

**CHAPIN UNIFIED ZONING & DEVELOPMENT ORDINANCE
STEERING COMMITTEE MEETING**

Town Hall

May 18, 2023

2:00 P.M.

AGENDA

Call to order

Freedom of Information Act Compliance

Approval of Minutes

1. April 20, 2023 Meeting Minutes

New Business

2. Draft Reviews
 - a. Article 7: Landscaping, Buffers, & Tree Preservation
 - b. Article 8: Parking & Loading
 - c. Article 9: Signs

Adjourn

**TOWN OF CHAPIN
UNIFIED DEVELOPMENT ORDINANCE COMMITTEE
MEETING MINUTES**

**Thursday April 20, 2023
2:00 P.M.**

Town Hall

Members Present: Planning Commission Members Rae Davis, Caleb Pozsik (arrived at 2:16 p.m.), Clay Cannon, Yvonne Hudson

Members Absent: Laura Cannon

Staff Present: Planning and Zoning Manager Kevin Singletary, Town Administrator Nicholle Burroughs, Mayor Al Koon

Staff Absent: Town Clerk Shannon Bowers

Guests: Riccardo Giani - MRB Group (via Zoom)

Call to Order: Chair Davis called the meeting to order at 2:11 p.m. and acknowledged the appropriate notifications in compliance with the SC Freedom of Information Act had been met.

Approval of Minutes

Member Hudson moved to accept the March 16, 2023 meeting minutes as presented. Member C. Cannon seconded the motion. No further discussion was held, motion to approve passed unanimously.

Chair Rae Davis: Yes
Member Clay Cannon: Yes
Member Yvonne Hudson: Yes

Member Hudson moved to accept the March 29, 2023 meeting minutes as presented. Member C. Cannon seconded the motion. No further discussion was held, motion to approve passed unanimously.

Chair Rae Davis: Yes
Member Clay Cannon: Yes
Member Yvonne Hudson: Yes

Member C. Cannon moved to accept the April 4, 2023 meeting minutes as presented. Member Hudson seconded the motion. Minor change to update the time the meeting began from 3:5 to 3:50 p.m. No further discussion was held, motion to approve passed unanimously.

Chair Rae Davis: Yes
Member Clay Cannon: Yes
Member Yvonne Hudson: Yes

New Business

Draft Review – Article10: Development Review Procedures: The Unified Zoning and Development Ordinance (UDO) Committee reviewed the article. Members submitted any changes/comments to Mr. Singletary to include in the discussions. They briefly reviewed each section in Article 10 and discussed

potential changes to each section. Most changes to this article were grammatical in nature or format related, mostly pertaining to making sure that all “city” references are changed to “town” and the first instance in the article referencing the Board of Zoning Appeals is stated in full, and subsequent references to be listed as “BZA,” including “the authority having jurisdiction” where appropriate, and the formatting of the numbering in the article. The committee discussed Member Pozsik’s edits to section 10.2 and 10.3 and agreed on the formatting changes discussed, to include requirements for pre-application meetings with the Zoning Administrator, application standards and requirements, and elements required for a site analysis. The UDO Committee also discussed items to remove from this article as they were more appropriate in the zoning regulations article.

Member Hudson moved to recess. Member C. Cannon seconded. The UDO committee recessed at 4:02 p.m.

Vice Chair Pozsik resumed the meeting at 4:10 p.m. Chair Davis returned at 4:27 p.m. Mayor Koon returned at 4:28 p.m. Member Hudson stepped out at 4:29 p.m. and returned at 4:39 p.m.

The UDO Committee continued to discuss the procedures for plat/plan reviews. They discussed section 10.8, which set the administrative adjustments for reviews, and included the language “on matters on which the administrator has the authority to approve.”

Draft Review: Article 11: Nonconformities: The UDO Committee reviewed the draft of Article 11. Most changes were grammatical in nature or format related. Mr. Singletary suggested adding a list of non-conforming entities in the appendices for notification use when the UDO is adopted.

Draft Review: Article 12: Violations and Enforcement: The UDO Committee reviewed the draft of Article 12. Most changes were grammatical in nature or format related.

Mr. Singletary noted that UDO Committee will be reviewing articles 7, 8, and 9 at the next committee meeting. All members are encouraged to review all articles, with Member Hudson covering article 7, Member C. Cannon covering article 8, and Vice Chair Pozsik covering article 9. The next UDO committee meeting is scheduled for May 2, 2023 at 3:00 p.m. in place of the regular Planning Commission meeting.

Adjournment: Member C. Cannon moved to adjourn the meeting. Vice Chair Pozsik seconded the motion. Meeting was adjourned at 5:03 p.m.

UDO COMMITTEE APPROVED (Date): _____

Rae Davis, PC Chair

ATTEST: _____

Shannon Bowers, Town Clerk

Article 7 – Landscaping, Buffers, and Tree Preservation

7.1. Purpose and Intent

The Town of Chapin recognizes that vegetation provides important benefits that generally promote public health, safety, order, appearance, prosperity, and general welfare. In furtherance of these ends, this ordinance intends to regulate and promote vegetative plantings which have been shown to:

- Improve air quality
- Provide open space
- Create an attractive community
- Increase general property values
- Protect scenic and ecologically sensitive resources
- Reduce stormwater volume and pollutants
- Benefit the public health and enjoyment of residents
- Eliminate heat islands
- Shelter and feed birds and other wildlife
- Reduce conflict between different uses and intensity of uses

7.2. Administration

7.2.1. Applicability

Except as contained herein, the regulations within this article shall apply to the following:

1. All new development (affecting an entire block face or developments on 4 or more contiguous lots)
2. Development requiring a Certificate of Appropriateness or Major Subdivision following the date of enactment.
3. Regulations pertaining to tree removal shall apply to all properties within the Town.
4. Existing development that is expanded by 20% of the gross floor area or that is subject to the standards of Article 5 Land Development and Article X, Section X.X.X Nonconformities, etc shall adhere to the requirements of this section.
5. New parking areas or existing parking areas expanded by more than 50% or by 12 spaces or more.
6. Other areas within this article that specifically call out applicability of that section.

7.2.2. Timing

Review for compliance with the standards in this Section shall occur during review of a development application for a planned development, certificate of appropriateness, subdivision, site plan or zoning permit, as appropriate.

7.2.3. Landscape Plan Required

1. A landscaping plan shall be submitted with an application for development subject to the requirements of this Section. The landscaping plan shall depict the following:
 1. North Arrow and Scale
 2. Topographic information and final grading adequate to identify and properly specify planting for areas needing slope protection.
 3. The location and contours, at one (1) foot intervals, of all proposed berms

4. The location and dimensions of all existing (to remain) and proposed structures, setback line and required buffer yards, parking lots, driveways, landscaped islands and strips, sidewalks, service areas, screening, fences, walls, berms, above or underground utilities and storm drainage systems, freestanding electrical equipment, recreational facilities, and other freestanding structural features as determined necessary by the Town.
5. Location of plant material, including name of plants (botanical and common), installation size, spread at time of planting and at maturity, quantities of plants, and other remarks as appropriate to describe plant selection (lawns and beds of annual or perennial plants may be designated by common names only)
6. Onsite and abutting land use features [within 50 feet], and use(s) of adjacent parcel(s)
7. Protection plan for existing trees that are to be saved
8. Location of irrigation systems
2. All landscaping plans for sites having an area greater than one acre shall be prepared by a registered landscape architect.
3. Landscaping plans for sites having an area of one acre or less may be prepared by other design professionals with competency in landscape design when the design is incidental to their work
4. The Administrator may approve revisions to landscaping in an approved site plan in order to accommodate seasonal planting problems or a lack of plant availability as long as:
 1. There is no significant reduction in the quantity of plant material.
 2. There is no significant change in the size or location of plant materials.
 3. The plant substitutions are of the same general category and have the same general design characteristics as the materials being replaced.

7.3. Landscaping

7.3.1. General Landscaping Standards

1. Undeveloped Commercial Parcels
 1. Undeveloped Commercial Parcels shall be vegetated and maintained by the property owner while vacant to maintain an attractive appearance. Vegetation shall consist of turf grass, shrubs, trees, live ground cover, annuals, perennials, ornamental grasses or other vegetative cover that will secure the soil and create an attractive appearance.
2. Clearing of Land without zoning permit
 1. It shall be unlawful for any property located within the Town limits to clear land of trees, shrubs, and natural feature without receiving approval from the Administrator. Violations to this requirement shall follow the procedures in Article Enforcement/Penalties
3. Installation of Required Landscaping
 1. Unless a bond is provided in accordance with Section 7.3.1.B.2 below, all landscaping required by this Section shall be installed prior to the issuance of a **Certificate of Zoning Compliance**.

2. If the season or weather conditions prohibit planting of trees or shrubs, the developer may provide a bond, an irrevocable letter of credit, or other financial surety in an amount equal to 125 percent of the cost of installing the required landscaping to guarantee the completion of the required planting. A **Certificate of Zoning Compliance** for the development shall be issued only on approval of the financial surety. All required improvements must be completed within the time period established in the development approval, or within 18 months of the date the developer provides financial surety, whichever period is shorter. The developer may request and the Administrator may grant, for good cause shown, one extension, not to exceed one year, of the period for completion. The financial surety shall be canceled and/or returned upon completion of the required landscaping. If the developer fails to complete all required improvements within the period for completion, as may be extended, the Administrator shall send written notice to the developer identifying the failure(s) and providing the developer a period of 30 days to complete the required improvements. If the required improvements are not completed within the 30-day period, the Town may draw on the financial surety to complete the required improvements.
3. Clustering and/or random spacing of plants and trees is encouraged to produce a natural appearance in the landscape, except where uniformity is required for opaque screening.
4. Landscaping, including berms, shall be installed and maintained so as not to interfere with the sight distance requirements of this ordinance or the sight distance needs of vehicular traffic in parking areas and at entrance and exit locations.
5. Monocultures shall be avoided in formally designed parks, buffers, and screens.
6. When there is a conflict with the quality, planting requirements, trimming, or removal of vegetation, the applicable ANSI Standards shall apply.
 - a. ANSI Z60.1 American National Standard for Nursery Stock
 - b. ANSI Z133.1 American National Standard for Arboricultural Operations
 - c. ANSI A300 American National Standard for Tree Care Operations
4. Credit for Existing Vegetation

Existing vegetation in good health that meets all applicable standards in this Section may be used to satisfy any planting requirements, provided the vegetation visually enhances the aesthetic of the property and protected before and during development.
5. Species of Vegetation

Vegetative material shall be adapted to the site conditions where it will be planted. The selection of trees, shrubs, and other vegetative material from the list of suggested species maintained by the South Carolina Forestry Commission is encouraged. The use of species identified as invasive plant pest species by the South Carolina Exotic Pest Plant Council is prohibited.
6. Irrigation

Except for individual single-family lots, all newly-planted and relocated plant material shall be watered by permanent irrigation systems. Trees shall be watered at a rate of five gallons per inch of caliper at least one time per week or as needed based on soil and weather conditions. All other vegetation shall be watered sufficiently to ensure healthy growth and longevity in the landscape.

