

## ARTICLE I. IN GENERAL

## Sec. 13-1. Impact fees.

## (a) The town council hereby finds that:

- (1) Current growth projections indicate that increasing demand will be placed upon the town to provide necessary infrastructure and facilities.
- (2) Additional capital facilities will be required to maintain current or projected levels of service.
- (3) The amount of impact fees imposed shall be a fair and equitable percentage of the cost of additional capital facilities needed due to new development.
- (4) The town council hereby finds and declares that an impact fee imposed upon residential and nonresidential developments to finance specified public facilities for which the demand is created by such developments is the best interest of the town and the majority of its citizens.
- (5) The town council hereby finds and declares that this impact fee ordinance is fair and equitable and does not impose an unfair burden on new development.

(b) This section shall apply to all new construction within the municipal limits of the town in which a building permit is required except in the following cases:

- (1) Expansion or improvements of a residential structure where no additional dwelling units are created.
- (2) The construction of residential accessory buildings or structure was without a bath.
- (3) Improvements of nonresidential structures if there is no additional net floor space created or baths added.

(c) *Definitions:*

*Dwelling unit* means a room or rooms connected together, constituting a separate, independent housekeeping establishment for a household for occupancy on weekly or longer terms, physically separated from any other rooms or dwelling units that may be used in the same structure, and containing independent kitchen and sleeping facilities. This term includes, but is not limited to, detached and attached single-household dwellings, as well as townhouses, condominium, duplexes, mobile homes, and apartments with each unit constituting a separate dwelling unit.

*Feepayer* means any person who, after the effective date of this article, applies for a building permit for the purpose of developing land and is not exempt as stated under subsection (b).

(d) *Determination of impact fees.*

- (1) The impact fee schedule has been determined in accordance with a detailed study of existing equipment infrastructure and the expected cost of any expanded or new capital facilities and equipment for water department, sewer department, recreation

## Chapter 13

### PLANNING AND DEVELOPMENT"

#### Article 1. In General

Sec. 13-1. Impact fees.  
Secs. 13-2-13-25. Reserved.

#### Article II. SC Highways 93 and 18 Development Corridor

Sec. 13-26. Jurisdiction.  
Sec. 13-27. Purpose, intent, and objectives.  
Sec. 13-28. Building placement.  
Sec. 13-29. Street tree planting.  
Sec. 13-30. Parking lot landscaping.  
Sec. 13-31. Screening.  
Sec. 13-32. Building facade design and construction.  
Sec. 13-33. Driveway access.  
Sec. 13-34. Signs permitted in the development corridors.  
Sec. 13-35. Application.  
Sec. 13-36. Authority.  
Sec. 13-36. Validity  
Sec. 13-37. Relationship to other laws.  
Sec. 13-38. Case of hardship.

---

\*Cross references Administration, Ch. 2; buildings and building regulations generally, Ch. 4; flood damage prevention generally, Ch. 8; zoning, App. A.

department, police department, fire department, and sanitation department generated by any new development. The amount of the impact fee shall be determined by using the current fee schedule, set by council.

- (2) *Residential construction:* See current impact fee schedule on file in the town clerk's office.
- (3) Commercial or apartments: See current impact fee schedule on file in the town clerk's office.

(e) *Collection of fees.*

- (1) Residential, commercial, and apartments impact fees shall be paid prior to the issuance of a building permit for the proposed construction.
- (2) All impact fees shall be paid in cash or check to the town treasurer.
- (3) Upon receipt of impact fees the town treasurer shall deposit such funds in the appropriate impact fee account.
- (4) Impact fees shall be paid in addition to water and/or sewer tap fees.

(f) *The following impact fee accounts are hereby created:*

- (1) Water department impact fee account.
- (2) Sewer department impact fee account.
- (3) Police department impact fee account.
- (4) Sanitation department impact fee account.
- (5) Recreation department impact fee account.
- (6) Fire department impact fee account.

