and developed on a unified basis. Suitability of tracts for the development proposed shall be determined primarily by reference to the land use plan, but due consideration shall be given to the existing and prospective character of surrounding development.

Within PDD districts, regulations adapted to implement such unified planning and development are intended to accomplish the purposes of zoning and other applicable regulations to an equivalent or higher degree than where such regulations are designed to control unscheduled developments on individual lots, and to promote economical and efficient land use, an improved level of amenities, appropriate and harmonious variety, creative design and a better environment.

In view of the substantial public advantages of planned development districts, it is the intent of these regulations to promote and encourage, or to require development in this form where appropriate in location, character and timing.

8:1.3 Establishment of the Planned Development District; Application of Article.

Where the symbol PDD is established on the official zoning district map, planned development is permitted as the applicable zoning classification, provided, it is planned and developed on a unified basis, in accord with the provisions of this Article.

Where the symbol PDD is not established on the official zoning district map, a planned development may nonetheless be established by amendment as provided for in this Article, where tracts suitable in location and character for the uses and structures proposed are to be planned and developed on a unified basis, in accord with the provisions of this Article.

Unless a deviation from such restrictions is provided in the approved Master Plan, property within a PDD district shall be required to adhere to all provisions of the Jasper County Zoning Ordinance and Land Development Regulations, as well as any Overlay District as applicable, unless deviation is provided for as part of the approved Master Plan. The regulations applicable to the uses in an approved PDD shall be those of the most restrictive zoning district where such uses are allowed.

The standards set forth in this Article are minimum requirements and it is the intent of this section that relevant County authorities may impose conditions and safeguards in excess of, or in addition to, the specified minimal requirements. Satisfying the minimum requirements set forth herein does not per se indicate that an applicant is entitled to a zoning change.

8:1.4 General Requirements.

Any property under the jurisdiction of this ordinance that contains four (4) or more acres and is to be developed on an integrated basis is eligible for designation of the PDD zoning as provided in this Article. No property in any zoning district consisting of twenty-five (25) acres or more, whether in single or multiple ownership may be developed on an integrated basis until and unless the parcel is rezoned to the PDD district. The Planning Commission may require that property consisting of fewer than twenty-five (25) acres be developed as a Planned Development District (PDD) upon a finding that such integrated development serves the public interest.

All property rezoned PDD shall be made on application of the developer and on covenant of all owners of an interest in any portion of the property, who must agree to be bound by the district designation and regulations.

Jasper County Council may require, at its sole discretion, a development agreement between the County and developers for properties developed as a planned development district (PDD) as a prerequisite to Development Plan Approval.

Plats, surveys and other information suitable for submission in digitized format for consideration of Applications, Concept Plans, Master Plans and Development Plans shall be submitted to the County in both paper and digitized format, in accordance with County procedures.

8:1.5 Permitted Uses.

Any use permitted in any of the zoning districts adopted by Jasper County may be permitted, and any other uses as the Council may approve, including limited or conditional uses, provided the conditions for such uses are not in conflict with the Jasper County Zoning Ordinance or Land Development Regulations.

No PDD shall be created that fails to specify the type of land uses that will occupy every portion of the PDD property.

8:1.6 Perimeter and Buffer Requirements.

Perimeter setbacks around the boundary of the PDD shall be a minimum of ten (10) feet; provided however, the requirements of this subsection may be modified or waived in the adopted Master Plan upon a finding that the adjacent property is and will be adequately buffered by other natural or manmade features of a permanent nature. The setback shall

be measured from the property boundary unless a particular boundary of the PDD abuts a road or highway right-of-way, in which case it shall be measured from the abutting edge of the right-of-way.

Minimum buffers of (a) twenty (20) feet shall be maintained along all external dimensions of a PDD which abut RC and RP districts; (b) thirty (30) feet where the PDD is adjacent to a Single or Multi-Family Residential District (R), and fifty (50) feet where adjacent to a ID, CC and GC districts; provided however, the requirements of this subsection may be modified or waived in the adopted Master Plan upon a finding that the adjacent property is and will be adequately buffered by other natural or manmade features of a permanent nature. Additional buffers, such as vegetative cover, walls or fences to a height of seven (7) feet may be required for trash, all storage yards and/or outdoor display areas, as well as those areas identified in the Jasper County Zoning Ordinance and Land Development Regulations specific use standards. Buffer requirements shall be in addition to, but exclusive of, perimeter setbacks.

In the outer twenty (20) feet of the buffer area or in the perimeter setback, the only allowable uses are pedestrian and/or bicycling trails, sidewalks and paths, or underground utilities. Buffers and perimeter setbacks shall include vegetative cover and be maintained regularly. Within the remaining buffer, no development, parking areas, structures or accessory buildings except the required fence and vegetative cover, a properly permitted sign, interconnecting pedestrian and/or bicycling trails, sidewalks and paths, or underground utilities shall be placed.

If it finds substantial need for screening of the proposed PDD activity, the Planning Commission may require within the buffer a six-foot (6) high fence made of either brick, finished concrete, mortar, wood, stone, masonry units, faux masonry materials, or a combination of the above. The public view side of the fence shall include vegetative plantings which complement and enhance the fence.

Any required side yard buffer shall begin where the private property line and the public right-of-way intersect and extend to the rear lot line. The vegetative cover and the fence, if required, shall begin where the private property line and the public right-of-way intersect and extend to the rear lot line. This requirement will be modified as necessary to accommodate safe view corridors for vehicular and pedestrian ingress and egress.

Required rear yard buffers and the fence, if required, shall extend the entire length of the rear lot line. Riparian Buffers shall be in accordance with Section 7:4.

8:1.7 Application and Concept Plan.

A. Application

1. To secure a PDD district designation, an application must be filed with the fee established by Jasper County. The Applicant must provide a fund to reimburse the County for professional fees incurred in processing the application pursuant to

Jasper County Ordinance 06-01, adopted January 17, 2006 as the same may be amended from time to time.

2. The Application shall be on a form provided by the County and shall contain, at a minimum, the information required by the form, a legal description of the property, and the names and addresses of all persons having a legal or equitable interest in the property.

3. All persons having a legal or equitable interest in the property must agree in writing to be bound by the district designation and regulations for which application is made.

4. A request for a PDD district designation shall be processed as an amendment to the zoning ordinance and official map(s), including the future land use maps and the Comprehensive Plan, if necessary.

5. A Concept Plan shall be submitted with the application to Jasper County DSR. Applications and Concept Plans will be forwarded to the Planning Commission in accordance with standard procedural requirements as established by the Planning Commission. However, applications for properties consisting of fewer than two hundred (200) acres shall not be required to submit a Concept Plan and may begin the review process with an application and Master Plan; provided, however, for projects less than two hundred (200) acres that are unusually complex, the planning staff or Planning Commission may require a Concept Plan. Applications for PDD zoning of fewer than two hundred (200) acres may only be approved following approval of a Concept Plan or of a Master Plan.

B. Concept Plan:

Concept plans shall contain at a minimum, the following information:

1. A narrative statement by the applicant as to the goals of the development and a justification of why a PDD designation is necessary or desirable to achieve them;

2. A statement identifying existing buildings, structures, or other facilities on the property;

3. Identification of adjacent landowners and existing land use and zoning of such properties, and proof of notification to adjacent landowners by certified mail of the notice of the zoning application;

4. Identification, by name, number and width, of existing public rights-of-way on or adjacent to the property, and the proposed access to such existing rights-of-way;

5. A description of archeological sites or historic structures on the property, as defined by the South Carolina Department of History and Archives, including

grave sites, and the proposed approach to protect them and any others that might be discovered during development;

6. A Concept Plan Planned Development Map delineating the following:

   a. the vicinity of the property;

   b. the boundary lines of the property;

   c. any rivers, creeks, marshes, and general patterns of wetlands on or adjacent to the property;

   d. land uses adjacent to the property; existing buildings, structures or facilities on the property;

   e. municipal or county boundary lines adjacent to the property;

   f. historic structures on or adjacent to the property; any flood hazard and all overlay district boundary lines;

   g. proposed access to existing roads;

   h. arrangement/layout or land uses, approximate acreage to each land use area, type of use and residential density of each use area;

7. An identification of each type of use proposed for the PDD;

8. The total number of units and acreage for residential use and the total square footage and acreage for commercial uses, institutional uses, and all other uses;

9. A general layout of roadways of major circulation, the anticipated rights-of-way (ROW) widths based on either ultimate traffic demands in accordance with the Institute of Transportation Engineers (ITE) Manual (latest available edition) or a minimum of fifty (50) feet, whichever is greater; an explanation of whether they are to be publicly or privately maintained, and a general statement as to the anticipated impact of the PDD project on public roads, including analysis of the capacity of existing public roads to carry the additional traffic generated by the PDD at build-out, taking into consideration build-out of other impacting developments. Jasper County may require a traffic impact analysis and a description of proposed mitigation (if any);

10. A description or list of any proposed waivers or deviations from the Jasper County Zoning Ordinance and Land Development Regulations regarding either:

    a. generally applicable development standards;

    b. specific zoning district regulations, or

c. any applicable overlay district regulations, and what is proposed in their place;

11. Statement(s) from applicable utility service providers such as water, sewer (if applicable), telephone, electricity, trash and yard waste that service is available to the PDD, or what is required to render services available;

12. A proposed phasing schedule and average number of anticipated residential units or commercial square footage to be produced annually;

13. The proposed internal and external setbacks, vegetative buffer material and percent open space areas. Any proposed deviation from the applicable Jasper County Zoning Ordinance and Land Development Regulations standards must be accompanied by justification for such deviation;

14. A statement that proposed stormwater mitigation shall comply with Jasper County Stormwater Management and Regulations; and

15. An explanation of the proposed ownership and maintenance of rights-of-way, drainage systems, water and sewer systems, open space systems and amenities.

The Planning Commission will consider the application, Concept Plan, and recommendations from planning staff. The Planning Commission shall examine, consider and address, among others, issues relating to financial impacts upon the County and Jasper County, environmental impacts and required infrastructure to serve the PDD. The Planning Commission may require submission of additional maps, data or proposed methods of addressing other pertinent matters relative to the development which are reasonably available and where, owing to the nature, size and location of the proposed development, particular elements critical to the health, safety and welfare of the community and its citizens. Such elements include, but are not limited to, environmental impact statements as to specific matters not otherwise required or adequately addressed herein, traffic analysis, hurricane evacuation, other emergency preparedness and response, historical preservation, shoreline erosion, public access, community linkages, public education and the like.

Upon finding that the Application and Concept Plan meets all of requirements of this section, that the development meets the purposes of this section, that the adjacent parcel of land and the community at large are adequately protected from any adverse effects of the proposed development, that the proposed engineering of the project adequately addresses the issues of transportation, stormwater drainage, utilities and public health and safety, adequately considers and provides for historical and ecological resources within the district and addresses the potential impact of the project on external historical and ecological resources, the Concept Plan may be approved.

8:1.8 Rezoning to Planned Development District (PDD).

Rezoning of a parcel depicted on the official zoning map of Jasper County to PDD shall be by Ordinance upon the recommendation of the Planning Commission.

A zoning of PDD shall not entitle an applicant or owner of the affected property to any right to develop or engage in any land use or land disturbing activity, other than the rights in existence as of the time the Concept Plan is approved. Further, initial zoning of PDD does not vest an applicant or owner with any number of residential units or square footage of commercial/institutional/industrial space. To engage in development or any land use or land disturbing activity other than that in existence when PDD zoning is approved, an overall Master Plan and subsequent Development Plan(s) must be approved for the areas to be developed or engaged in land disturbing activity. A zoning of PDD does not constitute the commencement of activity or use that would abrogate exemptions, tax or otherwise, attendant to silvaculture activities.