7. Tree and Shrub Types

The following Tree and Shrub types referenced in this article are defined as follows:

1. Understory Tree: Less than 25 feet in height at maturity.
 - a. Minimum Caliper at planting shall be 2.5" or greater.
2. Canopy Tree: At least 25 feet in height or more at maturity.
 - a. Minimum Caliper at planting shall be 2.5" or greater
3. Shrub: Less than 10' in height at maturity
 - a. Minimum Height at planting shall be 2'

8. Tree and Shrub Planting and Proximity to Structures and Paving

The intent of this section is to install vegetation appropriately depending on their size or characteristics, while not harming or potentially harming other plants, proposed buildings, vehicles, or pedestrians.

1. Shrubs and trees shall be installed no closer than two feet to a curb, gutter, sidewalk or building.
2. Understory trees shall be planted no closer than 10 feet to a building, medium maturing trees no closer than 20 feet to a building, and Canopy trees no closer than 25 feet to a building, unless otherwise required.
3. Shrubs shall not be planted within six feet of tree trunks.

9. Screening Unsightly Elements

1. Utilities: Mechanical equipment such as ventilation systems, commercial exhaust fans, rooftop terminations, commercial cooling equipment, heating and air conditioning units, TV antennas, and satellite dishes, shall be completely screened from view at time of planting or installation by lattice, fence, brick enclosures, vegetation, or combination thereof.
2. Waste Receptacles: Screening of waste receptacles, compactors, and dumpsters shall be accomplished with an opaque wall of masonry, rot-resistant wood, or composite material. The materials of the screen shall be complementary to the materials found on the primary building.
3. Delivery and Loading Areas: Delivery and loading areas shall be completely screened from the public right-of-way and any adjacent residential use.

10. Palm and Palmetto Trees

The following requirements are specific to palm trees or palmetto plants.

1. The palm or palmetto tree(s) shall be of the following species:

Common Name	Botanical Name
Needle palm	Rhapidophyllum hystrix

Dwarf or Bush Palmetto	Sabal minor
Cabbage Palm or Palmetto	Sabal palmetto
Saw Palmetto or Scrub Palm	Serenoa repens

2. Palmetto Trees or Palms are subject to the following conditions:
 - a. Palm or palmetto trees are only permitted at the entrance of a principal building, adjacent to a landscaped property entrance or sign, or part of a landscaped area featuring a flagpole(s).
 - b. Only one palm or palmetto tree may be located at an entrance of the principal building, adjacent to a landscaped property entrance or sign, or part of a landscaped area featuring a flagpole(s), unless otherwise permitted by the Architectural Review Board for the purposes of; balance or consistency with existing vegetation.
 - c. Any palm or palmetto tree shall be planted at the surface and properly supported per ANSI300 standards.
 - d. No palm or palmetto tree may be used as a shade tree, street tree, or as part of a buffer or landscaping requirements.

7.3.2. Perimeter Buffering

Perimeter buffers are intended to provide spatial separation between uses of differing intensities. Where the buffer requirements herein are in conflict, the greater buffer width and/or plantings shall apply.

1. Purpose of Buffer Requirements

1. To minimize the potential negative impact between adjacent land uses and streets, and to promote land use compatibility.
2. To preserve and retain existing vegetation within required buffers to preserve natural landscapes and native plant species.

2. Applicability

1. Where a new use or development is established, or expanded by more than 20 percent, and a buffer is required per Table 7.3.2.E.

3. General Standards

1. The use of evergreen trees and plants are strongly encouraged within required buffer areas.
 - a. Exception: Canopy trees shall be planted unless factors such as overhead utility lines or buffer size require the planting of smaller trees. Such substitutions must be approved by the Administrator.
2. In addition to the tree planting requirements, a minimum of 40 percent of the buffer area shall be planted in a combination of approved shrubs, annuals, perennials, live ground cover, ornamental grasses, or turfgrass
3. All areas shall be maintained in a minimum of three inches of mulch. Plant materials shall be designed and installed in a manner that provides variability of height at maturity
4. Spacing and arrangement of plant material must be primarily based on the mature dimensions of the plants.

5. The buffer yard should not result in using more than 35% of the available lot and may be reduced accordingly by the Administrator.
 6. Fences, walls, and berms, and parking area surfaces & driveways shall be maintained in good condition and appearance at all times by the owner.
4. Property Buffer Types
- The property buffer widths shall be established for new development based upon the following buffer types (Table 7.3.2.D):
1. Type A: Shall apply when any use is similar to an adjacent use or has only a slight impact on the adjacent use.
 2. Type B: Shall apply when any use is somewhat different from an adjacent use or has a moderate impact on adjacent uses.
 3. Type C: Shall apply when any use is clearly different from an adjacent use or has a definite impact on adjacent uses
 4. Type D: Shall apply when any use is incompatible with an adjacent use or has a large impact on adjacent uses.
 5. Type E: Shall apply when any use is incompatible with or has a severe impact on adjacent uses.

	Low Impact	Medium Impact		High Impact	
	Type A	Type B	Type C	Type D	Type E
Minimum Width	5 ft	10 ft	20 ft	50 ft	100 ft
Trees per 100 linear ft.	4	6	8	10	12
Shrubs per 100 linear ft.	12	18	30	40	50

5. Required Buffer Yard Types
- Using the types of buffers defined in Table 7.3.2.D, property buffers shall be required when the following zoning districts are directly adjacent to each other:

Proposed Use	Existing Adjacent Use									
	Vacant Land	RR or RA	Suburban Residential	TR1 or TR2	TR3	Manufactured Homes or Parks	Religious, Educational, Recreation, Institutional	Office Commercial	CC or IC	Light Industrial
Suburban Residential	A	A	N/A	N/A	A	A	C	C	E	E

TR1 or TR2	A	A	N/A	N/A	A	A	B	B	E	E
TR3	A	A	C	B	N/A	A	N/A	B	E	E
Mobile Homes or Parks	A	A	B	B	B	N/A	C	C	E	E
Religious, Educational, Recreational, Institutional	A	A	C	B	A	A	N/A	B	D	D
Office Commercial	A	A	C	B	A	A	B	N/A	D	D
CC or IC	C	D	E	E	E	D	D	D	N/A	C
Light Industrial	D	E	E	E	E	E	E	E	C	N/A

6. Reduction in Buffer Width

The required width of a transitional buffer yard may be reduced in accordance with this subsection, provided, only one width reduction is allowed along any length of a transitional buffer yard.

1. Fence or Masonry Wall Included

The width of a transitional buffer yard may be reduced by the amount shown in Table 7.3.2.D, if a fence or wall compose that is complimentary to the building in design and materials complies with the following:

- a. The minimum width may be reduced by 25% if a solid wall or fence, at least six feet in height, is constructed. The fence shall be supplemented with shrubs and Understory trees.
- b. A 50% width reduction may be granted with the installation of a solid brick wall, masonry wall faced with brick or stucco, or a berm with a minimum height of six (6) feet.

2. Conflicts with Existing Features

Where there are conflicts with overhead utilities, easements, topographic features, or other limitation determined by the administrator, one Canopy tree may be replaced by two medium maturing trees.

7. Permitted Improvements within Perimeter Buffers

Perimeter buffers shall contain only vegetation. The following exceptions may be allowed provided the requirements in Section 7.3.2.E are met.

- 1. Pedestrian Coverings: If awnings, colonnades, arcades, or galleries are incorporated into the building design, landscaping may be reduced or eliminated.
- 2. Vehicular Access Driveways: These may encroach into buffers only if the driveway is placed approximately perpendicular to the buffer, or if the driveway is shared by adjoining parcels.

3. Sidewalks, Bicycle Paths and Bicycle Parking: These may encroach, provided that they shall not count toward meeting the required landscaped area. Encouraged to be placed on the interior of buffers, as to not directly abut roadways.
 4. Stormwater Management: Stormwater and drainage facilities that permit vegetation may encroach into the buffers if the planting requirements are fulfilled.
 5. Signage, lighting fixtures, and street furniture
 6. Walls, fences, open-air structures, and sculpture
 7. Utility and services lines
8. Street Buffers
1. Applicability: Street buffers along the public right-of-way shall be required for the following projects:
 - a. New or redevelopment nonresidential or multi-family of sites requiring a certificate of appropriateness or major subdivision approval.
 - b. Residential developments requiring major subdivision approval.
 - c. Expansion of an existing nonresidential or multi-family dwelling building by more than 20 percent.
 - d. New construction or expansion of a building by more than 20 percent within the LI, Light Industrial zoning district.
 - e. Exceptions: Street buffers shall not be required in the Town Center or Village Commercial zoning district. Development of residential dwellings on individual lots, or developments that are defined as minor subdivisions. In certain cases where walkability is encouraged, or visibility is appropriate the Planning Commission may waive street buffer requirements.
 2. Location: All required street buffers shall be no less than six feet in width at any point and average eight feet in width, as measured perpendicularly to the street, along the entire length of the property.
 3. Tree Planting Requirements: Canopy trees shall be planted unless overhead utility lines or other factors require the use of medium or Understory trees, as approved by the Administrator. Fractions generated by applying the minimum number of plants to the actual linear footage of the buffer shall be rounded up to the nearest whole number. (For example, 125 feet of buffer length would be required to have two large trees or three medium trees or four small trees.) The planting schedule for street buffers shall be as follows:
 - a. Canopy Trees: 1 per .015 linear foot of frontage
 - b. Medium Maturing Trees: 1 per .040 linear foot of frontage
 - c. Understory Trees: 1 per .060 linear foot of frontage'
 4. Other Planting Requirements: a minimum of 30 percent of the buffer area shall be planted in a combination of approved shrubs, perennials, ornamental grasses, live ground cover, or turfgrass, except that additional plantings may not be required in significant natural forested areas maintained within the street buffer if so approved by the Administrator. All other areas, including bare ground under trees, shall be covered in a minimum of three inches of mulch.