(g) *Use of funds.*

- (1) Upon receipt of impact prepayments, the town treasurer shall deposit such funds in the appropriate separate accounts.
- (2) The amounts in each impact fee account shall be used for the purpose contained in the title of such accounts, and/or at the discretion of council.

(Ord. No. 96-12-08-IF, §§ A—G, 9-9-96; Ord. No. 02-07-05-IF, 2-14-05)

Editor's note—Ord. No. 96-12-08-IF, adopted Sept. 9, 1996, did not specifically amend the Code; hence, inclusion of §§ A—G of such ordinance as § 13-1 was at the discretion of the editor.

State law reference—Developmental impact fees, amount, procedure for adoption, S.C. Code 1976, §§ 6-1-930-6-1-950.

Secs. 13-2-13-25. Reserved.

(f) *Professional services.*

- (1) Professional services are defined to include the following professions: architects, lawyers, doctors, accountants, engineers, planners, programmers, and technical consultants.
- (2) Professional services are to be obtained on the basis of written contractual proposals, not considered as bids or being subject to bid requirements, and selected on the basis of qualifications and fairness of pricing. When obtaining new services in excess of \$5,000.00, competitive proposals should be considered.

(g) *State purchasing.*

- (1) State purchasing contracts satisfy the requirement for three bids. The contract number must be provided on the bid tabulation sheet.
- (2) Where state purchasing contracts are considered along with another bid, the bid requirements are also satisfied.

(h) *Open purchase orders.* Open purchase orders for a year's budgeted expenditures may be issued when multiple smaller purchases are to be made during the year. All open purchase orders shall be closed as of budget year end.

(i) *Splitting prohibited.* Splitting of purchases to avoid bids or purchase orders is prohibited.

(j) *Prohibited purchases.* Purchases of personal items by the town for employees is prohibited.

(k) *Awarding of bid.*

- (1) The department head shall evaluate all bids on the basis of quality, service, delivery time, prior experience and total cost, and all things being equal, award the bid to the lowest bidder.
- (2) If the low bid is not accepted, the department head shall explain in writing the reasons for not selecting the low bid.

(1) *Town administrator.* The town administrator shall administer this section, establish or approve procedures and forms as are necessary to ensure compliance. He may also lower the dollar limits for purchase orders should a greater level of control be necessary for management purposes.

(Ord. No\_ 830109, 3-14-88; Ord. No. 05-08-06PUR, 5-8-06)

## ARTICLE II. SC HIGHWAYS 93 AND 18 DEVELOPMENT CORRIDOR\*

## Sec. 13-26. Jurisdiction.

(a) The following standards are intended to address the site plan layout considerations for the development of public and private property within the development corridors. These performance standards are applicable to all new construction, rehabilitation of construction, and remodeling or renovation projects, as well as for properties for which zoning action is requested within the corridors, except as specified herein. Compliance with the regulations set forth in this article shall be required prior to the issuance of a building permit unless it is demonstrated that work necessary to bring the property into compliance with this ordinance will be undertaken simultaneously with a development, rehabilitation, remodeling, or redevelopment project. Requirements and specifications of this ordinance are applicable to all properties on each side of SC Highways 93 and 18 that are within the town limits. The standards shall extend back to a depth of 400 feet from the centerline of Highway 93 and 700 feet from the centerline of Highway 18.

(b) The development corridors are currently characterized by a mixture of existing uses that include freestanding commercial, shopping centers, apartments, single-family residences, mobile homes, and a number of vacant or underdeveloped properties. Although there are a fair number of existing single-family homes, the area is in transition. Many of these homes may eventually be replaced with strip commercial development or converted to small freestanding businesses. The future land use pattern will most likely include a greater amount of professional offices, shopping centers, freestanding commercial activities, and multifamily residential uses.