The owner may seek rezoning of property to PDD at any time after approval of the Concept Plan. If the Concept Plan submitted by the applicant is approved, but modified without the written agreement of the applicant, the applicant shall have sixty (60) days after receipt of notice of approval of the modified Concept Plan to withdraw the Concept Plan by written notice to the Planning Commission. If withdrawn, the zoning for the areas within the Concept Plan shall be unchanged from the zoning existing before the application was submitted. Unless a waiver or deviation is secured as part of the approved Concept Plan, the regulations applicable to all uses in the approved Concept Plan shall be those of the most restrictive zoning district where such uses are allowed. For rezoning pursuant to this subsection, the Concept Plan Planned Development Map referred to in Section 8:1.7B.6 shall become the official zoning map for the PDD.

For properties for which no Concept Plan has been submitted for approval pursuant to Section 8:1.7A.5 hereof, the owner may seek rezoning of the property to PDD at any time after approval of the Master Plan. Unless a wavier or derivation is secured as part of the approved Master Plan, the regulations applicable to all uses in the approved Master Plan shall be those of the most restrictive zoning district where such uses are allowed. For rezoning pursuant to this subsection, the Master Plan Planned Development Map referred to in Section 8:1.10.7 shall become the official zoning map for the PDD.

8:1.9 Sale or transfer of ownership of development tracts.

The owner of a PDD may sell or transfer ownership of development tracts within a PDD in accordance with the following procedures and provisions:

1. Property covenants and restrictions must accompany the transfer of any development tract within the approved PDD restricting the new owner to the development type, road network, water, sewer approach, and density indicated on the approved Concept Plan;

2. The developer must submit a plat suitable for certification by Jasper County authorizing the developer to record such plat with the Clerk of Court or Register

of Deeds, including submissions in digital format, and subsequently record such plat prior to the sale or transfer of any development tract; and

3. This procedure will not be required for the sale or transfer of an individual single-family lot or group of lots intended for construction of one (1) single-family dwelling.

8:1.10 Master Plan.

A Master Plan shall be developed for all of the PDD property to be developed. The Master Plan, together with the required fee, shall be submitted to the DSR for review and a recommendation to the Planning Commission. The minimum requirements of the Master Plan include:

1. Multiple copies of the Master Plan to sufficiently distribute to all designated reviewing bodies at the time of submittal;

2. Proposed arrangement of land uses, including land for public facilities, approximate acreage of each use area or tract, type of use and density (residential use tracts). All specified densities will be construed as maximums, with acceptance of the maximums subject to satisfaction of other provisions within the PDD ordinance;

3. A boundary survey with the computed acreage of the tract bearing the seal of a registered land surveyor;

4. The location of primary control points to which all dimensions, angles, bearings, block numbers and similar data shall be referred;

5. The proposed name of the development and the names and addresses of the owner(s) of record, and the applicant, if different from the owner(s), with proof of authority to submit and process the application;

6. Type of land use of all parcels contiguous to the development property;

7. A Master Plan Planned Development Map showing:

    a. Vicinity map or sketch showing the general relationship of the proposed development to the surrounding areas with access roads referenced to the intersection of the nearest state primary or secondary paved roads;

    b. Topographic survey of the area being applied for;

    c. Where applicable, surveyed line delineating the extent of any special district boundary on the development property;

    d. Where applicable, survey line delineating wetlands;

e. The location, dimensions, descriptions, and flow of existing watercourses and drainage structures within the tract or on contiguous tracts;

f. Location of municipal limits or county lines, and district and overlay district boundaries, if they traverse the tract, form part of the boundary of the tract, or are contiguous to such boundary;

g. The location, dimensions, name and description of all existing or recorded streets, alleys, reservations, easements or other public rights-of-way within the tract intersecting or contiguous with its boundaries or forming such boundaries;

h. The location, dimensions, name and description of all existing or recorded residential lots, parks, public areas, permanent structures and other sites within or contiguous with the tract;

i. The proposed location, dimensions and description of land(s) for public facilities; and

j. Proposed conceptual street system layout, vehicular and pedestrian, with the written comments of the DSR and/or his/her representative.

8. Traffic impact analysis as set forth in the Jasper County Zoning Ordinance and Land Development Regulations or as required by the DSR and/or County Council, and a statement of need for mitigation (if any). If mitigation is required, a statement of proposed mitigation;

9. Preliminary Master Drainage Plan and Master Water and Sewer Plan with the written comments of the DSR and/or his/her representative.

10. Preliminary comments from affected agencies having approval or permitting authority over elements related to the proposed development, or evidence that a written request for such comments was properly submitted to the agency and a reasonable period of time has elapsed without receipt of such comments. Minimum agency responses include South Carolina Department of Transportation, South Carolina Department of Health and Environmental Control, and Office of Ocean and Coastal Resource Management, Jasper County School District and Jasper County Emergency Services (as applicable).

11. A narrative addressing:

a. The proposed ownership and maintenance of streets, drainage systems, water and sewer systems, open space areas, parking areas, and other proposed amenities and improvements; and when any of the above are to be privately owned, a description of the governance, operation and financial structure to be used to secure their maintenance, management and long term improvements;

b. Proposed phasing and time schedule if development is to be done in phases;

c. Proposed phasing and time schedule for lands to be dedicated for public facilities;

d. Proposed internal site planning standards such as typical lot sizes and widths, and setbacks and buffers aimed at addressing potential incompatibility between adjacent land uses and activities;

e. Letters of capability and intent to serve community water supply or sewage disposal service from the affected agency or entity, where applicable;

f. A statement describing the character of, and rationale for, the proposed Master Plan; and

g. Other information or descriptions deemed reasonably appropriate by staff or Planning Commission for review.

8:1.11 Master Plan Review/Approval/Amendment.

Unless otherwise specified in an approved Development Agreement, upon finding that the Application and Master Plan meets all of requirements of this section, that the development meets the purposes of this section, that the adjacent parcel of land and the community at large are adequately protected from any adverse effects of the proposed development, that the proposed engineering of the project adequately addresses the issues of transportation, stormwater drainage, utilities and public health and safety, adequately considers and provides for historical and ecological resources within the district and addresses the potential impact of the project on external historical and ecological resources, the Master Plan may be approved by the Planning Commission.

No Master Plan may be recorded with the Clerk of Court or Register of Deeds, and no land use or land disturbance activity, other than that in existence as of the time of the Master Plan approval shall be permitted, unless and until the applicant has secured Development Plan approval in accordance with Section 8:1.12 hereof.

Approved Master Plans may be revised (the DSR shall notify the Planning Commission of any changes made to the approved documents), subject to the approval of the Jasper County DSR, for the following changes:

1. Minor changes in the location of roads or widths of streets or rights-of-ways within the Master Plan;

2. Minor changes in the allocation of housing density within the Master Plan so long as the overall approved density of the Master Plan is not increased; and

3. Changes in the proposed build-out and phasing schedule.

4. Unless otherwise specified in an approved Master Plan or Developers Agreement, all phases of the PDD will be required to adhere to the latest version of the following standards at the time of Development Plan submittal:

    a. All Articles of Jasper County Land Development Regulations;

    b. Environmental quality standards;

    c. County Fees; and

    d. Impact fees

5. Changes to the Master Plan listed below shall require that a revised Master Plan be submitted to the Planning Commission:

    a. Re-designation of land uses within a development area or phase;

    b. Building heights, setbacks, and buffers;

    c. Changes in the location of roads or widths of streets or right-of-ways within the Master Plan which are not minor changes;

    d. Changes in the allocation of housing density within the Master Plan, and any proposed increase in density of the Master Plan which are not minor changes; and/or

    e. Lot sizes and dimensions.

8:1.12 Development Plans.

Development plans are required to commence clearing or construction within any area or phase within the PDD district. Development Plans must be in conformance with the approved Master Plan and the requirements of the Jasper County Zoning Ordinance and Land Development Regulations. The Development Plan, in sufficient number (as determined by the DSR) of black or blue line prints to be distributed to all reviewing bodies, and in digital format acceptable to the DSR, together with the required fee, must be submitted to the DSR for review, and approval. The minimum requirements of the Development Plan include:

1. Name and address of all owner(s) of an interest in the property being developed;

2. Name of the development, date, north point and graphic scale;

3. Name and seal of registered land surveyor, landscape architect or civil engineer;

4. Name of county, location, tax map(s) and parcel number(s);

5. Bearings and distances of all lot lines and street lines;

6. Streets and alleys, rights-of-way, proposed street names and lot numbers (Street addresses will be assigned or approved by the Jasper County Office of Emergency Preparedness after Development Plan approval and copies are sent to appropriate agencies);

7. Final traffic mitigation plans (if applicable);

8. Square foot area of each lot;

9. Location of all monuments and markers and type indicated;

10. Location, size and type of all existing and proposed easements;

11. Proposed location and designation of parks, playgrounds, school sites, open space, recreation amenity areas and public facilities where applicable;

12. Existing railroads, watercourses, streets, highways, County limit lines, transmission lines, existing and/or proposed water and sewer lines, easements, drainage pipes, ditches, and wetlands and wetlands buffers within or immediately adjacent to land in the land being developed, whether or not jurisdiction is asserted by OCRM or the Army Corps of Engineers;

13. Design, specifications and profiles of all proposed streets, drainage systems, lighting, parking, and parking lots;

14. Layout and design, specifications and profiles for all proposed water lines and sewer lines or well and septic tank locations, as applicable;

15. Letters of Intent to serve underground electrical, telephone, cable or gas from respective utility companies;

16. Proposed fire hydrant locations or locations and quantity of other proposed water supply systems for fire protection as required;

17. Other affected agency final approvals, certifications or permits for elements relative to the development such as:

    a. DHEC construction permits for community water and sewer systems;

    b. DHEC approval of the use of individual wells or community water system in conjunction with septic tanks in the event community sewer is physically unavailable;

c. OCRM and/or Army Corps of Engineers signed certification of surveyed Wetland Boundary Lines and any required buffers/easements;

d. OCRM and/or Corps of Engineers permits for proposed docks, marinas, bulkheads, fill and the like (where applicable);

e. County designated Engineer approval of stormwater drainage systems and road plans;

f. Certification of the local fire official having jurisdiction that development is in compliance with all applicable fire and life safety standards; and

g. All other applicable regulatory agency approvals;

18. Two paper (2) copies and digital format acceptable to the Jasper County DSR of signed final covenants and restrictions for the development (where applicable):

19. Signed statement of any offers of proposed public dedication of streets, drainage system, school sites, open space areas, easements or river, wetland, grave or historic site access, or, if these are not to be dedicated and are to remain private, a complete and detailed report of the procedures, fees and methods that address maintenance and improvements to these elements;

20. Two paper (2) copies and in digital format acceptable to the Jasper County DSR of final Homeowners or Property Owners' Association documents addressing ownership and maintenance of all improvements;

21. Jasper County Overlay district boundary lines (where applicable) denoted directly on the Development Plan;

22. Tree survey and mitigation proposal consistent with the provisions of the Jasper County Zoning Ordinance and Land Development Regulations;

23. Two paper (2) copies and in digital format acceptable to the Jasper County DSR of recorded deeds, plats or easements clearly documenting legal access to the development and any applicable encroachment permits; and

24. Bond or legal surety, acceptable to Jasper County, guaranteeing the completed installation of all required public and infrastructure improvements to the development and other improvements shown on the Development Plan, or represented in the application. Such bonds or other surety shall be payable to Jasper County and equal one hundred twenty-five (125) percent of a registered engineer estimate of construction costs or contractors' executed contracts for subdivision public and infrastructure improvements, whichever is greater. The applicant shall complete all improvements including required mechanisms guaranteeing perpetual ownership and maintenance, within twelve (12) months of the date of Development Plan Approval. Failure to do so will constitute a

violation of the development permit and terminate the right to continue development, and shall entitle Jasper County to act on the posted bond and cause the public and infrastructure improvements to be completed on behalf of the lot purchasers in the development. Extension to the twelve (12) month time period afforded for completion of improvements may be granted one time by Jasper County. Such requests must be submitted prior to the expiration date and accompanied by:

a. An explanation of why the extension is necessary;

b. Signed/Dated agreement to the extension by all affected lot owners in the development to date;

c. Amount of work completed, cost remaining for incomplete work and time frame for completion of work, certified by a registered engineer;

d. Amended bond or surety for incomplete work in an amount of one hundred twenty-five (125) percent of the cost of completion and of sufficient duration to secure the completion of the work.

