

ORDINANCE NO.: 2012-026

Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 17, Planning, Land Development and Zoning, Article III, Zoning, Division 9, Supplementary District Regulations, Sec. 17-321 Private Dormitory and Sec. 17-258 Table of permitted uses SIC 8811.6

BE IT ORDAINED by the Mayor and Council this 5th day of June, 2012, that the 1998 Code of Ordinances of The City of Columbia, South Carolina, Chapter 17, Planning, Land Development and Zoning, Article III, Zoning, Division 9, Supplementary District Regulations, Sec. 17-321, Private Dormitory and Sec. 17-258 Table of permitted uses SIC 8811.6 I is amended to read as follows:

Sec. 17-321. Private dormitory.

(a) Private dormitories are permitted in C-4, C-5, M-1, M-2, MX-2 and RG-3 districts subject to the following conditions:

(1) No private dormitory shall be located upon a lot that is within 600 feet from a lot zoned RS-1, RS-1A, RS-1B, RS-2, RS-3, RD, RD-2, RG-1, RG-1A, RG-1B, or RG-2;

(2) No private dormitory shall be located upon a lot that is within 600 feet from a lot zoned PUD-R where the majority of the dwelling units within that PUD-R are detached single- or two-family dwellings;

(3) A private dormitory shall have a maximum density of 150 bedrooms per acre; however the Board of Zoning Appeals may grant a special exception to exceed this density in C-4, C-5, and MX-2 districts. The application for a special exception shall include an operation and management plan, which must include at least the following:

a. Use and activity that will occur in conjunction with the dormitory use;

b. Hours and operation of non-residential services;

c. Security plan including provisions for common and parking areas;

d. Noise control;

e. Provisions for transportation including location for loading/unloading of shuttles or buses, if applicable;

f. Location of entrances and exits;

g. Location and management of parking for residents and visitors;

h. Location of amenities and their relationship and compatibility with adjacent uses.

(4) A private dormitory occupancy is limited to one person per bedroom;

(5) Parking requirements for a private dormitory shall be as follows: in RG-3, C-4, M-1, M-2, and MX-2 districts the ratio shall be .75 on-site vehicular parking space and .25 on-site bicycle parking space per bedroom. In the C-5 zoning district the ratio shall be .5 vehicular parking space located within 800 feet of the dormitory's main entrance and .25 on-site bicycle parking space per bedroom. Seventy-five (75) percent of required bicycle parking in all districts shall be located in an enclosed and secured area;

(6) A private dormitory shall maintain lot size, setback, and height requirements as set forth in Sec. 17-275 (lot size, setback, and height requirements), except as may be reduced by Sec. 17-276 (average building line of adjacent structures may be used as front setback line), or by any designated historic or design overlay district;

(7) A private dormitory shall include sidewalks along all streets;

(8) A private dormitory shall have an on-site manager available 24 hours a day, 7 days a week;

(9) A private dormitory within the C-4, C-5, and MX-2 zoning classifications shall not have more than 60 percent of the total number of dwelling units designed for occupancy by more than three unrelated adults;

(10) A private dormitory shall conform with any designated historic or design overlay district design guidelines.

(b) Private dormitories need not be arranged with distinct dwelling units; however when bedrooms are located around a central kitchen or bathroom, a private dormitory may have more than three unrelated adults per dwelling unit.

(c) The Board of Zoning Appeals shall not grant a variance from any of the provisions of this section;

(d) Private dormitories are not permitted within properties zoned PUD.

Sec. 17-258. Table of permitted uses.

Uses permitted in the general zoning districts shall be as set forth in table 1 and as modified by special provisions, exceptions and conditions contained elsewhere in this article.

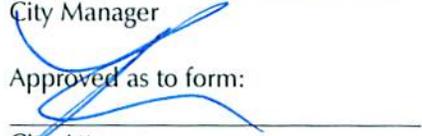
- (1) Symbols used in table 1 are as follows:
 - a. "x" means that the indicated use is permitted in the indicated district.
 - b. "e" means that the indicated use is permitted in the indicated district, subject to the granting of a special exception by the board of zoning appeals.
 - c. "a" means that the indicated use is permitted as an accessory use in the indicated districts.
 - d. "a/e" means that the indicated use is permitted as an accessory use in indicated districts, but is also permitted in those districts as a principal use if approved by the board of zoning appeals as a special exception.
 - e. "n.e.c." means "not elsewhere covered" in the Standard Industrial Classification Coding Manual.
 - f. "n.r." means "no requirement."
 - g. "c" means that the indicated use is permitted in the indicated district, provided the owner and/or tenant complies with the associated conditions set forth in this article.
 - h. "o" means indicated use is permitted in the indicated district as office only.
 - i. "a/c" means that the indicated use is permitted as an accessory use in indicated districts, but is also permitted as a primary use provided the owner and/or tenant complied with the associated conditions set forth in this article.
- (2) Any use not permitted in a district is expressly prohibited.
- (3) In residential districts, the following uses are prohibited:
 - a. Storage in connection with a trade;
 - b. Storage or long term parking of commercial vehicles or industrial storage in excess of one day; and
 - c. Storage of building materials except in connection with active construction.
- (4) A section number following the use category means that the use is allowed but must meet the conditions and requirements set forth in the referenced section.
- (5) The zoning administrator may utilize the Standard Industrial Classification Manual to determine the appropriate classification of land use.
- (6) Any drive-through facility shall require review and approval by the board of zoning appeals as a special exception,
- (7) Temporary vendors are prohibited, except where the vendor is:
 - (a) A person located upon land owned or otherwise controlled by the City of Columbia and operating with the written permission of the Parks & Recreation Department, City Manager, or City Council. For the purpose of this exception (a) to this subsection (7), land includes private property and/or right-of-way.
 - (b) A sidewalk vendor for which City Council has approved an ordinance granting a franchise.
 - (c) A person who collects fees for permitted parking.
 - (d) A corporation, foundation, fund, association, or club that is formally organized and operated exclusively in a not-for-profit manner or for religious, charitable, scientific, literary, artistic, or educational purposes.
 - (e) A person participating in a fair, festival, exhibition, bazaar, show, or other like infrequent event sponsored by a corporation, foundation, fund, association, or club that is formally organized and operated exclusively in a not-for-profit manner or for religious, charitable, scientific, literary, artistic, or educational purposes.
 - (f) A person participating in a fair, festival, exhibition, bazaar, show, or other like event at and approved by the South Carolina State Fair.
 - (g) A concessionaire operating with the authority of the sponsor of the event for which concessions are to be provided.
 - (h) A person participating in a garage sale for which a garage sale permit has been issued.
 - (i) A person selling only seasonal merchandise, such as fireworks, pumpkin stands, and Christmas trees, provided that the person:
 - i. Locates within a zoning district which would otherwise permit the business;
 - ii. Receives a zoning permit prior to operating, the application for which shall include (a) a site plan showing that the person would not be located within a setback or within a required parking space, and (b) the written permission from the private property owner or authorized lease holder of the private property;

