

ORDINANCE NO.: 2006-075

Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 17, Planning, Land Development and Zoning, Article III, Zoning, Division 10, Off-Street Parking and Loading Facilities, Sec. 17-344, Design of parking areas and Sec. 17-345, Reduction of parking requirements for certain uses

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BE IT ORDAINED by the Mayor and City Council of the City of Columbia, South Carolina this 1st day of November, 2006 that the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 17, Planning, Land Development and Zoning, Article III, Zoning, Division 10, Off-Street parking and Loading Facilities, Sec. 17-344, Design of parking areas and Sec. 17-345, Reduction of parking requirements for certain uses, are amended to read as follows:

Sec. 17-344. Design of parking areas.

(a) *Generally.* All off-street parking areas shall meet the following design requirements:

(1) *Maneuvering space.* All off-street parking areas, with the exception of parking areas for one- and two-family detached dwellings, shall be so designed that vehicles will not be required to back onto or maneuver in the public right-of-way.

(2) *Size of spaces.* The minimum size of one parking space shall be nine feet in width and 20 feet in depth plus sufficient areas for access to and maneuvering for automobiles as set forth in the Transportation and Traffic Engineering Handbook.

(3) *Parking in residential districts for commercial or industrial uses.* The board of adjustment may, as a special exception in RS, RD and RG zones, grant permission to establish parking lots for use by commercial and industrial establishments, provided that:

a. The lots may be permitted only between a commercial or industrial use and the nearest street in a residential district;

b. Screening of the lots shall be established at the rear of the required front yard and on all side and rear lot lines of such a nature that will be adequate to protect contiguous lots zoned residentially and residential uses thereon from the glare, noise, dispersion of trash or trespassing by pedestrians, and the screening shall be maintained in a proper manner; and

c. There shall be no vehicular access to the parking lots except from the commercial or industrial district adjacent thereto.

(4) *Compact car spaces.* Twenty-five percent of the required spaces may be designed for

compact cars. Compact car spaces shall be a minimum of eight feet wide by 16 feet long.

(5) *Handicapped spaces.* Handicapped parking spaces shall be provided as required by the building code.

(b) *Requirements under subdivision regulations.* Parking lots shall comply with the following additional requirements. These requirements are subdivision regulations requirements and are not subject to variance by the zoning board of adjustment. The requirements are referenced in this article for the convenience of the developers.

(1) *Border barricades.* A rail, fence, curb or other continuous barricade sufficient to retain the parked vehicles completely within the property shall be provided, except at exit and access driveways. Appropriate screening shall be provided on all borders facing residential areas (see subsection (b)(6) of this section).

(2) *Entrances and exits.* The location and design of all entrances and exits shall be subject to the approval of the city traffic engineering department. No entrance or exit shall be within 15 feet of a lot in a residential zone.

(3) *Lighting.* Lighting of the parking lot shall be provided. Any lighting shall be so arranged as to reflect light away from any residential area and not to adversely affect safe vision of drivers on the adjacent roads.

(4) *Drainage.* The drainage on all parking lots shall conform with the city's storm drainage ordinances (chapter 21, article II) and be approved by the city engineer.

Sec. 17-345. Reduction of parking requirements for certain uses.

(a) *Reduction for existing conditions.* Where a property does not have the area available to provide off-street parking spaces because of existing conditions that were lawful at the time of establishment (e.g. an existing building covers the entire parcel), those nonresidential uses listed upon Table 1 of Sec. 17-258 with an off-street parking requirement equivalent to 3 parking spaces for each 1,000 square feet of gross floor area or less shall only be required to provide as many off-street parking spaces as may physically fit upon the property.

(b) *Remote parking.* Where the off-street parking spaces required by this section cannot be reasonably provided on the same lot on which the principal nonresidential use would be located:

(1) Such space may be provided on any land within 600 feet of the

principal use provided that the owner or authorized agent for the land upon which such remote parking is located shall restrict the use of such parking area for parking only in connection with the use or structure for which such remote parking is provided. Such restriction shall be recorded by a declaration of restrictions filed with the Office of the Register of Deeds for Richland County or Lexington County, which may be released only by the written consent of city council. Remote parking for nonresidential uses shall not be established within any residential district except in accordance with the provisions of Sec. 17-344 (a)(3).