25. Any other material or information required by the Jasper County Zoning Ordinance and Land Development Regulations or requested by County Council or their designated staff.

8:1.13 Development Plan Approval.

1. A Development Plan shall be submitted to the County DSR and such other professional advisors as the County may designate. A Development Plan may be approved if:

   a. It incorporates all information required by Section 8:1.12;

   b. It complies with the approved Concept and Master Plan;

   c. It complies with the provisions of the Jasper County Zoning Ordinance and Land Development Regulations appertaining to the PDD and/or any other Development Agreements, if applicable; and

   d. All infrastructure systems have been reviewed and approved by all applicable reviewing authorities.

2. Except as otherwise modified herein or otherwise specified in an approved concept Plan or Development Agreement, the provisions of the Jasper County Zoning Ordinance and Land Development Regulations in effect at the time of the application shall be applicable.

3. Approval of the development plan shall be an administrative decision of the DSR. The DSR shall notify the Planning Commission of all PDD approvals.

§ 8:2 FLOOD HAZARD OVERLAY DISTRICT (FHOD)- Repealed June 6th, 2011

§ 8:3 AIRPORT COMPATIBILITY OVERLAY DISTRICT (ACOD).

8:3.1 Purpose.

The concentration of people and sound-sensitive activities on lands adjacent to airport or heliport operations and the maximum height of buildings, other structures, and trees in such areas shall be regulated by the airport compatibility overlay district. These overlay districts are designated around airfields to limit the obstruction of landing, takeoff, and maneuvering airspace by buildings, other structures, and trees. Such controls serve to protect the public investment in airports or heliports by restricting adjacent land uses incompatible with the use, growth, or expansion of these facilities.

8:3.1-1 Enactment

This is an ordinance establishing Height and Land Use Limitations for airport safety and within the vicinity of the Ridgeland Airport and providing for the administration, enforcement and amendment thereof;

8:3.2 Application

The land use controls associated with the airport compatibility overlay districts shall be in addition to and shall only apply where underlying zoning districts and their controls have been established under other Articles of this Ordinance. Where airport compatibility overlay district controls conflict with the controls of underlying zoning districts, the more restricted controls shall apply.

8:3:2-1 Authority

The provisions of this Ordinance are adopted under authority granted by South Carolina in the vicinity of Ridgeland Airport as shown on maps entitled Ridgeland Airport Airspace Zones and Ridgeland Airport Land Use Zones, as maintained by the Jasper County Planning and Building Services Department and herein made a part of this Ordinance.

8:3.2-2 Title

This Ordinance shall be known as and referred to as the Ridgeland Airport Height and Land Use Protection Special Purpose District of Jasper County, South Carolina.

8:3.2-2A Tense and Number

1. The present tense includes the future tense and the future tense includes the present tense.

2. The singular number includes the plural number and the plural number includes the singular number.

8:3.2-2B Word Interpretations

For the purposes of this Ordinance, the following words shall be interpreted as specified below:

1. The word "may" is permissive.

2. The words "shall" and "will" are mandatory.

3. The word "County" shall mean the County of Jasper County, South Carolina.

4. The words "County Aeronautics Commission" shall refer to the Jasper County Areonautics Commission.

5. The words "Planning Department" shall refer to the Jasper County Planning and Building Services Department.

6. The words "County Council" shall refer to the Jasper County Council.

7. The word "person" shall include firm, organization, association, company, trust, corporation or other entity.

8. The words "uses" or "occupied" includes intended, designated and arranged.

8:3.2-2C Definitions

For the purpose of this Ordinance, the following words and phrases shall have the meanings respectively ascribed to them by this section:

1. Airport means the Ridgeland Airport (3J1).

2. Airport Elevation means the highest point of an airport's usable landing area measured in feet (tenths) from mean sea level.

3. Airport Obstruction means any living or man-made structure or tree which obstructs the aerial approaches of the airport exceeding the maximum height of structures permitted in the airport operation area or is otherwise hazardous to its use for landing or taking off.

4. Airport Operations Area refers to all zones established in this Ordinance.

5. Avigation Easement means ownership of the right of imposition upon such property of overflight, excessive noise, vibration, smoke, dust, vapors, and particulates due to the operation of aircraft to and from the airport. Also includes the right to remove Airport Obstructions on said property.

6. Conditional Use (Special) Permit A permit issued by the Development Standards Department that authorizes the recipient to make use of property in accordance with the requirements of this Ordinance as well as any additional requirements imposed by the Planning Commission (refer to "C" Conditional Use in Land Use Matrix Table).

7. Enforcement Officer shall mean an individual or individual of the Jasper County Planning and Building Services Department with authority to enforce this Ordinance.

8. FAA means Federal Aviation Administration.

9. FAR means Federal Aviation Regulation.

10. Dimensional Nonconformity means a situation that occurs when the lot line does not conform to the regulations applicable to the zone in which the property is located.

11. Height means the vertical distance from the ground elevation to the highest point of a structure or tree, including any appurtenance thereon expressed as feet above mean sea level (MSL).

12. Height limitations means no structure or tree shall be erected, altered, allowed to grow or maintained in any airport surface zone, with a height in excess of the height established for such zone. An area located in more than one of the following zones is considered to be only in the zone with the more restrictive height limitation.

13. Land Use Compatibility means the use of land adjacent to the Ridgeland Airport that does not endanger the health, safety, or welfare of the owners' occupants, or users of the land.

14. Lot means a portion of a subdivision, plat or parcel with boundaries established as a separate legal entity recorded with the County Register of Deeds.

15. Nonconforming Structure means any structure or tree which does not conform to this Ordinance as of the effective date of these regulations.

16. Nonconforming Use means nay structure or use of land which is inconsistent with the provisions of this Ordinance as of the effective date of these regulations.

17. Open Space means an area, land or water, general lacking in man-made structures and reserved for enjoyment in its unaltered state.

18. Permitted Use means the associated land use groups are at a level or intensity or density, or location, which is not considered to present a significant risk to the safety or persons on the ground or to persons in aircraft over flying the proposed use (refer to 'Y' Conditional Use in Land Use Matrix Table).

19. Precision Instrument Runway means a runway end having instrument approach procedure utilizing air navigation facilities with horizontal and vertical guidance, or area type navigation equipment, for which a straight-in precision instrument approach procedure has been approved or planned.

20. Prohibited Use means the associated land use groups are at a level of intensity or density, or location, which presents a significant risk to the safety or persons on the ground or to persons in aircraft over flying the proposed use (refer to 'N' Conditional Use in Land Use Matrix Table).

21. Property Owners means those listed as owners of property on the records of the Jasper County Tax Assessor.

22. Runway End means existing physical end of the hard-surfaced asphalt runway, having a defined coordinate and elevation.

23. Structure means an object, constructed or installed by human labor, including, but not without limitation, buildings, towers, smokestacks, and overhead transmission lines. The primary structure on a lot, or a building that houses a principal use.

24. Use means the principal activity or function that actually takes place or is intended to take place on a parcel.

25. Variance means a grant or permission by the County Board of Zoning Appeals that authorizes a person, owing to conditions peculiar to the property, in which a literal enforcement of the Ordinance would result in unnecessary and undue hardship.

26. Zoning Permit means a permit issued by the Development Standards Department that authorizes the recipient to make us of property in accordance with the requirements of the Ordinance.

8:3.3 Designation of Airport District

8:3.3-1 Introduction

The Jasper County Airport Compatibility Overlay District is hereby established pursuant to the purposes of this Article, comprising all those lands within the height and land use restriction overlay zones as further delineated in this Chapter.

8:3.3-2 Height Restrictions & Limitations

8:3.3-2A Height Restriction Zones Established

In order to carry out this Ordinance, certain zones are hereby created and established, which include all of the land lying beneath the approach surfaces, transitional surfaces, horizontal surface, and conical surface as they apply to the Ridgeland, Airport. Such zones are shown in plan view on the map, titled "Ridgeland Airport Airspace Zones", consisting of one (1) sheet, prepared by Jasper County dated February 25, 2014. An area located in more than one (1) of the following zones is considered to be only in the zone with the more restrictive height limitation. The various zones are hereby established and defined as follows:

1. *Primary Surface.* The primary surface extends 200 feet beyond each end of the runway, has a width of 800 feet, and is centered longitudinally on the runway centerline profile.

2. *Approach Surface.* The inner edge of this approach surface coincides with the width of the primary surface and is 800 feet wide. The approach zone expands outward uniformly at a slope of 34 feet horizontally for every 1 foot vertically for a horizontal distance of 10,000 feet, to an outer edge width of 3,800 feet. Its centerline is the continuation of the centerline of the runway.

3. *Transitional Surface.* The transitional surfaces begins from the outer edges of the primary and approach surfaces, sloping upward and outward 7 feet horizontally for every 1 foot vertically, until reaching the 150 feet above the established airport elevation.

4. *Horizontal Surface.* The horizontal surface is established by swinging arcs of 10,000 feet radii from the center of each end of the primary surface of each runway and connection the adjacent arcs by drawing lines tangent to those arcs. The horizontal surface does not include the approach and transitional surfaces. This surface is located 150 feet above the established airport elevation.

5. *Conical Surface.* The conical surface is established as the surface that commences at the periphery of the horizontal distance of 4,000 feet, and slopes 20 feet horizontally for every 1 foot vertically.

8:3.3-2B Height Limitations

No structure or tree shall be erected, altered, allowed to grow or maintained in the airport zones to a height in excess of the height limit as determined by the aerial contours appearing on the Ridgeland Airport Airspace Zones Map or referred to in a Section 8:3-3.2A of this Document. The property owner of a tree, determined to be an airport hazard, shall be responsible for bringing such tree into conformance with this Ordinance.

8:3.3-3 Land Use Restrictions & Limitations

8:3.3-3A Land Use Restriction Zones Established

In order to carry out this Ordinance, certain zones are hereby created and established, which include land lying beneath the Airport Land Use Zones as they apply to the Ridgeland Airport. Such zones are shown in plan view on the Ridgeland Airport Land Use Zones Map consisting of one (1) sheet, prepared by Ridgeland County, and dated February 25, 2014. An area located in more than one (1) of the zones described herein is considered to be only in the zone with the more restrictive limitation. There are hereby created and established the following Airport Land Use Zones:

1. *Zone A.* Zone A is the Runway Protection Zone, as defined in the Federal Aviation Administration Advisory Circular 150/5300-13A, Section 310, or successor FAA advisory circulars.

2. *Zone B1*. Zone B1 is that area underneath of Approach Surfaces to where each Approach Surface is 150 of height above their respective runway end elevations, not including Zone A.