(c) These requirements are set forth to establish a unifying theme for the development corridors by implementing several key streetscape elements along both sides of the highways. This section also specifies minimum performance standards for site planning considerations as they apply to the opportunities for new development on vacant properties and rehabilitation of already developed properties within the development corridors.

(d) Properties in the development corridors are subject to the zoning regulations in the adopted zoning ordinance for the Town of Central, South Carolina, and depicted on the official zoning map. The standards herein will thus function as overlay requirements for properties on each side of SC Highways 93 and 18 in the town limits.

(e) The following site planning performance standards and associated requirements shall serve as the criteria by which all projects within the corridors will be reviewed. These standards will apply to all new developments and redevelopment projects with the exception of the construction, rehabilitation, or remodeling of individual single-family residences. (Ord. No. SC 93-91-01-14, § 100, 2-11-91; Ord. No. 93-91-01-14SC, § 100, 8-8-05; Ord. No. 07-11-05 DCS, § 100, 8-8-05)

---

\*Cross references—Buildings and building regulations generally, Ch. 4; streets and sidewalks generally, Ch. 15; traffic and motor vehicles generally, Ch. 16; zoning, App. A.

Sec. 13-27. Purpose, intent, and objectives.

It is the intent of this article to improve the public health, safety, and welfare of the town through the objectives as stated below:

- (3.) To create a streetscape improvement plan that addresses the implementation of a united theme for street tree planting and light fixtures adjacent to the public right-of-way throughout the development corridors.
- (2) To facilitate any future highway improvements by the South Carolina Department of Transportation.
- (3) To require intensive land uses to provide adequate buffering and screening for the protection of existing and emerging residential neighborhoods to the rear of commercial development properties.
- (4) To provide for beautification of individual properties by requiring minimum standards for internal landscaping of parking lots.
- (5) To require the preservation of existing trees on properties as development occurs, in order to integrate natural wooded areas into the overall design of new projects.
- (6) To encourage the consolidation of driveway access points in order to better increase safety and facilitate traffic movement.

(Ord. No. SC 93-91-01-14, § 200, 2-11-91; Ord. No. 93-91-01-14SC, § 200, 8-8-05)

Sec. 13-28. Building placement.

All new development or redevelopment projects are required to adhere to the minimum yard requirements as set forth in the applicable zone of the town zoning ordinance.

(Ord. No. SC 93-91-01-14, § 301, 2-11-91; Ord. No. 93-91-01-14SC, § 301, 8-8-05)

Sec. 13-29. Street tree planting.

All properties that are subject to redevelopment, subdivision, new development, or rezone activities within the development corridor as herein defined, shall be subject to the following specific requirements for street tree planting.

- (1) All street tree planting shall be in compliance with the requirements listed below.
- (2) Proposed trees should be planted immediately to the rear of the new public right-of-way as defined by the South Carolina Department of Transportation in a minimum eight-foot-wide planting area.
- (3) The following tree species shall be planted within the required eight-foot planting strip, provided that power lines are installed underground or are relocated so that such trees shall not interfere with utility lines. The type of trees (listed below) to be planted shall be at the option of the property owner or tenant.

One tree shall be planted for every 40 feet of street frontage or fraction thereof above 25 feet. Trees shall be a minimum of two-inch caliper and eight feet in height at the time of planting.

- *Quercus phellos* "OPSTA:" Hightower Willow Oak, 40<sup>1</sup>-60T tall, 35' spread.
  - *Quercus phellos* "wynstar:" Wynstar Willow Oak, 60<sup>1</sup>-70' tall, 40-50' spread.
  - *Acer Rrubruin* "Bowhall:" Bowhall Red Maple 50 tall, 25' spread.
  - *Ulmus parvifolia* "UPMTF:" Bosque Lacebark Elm, 50-60' tall, 35' 40' spread.
  - *Zelkova serrata* "Village Green:" Village Green Zelkova, 50-60' tall, 50<sup>1</sup>-60' spread.
  - *Zelkoua serrata* "Green Vase:" Green Vase Zelkova, 70' tall, 50<sup>1</sup>-60' spread.
  - *Zelkoua serrata* 7FSKF Myimar:" Myimar Zelkova, 50<sup>1</sup>-60' tall, 40' 45' spread.
  - *Acer barbatum*: Florida Maple, 40-50' tall, 25<sup>1</sup>-40' spread.
- (4) The street trees listed above shall be planted on both sides of the highway. All of the tree species listed above are to be of a large maturing variety.
- (5) Any parcel within the Core Commercial (CC) Zoning District in which the building fronts (faces) directly on a public sidewalk shall not be required to conform with subsection (2) above.

