

UDO Advisory Committee



Town of Fort Mill UDO Advisory Committee Meeting

March 31, 2015
The Spratt Building (215 Main Street)
6:30 PM

AGENDA

CALL TO ORDER

APPROVAL OF MINUTES

- UDO Advisory Committee Meeting: January 28, 2015 *[Pages 2-4]*

ITEMS FOR INFORMATION / DISCUSSION

- Summary of Technical Audit *[Pages 5-69]*
- Summary of Input to Date
- Town Council Comments & Priorities
- Blueprint Review & Comment
- Other Comments

ADJOURN

**MINUTES
TOWN OF FORT MILL
UDO ADVISORY COMMITTEE MEETING
January 28, 2015
The Spratt Building, 215 Main Street
7:00 PM**

Present: James Traynor, Ben Hudgins, Tony White, John Garver, Chris Wolfe, Hynek Lettang, Jim Thomas, Planning Director Joe Cronin, Assistant Planner Chris Pettit

Absent: Tom Petty, Louis Roman

Guests: James Shirey (Town Council), Paul LeBlanc (LSL Planning), Fredalyn Frasier (LSL Planning), Brown Simpson (Parks & Recreation Director)

Mr. Traynor, Chairman of the Fort Mill Planning Commission, called the meeting to order at 7:07 p.m.

WELCOME & INTRODUCTIONS

1. **Opening Comments:** Planning Director Cronin presented a Powerpoint presentation that outlined the history of zoning in Fort Mill. Planning Director Cronin stated that the town's zoning ordinance was first adopted in 1969, with major major revisions in 1983 and 1991. Planning Director Cronin added that a lot has happened since the last update nearly 25 years ago, include new state enabling legislation, two comprehensive plan updates, changes in case law and judicial precedent, changing economy and market demands, rapid growth and the associated demands placed on existing public infrastructure. Planning Director Cronin also added that the purpose of the Unified Development Ordinance (UDO) is to place all ordinances relating to the use and development of land in the town into a single, easy to use document.
2. **Introduction of Committee Members, Town Staff and Consultant Team:** Planning Director Cronin stated that the Advisory Committee would assist town staff, the consultant, and town council in reviewing and providing recommendations on the final draft of the UDO. The UDO Advisory Committee will be made up of the 7 members of the Planning Commission, as well as the chairmen of the Board of Zoning Appeals and the Historic Review Board. Planning Director Cronin and Assistant Planner will provide primary staff support for the project; however staff members from all departments will provide input and feedback throughout the process. Planning Director Cronin then introduced Paul LeBlanc and Fredalyn Frasier of LSL Planning, which was selected by town council in December to serve as the project consultant

ITEMS FOR DISCUSSION

1. **Project Scope, Approach and Timeline:** Paul LeBlanc of LSL Planning, the project consultant, introduced himself, his firm, and members of the project team. Mr. LeBlanc provided a Powerpoint presentation that outlined the difference between a comprehensive plan (community vision) and a UDO (implementation mechanism), the purpose of a UDO, the project scope and approach, and timeline for completion of the draft UDO document (12 months). Mr. LeBlanc outlined some additional goals of the UDO, including usability, flexibility, predictability, and meeting the needs and desires of the governing body, the development community, and existing residents and business owners.
2. **Goals and Objectives of the UDO:** Mr. LeBlanc opened the floor for comments and discussion. Specifically, Mr. LeBlanc posed three questions for the committee's consideration: What works well with the existing code; what needs to be changed; and what are the top development issues in the town? Chairman Traynor opened the floor for discussion:

Mr. Wolfe stated that the existing code is poorly organized and is hard for end users to use and reference. He added that although some developers may play local jurisdictions off of each other, he believes that Fort Mill is a hot location, developers want to be here, and we shouldn't fear overregulation if there are things that we feel need to be done for the betterment of the community. Mr. Wolfe also added that he is not opposed to higher density, or more compact "node" types of development, as long as there are offsetting increases in open space, green space and preservation requirements.

Mr. Traynor stated that it has been difficult for the Planning Commission to conduct the commercial appearance review process without defined standards and criteria.

Mr. Thomas stated that from his perspective on the Board of Zoning Appeals, it is difficult to apply new standards to older neighborhoods. In Whiteville Park, Paradise, and the mill village, for example, there are many homes with existing non-conformities, such as dual front yards, shared garages/accessory structures, non-conforming lot dimensions and setbacks, etc. The new code should be sensitive to issues in existing neighborhoods, and not provide a one size fits all approach.