3. Zone B2. Zone B2 is that portion of the area underneath Approach Surface, from the outer edge of Zone B1 to the end of the Approach Surface, or 10,000 feet from the inner edge of the Approach Zone, whichever it reaches first.

4. *Zone C*. Zone X is an area formed by offsetting the primary surface edge outward by 1,050 feet, and extending each of its ends to its respective runway end's Approach Surface, or extended and squared off at the outer edge of Zone B1, whichever that extension reaches first.

5. *Zone D.* Zone D is those area underneath the Transitional and Horizontal Surfaces not part of Zones A, B1, B2, or C.

6. *Zone E.* Zone E is identical in area, dimensions and location to the area underneath the Conical Surface.

8:3.3-3B Land Use Limitations

Such applicable land use limitations are hereby established for each of the Airport Land Use Zones in order to prevent incompatible land uses which would compromise aeronautical activity at the Ridgeland Airport, to protect people and property on the ground in case of an accident, to limit population and building density in the runway approach areas, to create sufficient open space, and to restrict those uses which may be hazardous to the operational safety or aircraft operating to and from the Ridgeland Airport, and to minimize injury to the occupants of aircraft involved in accidents. The following land use limitations within Zones A, B1, B2, C, D, and E shall apply to those portions of the parcel contained within the underlying zones as indicated on the attached Ridgeland Airport Land Use Zones Map. **(Maps are at the end of this Section, 8:3)**

8:3.3-4 Other Land Use Requirements

New residential subdivisions located within Airport Land Use Zones A, B1, B2, C, and/or D, requires a Residential Fair Disclosure statement in the purchase contract or rental agreement upon the selling of a residential structure. Residential Fair Disclosure should state:

> "This subject property and residential structure considered for purchase or rental located within 10,000 feet of the Ridgeland Airport. Information regarding Ridgeland, Airport can be received from the Jasper County Planning and Building Services Department, upon request."

Future applications made to Jasper County requesting approval of manmade structures, which also require filing a notice with the FA as per Part 77, §77.9 of Title 14 of the Code of Federal Regulations, or in successor federal regulations, shall first submit a FAA for a review of impacts to airspace in the vicinity of the Airport, prior to placing of the request on the Planning Commission meeting agenda. If the FAA determines an adverse impact to the Airport's airspace may occur, including but not limited to increased instrument procedure minima, the FAA decision should serve as governing height limitation for such a man-made structure.

8:3.4 Nonconformities

8:3.4-1 Nonconforming Uses – Regulations Not Retroactive

This regulation shall not be construed to require the alteration of any lot or removal, lowering, or other change or alteration of any structure or tree not conforming to the regulations as of the effective date of this ordinance, or otherwise interfere with the continuance of a nonconforming use. Nothing contained herein shall require a change in the construction or alteration was started or for which a building permit was acquired prior to the effective date of this ordinance.

Notwithstanding the preceding provision of this section, the owner of any existing nonconforming structure or tree is hereby required to allow the installations operation and maintenance thereon of such markers and lights as shall be deemed necessary by the County Aeronautics Commission to indicate to the operators of aircraft in the vicinity or the airport the presence of such obstruction. Such markers and lights shall be installed, operated FAA Advisory Circular 70-7460-1K, or successor advisory circulars, for further guidance.

8:3.4-2 Existing Structures

Except as specifically provided in this section, it is not permissible for any person to engage in any activity that causes an increase in the extent of nonconformity of a nonconforming situation. Physical alteration of structures or the placement of new structures on open land is unlawful if they result in an increase in the total amount of

space devoted to a nonconforming use or greater nonconformity with respect to land use limitation.

Abandoned Structures: Whenever the Jasper County Building Official determines that a nonconforming structure has been abandoned or more than 80 percent torn down (or damaged more than 80 percent of the current County tax value), physically deteriorated, or decayed, no permit shall be granted that would allow such structure to otherwise deviate from the height and land use regulations.

Temporary Structures: Temporary structures constructed or erected incidental to a development, and solely used for the designated purpose, can only remain while needed and for a maximum of one year.

8:3.5 Permit Requirements

8:3.5-1 Permits Required – Existing Uses

Before any existing use or structure may be replaced or substantially altered within any area of the Airport Height or Land Use Restriction Zones, a permit shall be secured authorizing such replacement, change or repair. No such permit shall be granted that would allow the establishment or creation of an airport hazard or permit a nonconforming use when the application for a permit is made. Except as indicated, all applications for a permit for replacement change or repair of an existing, structure shall be granted.

8:3.5-2 Permits Required – Future Uses

No change shall be made in the use of land or increasing or establishing a structure or tree unless a permit therefore shall have been applied for and granted by the County Building Official. Each application shall indicate the purpose for which the permit is desired, with sufficient particularity to permit it to be determined whether the resulting use or structure would conform to the regulations prescribed in this article.

No permit for a use inconsistent with the provisions of this Ordinance shall be granted unless a variance has been approved in accordance with SECTION 8:3.6-6.

The Jasper County Building Official shall not issue a building permit for the construction of any new structure within the Airport Height Restriction or Land Use Zones established in SECTION 8:3.3-2 and 8:3.3-3, and as depicted on the Ridgeland Airport Land Use or Airspace Zones unless approved by the Jasper County Planning and Building Services Director and the Planning and Zoning Coordinator.

No permit of any type shall be issued for any development, building permit, or activity subject to parcel areas underlying Airport Land Use Zone A and Zone B1 herein defined, until the Ridgeland Airport has an opportunity to be awarded an aviation easement by the property owner(s) in a form prescribed by the Airport Manager, and as recorded in a form acceptable to Jasper County.

8:3.5-3 Permit Applications

A permit application, as required per SECTIONS 8:3.5-1 and 8:3.5-2, shall accompany a preliminary plat to contain the information as indicated in Appendix B, Article 4, of the Jasper County Code of Ordinances. A non-refundable application fee as per the current Jasper County Planning and Building Services Department fee schedule shall be submitted with the permit application.

8:3.5-4 Review By County Aeronautics Commission

No permit regulated by this Ordinance shall be issued by the Building Official unless the County Aeronautics Commission, or its designee, has a prior opportunity to comment.

8:3.5-5 Violations

Permits shall be valid until revoked. The Building Official may periodically inspect the structure(s) and land use to determine continued compliance with this Ordinance.

8:3.5-6 Revocation of Permit

Valid permits may be revoked by the Building Official for any of the following reasons:

1. Incorrect or misrepresented information on the permit application.

2. Failure to construct structure in accordance with the application and permit

3. Any other violation of this Ordinance.

In the event the permit is revoked, the Building Official shall advise the owner in writing if the status of the permit, the action necessary to correct the violation and of the enforcement techniques available to the County to remedy continued violation. When the Building Official determines that the structure or land use has been brought back into compliance with this Ordinance, the Building Official shall reinstate the permit.

8:3.6 Legal Provisions

8:3.6-1 Enforcement

This Ordinance may be enforced by any one or more of the remedies authorized by the South Carolina Code of Laws, Title 55, Sections 55-9-250, 55-9-260, 55-9-300, 55-9-320, and 55-9-330.

8:3.6-2 Complaints

Whenever a violation of this Ordinance occurs, or is alleged to have occurred, any person may file a written complaint with the Building Official stating the cause and basis for the complaint. The Building Official shall record the complaint, investigate and take action

as may be necessary to enforce this Ordinance.

8:3.6-3 Severability

Should any section or provision of this Ordinance be declared by the courts to be invalid for any reason, such declaration shall not affect the Ordinance as a whole, or any part thereof other than the part so declared to be invalid.

8:3.6-4 Amendment

Petitions for amendment may be filed with the Jasper County Planning and Building Services Department by any citizen of the County, any county department or agency, the Jasper County Planning Commission or Council.

8:3.6-5 County Council Review

The provisions and requirements of this Ordinance may be amended by the County Council according to the procedure set forth:

1. County Aeronautics Commission Review – No amendment shall become effective unless it shall have been proposed by or shall have been reviewed by the County Aeronautics Commission.

2. County Planning Commission Review – No amendment shall become effective unless it shall have been proposed by or shall have been reviewed by the Planning Commission. The Planning Commission shall have 45 days in which to review the proposed amendment and to make recommendation to the County Council. If the Planning Commission, or designee, fails to report to the Council within 45 days, it shall be deemed to have approved the proposed amendment.

3. County Council Review – No amendment shall become effective until after being by the County Council.

8:3.6-6 Variance and Exception

Upon advisement of the Enforcement Office, the Board of Zoning Appeals may issue variances and exceptions from the requirements of this Ordinance such that would not be contrary to the public interest, or the spirit and intent of this Ordinance, and where due to special conditions, a literal enforcement of the provisions of this Ordinance would result in an unnecessary hardship. In granting a variance, the Board of Zoning Appeals must determine the following:

1. Special conditions and circumstances exist which are peculiar to the land or buildings involved and which are not applicable to other land or buildings.

2. The literal interpretations of the provision of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties.

3. Special conditions and circumstances do not result from the actions of the applicant.

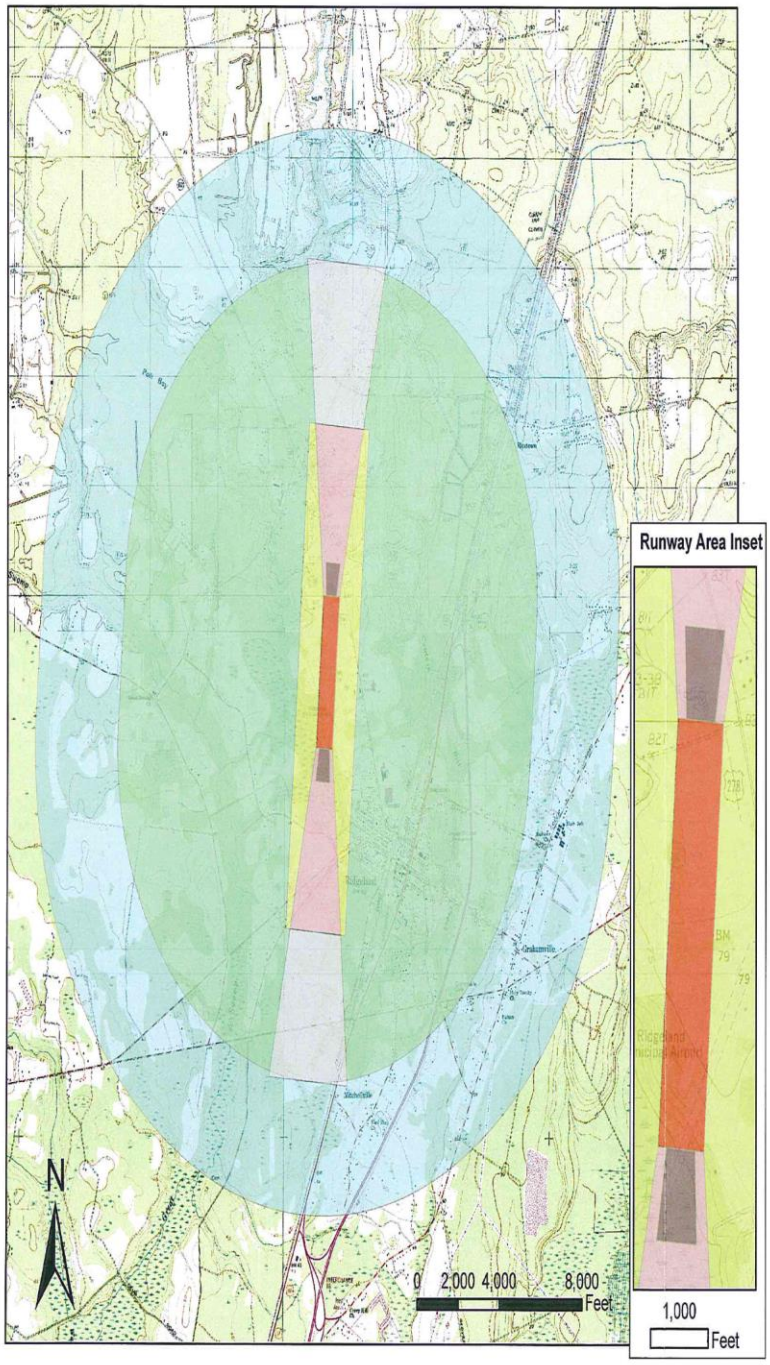
4. Granting the variance required will not confer on the applicant any special privilege that is denied by this Ordinance to other- lands or- buildings.