(Ord. No. SC 93-91-01-14, § 302, 2-14-91; Ord. No. 93-91-01-14SC, § 302, 8-8-05; Ord. No. 07-11-05 DCS, § 302, 8-8-05)

Sec. 13-30. Parking lot landscaping.

All parking lots under the jurisdiction ordinance shall comply with the following standards:

- (1) All parking lots shall be made of a hard, paved concrete or black top surface.
- (2) Proposed trees should be planted immediately to the rear of the public right-of-way (as defined by the South Carolina Department of Transportation) in a minimum eight-foot-wide planting area using a combination of informally arranged earth berms at a maximum height of two feet planted with small evergreen shrubs spaced at three-foot of center. Evergreen or deciduous trees shall also be required to be planted adjacent to the public right-of-way. These small trees shall be located so as not to interfere with street tree planting within the public right-of-way.
- (3) Whenever the impervious (paved) cover exceeds 10,000 square feet, an area equal to ten percent of the total impervious surface must be provided for landscape purposes and tree planting. This ten percent requirement is to be in addition to any required perimeter landscaping as outlined in subsection (2) above. This interior landscaping can be accomplished by using a combination of shade trees and evergreen shrubs planted in landscaped islands within the parking lot. These islands should be a minimum of six feet wide and the length of a standard parking bay.
- (4) Where very large parking areas are required to meet zoning ordinance requirements of the town, they shall be designed as a series of smaller lots that provide space for no more than 100 vehicles each. The small parking lots shall be separated by minimum six-foot internal planting areas that feature trees planted in grass. In general, a series

of smaller lots is aesthetically and functionally preferable to one large lot. The minimum six-foot wide separation strip will be in addition to the requirement for ten percent internal parking lot landscaping.

(Ord. No. SC 93-91-01-14, § 303, 2-14-91; Ord. No. 93-91-01-14SC, § 303, 8-8-05)

#### Sec. 13-31. Screening.

Screening of outdoor trash receptacles and utility equipment shall be in compliance with the following standards:

All service areas (including dumpsters and all types of trash receptacles, utility equipment, outdoor storage, and loading areas) shall be prohibited in the front setback area of any parcel and shall be located in the rear yard area only. These uses shall also be screened as follows:

- (1) Screening of outdoor trash receptacles and loading/storage areas shall require the installation of an opaque wooden fence or masonry wall at a minimum of six feet in height. The fence or wall shall be constructed in combination with evergreen shrubs planted around the exterior rear and side foundation.
- (2) Screening of outdoor utility equipment shall require the installation of an opaque wooden fence or masonry wall that is at a minimum one foot higher than the equipment to be screened. The fence or wall shall be constructed in combination with evergreen shrubs planted around the exterior rear and side foundation.
- (3) When a building permit is requested for renovation or redevelopment of a previously developed site, and where the required eight-foot planting strip does not exist, street trees are required as outlined in section 13-29. If a railroad or a utility right-of-way separates the perimeter from a town right-of-way, the planting strip requirement and the tree planting requirements must still be met as outlined above.