Spacing and arrangement of plant material must be primarily based on the mature dimensions of the plants.

5. Berms: Berms shall be allowed to augment required street buffer plantings as long as a minimum of 50 percent of all required trees and plantings shall be planted along the street front portion of the berm.

9. Waivers

Where an existing easement, legal restraint, or obstruction makes complying with these regulations infeasible, the Administrator is empowered to waive these requirements. The applicant shall demonstrate compliance to the extent practicable and mitigate the lack of screening.

7.3.3. Berms

- A. Applicability: Where due to topographical constraints or opportunities berms are a feasible option, the applicant may propose to use berms in coordination with other requirements of this ordinance. If included in the landscape design, berms shall:
 1. Not be used for the display of vehicles, merchandise, or storage of any kind
 2. Have a minimum height of eighteen inches, a minimum crown width of two feet, and a side slope with a width to height ratio of no greater than three to one (3:1). No berm shall exceed four feet in height once the soil settles.
 3. Be designed and constructed with an undulating appearance which mimics, as much as is practicable, a natural topographical feature of the site.
 4. Be substantially planted and covered with live vegetation. No berm shall consist entirely of turf grass, ground cover, mulch or similar material.
 5. Be fully installed, planted, stabilized and maintained prior to certification of zoning compliance.
 6. Be designed to prevent standing water or to impede the flow of stormwater from adjacent properties.
- B. Berm Soil: The following shall apply to the soil to be using as a planting berm:
 1. The soil shall be imported topsoil or manufactured topsoil from off-site sources.
 2. The soil should be obtained from naturally well-drained sites where topsoil occurs at least four inches deep, but shall not be obtained from agricultural land, bogs or marshes.
 3. Berm soil shall be free of stones of one inch or larger in any dimension; roots, plants, sod, clods, clay lumps, or pockets of coarse sand; contaminants such as chemicals, construction materials and building debris, fuels, and other extraneous materials harmful to plant growth; and obnoxious weeds and invasive plants, including but not limited to quack grass, Johnson grass, poison ivy, nutsedge, nimblewill, Canada thistle, bindweed, bentgrass, wild garlic, ground ivy, perennial sorrel, and bromegrass.
 4. The soil shall not be infested with nematodes, grubs, other pests, pest eggs, or other undesirable organisms and disease-causing plant pathogens.
 5. Soil for berms shall be friable and with sufficient structure to give good tilth and aeration. Soil shall be within a pH range of 6.2 to 6.8.

7.3.4. Environmentally Sensitive Features

1. Lots that are adjacent to or contain one or more protected waterbodies shall incorporate a 50 ft. wide natural buffer along the entire length of the waterbody and shall be calculated from the boundary of the waterbody.
2. Waterbodies include lakes, natural ponds, rivers, streams, and wetlands.
3. Within this buffer, there shall be no structures, land disturbance, or vegetation removal.
4. Exceptions
Vegetation removal is allowed for the following reasons:
 1. Removing dead or dying trees
 2. Removing invasive species
 3. Providing an access corridor no wider than 10 ft.
 4. Forestry Activity

7.4. Tree Protection and Preservation

7.4.1. Purpose and Intent

The purpose of this section is to retain and protect significant trees and existing natural vegetation. Additionally, when development projects need to remove existing trees and vegetation, this section lays out ways to mitigate removed trees so that the aesthetic look of the Town may be preserved within the context of natural elements.

7.4.2. Applicability

1. The standards in this section apply to all applications for development that involve the removal, retention, protection, and replacement of trees.
2. All other projects as defined by Section 7.2.1.

7.4.3. Protected Trees

1. **Town of Chapin Tree List:** The Town of Chapin recognizes certain trees, because of their species and size, are an asset to both the Town and individual property owners and are hereby designated as “understory” and “canopy” trees. Such trees shall be defined as those trees which are listed in Town of Chapin’s Tree List. This list shall be used to identify protected trees and as a guide for replanting of trees when applicable.
2. **Historic and Significant Trees:** In addition to the approved tree species list (7.4.3.1) certain historic trees are trees that have a circumference of 75 inches or a diameter at breast height (DBH) at or greater than 24” shall not be removed, unless arborist report and findings from report meet the criteria for tree removal in Section 7.4.4.2. Trees that are removed may be subject to mitigation, replacement, or tree coverage requirements.

7.4.4. Tree Coverage Requirements

1. **Applicability:** In addition to the standards laid out within this Article, land or property shall maintain a minimum baseline canopy coverage area based on the zoning district and lot size. This canopy can be comprised of existing trees, new trees, or a combination of both, and shall be per the table below:

ZONING DISTRICT	Minimum Number of Trees Required
	1 Overstory Tree Required
Agricultural (RR and RA)	N/A

Suburban (SR1, SR2, and SR3)	Per 4,000 sq. ft. of lot size
Town (TR1, TR2, and TR3)	Per 6,000 sq. ft. of lot size
Town Center	N/A
Village Commercial	N/A
Commercial (CC, IC, and OC)	Per 6,000 sq. ft. of lot size
Institutional (PI)	Per 4,000 sq. ft. of lot size
Light Industrial	N/A

7.4.5. Unlawful to Remove, Cut, or Damage Protected Trees

1. Unless authorized by the terms of this section or approved by the Administrator during site plan review, no person shall cut down, remove, irreparably or irreversibly damage or destroy any tree with a diameter at breast height (DBH) greater than 8".
2. Forestry Activity Exempt
 1. Pursuant to the provisions of the South Carolina Forestry Management Act Section 48-23-205, forestry activities are permitted on all forestland parcels that is:
 - a. Taxed on the basis of its present value as forestland under S.C. Code of Laws Section 12-43-220(d); or
 - b. Managed in accordance with a forest management plan; or
 - c. Certified under the Sustainable Forestry Initiative, the Forest Stewardship Council, the American Forest Foundations Tree Farm System, or any other nationally recognized forest certification system; or
 - d. Subject to a legally binding conservation easement under which the owner limits the right to develop or subdivide the land; or
 - e. Managed and harvested in accordance with the best management practices established by the State Forestry Commission pursuant to S.C. Code of Laws Section 48-36-30.
 2. Time Restrictions.
 In the event that the Administrator determines that any Forestry Activity on Forestland, that is otherwise permitted pursuant to subsection 7.4.5.2. above, has resulted in a change in the land from Forestland to non-forest or nonagricultural use, the Administrator may deny a grading permit, building permit or land development permit for a period of either:
 - a. One year after the completion of a timber harvest if the activity results in the removal of all or substantially all of the trees from the parcel.
 - b. Five years after the completion of a timber harvest if the harvest results in the removal of all or substantially all of the trees from the parcel and the harvest was a willful violation of Town regulations.

7.4.6 Tree Removal Permit

1. Permit Required

A Zoning Permit shall be required for the removal of any understory or canopy tree exceeding 8" DBH (Diameter at Breast Height).

2. Acceptable Reasons for Tree Removal

1. Removal historic or significant trees, as described in Section 7.4.3.2, shall be only be permitted when the applicant submits an arborist report detailing the following findings:
 - a. The tree is dead.
 - b. The tree is affected by a pest or disease problem will result in rapidly declining tree health and a hazardous condition.
 - c. The tree is in irreversible decline due to mechanical damage, poor maintenance or environmental stresses or a combination thereof and its condition cannot be improved with standard maintenance techniques.
 - d. The tree has an uncorrectable structural defect that results in an increased risk of whole or partial tree failure.
 - e. The tree is reducing existing or proposed site visibility of traffic signs/signals, intersections or other situations, which may endanger life or property and the correction of the problem, will result in crown reduction encompassing more than 50 percent of the normal canopy.
 - f. The tree is in an existing or proposed restricted growth space resulting in conflict with the surrounding hardscape or infrastructure and the conflict cannot be resolved.
 - g. The tree is in conflict with overhead utility lines and proper pruning cannot adequately reduce the conflict without severely disfiguring the tree or will result in crown reduction encompassing more than 50 percent of the normal crown.
 - h. The tree is in conflict with proposed site reconfiguration/improvements or above/below ground utility upgrades and the conflict cannot be resolved or the correction of the problem will result in severe disfigurement of the tree or severe root damage which compromises structural stability or will result in crown reduction encompassing more than 50 percent of the normal crown.
2. When all other trees are removed (trees on the Town of Chapin's Tree List with a DBH between 8"-23") the administrator will only approve the tree removal permit if one of the following factors is determined:
 - a. Health: Whether or not the tree is in good health.
 - b. Access: Whether or not the tree is a hazard to pedestrian, bicycle, or vehicular traffic.
 - c. Structural Interference: Whether or not the tree presents a hazard to buildings, structures, or utility lines.
 - d. Safety: Whether the tree poses an immediate threat to health and safety of people or adjacent structures.
 - e. Development: Whether or not the tree constrains reasonable development of the specific site, considering lot size, applicable

setbacks, context, building type and use, stormwater requirements and other relevant site development considerations.