5. Any request for a variance to the Height Restrictions and Limitations portions of this Ordinance shall be accompanied by a find from the Federal Aviation Administration as to the impact the variance may have on the safe, efficient use of the airport and its airspace.

Issuance of a variance shall not set precedence and each case shall be reviewed independently of others.

8:3.6-7 Appeal

The Board of Zoning Appeals shall hear and decide appeals and review any order, requirements, decisions or determinations made by the enforcement officer responsible for administration or enforcement of this Ordinance. The Board of Land Use and Zoning Appeals decision is subject to review by the circuit court in and for Jasper County, as per the South Carolina Code of Laws, Title 6, Section 6-29-820.



Ridgeland Airport Land Use Zones

Legend

Airport Land Use Zones*

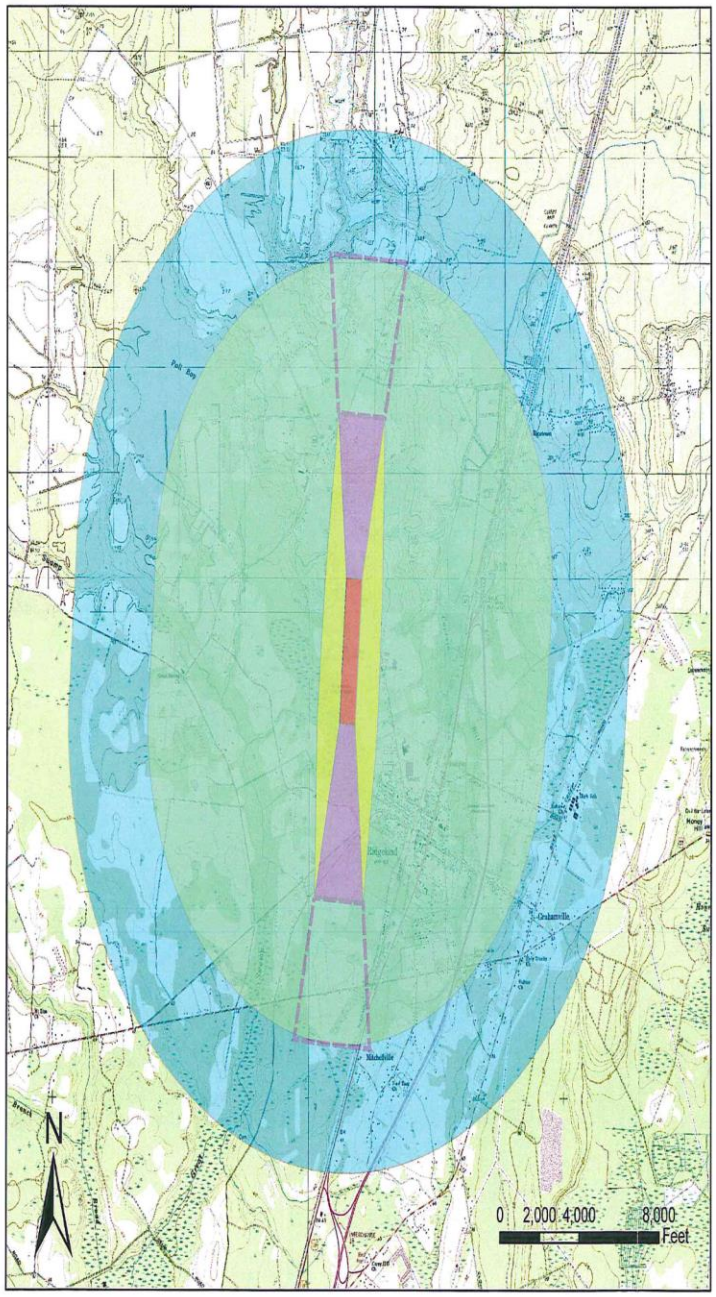
- Primary Surface Zone
- Zone A - Runway Protection Zone
- Zone B1
- Zone B2
- Zone C
- Zone D
- Zone E

* As Per Section 60 of Airport Height And Land Use Protection Special Purpose District Ordinance

DRAFT

Date: 2/25/2014, Time: 2:05:22 PM

Adopted November 13, 2007, Revised May 05, 2008
Revised June 06, 2011, Revised June 28, 2012
Revised April 7, 2014, Revised July 18, 2016
Revised October 3, 2016, Revised April 17, 2017



Ridgeland Airport Airspace Zones

Legend

Airspace Surfaces

- Primary (Along Runway Centerline Profile)
- Approach (34:1 Slope)
- Approach (34:1 Slope, Above Lower Surfaces)
- Transitional (7:1 Slope)
- Horizontal (150' Above Airport Elevation)
- Conical (20:1 Slope)

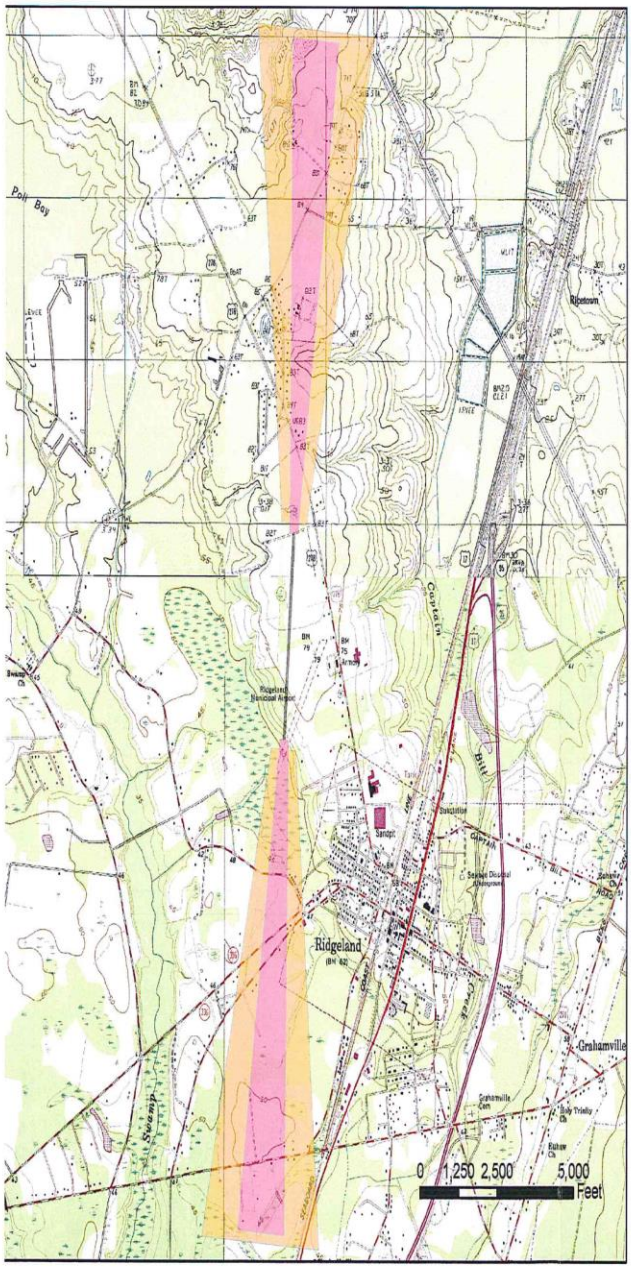
DRAFT

Airspace Surface Dimensions Table

Airspace Surface	Dimensions / Descripton
Primary	800' wide, 200' beyond end of runway, centered longitudinally on runway centerline profile
Approach	34:1 slope from end of Primary Surface, 800' wide by 10,000' long by 3,800 feet wide
Transitional	7:1 slope from sides of Primary and Approach Surfaces, until Horizontal Surface
Horizontal	10,000' arcs from center of Primary Surface ends, connected by tangents; 150' above established airport elevation of 84.0' AMSL
Conical	20:1 slope from edge of Horizontal Surface, for a distance of 4,000'

Date: 2/25/2014, Time: 2:03:45 PM

Adopted November 13, 2007, Revised May 05, 2008
Revised June 06, 2011, Revised June 28, 2012
Revised April 7, 2014, Revised July 18, 2016
Revised October 3, 2016, Revised April 17, 2017



Ridgeland Airport Threshold Siting Zone

Legend

Threshold Siting Surfaces*

*** As Per FAA Advisory Circular 150/5300-13A,**

- 20:1 Visual Surface
- 30:1 Glide Path Qualification Surface (GQS)
- Runway

Threshold Siting Surface Dimensions

Part 77 Airspace Surface	Dimensions / Descripton	FAA AC Table 3 02
Visual Surface	20:1 slope 200' off runway end; 800' wide by 10,000' long by 3,800' wide	
Glide Path Qualification Surface (GQS)	30:1 slope from runway end; 275' wide by 10,000' long by 1,520' wide	

DRAFT

Date: 2/6/2014, Tim

Adopted November 13, 2007, Revised May 05, 2008
Revised June 06, 2011, Revised June 28, 2012
Revised April 7, 2014, Revised July 18, 2016
Revised October 3, 2016, Revised April 17, 2017

§ 8:4 LEVY-LIMEHOUSE OVERLAY DISTRICT (LLOD)

8:4.1 Purpose

The intent of the Levy-Limehouse Overlay District is to provide the residents of this unique unincorporated community the ability to subdivide parcels, as though they were within a municipality, which are smaller in size than that allowed by the underlying zoning district(s).

8:4.2 Development Standards

1. All new construction shall be in accordance with the latest edition of the IBC.

2. Lot size shall be a minimum of 10,000 sf.

3. Lots shall have a minimum frontage in accordance with Section 9:4 of this Ordinance.

4. Lots shall meet all setback requirements for the R zone.

5. The property owner shall verify that the proposed subdivision is located within a public utility water service area and shall provide the DSR with a Letter of Intent to Serve from the public utility to service the proposed property with water.

6. The property owner shall provide the DSR with a Letter of Intent to Serve from the public utility to provide sanitary sewer service to the proposed property. In cases involving the need to install an individual on-site septic system the owner shall provide the DSR with a statement of approval from SCDHEC. In addition, the owner shall provide the DSR with proof that the proposed subdivision provides sufficient area to adequately meet setback distances from the system to all lot lines, structures, wells, environmentally sensitive areas, etc.

§ 8:5 HIGHWAY CORRIDOR OVERLAY DISTRICT (HCOD)

8:5.1 Purpose

Owing to the particularly special growth patterns evidenced in Jasper County along certain designated highway corridors, the following Highway Corridor Overlay provisions are enacted to establish a standard of development consistent with the goals and objectives of the Jasper County Comprehensive Plan. These standards apply to the specific district as delineated in Section 8:5.2 and are in addition to the Buffering Requirements of Section 12:8.