(Ord. No. SC 93-91-01-14, § 304, 2-14-91; Ord. No. 93-91-01-14SC, § 304, 8-8-05)

#### Sec. 13-32. Building facade design and construction.

The front wall or facade of all buildings and structures under the jurisdiction of this article shall be designed and constructed in compliance of the standards listed below:

- (1) Any portion of the front wall or facade and side wall of any building or structure that is visible from any public road right-of-way, shall be constructed of stone, masonry units, stucco, treated wood siding, glass, or any combination of the above.
- (2) No portion of a front wall or facade and side wall visible from any public road right-of-way of any building or structure shall be constructed of corrugated metal or aluminum siding, vinyl siding, unpainted rough-sawn wood, rough-sawn shake wood shingles, or exposed untreated concrete or cinder blocks.
- (3) No neon banding shall be allowed on the exterior portion of any building or structure that is visible from any public road right-of-way.

(Ord. No. SC 93-91-01-14, § 305, 2-14-91; Ord. No. 93-91-01-14SC, § 305, 8-8-05; Ord. No. 07-11-05 DCS, § 305, 8-8-05)

## Sec. 13-33. Driveway access.

In order to establish SC Highways 93 and 18 as controlled access major thoroughfares, all driveways under the jurisdiction of this ordinance and providing ingress and/or access onto SC Highways 93 and 18 shall conform to the standards listed. below:

- (1) No more than single driveway entrances shall be permitted for any single property frontage where the property is less than 100 feet in width.
- (2) No more than two driveway entrances shall be permitted for any single property frontage where the property is greater than 100 feet in width.
- (3) At shopping center locations or other establishments where traffic volume, in relation to capacity, is high, driveways should be located as far from street intersections as practical. In all instances, driveways serving high volume generators are to be a minimum of 50 feet from the intersection of public roads.
- (4) Inter-parcel access and shared driveways are encouraged in order to limit the number of driveway curb cuts.

(Ord. No. SC 93-91-01-14, § 306, 2-14-91; Ord. No. 93-91-01-14SC, § 306, 8-8-05)

## Sec. 13-34. Signs permitted in the development corridors.

The following signs shall apply to all signs located in the development corridors, as defined in this article:

- (1) Wall signs mounted flat against or painted on the front surface of a building wall shall not exceed 15 percent of the total front surface of the building.
- (2) Wall signs mounted flat against or painted on the rear or side surface of a building shall not exceed ten percent of the total surface area of the rear or side surface of the building and shall be allowed only on those building surfaces (walls) fronting directly on a public road or a parking lot containing five or more parking stalls.
- (3) All freestanding signs shall be of either a berm or a solid base design. For a berm sign, a landscape plan for the berm area located around the sign itself shall be submitted along with the sign application. A structured base monument sign shall be constructed of brick, masonry, or similar materials that are consistent with the material(s) use in the construction of the front facade of the principal building.
- (4) No portable/trailer signs and balloon signs (this does not include A-frame signs or banners which are classified as temporary signs) are allowed.
- (5) The height of a freestanding monument sign shall be measured from the finished grade elevation at the edge of the adjacent public roadway (the edge closest to the proposed sign location).
- (6) Sign lighting shall be positioned so that no light shines on adjacent streets and roadways or properties.