3. Tree Mitigation

1. **Applicability:** Mitigation and replacement for trees is not required for properties zoned RR, RA, SR1, SR2, SR3, TR1, TR2, and LI, unless the project falls under the “applicability” standards in Section 7.2.1. All properties shall be subject to the Tree Coverage Requirements in Section 7.4.4.1.
2. **Required Submittal:** A tree removal and replacement plan, including the location, genus and size (DBH) of the tree to be removed; and the species and proposed locations and caliper at the time of planting of replacement trees, must be approved by the Administrator prior to site plan approval.
3. **Installation of Replacement or Mitigated Trees:** All trees removed in conjunction with approved tree removal permit shall be replaced within 90 days after removal. Exceptions to this timeline may be approved by the Administrator after determining that construction activities or weather conditions warrant an extension. All trees shall appropriately planted at the specified caliper (Section 7.3.1.7) and spaced appropriately from buildings, paved areas, and other vegetation.
4. **Credits Toward Mitigation:** Trees with a DBH over 8” that are preserved on the property and that are found on the Town of Chapin Tree List, shall count towards mitigation. The type, size, and species of trees to be saved shall be included on the site plan.
5. **Mitigation Schedule:** Replacement trees of the same or similar species as the tree to be removed shall be planted as required in the tree replacement schedule in the table below. If tree replacement on the property is not possible because unique site conditions, safety concerns, and/or limitations of reasonable use of the property, the applicant may pay a fee to the Town of Chapin Tree Fund in lieu of replacing trees per the schedule below:

Tree Type	Replacement: % of caliper inches	Mitigation: Cost/Caliper Inch
Historic Tree	50%	\$100/inch
Canopy Tree	33%	\$50/inch
Understory Tree	25%	\$10/inch
EXAMPLES:	APPROVED REPLACEMENT	APPROVED MITIGATION
	Historic Tree: A 24-inch Live Oak tree is approved to be removed. The applicant may choose to plant back (4) 3-inch Live Oaks (12”) to equal 50% of the tree to be removed	Historic Tree: A 24-inch Live Oak tree is approved to be removed. The applicant must pay \$2,400 for the removal of the tree (24” x \$100 = \$2,400)

	<p>Canopy Tree: A 12-inch Live Oak tree is approved to be removed. The applicant may choose to plant back (1) 4-inch live oak to equal 33% of the tree to be removed.</p>	<p>Canopy Tree: A 12-inch tree is approved to be removed. The applicant must pay \$600 for the removal of the tree (12" x \$50 = \$600)</p>
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6. Violations: Any tree removed without a permit shall be required to pay double the mitigation costs found in the above table.

4. Exemptions

No permit is required for the following actions:

1. Removal of Hazardous Trees: In the event that a tree poses an imminent threat to public safety or property, such as a result of a catastrophic event, the Administrator may waive the requirements of this section. Written and photographic documentation must later be submitted to the Administrator, describing the threat which initiated the removal. The Administrator may require replacement of any trees which are removed where it is determined that the threat resulted from negligence.
2. Forestry Activities: Subject to the South Carolina Forestry Management Act Section 48-23-205, forestry activities on all forestland parcels shall be exempt from Tree Removal Permitting.
3. No Mitigation Required: Mitigation is not required for laurel oaks, sweet gum, pecan trees, or pine trees not on the Town of Chapin’s Tree List.

7.4.3 Tree Root Protection (TPZ) Zone

Before and during any land disturbance, construction or development, the following measures shall be utilized to protect canopy and understory trees, including tree crowns and roots, designated for retention per the site plan as approved by the Administrator. The location of the TPZ fencing and method of construction shall be noted on the site plan.

1. Prior to clearing/grading/land disturbance, construction, and/or development of a property, the owner shall install all tree and root protection necessary to protect identified canopy and understory trees from damage.
2. All canopy and understory trees shall be protected with a sturdy and visible fence before any land disturbance begins. At a minimum, such Tree Protection Zone (TPZ) shall be established and be equal to a one-foot radius on the ground for every inch of Diameter at Breast Height (DBH) or the extent of the drip line of each canopy and understory tree to be protected, whichever is greater.
3. Tree protection fencing shall be installed and remain in place and in good condition until all clearing/grading/land disturbance, development and construction activities are completed.

4. The TPZ fencing shall be constructed from any material visible and substantial enough to prohibit and keep out vehicles, people, and all other activities associated with the clearing/grading/land disturbance, development and construction process, as approved by the Administrator. Examples include wood posts and rails, chain link fencing, wire fencing and posts, and other substantial materials. Tree protection fencing shall be a minimum of four feet high.
5. All Tree Protection Zones shall be designated as such with signs posted visibly on all sides of the fenced protection area, with lettering and colors that provide maximum readability in terms of distance and contrast.
6. No soil disturbance or compaction, stock piling of soil or other construction, paving or landscaping materials, vehicular traffic, or storage of heavy equipment is allowed in the tree protection zones of trees to be retained.
7. In situations where strict adherence to the provision of tree protection zones is not possible due to factors including, but not limited to, site conditions, overlapping tree protection zones, or grade changes, the Administrator may, through field determination and consultation, allow modifications to the required tree protection zone based on accepted best practices and procedures.

Article 8 – Off-Street Parking Standards

8.1 Purpose

Parking lots and similar facilities are necessary elements in the urban environment. However, the provision of parking facilities must be regulated to avoid negative impacts such as increased stormwater volumes, heat islands, reduced traffic efficiency, interruption of a vibrant streetscape and other recognized externalities of parking lots.

The purpose of this section is to ensure the adequate provision of parking in Chapin without degrading the built or natural environment, and to provide clear regulations regarding the location, sizing, and screening of off-street parking facilities. It is intended that these standards will ensure the development of parking in a manner consistent with the desired character and development patterns of the community.

8.2 Applicability

8.2.1 New Development

All new development shall provide off-street parking and loading areas in accordance with the standards of this Section

8.2.2. Existing Development

1. Change in Use

Additional off-street parking or loading facilities is not required where a buildings' use changes between conforming uses or **where non-conforming uses are converted to conforming uses.**

2. Building Expansion

If an existing structure is expanded or enlarged in terms of the number of dwelling units, more than 20% of its floor area, or any other criteria relevant to applying these standards, any additional off-street parking and loading spaces that may be required shall be provided in accordance with the requirements of this Section as applied only to the expanded or enlarged part of the structure.

3. Historic Buildings

Renovations to or expansions under 25% of the number of dwelling units, floor area, or any other criteria relevant to applying these standards to a **designated building on the National Register, by the State SCDAH or NPS, shall** not require additional off-street parking or loading facilities.

8.2.3 Timing of Review

Review for compliance with the standards of this Article shall occur during review of a development application for a planned development, site plan, subdivision, or zoning permit, as appropriate.

8.2.4 Parking Plan Required

All development applications subject to review for compliance with the standards of this Article which proposes more than twenty (20) off-street parking spaces shall include a parking plan which shall accurately convey compliance with this section.

8.3 General Standards

8.3.1 Use of Parking

Off-street parking areas required by this Section shall be used solely for the parking of licensed motorized vehicles in operating condition. Required parking spaces shall not be used for the sale, lease, storage, dismantling, or service of any vehicles, boats, motor homes, campers, mobile homes, building materials, equipment, or supplies except for farmer's markets and food trucks on a temporary basis.

8.3.2 Identified as to Purpose

Off-street parking areas shall include painted lines, wheel stops, or other methods of identifying individual parking spaces and distinguishing such spaces or berths from an aisle.

8.3.3 Surfacing

1. Except as provided for in [Subsection 8.3.1.3.2](#) and [8.3.1.3.3](#) below, all off-street parking areas shall be surfaced with asphalt, concrete, brick, stone, pavers, or an equivalent hard, dustless, and bonded surface material. Use of surfacing that includes recycled materials (e.g., glass, rubber, used asphalt, brick, block, and concrete) is encouraged. These surfaces shall be maintained in a smooth, well-graded, clean, orderly, and dust-free condition.
2. The use of pervious or semi-pervious parking lot surfacing materials— including, but not limited to—pervious asphalt and concrete, open joint pavers, and reinforced grass/gravel/shell grids may be approved for off- street parking and loading areas, provided such surfacing is subject to an on- going maintenance program (e.g., sweeping, annual vacuuming).
3. Off-street parking spaces and driveways for single-family detached, two- family, and townhouse dwellings may, in-lieu of surfacing in accordance with [Subsection 8.3.1.3.1](#) and [8.3.1.3.2](#), utilize pervious material such as crushed stone or gravel.

8.3.4 Maneuvering

Off-street parking areas shall be arranged so no parking or maneuvering incidental to parking shall occur on a public street or sidewalk.

8.3.5 Parking in Front of a Residential Structure

Except within a driveway surfaced as provided in Subsection 8.3.1.3, the parking of any vehicle is prohibited within the front yard. [Parking of vehicles in the side or rear yard must be screened from the public right-of-way.](#)

8.3.6 Americans with Disabilities Act

All parking facilities that require accessible parking spaces shall ensure that a portion of the total number of required parking spaces shall be specifically designated, located, and reserved for use by persons with physical disabilities, in accordance with the standards in the federal American with Disabilities Act (ADA).