Mr. Hudgins stated that he believes the greatest problem facing Fort Mill is the growing traffic issue. He recommended that the code include provisions designed to reduce traffic congestion and promote alternate modes of transportation, such as sidewalks.

Mr. Lettang stated that the ordinance needs to contain provisions that allow for the preservation of the unique qualities that draw people to Fort Mill, such as community character, landscapes, and the importance of community gateways.

Mr. LeBlanc thanked members for their feedback. He stated that these comments would be considered, along with those provided by planning staff and department directors earlier in the day. The next steps of the project will include meetings with a number of stakeholder groups, a thorough review of existing development-related ordinances, and the preparation

of a draft outline for the UDO. Staff will notify the UDO Advisory Committee of future meeting dates.

There being no further business, the meeting was adjourned at 8:42 pm.

Respectfully submitted,

Joe Cronin
Planning Director

Town of Fort Mill Zoning Ordinance – Technical Review

General Issues and Comments	
Provision or Issue	Comment
Organization	Overall organization of the regulations is disjointed and doesn't follow a predictable pattern or sequence.
Numbering format	Numbering format changes several times in various articles and even sections within articles.
Definitions	Definitions are scattered throughout the ordinance. Many terms are defined in separate sections of the document and the definitions differ from one another. Some terms are slightly different (e.g., "dwelling" and "dwelling unit") though relating to the same item. Some terms are defined but not used in the ordinance.
Clarity	Wording in many provisions is awkward, unnecessarily long and difficult to understand, especially for an average citizen.
Graphics and tables	Readability could be greatly enhanced through the use of tables and graphics to illustrate some provisions and minimize the need for lengthy text.
Number and type of districts	There appears to be an excessive number of zoning districts, many of which are nearly indistinguishable from one another.
Uses allowed in zoning districts	There is a significant disconnect between the apparent purpose (and/or title) of several zoning districts and the uses permitted within those districts. Purpose statements in most cases are fairly generic and don't clearly establish the intent of the district or distinguish one from another.

Zoning Ordinance Technical Review					
Section	Provision	Comment	Type of Change		
			Policy	Major	House-keeping
Article I – In General					
General		Article 1 should be Title and Purpose. Definitions should be a separate Article, preferably at the end of the ordinance.			X

Zoning Ordinance Technical Review					
Section	Provision	Comment	Type of Change		
			Policy	Major	House-keeping
Sec. 1 Definitions	Rules of Interpretation	These "Rules" should be moved to the beginning of the ordinance.			X
	Accessory structure	Suggest adding "Building" to the definition, since structures may be fences, towers and other non-buildings. Other definitions refer to "buildings and structures" so this change would be consistent with that usage.			X
	Alley	This is an unusual definition of alley. Suggest deleting reference to ADT and revising definition.			X
	Automobile rental and sales	This is a self-explanatory term and could be removed as a definition.			X
	Automobile repair	Change to "Vehicle repair"			X
	Automobile servicing	Change to "Vehicle servicing"			X
	Automobile tire store	This is a self-explanatory term and could be removed as a definition.			X
	Automobile wash and detailing	This is a self-explanatory term and could be removed as a definition.			X
	Banner	Suggest putting all sign-related definitions under the heading of "Sign"			X
	Basement	Add graphic illustration. This is a regulation and should not be part of the definition. Also, this seems unworkable. In many cases a basement is finished after the building is erected. Therefore, by this provision, the building could become nonconforming if a bedroom or office was added later. Delete			X
	Bed and breakfast inn	This allows a scale that goes beyond the norm for a B&B. Consider reducing.		X	
	Boardinghouse	"Lodging" written twice			X

Zoning Ordinance Technical Review					
Section	Provision	Comment	Type of Change		
			Policy	Major	House-keeping
	Bodily fluid collection establishment	What's the purpose of this definition? Other than a blood bank (Red Cross) what is included? The term does not appear to be used in the ordinance. Delete.			X
	Casino or gambling establishment	S.C. Code 1976, § 12-21-2720(A)(3): is the definition still relevant to the law?			X
	Commercial vehicle	Very broad definition. This could include a personal vehicle (car) that is used by the owner to make deliveries, sales calls, etc. but doesn't even have a logo on the side. Suggest revising.			X
	Common open space	“Cluster residential development”: This seems overly specific. Common open space could be found in other types of development, as well. Delete reference to cluster residential. Last sentence: Regulatory language. Move to provisions related to cluster subdivisions regulations.			X
	Copy	Move this with a grouping of all definitions related to Signs.			X
	Cul-de-sac	Delete reference to ADT, not relevant and difficult to enforce.			X
	Developable acreage	This term doesn't seem to be used in the ordinance and should be deleted.			X
	Developed land use conditions	This term does not seem to be used in the ordinance and should be deleted.			X
	Dwelling, multiple-family	Generally, "multiple" relates to three or more units. A separate definition of Two Family (Duplex) Dwelling should be inserted.			X
	Dwelling, multiple-family (high rise)	Simplify: "A multiple-family building that exceeds five stories."			X
	Dwelling, single-family detached	Manufactured homes: this should be discussed. There are other ways to address this and not give the appearance of exclusion.		X	
	Extended advertising space	Move to a grouping of all sign-related definitions.			X
	Family	Non-profit: Change to "non-transient"			X