- (7) No more than three colors are permitted on any one sign (not to include the color white).
- (8) If signs are to be illuminated either internally or externally, the lighting shall be limited to one color. For externally lighted signs the lighting shall originate from the ground upward to the sign face and not have any lights attached to or hanging from or on the sign,
- (9) Neon banding shall not be incorporated within or around the sign.
- (10) One freestanding monument sign is allowed for a parcel of land containing a single business or use, and this sign shall:
  - a. Be limited to one freestanding monument sign assembly consisting of one sign not to exceed 60 square feet in area. A changeable copy area or electronic message board up to 16 square feet in area (to be included in the total allowable sign area) may be incorporated into the freestanding monument sign;
  - b. Be located on the premises of the business to which it refers;
  - c. Be set back ten feet from any public road right-of-way and property line and may be located in a buffer yard;
  - d. Be no higher than ten feet above the finished grade elevation at the edge of the adjacent public roadway.
  - e. Be no more than 20 feet in width;
  - f. Not restrict visibility to vehicular or pedestrian traffic;
  - g. Be permanently mounted to the ground;
  - h. Be of a design consistent with the facade of the building to which it refers.
- (11) One freestanding monument sign is allowed for a parcel of land containing more than one business or use, and this sign shall:
  - a. Be limited to one freestanding monument sign assembly or structure;
  - b. Be located on the premises of said business or uses;
  - c. Be set back ten feet from any public right-of-way and property line and may be located within a buffer yard;
  - d. Be no higher than 15 feet above the finished grade elevation at the edge of the adjacent public roadway;
  - e. Not exceed 120 square feet in total area;
  - f. If containing one area for changeable copy or an electronic message board, this area is to be incorporated within the main sign area, and be included as part of the total allowable sign area. The area for changeable copy or electronic message board may not exceed 24 square feet;
  - g. Be permanently mounted to the ground;
  - h. Not restrict visibility to vehicular or pedestrian traffic;

i Be of a design consistent with the facade of the building to which it refers.  
(Ord. No. 93-91-01-14.SC, § 807, 8-8-05; Ord. No. 07-11-05 DCS, § 307, 8-8-05)

#### Sec. 13-35. Application.

Any parcel within the development corridors, as defined in this article, shall be brought into compliance with all rules and regulations contained within this article any time a building permit is requested or when an application for rezoning is filed.

*Exceptions.* The following activities shall be exempt from the requirements of this section:

- (1) If a building permit is sought for construction, rehabilitation, or the remodeling of a single-family home, the regulations of this article shall not apply.
- (2) If a building is in existence prior to the adoption of this article and situated less than 55 feet from the highway right-of-way, the street tree planning requirements in section 13-29 shall be waived; however, a minimum five-foot-wide grass planting strip shall be installed and maintained immediately adjacent to the highway right-of-way.
- (3) If an application for a zoning change is filed, the subject parcel shall not be required to be brought into conformance with this article until a building permit is sought, or until the parcel is used for a non-single-family residential activity.

(Ord. No. SC 93-91-01-14., § 400, 2-14-91; Ord. No. 93-91-01-14SC, § 400, 8-8-05)

#### Sec. 13-36. Authority.

This article is adopted pursuant to authority conferred by the South Carolina Code of Laws upon the Town of Central in Title VI:, Chapter 7, Article 9, of the 1976 State of South Carolina Code of Laws, 1989 Supplements.

(Ord. No. SC 93-91-01-14, § 501, 2-14-91; Ord. No. 93-91-01-14SC, § 501, 8-8-05)

#### Sec. 13-37. Validity.

Should any section or provision of this article be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of the article as a whole or any part thereof, other than the part or application so declared to be invalid or unconstitutional.

(Ord. No. SC 93-91-01-14, § 502, 2-14-91; Ord. No. 93-91-01-14SC, § 502, 8-8-05)

#### Sec. 13-38. Relationship to other laws.

Nothing contained in this article is intended to relieve compliance with any other ordinance or law adopted and in effect by the town, State of South Carolina, or the United States. Where any provision or regulation contained in this article is in conflict with any other ordinance of the town, the more strict regulation shall apply.

(Ord. No. SC 93-91-01-14, § 503, 2-14-91; Ord. No. 93-91-01-14SC, § 503, 8-8-05)

See. 13-39. Case of hardship.

If any of the provisions or regulations contained in this ordinance impose an undue hardship on any property owner, that owner has the right to seek relief through the board of adjustments of the town. Variance procedures and criteria for determination of hardship shall be as specified in the official zoning ordinance of the town.

(Ord. No. SC 93-91-01-14, § 504, 2-14-91; Ord. No. 7-2-00AZ, 7-10-00; Ord. No 93-91-01-14SC, § 504., 8-8-05)