8.3.7 **Parking** of Recreation, Commercial, and Unlicensed Vehicles

1. No recreational vehicle shall be parked or stored on any lot in a residential district for more than twenty-four (24) hours, other than in a carport, enclosed building, or rear yard. The Board of Zoning Appeals may grant a variance in case of unnecessary hardship.
2. No vehicle or trailer subject to State licensing which does not display a current license plate shall be parked or stored on any lot in a residential district, except in an enclosed building or in the rear yard.
3. No more than one travel or camping vehicle per family living on the premises shall be permitted to be parked on a lot in any residential zone; and the vehicle shall not be occupied temporarily or permanently while it is parked or stored, except in an authorized mobile home park.
4. Trucks, tractors, or tractor-trailers having a capacity of more than an 8,000-pound load, front- and rear-end loaders, or any kind of commercial, industrial, agricultural and transportation vehicles/equipment used primarily for business purposes, shall not be parked or stored on or adjacent to any parcel in residential district for purposes other than unloading, loading, or delivery services. **This excludes vehicles or trailers approved under the Home Occupation requirements.**

8.4 Minimum Off-Street Parking Requirements

8.4.1 Except as otherwise expressly stated, off-street motor vehicle parking spaces shall be provided in accordance with the following table:

Table 8.4.1: Minimum Number of Off-Street Vehicle Parking Spaces	
Principal Use	Parking Standards
Residential Uses	
Accessory Dwelling Unit	1 space per unit, in addition to principal use standards
Bed and Breakfasts	1 space per unit, in addition 1 off-street space shall be reserved for the owner and 1 for staff (such as a housekeeper)
Day Care Home	2 space per unit, in addition 1 space shall be reserved for each employee on shift
Dwelling, Detached Single Family	2 space per unit
Dwelling, Two-Family	1 space per unit
Dwelling, Three-Family	1 space per unit
Dwelling, Multi-Family	1.5 per unit
Rowhome	1 space per unit

Group Home, Small and Large	1 space per 3 beds, with 1 space for each employee or supervisor on shift
Manufactured Home	2 space per unit
Nursing Homes	1 parking space per 6 beds, in addition to 1 space per employee during peak-hour shift.
Short Term Rental	1 independently accessible parking space per unit, no tandem parking allowed.
Commercial	
Automobile Service Station	1 space per 2 employees at peak shift, in addition 1 space per 150 square feet of the automobile repair space
Automobile, ATV, Motorcycle or Boat Sales	1 space per 2 employees at peak shift, in addition 1 space per 150 square feet of the automobile repair space (if applicable) All vehicles for sale shall be located on paved surfaces.
Automotive Parts Store	1 space per 400 square feet of gross floor area
Bars and Nightclubs	1 space per two seats or 1 space for every 75 sq. ft. of bar area, including outdoor areas, whichever is greater
Car Wash	1 space per peak hour employee, and 1 space per bay.
Catering Service	1 space per 400 square feet of gross floor area
Check Chasing	1 space per 400 square feet of gross floor area
Commercial Day Care Center	2 spaces per peak shift employee
Convenience Store	1 space per 400 square feet of gross floor area
Drive-In Movie Theaters	1 space per speaker outlet
Dry Cleaning	1 space per 400 square feet of gross floor area
Financial Institutions	1 space per 400 square feet of gross floor area
Funeral Homes	1 space per 4 seats within the sanctuary (if applicable) and/or 1 space per 2 employees, whichever is greater
Garden Centers	1 space per 400 square feet of gross floor area
General Retail	1 space per 200 square feet of gross floor area
Hardware Store	1 space per 400 square feet of gross floor area
Hotels/Motels	1 space for each room to be rented, in addition to 1 space per 2 employees at peak shift
Indoor Storage	1 space per peak employee and 1 space per 5 leasable units.
Liquor Stores	1 space per 400 square feet of gross floor area
Microbrewery, Micro-Distillery, or Micro-Winery	1 space per 300 square feet or 1 space per two seats, whichever is greater
Miniature Golf	4 spaces per hole, plus 1 space for every 2 employees on peak shift
Mixed-Use Building	2 spaces per unit in addition to parking requirement for other associated use
Office Building	2 spaces for each 1,000 square feet of leasable floor area, plus 1 space for each 2 employees
Office, Medical	1 space per 400 square feet of gross floor area
Office, Non-medical	1 space per 400 square feet of gross floor area
Personal Service	1 space per 400 square feet of gross floor area
Pet Boarding	1 space per 400 square feet of gross floor area

Restaurant, Full-Service	1 space per two seats or 1 space for every 75 sq. ft. of dining area, including outdoor areas, whichever is greater
Sexually Oriented Businesses	1 space per 400 square feet of gross floor area
Specialty Retail	1 space per 400 square feet of gross floor area
Tattoo Parlor	1 space per 400 square feet of gross floor area
Vape or E-Cig Store and Lounge	1 space per 400 square feet of gross floor area
Veterinarian	1 space per 400 square feet of gross floor area
Institutional, Civic, or Public	
Amphitheaters	1 space per 4 seats
Cemetery and Mausoleums	4 spaces per acre, plus 2 spaces per employee on shift
Civic and Social Organizations	1 space per 600 square feet of gross floor area
Colleges, Universities, and Vocational Schools	1 space per 4 students at maximum capacity in addition to requirements for associated uses
Elementary Schools	1 space for each vehicle owned and operated by school staff and 2 spaces per classroom or administrative office
Farmers Market, Indoor	2 spaces per booth or vendor or 1 space per 400 square feet of gross floor area, whichever is less
Farmers Market, Outdoor	2 spaces per booth or vendor or 1 space per 400 square feet of gross floor area, whichever is less
Golf Course	4 spaces per hole, plus 1 space for every 2 employees on peak shift
Government Building or Facility	1 space per 400 square feet of gross floor area
Hospital	1 space per 2 beds intended for patients, and 1 space for each 3 employees during peak shift
Kindergarten or Preschool	1 space for each vehicle owned and operated by school staff and 2 spaces per classroom or administrative office
Public Utility Stations	1 space per employee per shift
Recreational Facilities	10 spaces per athletic field or 4 spaces per .25 acre of areas dedicated to use, whichever is greater
Religious Assembly	1 space per 4 seats in the main assembly room
Secondary Schools	1 space for each vehicle owned and operated by school staff and 2 spaces per classroom or administrative office
Sports Stadium	1 space per 4 seats in addition to 1 space per peak hour employee
Theater	1 space per 4 seats
Transportation Terminal (Bus and Rail)	1 space per 2 passenger of a peak hour for departures and arrivals, including accounting for multiple buses or trains
Industrial	
Animal Shelters	1 space per 400 square feet of gross floor area
Correctional Facility	2 spaces per peak hour employee in addition to 1 space for every vehicle owned and operated by the facility
Crematory	1 space per 600 square feet of gross floor area
Heavy Equipment Rental	1 space per 2 employees at peak shift, in addition 1 space per 150 square feet of the automobile repair space (if applicable) All vehicles and equipment for rent shall be located on paved surfaces.
Indoor Shooting Range	1 space per 400 square feet of gross floor area

Junk Yard or Scrap Yard	2 spaces per employee at peak shift
Manufacturing or Production Facility	1 space per 1,000 square feet of gross floor area in addition to 1 space per employee at peak shift
Outdoor Shooting Range	2 spaces per shooting bay, in addition to 1 space per employee at peak shift
Outdoor Storage	1 space per 400 square feet of gross floor area, in addition to 1 space per employee at peak shift
Repossession Services	1 space per 400 square feet of gross floor area, in addition to 1 space per employee at peak shift
Truck Sales and Service	1 space per 2 employees at peak shift, in addition 1 space per 150 square feet of the automobile repair space (if applicable) All vehicles for sale shall be located on paved surfaces.
Warehouse	1 space per 1,000 square feet of gross floor area in addition to 1 space per employee at peak shift
Wholesale Trade	1 space per 1,000 square feet of gross floor area in addition to 1 space per employee at peak shift

8.4.2 Districts Excluded

There shall be no minimum off-street parking spaces required within the Town Center.

8.4.3 Planned and Negotiated Development Districts

Within Planned Development Districts, required off-street parking standards shall be determined during review of the application.

8.4.4 Unlisted uses

An applicant proposing to develop a principal use that is unlisted in [Section 8.4.1: Minimum Number of Off-Street Parking Spaces](#), shall propose the amount of required parking by one of the methods outlined below:

1. Apply the minimum off-street parking space requirement specified in [Section 8.4.1](#) for the listed use that is deemed most similar to the proposed use; or
2. Conduct a parking demand study by a transportation or traffic engineer or other experienced professional to demonstrate the appropriate off-street parking space requirement. The study shall estimate parking demand based on the recommendations of the ITE, ULI or another acceptable source of parking demand data. This demand study shall include relevant data collected from uses or combinations of uses that are the same or comparable to the proposed use in terms of density, scale, bulk, area, type of activity, and location.

8.4.5 Maximum Number of Off-Street Parking Spaces

Except as otherwise stated within this Article, the maximum number of off-street parking spaces provided shall not exceed 125 percent of the minimum provided in [Table 8.4.1](#).

8.4.6 On-Street Parking

Uses may count on-street parking spaces on public street rights-of-way abutting the subject property towards the off-street motor vehicle parking minimums.

8.4.7 Alternate Compliance

The parking ratios of this section are not intended to prevent development or to make development economically impractical. To allow for flexibility in addressing the expected parking demand, alternative off-street parking requirements may be approved by the **Zoning Board of Appeals via a variance (Article 10)** if the applicant provides a parking study or a parking demand management plan demonstrating that the parking requirements in **Table 8.4.1** do not accurately reflect the parking demand that can reasonably be anticipated for the proposed use

8.4.8 Fractions

When measurements of the number of required spaces result in a fractional number, any fraction of less than one-half is rounded down to the next lower whole number, and any fraction of one-half or more is rounded up to the next higher whole number.

8.4.9 Bicycle Parking

A minimum of five (5) bicycle parking spaces is required for all uses requiring twenty-five (25) parking spaces. Thereafter, an additional two (2) bicycle parking spaces is required for each additional twenty-five (25) parking spaces. Bicycle parking facilities shall be standard bicycle racks or other secured lockable facilities. When feasible, the bicycle facilities shall be located near the entrance to the building.

8.5 Design Standards for Parking Lots

8.5.1 Dimensional Standards for Parking Spaces and Aisles

Except as otherwise provided, standard vehicle parking spaces and aisles shall comply with the minimum dimensional requirements established in Table 8.5.1: Dimensional Standards for Parking Spaces and Aisles.