8:5.2 District Boundaries

The provisions of this chapter are applicable to the lands within five hundred feet (500’) from the rights-of-way of all roads as shown on the latest amended Official Jasper

County Zoning Map including the US Highway 278 Corridor from the Hardeeville City limits east to the Beaufort County line and to the land within five hundred feet (500') form the rights-of-way of the SC Highway 170 Corridor from the Beaufort County line to the intersection of SC 170 with 278.

8:5.3 Highway Buffer

A minimum fifty foot (50') wide continuous landscaped buffer shall be established and maintained parallel and adjacent to the highway corridor. This buffer is separate and distinct from the buffering requirements of Section 12.8 except that, where that section may call for a greater setback from the highway because of a specific activity, the greater setback distance shall be observed. Likewise, should Section 12.8 require total screening because of a specific activity, the fifty foot (50') wide landscaped buffer may be used to accommodate such screening.

Only the following activities shall be permitted within the landscaped buffer:

1. Vehicular access drives which tie into approved access points as determined by SCDOT and/ or Jasper County, and which run perpendicular to the right-of-way, or as nearly perpendicular as is feasible owing to terrain, horizontal curves and the like.

2. Landscaped walls and fences less than six feet (6') high.

3. Lighting.

4. Landscaping fixtures.

5. Signage.

6. Underground utility lines.

7. Overhead utility lines which run perpendicular to the road right-of-way and are consolidated with vehicular access drives wherever possible.

8. Drainage or stormwater detention or retention areas.

8:5.4 Tree Removal

Within the required fifty foot (50') buffer, no living tree six inches (6") in diameter or larger, as measured at a point five feet (5') above ground, shall be removed from the buffer except for the following reasons, and then only with the specific approval in writing to the DSR:

1. To accommodate vehicular access drives.

2. To accommodate required sight clearance distances in accordance with Section 12:6 of this ordinance.

3. To remove diseased trees.

4. To accommodate the landscaping requirements of Section 12:8, specific trees may be removed as shown on the approved landscaping plan.

8:5.5 Landscaping

Every development within the Highway Corridor Overlay District shall provide to the County a landscape plan which shall be reviewed and kept on file by the DSR. The plan shall show all existing trees on site to be retained and all plantings to be made with tabulation made as to the total number of trees retained and to be planted by type of plant material. It is recommended that a professional landscape architect prepare the plan, however, if the plan is of sufficient detail and satisfactory to the DSR, a professional landscape architect is not required. The plan shall, at a minimum, show that each one hundred (100) linear feet of highway buffer shall contain at least (7) broad leafed overstory trees, eight (8) understory trees and thirty-five (35) shrubs. Three (3) cone bearing overstory trees and one (1) understory tree may be substituted for one (1) broad leafed overstory tree.

During the course of the development review should the DSR determine that there is sufficient natural buffering located within the required fifty (50) foot buffer area the landscaping requirements as outlined in this section may be revised, reduced or eliminated at the DSR's discretion.

1. At the time of planting, as measured from a point five feet (5') above the ground, each broad leafed overstory tree shall be at least three inches (3") in diameter and each understory tree shall be at least two inches (2") in diameter. Overstory trees shall be at least twelve feet (12') tall at time of planting and understory trees at least ten feet (10') tall. Shrubs shall be at least two and one-half feet (2 ½') tall at time of planting.

2. Existing as well as installed plant materials may be used to meet this landscaped buffer requirement. All installed plant material shall conform to ANSI Z60.1-1966 "American Standard for Nursery Stock".

3. The owner is responsible for maintaining all required plant material in good health. Any dead, unhealthy or missing plants must be replaced with vegetation that conforms to the initial planting standards of this section. All landscape planting areas shall be stabilized from soil erosion immediately upon planting and shall be maintained for the duration of the premises. In the event that plant material is severely damaged due to weather or other reasons, the owner shall have until the end of the dormant season to replant.

4. A list of acceptable trees and what constitutes acceptable overstory broad leafed and cone bearing trees and what constitutes understory trees, is located in Article 13.

8:5.6 Frontage Roads

Frontage roads shall be located to the rear of the required highway buffer. Portions of frontage road right-of-way landscaped to highway buffer standards and adjacent to the highway buffer may be applied toward meeting the landscaping requirement of the highway buffer.

8:5.7 Signage (Repealed 12-14-09)

8:5.8 Architectural Design and Materials

Within the Highway Corridor Overlay District, consistency in architectural design and use of materials is desired. Therefore, only the following exterior materials and design features may be employed within the corridor.

1. Siding: Wood clapboard, wood board and batten, wood shingle siding, brick, natural stone, stucco, tabby, faced concrete block, and any artificial siding material which closely resembles the natural materials listed above. Siding may be left natural or painted, stained or, in the case of wood, weathered. Painted surfaces shall conform to the colors listed in Section 16:8.4.

2. Roofs: Wood shingles, slate shingles, multi-layered asphalt shingles, metal raised seam or tiles.

3. Features: Pitched roofs, roof overhangs, covered porches, canopies, awnings, trellises, gazebos, and open wood fences.

4. Colors: Earth tones (greens, tans, light browns, terra cotta, etc.), grays, pale primary and secondary colors (less than fifty percent (50%) color value), white cream tones, and the like. Dramatic accent colors, such as reds or blues, may be used for trim, logos, or to distinguish an architectural feature.

5. Exterior Materials and Features Prohibited:

    a. Plywood, cinderblock, unfinished poured concrete, unfaced concrete block, plastic and/ or metal not closely resembling a natural material.

    b. Partial (less than three sides) mansard roofs, flat roofs without a pediment, unarticulated roofs having a length exceeding fifty feet (50’).

    c. Unarticulated facades having a length exceeding fifty feet (50’)

d. Incongruous architectural details or color contrasts as determined by the DSR or BZA.

e. Unscreened chain link or woven metal fences.

f. Reflective materials as the main building feature, to include highly reflective glass.

Exceptions to the prohibitions and restrictions for exterior metal siding may be approved by the DSR if the following criteria and intent are met:

a. Metal buildings less than 2,000 square feet and setback a minimum of 100' from the road right of way, may provide landscape screening along the exterior of the entire building area facing the highway and for the first 25% of the front to back area of any side viewable from the highway. At least 50% of the building frontage being landscaped shall contain shrubs or plantings and at least two (2) understory trees per fifty (50) linear feet of building façade. Shrubs shall be at least 30" tall at time of planting with an expected maturity height of 3 – 5 feet tall and understory trees shall be at least 8 – 10 feet tall at time of planting; or

b. Metal buildings larger than 2,000 square feet or open to the general public, i.e., retail sales or showrooms, etc. that are sufficiently adorned and landscaped. Adornment includes doors, windows, pitched roofs, roof overhangs, covered porches, canopies, awnings, columns, moulding, trim, shutters, integral planters, and landscape screening. The patterns of placement, proportions, and materials of windows and doors shall be considered. Plastic glazing and use of highly reflective glass is prohibited.

The intent to allow structures to have a metal exterior finish when located along certain highway corridors are to provide for a desirable addition to the physical pattern of the neighborhood that is compatible and harmonious with the surrounding area.

§ 8:6 INTERSTATE PROXIMITY OVERLAY DISTRICT (IPOD)

8:6.1 Purpose

The purpose and intent of the IPOD is to promote a flexible mix of industrial and commercial highway interchange appropriate uses. The IPOD adds an extra layer of land use regulation over the underlying commercial Zoning, which allows increased flexibility in land use, exempts certain provisions of the Jasper County Zoning Ordinance, and adds safeguards to ensure proper limited industrial growth.

The IPOD and its requirements have been established to implement the goals and objectives of the 2007 Jasper County Comprehensive Plan as well as the 2011 Point South County Improvement District Plan.

8:6.2 Application

Unless a deviation from such restrictions are provided elsewhere in this Section 8:6, property within the IPOD District shall be required adhere to all provisions of the Jasper County Zoning Ordinance and Land Development Regulations otherwise applicable within the underlying zoning district.

8:6.3 District Boundaries

The provisions of this article are applicable to land designated within the IPOD as shown on the latest amended Official Jasper County Zoning Map.

8:6.4 Sub-District Boundaries

The IPOD is divided into separate Sub-Districts that follow natural boundaries between existing highway commercial land use and areas targeted for industrial and heavier commercial uses. The use of Sub-Districts focuses potential industrial growth in two primary target areas, while preserving other areas for commercial, retail, accommodations and services. Sub-Districts A, B, and C are shown on the official Jasper County Zoning Map (also shown at the end of this section) and can be described as follows:

1. IPOD Sub-District A – An area optimal for highway corridor commercial uses and primarily consisting of restaurants, hotels, gas stations, smaller scale retail businesses and strip malls. These retail and service businesses primarily serve interstate and highway travelers and commuters. However, neighborhood-oriented retail and service businesses (grocery stores, cleaners, etc.) may naturally develop over time to serve residents of adjacent areas.

2. IPOD Sub-District B – An area primarily ideal for major businesses that serve regional community as well as interstate and highway users. Sub-District B is suitable for “big box” retailers with complementary uses, including supercenters (general retail, home improvement, electronics), “destination” stores (sporting goods, home furnishings), and other regional draw stores. Sub-District B is optimal for research and development, manufacturing, assembly, warehousing and distribution, other light industrial activities, offices, and supporting land uses.

3. IPOD Sub-District C – An area primarily consisting of recreational, outdoor accommodations and nature-based development. While elevations are generally lower and wetlands exist, uses allowed in the underlying General Commercial District are appropriate but are subject to site suitability factors.

8:6.5 Setbacks

All setbacks in the IPOD shall be consistent with the underlying Zoning District aside from manufacturing uses in Sub-District "B". Building setbacks for manufacturing uses in Sub-District "B" shall be a 50' minimum from lot lines on all sides of the property.

8:6.6 Use Regulation

It is anticipated that the Zoning District underlying the IPOD will usually be General Commercial. General Commercial is intended to support large commercial development in major unincorporated areas of Jasper County. While the General Commercial allows for a variety of retail and services businesses, the IPOD permits all uses within the underlying General Commercial District in addition to allowing certain manufacturing and retail trade uses by right. In addition to the uses allowed in the underlying district found elsewhere in this ordinance (Table 6.1 of Article 6) the following additional land uses are permitted in the IPOD Sub-districts as indicated:

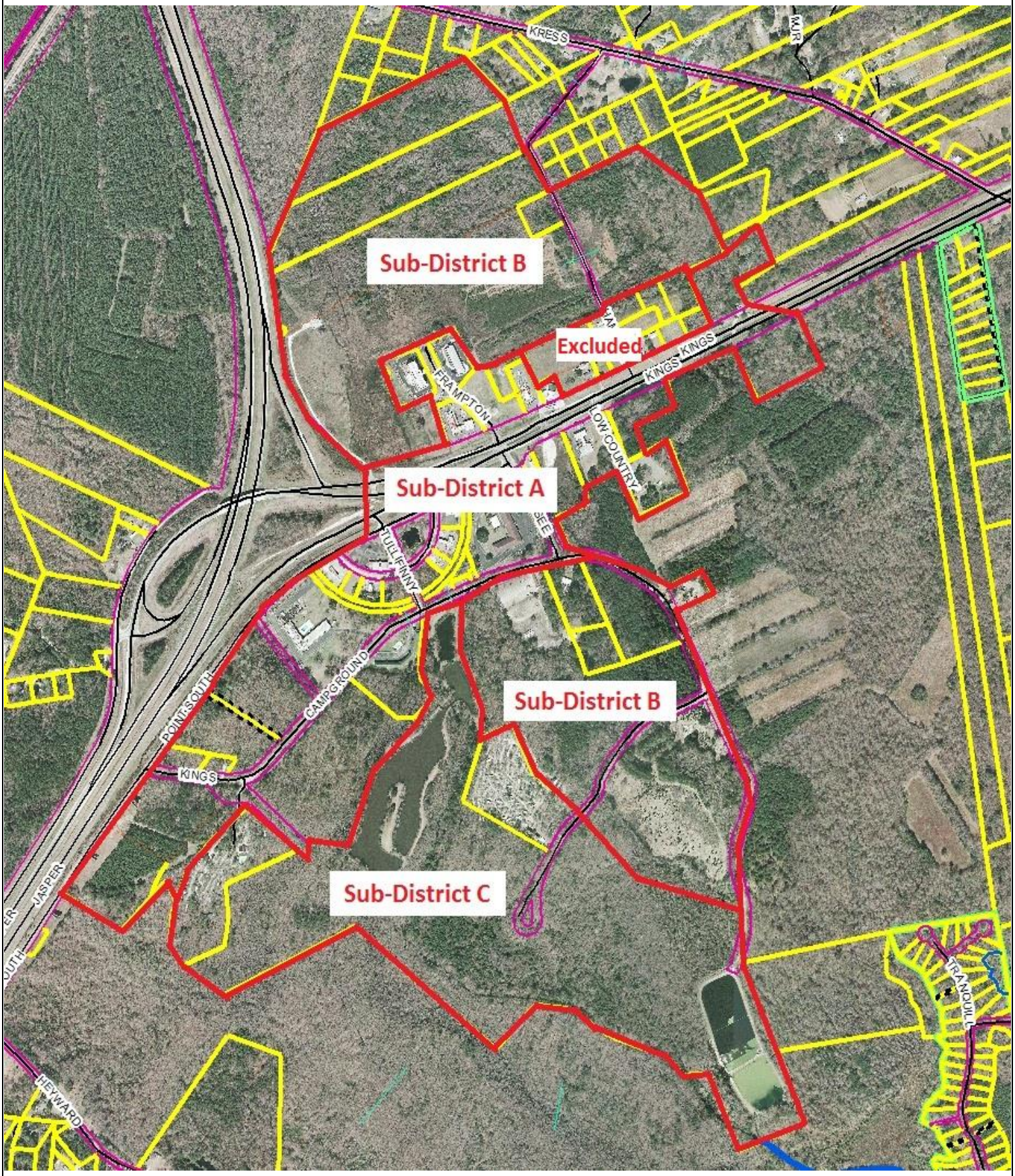
Table 8:1- IPOD Use Regulation

Sector 31-33: Manufacturing	NAICS	IPOD Sub-District A	IPOD Sub-District B	IPOD Sub-District C
Food	311	N	P	N
Beverage & Tobacco	312	N	P	N
Textile Mills	313	N	P	N
Textile Product Mills	314	N	P	N
Apparel	315	N	P	N
Leather & Allied Products	316	N	P	N
Wood Products	321	N	P	N
Paper	322	N	P	N
Printing & Related Activities	323	P	P	P
Petroleum Products	324	N	P	N
Chemical Products	325	N	P	N
Plastic & Rubber Products	326	N	P	N
Nonmetallic Mineral Products	327	N	P	N
Primary Metal	331	N	P	N
Fabricated Metal Products	332	N	P	N
Machinery	333	N	P	N
Computer & Electronic Products	334	P	P	P
Electrical Equipment, Appliances & Components	335	N	P	N
Transportation Equipment	336	N	P	N
Furniture & Related Products	337	N	P	N
Miscellaneous Manufacturing	339	N	P	N

Sector 44-45: Retail Trade	NAICS	IPOD Sub-District A	IPOD Sub-District B	IPOD Sub-District C
Truck Stops	44719	P	P	N

8:6.7 Development Standards: Reserved

See the next page for the Sub-District A, B and C Map.



Adopted November 13, 2007, Revised May 05, 2008
Revised June 06, 2011, Revised June 28, 2012
Revised April 7, 2014, Revised July 18, 2016
Revised October 3, 2016, Revised April 17, 2017

§ 8:7 SOLAR FARM FLOATING ZONE (SFFZ)

8:7.1 Purpose

The purpose and intent of the Solar Farm Floating Zone (SFFZ) is to promote the use of solar energy as a source of electricity and facilitate the construction, installation, and operation of Solar Energy Systems (SES) in Jasper County in a manner that promotes economic development and ensures the protection of health, safety, and welfare while also avoiding adverse impacts to important areas such as agricultural lands, endangered species habitats, conservation lands, and other sensitive lands. The SFFZ adds an extra layer of land use regulation over the underlying zoning which adds safeguards to ensure the proper development of facilities that generate electricity by means of solar power. This ordinance is not intended to supersede regulations from local, state, or federal agencies. Some important examples of such regulations include, but are not limited to: International Building Code, International Fire Code, National Electric Code, South Carolina Department of Health and Environmental Control, and Jasper County Flood Damage Prevention Ordinance.

8:7.2 Application

A Solar Farm Floating Zone requires a zoning map amendment and requires a recommendation from the Planning Commission to County Council in accordance with Article 3.2 of the Jasper County Zoning Ordinance.

The Solar Farm Floating Zone (SFFZ) may be utilized in any zoning district except for the Resource Conservation District, provided:

1. The solar farm consists of a minimum of five (5) acres;

2. Any portion of the solar farm property boundary is within two (2) miles of an existing electrical transmission line; and

3. A conceptual plan which illustrates that the solar farm can meet the design and development standards set forth in Article 8:7.

4. Jasper County Council may require, at its sole discretion, a development agreement between the County and developers for properties developed as a SFFZ as a prerequisite to Development Plan Approval.

Unless a deviation from such restrictions are provided elsewhere in this Article 8:7, property within the SFFZ shall be required to adhere to all provisions of the Jasper County Zoning Ordinance and Land Development Regulations otherwise applicable within the underlying zoning district, including all subdivision plats and development plan applications.

8:7.3 Design and Development Standards

Unless otherwise addressed through private land covenants and agreements with adjacent property owners setting specific standards for setbacks, buffers, and fencing/landscaping requirements which are approved by Jasper County Council and recorded in the Jasper County Register of Deeds Office, the establishment and operation of a solar farm shall comply with the following design and development standards:

8:7.3-1 Bufferyard

Table 8:7-1

Bufferyard Requirements							
	Existing Use of Adjacent Properties						
Proposed Use	**Agricultural**	**Single-Family Dwelling**	**All Other Residential Uses**	**Office / Institutional**	**Commercial/ Non-Effluent Industry**	**Effluent Producing Industry**	**Street**
Solar Farm	**50'**	***200'**	***200'**	**50'**	**25'**	**25'**	***100'**

* Single Family Dwelling and All Other Residential Use buffers may, at the Council's discretion, be increased, or reduced with an approved berm and or landscaping and screening plan, which will screen the solar farm equipment from being seen from the exterior of the property.

* Street buffer may, at the Council's discretion, be reduced to 50' with an approved berm and or landscaping and screening plan, which will screen the solar farm equipment from being seen from the exterior of the property; see also §8:7-4(9)

This buffer is separate and distinct from the buffering requirements of Jasper County Zoning Ordinance, Article 12.8 and shall be measured from the property line. Only the following activities shall be permitted within the landscaped buffer:

1. Vehicular access drives which tie into approved access points as determined by SCDOT and/or Jasper County
2. Landscaping and landscaping fixtures
3. Lighting
4. Fencing
5. Signage
6. Underground utility lines

7. Overhead utility lines

8. Drainage or stormwater detention or retention areas

8:7.3-2 Landscaping/Screening Requirements

In addition to buffering, screening shall be required by providing landscape within the buffer which achieves a minimum height of ten feet (10') within three (3) years. The intent is to provide sufficient screening, through a combination of buffers, fencing, landscaping, and/or landscaped berms to obscure the solar equipment from exterior view from adjoining property owners and public right of ways.

A visually opaque screen shall be provided for any adjacent property that is zoned Residential, has an existing residential use, and/or is zoned Rural Preservation and has been subdivided to 5 acres or less (these are protected properties). An opaque screen is intended to exclude a visual contact with the solar equipment from any protected property, public street or public right of way. An opaque screen may be composed of a wall, fence, building, landscaping, landscaped berm, or combination thereof. Natural areas as detailed below may also be used to meet screening requirements.

> Natural areas: An existing vegetated area located on the same property as the solar farm; is within or includes the required buffer; and is of sufficient height, length, and depth and contains adequate and sufficient healthy vegetation to provide a visually opaque screen where required. The Development Services Representative (DSR) may determine that further screening improvements shall not be required.

8:7.3-3 Setbacks

The setbacks for solar equipment associated with the solar energy system shall be 25' larger than the applicable bufferyard to allow for an access road around the perimeter of the property.

8:7.3-4 Fencing

A security fence shall be required at least six feet (6') in height to secure the solar equipment unless a taller fence is needed in order to obscure the solar equipment from exterior view (see also §8:7.3-2); the fence can be on top of the berm in order to achieve this goal. A chain link fence shall not be allowed unless it is screened from exterior view from adjoining property owners and public right of ways; screening may include plantings to create a "living fence", or to obscure the view of the fence. Breaks in fencing may be allowed or required by Council to facilitate wildlife needs where natural features provide appropriate barriers to access by humans for security and safety purposes.

8:7.3-5 Height

The Solar Energy System shall not exceed ten feet (10') in height, as measured from the ground to the foremost/tip end of the solar collector, provided there is a demonstration that the screening prevents the system from being visible from the exterior of the property. Ancillary non solar collector structures, such as inverters, transformers, etc., may be taller than ten feet (10') in height, provided that such are not visible from the exterior of the property.

8:7.4 General Requirements

1. Solar collectors shall be designed with anti-reflective coating to minimize glare. Mirrors are prohibited.

2. On-site electrical interconnections and powerlines shall be installed underground to the extent feasible. Existing above ground utility lines shall be allowed to remain in their current location.

3. A warning sign concerning voltage must be placed at the main gate that states the address of the site, the name of the solar farm operator, and a local phone number for the solar farm operator in the case of an emergency.

4. Access to the site must be controlled by a six foot (6') wooden fence or gate if the fencing is visible from the exterior of the property. If the fencing/gate is within the interior 25% of the buffer, or is not visible from the exterior of the property, chain link gate and fencing may be used.

5. Entrance roadway should include a dog leg or meander to obscure vision from the roadway.

6. If lighting is provided at site, lighting shall be shielded and downcast such that the light does not spill onto the adjacent parcel or the night sky. Motion sensor control is preferred.

7. Adequate provisions to reduce average/constant noise levels at the property boundary not to exceed 50dBA at the property line, except during construction.

8. A solar collection device or combination of devices are to be designed and located to avoid directing glare or reflection onto adjacent properties and adjacent roadways and shall not interfere with traffic or create a safety hazard.

9. Planning Commission may include special conditions in their recommendation to County Council to implement the public health, safety, morals, convenience, order, appearance, prosperity, and general welfare set forth in Article 1 of the Jasper County Zoning Ordinance. County Council may accept, modify, reject, or add additional conditions at its sole discretion.

8:7.5 Site Restoration/Stabilization

Unless otherwise agreed by County Council in its concept plan or development agreement approval process, the applicant shall submit a ten percent (10%) Site Restoration/Stabilization Guarantee in the form of a bond, irrevocable letter of credit and agreement, or other financial security acceptable to the County prior to issuance of the Development Permit. The Site Restoration/Stabilization Guarantee shall insure satisfactory grading, seeding, and stabilization of the site in case of default by the applicant and/or if the applicant does not install the required site improvements in a timely fashion as determined by the DSR, including the costs of landscaping, screening, and or fencing for the site or such portion thereof being permitted. The Developer shall provide the County with an itemized engineer's estimate of the approved site improvements in conformity with Article 1.8 of the Jasper County Land Development Regulations for approval and calculation of the bond amount. The Site Restoration Guarantee may be refunded upon issuance of a Certificate of Project Close-Out for the site stabilization and improvements.