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- iii. Conspicuously posts his zoning permit during all hours of operation at a location visible from the right-of-way and in a manner protected from the elements; and
 - iv. Operates only within 45 days of the associated holiday and for a total period of no more than 45 days.
 - v. For the purpose of this exception (i) to this subsection (7), seasonal merchandise does not include food, produce (not including pumpkins), flowers, balloons, and general retail items detailed with holiday accents, decorations, or other accessories.
- (j) A person operating a food truck on private property provided that the person:
- i. Locates within a zoning district which would otherwise permit the business;
 - ii. Locates at least 100 feet from the door of a lawfully established eating place unless the owner of the eating place provides a letter of consent, a copy of which shall be kept within the food truck;
 - iii. Maintains within the food truck proof of written permission from the private property owner or authorized lease holder of the private property of each vending location;
 - iv. Receives annually a zoning permit to operate a food truck, a copy of which shall remain in the food truck during operation;
 - v. Operates for no more than ten consecutive hours within a calendar day and at all other times removes from the parcel all materials associated with the business. No temporary vendor shall operate between the hours of 9:00 PM and 9:00 AM if the parcel upon which the vendor is located is within 400 feet of a parcel zoned residentially.
- (k) Any other person upon private property provided that the person:
- i. Locates within a zoning district which would otherwise permit the business;
 - ii. Receives a zoning permit for each location prior to operating, the application for which shall include (a) a site plan showing that the person would not be located within a setback or within a required parking space, and (b) the written permission from the private property owner or the authorized lease holder of the private property authorizing the temporary vendor;
 - iii. Conspicuously posts his zoning permit during all hours of operation at a location visible from the right-of-way and in a manner protected from the elements; and
 - iv. Operates for no more than ten consecutive hours within a calendar day and at all other times removes from the parcel all materials associated with the business. The Zoning Administrator shall approve the hours of operation, which shall be posted on the zoning permit. No temporary vendor shall operate between the hours of 9:00 PM and 9:00 AM if the parcel upon which the vendor is located is within 400 feet of a parcel zoned residentially.
- (l) Any temporary vendor existing upon the effective date of this ordinance shall have 180 days from the effective date of this ordinance to either cease operation or fully comply with all provisions of this subsection (7).

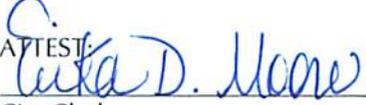
Requested by:
Krista M. Hampton - Director
Planning and Development Services

Approved by: 
City Manager

Approved as to form:

City Attorney

Introduced: 5/15/2012
Final Reading: 6/5/2012


MAYOR

ATTEST:

City Clerk

Principal Uses		D-1	RS-1 RS-1A RS-1B RS-2 RS-3	R-D	RG-1	RG-1A	RG-2	RG-3	C-1	C-2	C-3	C-3A	C-4	C-5	C-6	M-1	M-2	UTD	MX-1	MX-2	Off-Street Parking Requirements	
88 Private households																						
8811 Dwellings																						
	8811.1	Detached one-family	x	x	x	x	x	x	x	e	e	e							x	x	2 for each dwelling unit	
	8811.2	Attached one-family				x	x	x		e	e								x	x		
		Townhouses (section 17-265)							x		e									x		x
		Two-family			x	x	x	x		x	e	e	e							x		x
		Multifamily				x	x	x		e	e	e	e							x	x	
		Group development		e		x	x	x		e	e	e	e							x	x	
		High-rise (section 17-304)							x	x		e	x	x	x					x	x	
		Mid-rise (section 17-264)								x		e		x	x	x				x	x	
	8811.3	Mobile home parks subject to article VI, division 2, of this chapter					e	e													2 per mobile home accommodation	
	8811.4	Dormitories								e		e		x	x					e	x	
	8811.5	Fraternity and sorority houses				e	e	e		e		e		e	e					e	e	
	8811.6	Dormitories Private (section 17-321)							c					c/e	c/e		c	c			c/e	