TABLE 8.5.1.A: MINIMUM DIMENSIONAL STANDARDS FOR PARKING SPACES AND AISLES				
PARKING ANGLE (DEGREES)	STALL WIDTH (FT)	STALL DEPTH (FT)	DRIVE AISLE WIDTH (FT)[1]	DOUBLE ROW + AISLE, CURB TO CURB (FT)
A	B	C	D	E
Residential, Public, Civic, and Institutional, and Commercial Uses ONLY				
0	8	20	11	27
45	8.5	17.75	11.5	50
60	8.5	19	15	55

90	8.5	18	11	58
<p>NOTES:</p> <p>[1] For one-way traffic. Aisles for two-way traffic shall be at least 22 feet wide (for all parking angles). The Zoning Administrator may approve an aisle width less than the minimum upon determining that the aisle is sufficiently wide to allow vehicles to conveniently maneuver through the parking area and access each parking space without driving through any other parking space.</p>				

8.5.2 Front Yard Parking Not Allowed

Within the Town Center and Village Commercial Zoning Districts, off-street parking shall not be permitted within the Front Yard.

8.5.3 Off-Site (Satellite) Parking

Except for spaces provided subject to the Americans with Disabilities Act, required Off-Street Parking spaces may be provided on a separate lot which does not contain the proposed use or structure subject to the following standards:

1. New off-Site parking areas must comply with all applicable parking area design and accessibility standards.
2. Off-site parking areas must be located within a 1,200-foot publicly accessible and established walking distance of the entrance of the use served by such parking.
3. The walking distance between the off-site parking areas and the primary pedestrian entrances to the uses shall consist of a walkway protected by landscape buffer or a curb separation and elevation from the street grade. Periodic crossings at established crosswalks are allowable.
4. The right to use the off-site parking must be evidenced by a deed, lease, easement, or similar written instrument establishing such use, for the duration of the use.
5. Off- Site Parking shall not be provided within Residential Zoning Districts.

8.5.4 Shared Parking and Parking Reductions



When two or more uses share common parking facilities, the minimum amount of required parking may be reduced. The minimum amount of required parking shall be calculated as the sum of the required parking for the 2 uses separately, divided by the factor listed in the table below. The Zoning Administrator will classify the uses in the categories in the table prior to the calculation of off-street parking requirements. In all cases, the burden to demonstrate that a reduction in parking requirements is warranted shall rest with the applicant.

Shared Parking Reductions				
	Residential	Lodging	Office	Retail/Restaurant
Residential	1.0	1.1	1.4	1.2
Lodging	1.1	1.0	1.7	1.3
Office	1.4	1.7	1.0	1.2
Retail/Restaurant	1.2	1.3	1.2	1.0

1. Additional Parking Reductions: The Zoning Administrator may grant a reduction in the parking requirements set forth in this section in the following cases:
 - a. Where uses in the same or adjoining development, having different peak hour demand, seek to share parking, the applicant must submit to the administrator an analysis and substantiated projections of peak parking demand — based on historic data from other locations or a similar use or a parking study — for the entire development to justify the shared use of parking spaces for separate uses.
 - b. Where the special nature of a certain development (e.g., special types of housing projects inhabited by persons with low or no automobile ownership) does not require the amount of parking listed in [Table 8.4.1](#)
 - c. Where fewer parking spaces are needed due to location and use — e.g., if there is a high concentration of residential units adjacent to a neighborhood-serving use, a parking reduction may be warranted.
2. The Administrator shall consider the following in determining whether a reduction is warranted and make the following findings in writing:
 - a. The likelihood that the reduced number of parking spaces can satisfy demand;
 - b. The amount of time during the year when the number of spaces provided may be insufficient and the amount of resulting parking overflow;
 - c. The impact of periodic overflows upon the public streets and other parking facilities;
 - d. The nature of surrounding land uses, character of surrounding road system, and nearby circulation pattern.

8.6 Parking Lot Screening and Landscaping

8.6.1 Parking Lot Screening

1. Applicability: All new or expanded parking areas shall be screened from the public right-of-way or primary vehicular access point(s) with vegetation. An opaque screen is intended to exclude all visual contact with the screened feature from an adjacent property, public street, or right-of-way. An opaque screen may be composed of a wall, fence, building, or berm; planted vegetation; existing vegetation; or a combination thereof; as approved by the Zoning Administrator. Parking lot screening is not required where property or street buffers are retained or required.
2. Minimum Height of Screen: Shall include a hedge, dense shrub planting, masonry wall, wood fence, or combination of such features that results in a continuous visual screen along the length of its frontage. Hedges and shrubs may be installed at a height of 2', as long as the species selected grows to at least 4' in height within 4 years of installation.
 - a. Exceptions may be granted by the Zoning Administrator where the parcel has irregular configuration, utility easements or legal constraints which prevent compliance.

3. **Minimum Length of Screen:** The length of a required screen shall be that which is necessary to totally visually screen the feature from protected properties, streets, and rights-of-way as provided in this section. The Zoning Administrator may approve accommodations for reasonable access and use, as necessary.
4. **Minimum Plantings:** Parking lot screens shall comply with the following landscaping standards:
 - a. A parking lot shall contain at least one large maturing tree for every 30 linear feet of street frontage, excluding portions of the frontage where driveways are located and areas necessary to avoid intrusion into clear sight triangles. Existing trees preserved or planted within required buffer may count towards this requirement.
 - b. Where there are conflicts with other planting regulations, the more stringent regulation shall apply, as determined by the Zoning Administrator.

8.6.2 Parking Area Interior Landscaping

1. **Applicability:** The following shall comply with the standards in this subsection:
 - a. Any new vehicular surface area (parking lot) whether principal or accessory use containing 10 or more parking spaces; or,
 - b. Any new, additional, or expanded portion of an existing vehicular surface area which cumulatively would create greater than 10 parking spaces.
2. **General Standards**
 - a. No parking space shall be further than 60' linear feet from a large maturing tree.
 - b. One large maturing tree shall be required at the end of every row of parking. This includes trees located within required landscape islands.
 - c. Landscaped areas within or adjacent to parking areas must be protected from vehicular damage by a raised curb, wheel stops or approved equivalent barrier of at least six inches in height.
 - d. Creative landscaping plans that incorporate larger islands or different spacing of landscaped areas than required in this section may be approved by the Zoning Administrator, as long as the minimum area of landscaping and minimum number of trees is provided. Appeals to these determination are made to the Architectural Review Board for final decision.
3. **Landscape Islands**
 - a. Landscape islands shall be provided within each row of parking spaces so that the maximum amount of uninterrupted parking spaces is no greater than twelve (12).
 - b. No more than 12 continuous parking spaces shall be permitted in a row without an interrupting landscaped island, except in the following circumstance:

- i. The parking lot is gravel, or covered with other soft pervious pavement materials, and spaces are not striped.
 - c. Landscaped islands with a plantable area of at least 12 feet wide by 18 feet long area shall be established parallel to parking spaces and at the end of the parking aisle in order to separate the last space from any adjacent driveways.
 - d. Islands shall be curbed for traffic control and safety.
 - e. At least one (1) large maturing tree shall be provided within each landscaped peninsula. All landscaped peninsulas and medians shall be landscaped with mulch, sod, shrubs, or ground cover vegetation. If there is a conflict with overhead utilities, one small or medium maturing tree is permitted per island.
4. Building Exterior Perimeter Plantings
 - a. Plant material is required along 10 percent of the length of exterior building walls and structures to provide separation between the building and the vehicular surface area.

8.7 Pedestrian Access

In parking areas with more than 40 spaces, an on-site circulation system for pedestrian and non-motorized travel must be provided in accordance with the following requirements.

8.7.1 Connection to the Street

The on-site pedestrian circulation system shall connect all adjacent public rights-of-way, adjacent sidewalks, multi-use paths, public spaces to any main building entrance. The connection must follow a direct route and not involve significant out-of-direction travel for system users.

8.7.2 Connection to Abutting Properties

The on-site pedestrian circulation system must provide connection to existing paths and sidewalks on abutting properties or to the likely location of future paths or sidewalks on those properties. When the Zoning Administrator determines that no paths or sidewalks exist on a neighboring property or it is not possible to determine the likely location of future path or sidewalk connections or extending a connection would create a safety hazard on either property, no such connection is required.

8.7.3 Internal Connections

The on-site pedestrian circulation system must connect all buildings on the site and provide connections to other areas of the site likely to be used by pedestrians and non-motorized travel, such as parking areas, bicycle parking, recreational areas, common outdoor areas, plazas, and similar amenity features. **The Planning Commission or Architectural Review Board may require pedestrian pathways within the parking area.**

8.7.4 Design

Required on-site pedestrian circulation facilities must be designed and constructed in accordance with the following requirements:

1. The on-site pedestrian circulation system must be paved and be at least five feet in width.
2. When the on-site pedestrian circulation system crosses driveways, parking areas or loading areas, it must be clearly differentiated through the use of elevation changes, a different paving material or other equally effective methods. Striping does not meet this requirement.
3. When the on-site pedestrian circulation system is parallel and adjacent to a motor vehicle travel lane, it must be a raised path at least six inches above the vehicle travel lane surface or be separated from the vehicle travel lane by a raised curb, bollards, landscaping or another physical barrier. If a raised path is used, the ends of the raised portions must be equipped with accessible curb ramps.
4. The on-site pedestrian circulation system must be illuminated to ensure that it can be used safely at night by employees, residents, and customers. Lighting shall meet the requirements of [Subsection 8.3.3.4](#).

8.8 Parking Lot Connections

8.8.1 Applicability: Adjoining parking lots serving non-residential and multifamily uses shall be interconnected when feasible according to the following requirements:

1. At least one connection shall be provided at all common lot lines that share a boundary of at least 60 feet.
2. Where feasible, the connection shall align with any previously established connection on an adjacent property.
3. An easement for ingress and egress to adjacent lots through the connection(s) shall be recorded in the form of an easement and documentation submitted to Town Staff.
4. In the event these conditions cannot be met without undue hardship, the Zoning Administrator may waive or adjust the connection requirements as appropriate.