(2) Such space may be leased subject to the approval of a special exception by the Board of Zoning Appeals and subject to the following conditions:

(a) Notices required of Sec. 17-112 shall include both the location of the prospective use and the property containing the leased parking spaces;

(b) At the time of application for special exception, each prospective user shall provide a copy of an unexecuted lease for a number of off-street parking spaces at a rate specified upon Table 1 of Sec. 17-258, and the number of parking spaces required will be rounded to the nearest whole number;

(c) The lease must specify that the parking spaces are for the exclusive use of the prospective user, including the user's customers and employees, unless the parking spaces are controlled by the City of Columbia;

(d) The lease must state that no party can cancel the lease without first sending notice via certified mail to the Zoning Administrator, c/o the Zoning Division of the City of Columbia, at least 30 days prior to the termination of the lease;

(e) With the application for special exception, the applicant shall provide a site plan to scale depicting the location of the prospective use, the location of the parking spaces, and the pedestrian path of travel between these locations. The Board of Zoning Appeals shall find that the location of the parking spaces and the associated pedestrian path of travel are safe and well lit;

(f) Parking spaces shall be located on parcels within 600 feet of the property containing the prospective use;

(g) Parking spaces shall not include required off-street parking spaces for another use, except in accordance with Sec. 17-

346, Shared Parking;

(h) For the purposes of this subsection Sec. 17-345 (b), the term "lease" may include some other similar type of binding contractual arrangement between a user and a property owner, subject to compliance with all other conditions of the grant of special exception;

(i) At the time of application for zoning approval (request coming from either a business license application or other similar application for zoning permit), each prospective user shall provide a copy of an executed lease identical to the unexecuted lease provided to the Board of Zoning Appeals and in conformance with any additional conditions imposed by the Board of Zoning Appeals;

(j) Prior to operating the use, each parking space shall be clearly marked that the space is reserved for the exclusive use of the user, and that the user may cause violators to be towed;

(k) Each parking space marking shall not exceed 2 square feet and shall be free of logos or other commercial contents; and

(l) At the time of every annual renewal for a business license, each user shall submit evidence that the lease submitted in support of the grant of special exception is currently in effect and has been in effect since the last date of zoning approval (i.e. initial zoning approval or last annual business license renewal).

(c) Residential facilities intended for occupancy by the elderly. The board of adjustment may, as a special exception, after notice and hearing, and subject to appropriate safeguards and conditions, grant a reduction in off-street parking requirements of not more than 50 percent of that generally required for residential facilities intended for occupancy by the elderly, provided that adequate land is available for future expansion to accommodate the generally required amount of parking and that the site design of such reduced parking area will facilitate future expansion if such is required.

(d) *Industrial, processing, storage, warehousing, distribution or wholesaling uses.* The board of adjustment may, as a special exception, after notice and hearing, and subject to appropriate safeguards and conditions, grant a reduction of not more than 50 percent in the amount of parking required for industrial, processing, storage, warehousing, distribution or wholesaling uses located in C-4, M-1 or M-2 districts if such action appears to be reasonably justified as based upon employment levels and characteristics of operation of such uses.

(e) *Drive-in facilities other than eating and drinking establishments.* The board of adjustment may, as a special exception, after notice and hearing, and subject to

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appropriate safeguards and conditions, grant a reduction of not more than 50 percent in the generally required off-street parking for facilities offering drive-in service to customers or patrons, provided that:

- (1) The applicant for such special exception demonstrates that the installation of drive-in facilities will reduce customer or patron parking requirements in direct ratio to the number of off-street parking spaces proposed to be eliminated.
- (2) Adequate off-street parking will remain to accommodate employees.

(f) *High-rise apartments in C-4 districts.* The board of adjustment may, as a special exception, after notice and hearing, and subject to appropriate safeguards and conditions, grant a reduction in required parking for high-rise apartments located in C-4 districts to not less than one space per dwelling unit.

(g) *Required improvements.* Off-street parking areas developed to meet minimum requirements of this article, and all off-street parking facilities located within the C-4 central commercial area district and C-5 central business district, shall be within properly graded, marked and improved parking lots or within parking structures.

This ordinance is effective as of final reading.

Requested by:

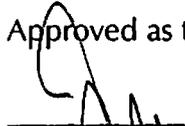
Development Services


MAYOR

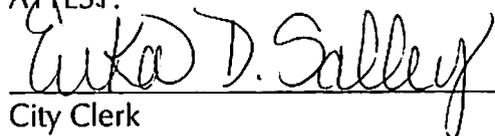
Approved by:


City Manager

Approved as to form:


City Attorney

ATTEST:


City Clerk

Introduced: 10/25/2006

Final Reading: 11/1/2006