8:7.6 Decommissioning

Unless otherwise agreed by County Council in its concept plan or development agreement approval process, the applicant must provide a decommissioning plan signed by the party responsible for decommissioning and the landowner (if different) that describes the anticipated life of the solar farm, the estimated decommissioning costs in current dollars, the method for ensuring that funds will be available for decommissioning and restoration, and the anticipated timeline and manner in which the solar farm project will be decommissioned and the site restored to its condition prior to the development of the solar farm or such other conditions approved in the concept plan or required in a development agreement. If the property has been timbered within two (2) years of re-zoning to the SFFZ, original condition means replanted with timber. Decommissioning will be required following a continuous period of twelve (12) months in which no electricity is generated by the facility other than for mechanical, repair, replacement and/or maintenance purposes.

1. The permit holder will have twelve (12) months to complete decommissioning of the solar farm. Decommissioning shall include removal of solar panels, foundations, structures, cabling, electrical components, conduit, and any other associated facilities as described in the decommissioning plan.

2. Prior to issuance of Development Permit, the applicant must provide the County with a performance guarantee in the form of a bond, irrevocable letter of credit and agreement, or other financial security acceptable to the County in the amount of 125% of the estimated decommission cost minus the salvageable value, or $50,000, whichever is greater. Estimates shall be determined by an engineer licensed to practice in South Carolina.

3. Every five (5) years a new engineer's estimate of probable cost of decommissioning shall be submitted for approval in the same manner as the initial

submission, and the bond, letter of credit, or other financial security acceptable to the county shall be adjusted upward or downward as necessary.

4. Proof that the decommissioning plan has been recorded with the Jasper County Register of Deeds.

§ 8:8 GATEWAY CORRIDOR OVERLAY DISTRICT

8:8.1 Purpose and Intent

The purpose and intent of the Gateway Corridor Overlay District (GCOD) is to promote an appropriate mix of commercial land uses that can coexist with residential land uses, while providing overall design standards that will enhance the entrance into the County and discourage incompatible land uses that may detract from the image of this important gateway. The GCOD adds an extra layer of land use regulation over the underlying commercial Zoning, which allows increased flexibility in land use and identifies additional development standards needed to protect the overall character and appearance of this highly visible corridor.

8:8.2 Application

The GCOD shall apply to all land within five hundred feet (500') of the right-of- way of the designated highway. The regulations of this overlay shall apply to all new non-residential development and any existing development which meets the following criteria:

- Any change of use of a non-residential property, and/or
- Any building expansion that increases the floor area of a non-residential use by 20 percent or more or any parking addition of ten (10) or more spaces.

[**Commentary:** The overlay applies if a vacant property converts to any non-residential use; a change in non-residential use such as a restaurant to a hardware store. However, changes of similar uses (e.g., retail to retail) would not apply unless parking or floor area is increased by the thresholds listed.]

Unless a deviation from such restrictions are provided elsewhere in this Section 8:8, property within the GCOD shall be required to adhere to all provisions of the Jasper County Zoning Ordinance and Land Development Regulations otherwise applicable within the underlying zoning district.

8:8.3 Use Regulations

In addition to the uses prohibited by other law or applicable zoning, the following uses are strictly prohibited in the Gateway Corridor Overlay District:

- Animal Production, NAICS 112
- Used Motor Vehicle Parts, NAICS 421140

- Recyclable Material, NAICS 42193
- Waste Management Services, NAICS 562
- Racetracks, NAICS 711212
- Tattoo/Piercing Parlors, NAICS 812199
- Sexually Oriented Business, NAICS 81299
- Correctional Institutions, NAICS 92214
- Manufactured Homes Parks
- Multi-Family Residential

In addition to the uses allowed in the underlying zoning district found elsewhere in this ordinance (Table 6.1 of Article 6), the following additional land uses are permitted as by-right in the Gateway Corridor Overlay District except where conditional use is indicated:

- Agricultural Production, Crops, NAICS 111
- Support Activities for Crop Production, 1151
- Forestry Activities, NAICS 11531, Conditional Use – See Article 11:7.1A
- Sewage Treatment Facility, NAICS 2213
- Electric, Generation, NAICS 222111
- Building, Developing, and Contracting, NAICS 233
- Heavy Construction, NAICS 234
- Manufacturing of Printing and Related Support Activities, NAICS 323
- Wholesale Trade Durable Goods and Non-Durable Goods, NAICS 421 and 422
- Automotive Parts and Accessories Store, NAICS 441310
- Lumber and Building Materials, NAICS 4441
- Manufactured Home Dealers, NAICS 45393 – Conditional Use – See Article 11:7.10A
- Truck Transportation, NAICS 484
- Pipeline for Transportation, NAICS 486
- Scenic and Sightseeing Transportation, NAICS 487
- Support Activities for Transportation, NAICS 488
- Warehousing and Storage, NAICS 493
- Publishing Industries, NAICS 511
- Motion Pictures and Sound Industries, NAICS 512
- Mini-Warehouses, NAICS – Conditional Use – See Article 11:7.14
- Educational Support Services, NAICS 6117
- Performing Arts, Spectator Sports, & Related Industries, NAICS 711
- Auto Repair and Maintenance, NAICS 8111 – Conditional Use – See Article 11:7.27A
- Manufactured Housing (as single family residential use)

8:8.4 Design and Development Standards

A. General Requirements and Development Standards:

1. Building Placement: All buildings shall front onto a public or a previously approved private street, or share a frontage line with a square or other similar common open space. The front facade of buildings shall be generally parallel to front property lines when placed along the corridor right-of-way.

2. Building Height and Setbacks: See Article 7 of the Jasper County Zoning Ordinance.

3. Building Vernacular: Shall be in accordance with Article 8:5.8 of the Jasper County Zoning Ordinance, Highway Corridor Overlay District, Architectural Design and Materials.

4. Bufferyard: Bufferyards shall be in accordance with Article 12:8 of the Jasper County Zoning Ordinance except where new or expanded non-residential use is proposed adjacent to existing residential use, in this case, the Bufferyard shall be Bufferyard 4, 5B, or 6B in Article 12:8.2-4, Bufferyard Illustration.

5. Fencing: Shall be of durable construction using quality material (i.e., brick, stone, other masonry, wood, metal, decorative vinyl, or any combination thereof). The finished side of the fence shall face the corridor right-of-way or other adjacent property. Chain link, welded or woven wire, and other similar fencing are not permitted in the Gateway Corridor Overlay District, unless their use is for sports field and recreational complexes. In such conditions, the fencing shall be color coated with a manufacturer applied finish. Such fencing may also be permitted for temporary use during construction and site development provided it is removed or replaced with a compliant material upon completion of construction. This requirement is for aesthetic purposes only and is not associated with building code requirements or standards.

6. Highway Buffer, Tree Removal and Landscaping: Shall be in accordance with Article 8:5 of the Jasper County Zoning Ordinance, Highway Corridor Overlay District.

7. Open Space: A minimum of ten (10%) percent of the site must be devoted to usable open space which may include greens, unaltered natural features, or other similar areas not covered by impervious surface. Required setbacks and buffer yards may be included in calculating this requirement. All open space shall be clearly labeled as such on any plans submitted for County review.

8. Outdoor Storage: All outdoor storage areas shall be located to the side or rear yard and shall be screened with a wooden fence or masonry wall at least eight feet (8’) high. One (1) evergreen shrub shall be installed for every five (5) linear feet of fence or wall on the side of the fence or wall facing a

neighboring property or public right-of-way. The minimum shrub shall be 3 to 5 gallons in size and shall be nursery stock with well-developed root systems. All planted areas shall be properly maintained and shall be provided with an irrigation system or a readily available water supply to ensure continuous healthy growth and development.

9. Lighting: See Article 3:9 of the Jasper County Land Development Regulations.

10. Parking: See Article 12 of the Jasper County Zoning Ordinance.

B. Sidewalks and Pedestrian Amenities:

1. Sidewalks and Connectivity:

a. At a minimum, sidewalks shall comply with the construction requirements set forth in the Jasper County Land Development Regulations;

b. Sidewalks shall be located to allow pedestrians to safely move from their vehicles to the building;

c. Sidewalks shall connect to existing pedestrian circulation of adjacent parcels where not restricted by topography or other existing site features;

d. When adjacent to a residential use district, sidewalks shall be provided to allow pedestrian access to and from a commercial retail development;

e. Sidewalks shall be required on both sides of public or private streets within a commercial retail development;

2. Other Pedestrian Amenities:

a. All retail commercial development or use with a gross indoor floor area in excess of forty thousand (40,000) square feet shall provide improved common open space for use by patrons. Such common open space shall be a minimum of five hundred (500) square feet in area and may include squares, plazas, greens or other similar spaces.

C. Connectivity: Reduction of access points to the corridor is required to the maximum extent possible. The following shall apply:

1. Consolidation of Access Points:

a. Driveway and/or other access separation along the corridor shall be in accordance with the SCDOT, *Access and Roadside Management Standards*.

b. Shared driveways between two or more parcels shall be required where there is not a conflict in use and a shared driveway is not restricted by topography or other existing site features. Shared driveways shall require mutually executed shared access agreements; and

c. Unless restricted by topography or other natural site features, adjoining parking lots serving non-residential buildings of non-conflicting use shall be connected and shall require mutually executed shared access agreements.

2. Stub Outs:

a. Where an undeveloped adjacent parcel exists, a stub out or cross-access easement for future stub out, shall be required to allow for connection to future parking and/or shared driveways; and

b. Where a developed adjacent parcel exists, existing stub outs shall be utilized.

8:8.5 Gateway Corridor Overlay District Sign Regulations

Signage in the Gateway Corridor Overlay District shall be in accordance with this Section, 8:8.5 Gateway Corridor Overlay District Sign Regulations; Table 8:8-1 Permitted Signs, and Article 15, Sign Standards. In case of conflict, the stricter standard shall apply.

8:8.5-1 Permitted Signs

Wall Signs and Freestanding Monument Signs in accordance with Table 8:8.1 are the only signs permitted within the Gateway Corridor Overlay District with the following exceptions:

1. Changeable Copy Signs (message boards) for fuel pricing shall meet the following requirements.

   a. Be monument style only;

   b. Fuel pricing signs shall display only the name, trademark, registered logo, and the vehicular fuel product and prices.
2. Animated signs, including electronic changeable copy signs for time and temperature only and does not exceed 15 square feet of copy area.

Table 8:8-1, Gateway Corridor Overlay District Sign Regulations

Type	Maximum Sign Area (square feet)	Maximum Height (feet)	Maximum Sign Width (feet)	# of Faces Allowed

Freestanding Sign Monument,	50 for single business; 90 for group developments less than 25,000 s.f. in floor area; 135 for group development s of 25,000 s.f. or more	6 feet for single development; 8 feet for group development	12 feet	2 back to back
Wall Sign	10 % of wall. The total area of the wall sign shall not occupy more than 10% of the area of the wall upon which they are placed	80 % of wall height	80 % of wall width	1 sign per tenant per side. Tenant signs must be located on the façade of the tenant space

8:8.5-2 Illumination

Illumination of all signage, except wall signage, shall be limited to cut-out letters and indirect lighting. Back lit wall signage shall be permitted however, the background of the sign face shall be opaque and light shall only come through the lettering of the sign.