8.9 Lighting

8.9.1 Applicability: All parking lots serving non-residential and multifamily uses shall be required to adhere to the following standards. Additionally, all newly installed lighting fixtures shall adhere to the following standards, unless installed by a state or federal agency.

8.9.2 Standards and Design Requirements

1. Height: Lighting standards in parking lots shall not exceed a maximum of 25 feet in height.
2. Shielding: Lighting shall have a cutoff angle of 90° or less (full cutoff) and be shielded from the sky and adjacent properties and structures through shielding.
3. Light trespassing: The maximum light trespass at the property line shall be 0.5 foot-candle.

Article 9 - Signs

9.1 Purpose and Intent

The purpose of these sign regulations is to establish requirements for placement, installation and maintenance of business and advertising signs, in order to preserve and protect the health, safety, welfare and general well-being of the community's citizens.

With this purpose in mind, it is the intent of the Ordinance to authorize the use of on-premises business signs which are:

- Compatible with their surroundings;
- Appropriate to the type of activity to which they pertain;
- Expressive of the identity of the individual proprietors or of the community as a whole;
- Designed to convey a desired message about the owner or occupants of a particular property, yet protecting the aesthetic qualities of the community;
- Not unduly interfering with motorists and causing unsafe conditions; and,
- Conserving the value of property and encouraging the most appropriate use of land throughout the municipality.

9.2 Applicability

Except as otherwise noted, the regulations of this article shall apply to all zoning districts, and a zoning permit shall be required for the erection, placement, alteration, or reconstruction of any sign.

9.3 General Provisions

9.3.1 Placement

Except as permitted specifically in this article, signs shall not be posted in the public right-of-way, on trees, or utility poles, except where encroachments are specifically permitted by this article.

9.3.2 Materials

Sign structures shall be constructed of durable materials such as wood, concrete, metal, brick, or other similar materials. Unfinished wood, cardboard, polystyrene foam, and similar materials are not permitted.

9.3.3 Design

The design, color, location, and illumination of signage shall be compatible with the overall design of the development and surrounding parcels.

9.3.4 Sign Illumination

1. Internal Illumination: The background of internally illuminated cabinet signs shall be completely opaque. This provision does not apply to internally illuminated channel letters. LED lighting is prohibited in the Town Center district.
2. Shielding: Unless otherwise expressly prohibited, signs may be externally illuminated provided that any lighting illuminates only the surface area of a sign and is shaded, shielded, or directed so that the light intensity or brightness does not interfere with the safe vision of motorists or bicyclists. Around external lighting, landscaping shall be designed to conceal the base of the light fixture to the extent feasible.
3. Transition of Electric Signs: Electric letter signs, (LED, & such), must maintain message 6 seconds before changing, and cannot blink, scroll, rotate, change height or intensity. Such signs electrical connections must be inspected by Lexington County and along with a Zoning Permit must be obtained.
4. Proximity to Residential Districts: No commercial sign within 100 linear feet of a pre-existing residential structure may be illuminated between the hours of 12:00 midnight and 6:00 a.m. A residence shall be deemed "pre-existing" for purposes of this Section if it has a valid building permit in effect for construction of said structure or if construction of said structure was complete on or prior to the effective date of this provision. **This does not include residences in mixed use buildings in the Town Center, Village Commercial, nor does it include multi-family buildings.**

9.3.5 Computation of Sign Area

The area of a sign shall be deemed to be the area of the sign face formed by a perimeter consisting of a series of straight lines enclosing all parts of the sign. With respect to signs that are composed of individual symbols, letters, figures, illustrations, message, forms, or panels, the sign area shall be considered to include all lettering, wording, and accompanying designs and symbols. Sign area shall also include any background material, panel, trim, color, and direct or self-illumination used that differentiates the sign from the building, structure, backdrop surface, or object upon which or against which it is placed. The sign structure shall not be included as a portion of the sign face, provided that no message, symbol, or any of the aforementioned sign face criteria are displayed on, or designed as part of, the sign structure.

9.3.6 Computation of Sign Height

Height shall be measured from the edge of the adjoining sidewalk, street, or the natural grade to the highest point on the sign. Architectural elements related to the support structure may extend up to 1 foot over the permitted height.

9.3.7 Construction

With the exception of portable and temporary signs as permitted in this article, signs shall be permanently attached to the ground, a building, or another structure by direct attachment to a rigid wall, frame, or structure.

9.3.8 Maintenance Requirements

All signs and all components thereof, including supports, braces, anchors, etc., shall be kept in a good state of repair, in compliance with all building and electrical codes, and in conformance with the requirements of these sign regulations. Any sign which is determined by the Zoning Administrator as being insecure, in danger of falling or otherwise endangering the public safety shall be immediately removed by its owner unless it is repaired and made to otherwise comply with the requirements of these sign regulations.

9.3.9 District Classifications

1. Where this sections references “residential” uses or districts, it shall mean the following: RA, RR, SFR1, SFR2, SFR3, TFR, MDR, and MFR
2. Where this sections references “commercial” uses or districts, it shall mean the following: VC, TC, PI, CC, IC, OC, and, LI


9.3.10 Number of Signs Allowed


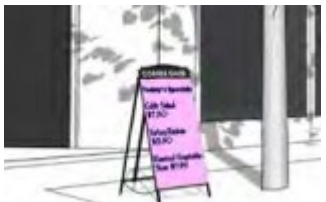

Unless otherwise regulated, each parcel is allowed one (1) free-standing sign, and one of each attached sign.

9.4 Freestanding Signs

9.4.1 Applicability

The following chart applies to all types of development as stated **except for individual single-family or 2-3 unit building lots, or subdivisions containing fewer than 30 units.**

Sign Type	Zoning District	Max Area	Max Height	Min Height	Additional Requirements/Description
<p>1. Monument Signs</p> 	<p>All commercial and multi-family, except TC;</p>	<p>32 sq. ft.</p>	<p>10 ft.</p>	<p>3 ft.</p>	<p>A sign that is mounted on a foundation and accompanied by landscaping.</p> <ol style="list-style-type: none"> a. Maximum number: 1 per street frontage. A second is allowed if spaced more than 300 linear feet away and reduced by 50%. b. Landscaping, not including grass, shall be required for all monument signs. Such landscaping shall equal the total surface area of the sign face. c. Foundation of monument signs shall be of stucco coated CMU, brick, or other similar material.





	Industrial or Office Uses	48 sq. ft.	10 ft.	3 ft.	
2. Post and Arm Sign 	All commercial	10 sq. ft.	6 ft.	3 ft.	A sign supported by a single post
3. Sandwich Board Signs 	TC, VC				A portable sign shaped like an A-frame with a sign panel on one or both sides, where the sign panel is integral to the structure of the sign
4. Easel Sign 	All commercial				A sign or message board displayed on a portable, open frame, such as a tripod
5. Pole Mounted Signs	Interstate Commercial	1 sq. ft. per 1' ft of linear frontage, may not exceed 100 sq. ft.	30'	10'	A sign mounted on a single pole. a. Sign thickness not to exceed 2'

9.5 Attached Signs

9.5.1 Applicability

The following chart applies to all types of developments as stated **except for individual single-family or 2-3 unit building lots, or subdivisions containing fewer than 30 units**

Sign Type	Permitted Location	Max Area	Additional Requirements/Description
1. Wall	All commercial and multi-family	10% of area of primary building frontage of the first floor.	A sign mounted parallel to or painted on a building facade or other vertical building surface. a. Maximum Number – 1 per street frontage. Signs on secondary

			<p>frontages may be ½ the size of the primary sign.</p> <ul style="list-style-type: none"> b. No sign shall extend above the roof line c. No sign shall project from the façade more than 18” d. Not permitted for residential uses, other than multi-family buildings exceeding 10 units
<p>2. Canopy/Awning</p> 	<p>All commercial and multi-family</p>	<p>50% of canopy valance area</p>	<ul style="list-style-type: none"> a. Maximum Number:1 per building frontage or tenant space, per street frontage b. Must allow 8 feet clearance above sidewalk c. Shall not be placed above 2nd floor window sill or cornice of building, whichever is higher d. May encroach over sidewalk area no closer than 18 inches from curb e. Only the valance area of the awning/canopy may be used as a message area. The valance shall be a maximum of 1fttall with lettering a maximum of 9inches tall. The valance shall be made of the same material and shall be the same color as the awning/canopy.
<p>3. Window/Door</p> 	<p>All commercial and multi-family</p>	<p>25% of transparent areas of windows or doors</p>	<p>Applied plastic or vinyl cut letters are prohibited.</p> <p>No permit is necessary for temporary promotional signs posted on the interior side of the glass; these signs shall count toward the 25% maximum window coverage.</p>
<p>4. Projecting/Suspended</p> 	<p>All commercial and multi-family</p>	<p>8 square feet</p>	<ul style="list-style-type: none"> 1. Maximum Number:1 per building frontage or tenant space, per street frontage 2. Must allow 8 feet clearance above sidewalk 3. May project no more than 4 feet from building face and no closer than 18 inches from curb 4. Not permitted for residences with 3 or fewer dwelling units 5. Projecting signs shall not be higher than the fascia and/or cornice and shall not extend above the eave line. 6. For multi-story buildings, sign brackets shall be mounted no

			higher than the sill of the second-floor window.
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*The total area of all attached signs for a business shall be no more than 1.5 times the linear frontage of the building, or in the case of multi-tenant buildings, than the individual tenant space

9.6 Other Signs that Require a Zoning Permit

9.6.1 Tenant Directory Signs

1. Applicability: Tenant directory signs listing only the name and address of the business shall be permitted in multi-building, multi-tenant professional, office, and/or business centers
2. Maximum Area: 32 square feet in surface area shall be permitted per street frontage
3. Maximum Height: 10 feet
4. Maximum Number: 1 per lot — lots with more than 1,000 feet of street frontage and more than one Department of Transportation-approved driveway or street entrance shall be permitted an additional directory sign on the condition that such driveways are spaced at least 1,000 feet apart.
5. Location: Tenant directory signs shall be located within the buildable area and outside of any required buffer. The tenant directory sign must be located at least 25 feet from any adjacent right-of-way.

9.6.2 Multi-Tenant Free-Standing Signs

1. Applicability: Multi-Tenant signs are required for multi-building developments with 5 or more occupiable spaces.
2. Design: The design, material, color, location, and illumination of signage shall be compatible with the overall design of the development. Multi-tenant signs shall follow the same regulations as monument signs with regard to landscaped areas around the foundation of the sign.
3. Size: The size of a multi-tenant sign shall not exceed 125 sq. ft. If there are more than 10 occupiable spaces on one parcel, a 125% increase in sign area is permitted.
4. Height: The height of such signs shall not exceed 10'.
5. Number Allowed: Only one multi-tenant sign is allowed per development. No individual tenant free-standing signs are permitted. A second multi-tenant sign, equaling 50% of the total size of the first, may be permitted if the property if the following is true:
 1. The individual street frontage is greater than 500 feet.
 2. The property is located on a corner or intersection.
 3. The second sign shall be composed of the same materials and design as the first.

9.6.3 Residential Neighborhood Identification Signs

1. Applicability: Residential neighborhoods with 10 or more lots.
2. Number Allowed: One per entrance
3. Max Area: 32 square feet
4. Max Height: 8 feet

9.6.4 Directional Signs

1. Applicability: A directional sign has a directional message in symbols or words and may be a private, unofficial traffic signs, designate private parking, or be place at a site entrance to warn the public against trespassing. It may also contain the name of a business on the site, and/or its address.
2. Permitted Location: All commercial districts
3. Maximum Number: 1 per entrance
4. Maximum Area: 2 square feet
5. Maximum Height: 2.5 Feet; Parking stall signs are allowed to be 5' in height
6. Off-Premise Signs: Directional signs that are off-premise are not permitted.

9.7 Temporary Signs

9.7.1 Types of Temporary Signs

1. Promotional Banners:
 - a. Maximum Number: 1 per tenant
 - b. Maximum Area: 30 square feet, with a vertical dimension no greater than 3 feet.
 - c. Minimum Height: Must be placed a minimum of 7 feet above sidewalk grade
 - d. Location: Attached to building (must be secured along all 4 sides of banner)
 - e. Time Period: Maximum of 30 days
 - f. Additional Requirements: Application for a permit for promotional banners may be made only 4 times during any calendar year with no permits being approved consecutively. A minimum of 30 days shall expire before an application for a permit for a promotional banner can be accepted.
2. Construction Signs:
 - a. Maximum Number: 1 per street frontage
 - b. Maximum Area: 32 square feet
 - c. Maximum Height: 6 feet
 - d. Location: Minimum of 10 feet from the street right of way.
 - e. Time Period: The sign permit shall be valid for the duration of the construction period.
3. Grand Opening Signs
 - a. Location: A minimum of 3 feet from the right-of-way; 18 inches from the right-of-way in the Historic District.
 - b. Maximum Number: Up to 3 types of signs are permitted for grand openings.
 - c. Type: Free-standing and attached signs are permitted at the discretion of the administrator.
 - d. Time Period: A maximum of 30 days.
 - e. Special Event Signs: Governmental, nonprofit, school, church or civic club-sponsored signs related to special events shall meet the following standards:
 - i. Signs shall be permitted 14 days prior to a function and shall be removed within 3 days after the function.
 - ii. Signs shall be located on private property.

9.8 Exempt Signs

9.8.1 No zoning permit is required within the following section:

1. Government Signs including signs required by any law, order or governmental regulation.
2. Property Address Signs

3. Private Residence Signs:
 - a. One personal identification sign not exceeding 2 square feet in area
 - b. One non-illuminated "For Sale" or "For Rent" sign not exceeding 6 square feet in area.
4. Historical markers, historical monuments or signs as recognized by local, state, or federal authorities.
5. Signs denoting the location of underground utilities
6. Holiday decorations
7. Signs on interior windows that are not permanently affixed to the glass and do not exceed 25% of the gross glass area.
8. Temporary special event signs and banners for religious, charitable, civic, fraternal, or similar non-profit or not-for-profit organizations provided that:
 - a. Signs shall be erected no sooner than thirty (30) days prior and removed no later than five (5) days after the event;
 - b. No such sign shall exceed thirty-two (32) square feet;
 - c. No such sign shall be illuminated; and
 - d. All such signs shall be located off the street right-of-way, unless otherwise granted permission for such location by the Town of Chapin or SCDOT. In no case may any such sign impede the view or travel of any motorists or pedestrians or be attached to any structure within the right-of-way (government signs, telephone poles, etc.)
9. "Warning", "No Trespassing" and similar informational signs.
10. Permanent municipal, school, recreational and civic club sponsored signs, schedule of events, rules and regulations signs. Such signs shall not include identification signs.
11. Any sign inside a building and not intended to be viewed from the exterior
12. On residentially zoned lots, one unlighted freestanding sign not more than three (3) square feet in area and not more than 4 feet in height from the ground to the top of the sign. The sign may be used to advertise a home occupation, garage sale, temporary construction or as a "for sale/rent" sign, etc. The sign shall not advertise any commercial enterprise not conducted on the same zone lot
13. Memorial signs, plaques or grave markers which are noncommercial in nature.
14. Flags, pennants, insignia, or religious symbols of any government, non-profit or not-for-profit organization when not displayed in connection with a commercial promotion or as an advertising device.
15. Real Estate Signs advertising sale or lease of the premises subject to the following standards:
 1. One on-site sign per 1,000 ft of street frontage is permitted. The maximum size shall be 6 square feet, and the maximum height shall be 3.5 feet. **For industrial and office districts, the size may be increased to 20 sq. ft. with a height not to exceed 6'**
 2. The signs shall be removed once the property is occupied by the new tenant, or when the property is sold by transfer of title to the same

9.8.2 Political Signs

1. Each sign shall not exceed ten (10) square feet in area in residential districts and thirty-six (36) square feet in commercial and manufacturing districts;

2. No sign shall be placed in any right-of-way, on any telephone pole or street sign, trees, or on any public property; and
3. Signs are permitted to be erected within sixty (60) days prior to an election and must be removed within 7 days after an election.

9.9 Prohibited Signs

9.9.1 The following signs are prohibited:

1. Off-premise signs, with the exception of flags of a sovereign nation, and banners erected by the city, county, or state government.
2. Signs within the public rights-of-way, except those posted by a public agency
3. In any manner or place that constitutes a hazard to pedestrian or vehicular traffic
4. In a manner that obstructs free ingress to or egress from a required door, window, fire escape, or other required exit.
5. Off-premise commercial signage affixed to a private residence or dwelling, or displayed upon the grounds thereof.
6. Attached to or painted onto the following:
 - a. Trees, rocks or other natural features
 - b. Fence posts, telephone or utility poles
 - c. Roofs signs, or attached signs that project above the building height.
7. Moving, Flashing, or Audible Signs
 - a. Signs that move by any means regardless of whether they contain written messages
 - b. Signs set in motion by movement of the atmosphere or by mechanical, electrical, or other means, including, but not limited to: flags, adversails, feathers, pennants, posters, propellers, discs, ribbons, balloons, streamers, strings of light bulbs, and spinners.
 - c. Flashing signs or devices displaying intermittent lights or lights of changing intensity
 - d. Signs that emit audible sound or visible matter.
8. Movable or Towed Signs: Signs constructed to be used as a conveyance upon public streets, and usually parked in public places or private property primarily for the purpose of public display.
 - a. Exception: Commercial vehicles, including standard passenger vehicles, that are fully operable may bear a permanently-adhered commercial message. They must be parked in a typical parking space and may not be located on landscaped areas or at angles to the street so as to increase visibility.
9. Inflatable signs [including inflated balloons having a diameter of greater than two (2) feet for special events and grand openings, used in conjunction with a commercial building, project, or enterprise are permitted for a period not to exceed fourteen (14) days
10. Sign Content Limitations
 - a. Signs copying or imitating official government signs, or that purport to have official government status
 - b. Any sign and/or sign structure that obstructs the view of, may be confused with, or purports to be a governmental or traffic direction/safety sign.

- c. Signs containing statements, words, or pictures of obscene, pornographic, or immoral character that is not considered protected speech

11. Impermanent and Unsubstantial Sign Types: Signs that are constructed of impermanent and unsubstantial materials including but not limited to inflatable signs, snipe signs, and feather signs/banners.
12. Abandoned or Deteriorated Signs or Businesses:
 - a. Sign structures no longer containing signs.
 - b. Signs made structurally sound by unsightly bracing.
 - c. Abandoned or dilapidated sign.
 - d. Signs referencing businesses which have been out of business for more than 30 days.
13. Billboards: Billboards are prohibited.

9.10 Violations

9.10.1 Impoundment of Signs

1. If any sign requiring a permit is erected without a permit, or if any sign is erected in violation of these regulations, the Zoning Administrator shall have the authority to give the owner thereof written notice of such violation. The notice shall include a brief statement of the particulars in which the violation is to be remedied. If the sign has been permitted, notice to the person receiving the permit shall be sufficient. If the sign owner cannot be found, the duty to perform corrections or removal of the sign will be upon the property owner on whose property the sign is located.
2. If within ten (10) days the owner of the sign fails to contact the Zoning Administrator, bring the sign into conformance with these regulations, and obtain a sign permit, the Building Official shall have the authority to have the sign removed and impounded without further notice and the cost of removal shall constitute a lien against the property on which the sign is located. The Town shall not be liable for any damage to the sign or property as a result of such removal.
3. The Zoning Administrator shall have the authority to remove and impound, without notice to the owners thereof, any signs placed within any street right-of-way, signs attached to trees, rocks or other natural features, and signs attached to telephone and utility poles.
4. If the impounded sign is not claimed within 30 days, then the administrator shall have authority to dispose of such sign.