Zoning Ordinance Technical Review					
Section	Provision	Comment	Type of Change		
			Policy	Major	House-keeping
	Fee	This is a common term and doesn't need to be defined.			X
	Flag, advertising	Move to grouping of all Sign-related definitions.			X
	Flag, governmental	Move to grouping of all Sign-related definitions.			X
	Floor	Very broad definition. This would include basement areas that contain a workshop or rec room. Normally, such areas would not be counted toward required floor area. Suggest changing the definition to "Usable Floor Area" and adding "Gross Floor Area" also.			X
	Footcandle (FC)	Not needed. Delete.			X
	Golf course	Not needed. Delete.			X
	Group day care home (seven to 12 people)	Move to "Day Care Home, Group" so it's with the other related definitions.			X
	Height of building, maximum	Insert graphic to illustrate.			X
	Height of building, minimum	Eaves? An illustration should be added to show how minimum and maximum height should be measured.			X
	Hotel or motel	Revise. Based on this definition, a B&B or boarding house could be considered a hotel.			X
	Internal refractive lens	This is not used elsewhere in the ordinance and should be deleted.			X
	Landscape nursery	Revise. This seems to exclude retail sales that occur outside. Is that the intent? Also, is the 20 percent limited to indoor sales or all sales? "Any year" implies that historical sales volumes could be considered which would be unreasonable.			X
	Landscaping	Revise. A "landscape" could also include non-living materials (bark, pavers, etc.).			X

Zoning Ordinance Technical Review					
Section	Provision	Comment	Type of Change		
			Policy	Major	House-keeping
	Level of service (LOS)	Revise. LOS is a quantitative measurement that is not related to "perception" but is based on delays at signalized intersections.			X
	Library	This is a self-explanatory term and could be removed as a definition.			X
	Light source	This is a self-explanatory term and could be removed as a definition.			X
	Loan broker	Consider changing to "Short-term Lending Establishments" which is a more commonly used term that encompasses payday lending, and other short-term, high interest lending.			X
	Lot, corner	A graphic should be added to illustrate all of the lot types defined here.			X
	Lowest finished floor	Is an unfinished basement still considered the lowest finished floor?			X
	Lumen	This is a scientifically defined term and could be removed as a definition.			X
	Maintenance, storage, and distribution facility	Why is this limited to governmental facilities? There are many forms of private industrial maintenance, storage and distribution facilities.			X
	Monument sign	Move to a grouping of all sign related definitions under the heading "Sign"			X
	Museum	This is a self-explanatory term and could be removed as a definition.			X
	Park, community	Is it necessary to distinguish between the various park types? The terms "neighborhood park" and "regional park" are not even used in the ordinance. Suggest deleting all, except the "Park" definition.			X
	Parking space, off-street	Revise and simplify. Much of this is regulatory and should be in the parking regulations, not the definition.			X
	Pedestrian pathway	Revise and simplify.			X
	Pennant	Move to "Sign" grouping of definitions.			X
	Post office	This is a self-explanatory term and could be removed as a definition.			X
	Principal structure	Revise. This is overly complicated.			X
	Regional park	See prior comments re: park definitions.			X

Zoning Ordinance Technical Review					
Section	Provision	Comment	Type of Change		
			Policy	Major	House-keeping
	Repetitive loss	Market value: This can be difficult to establish and/or agree on. Suggest using assessed value.	X		
	Right-of-way	Revise and simplify.			X
	Runway	This is a self-explanatory term and could be removed as a definition. It's apparently not even used in the ordinance.			X
	Service and repair establishment	Simplify and change to "Personal service establishments"			X
	Setback	Should distinguish between "setback" and "required setback"			X
	Sexually oriented business	What about escort service and massage parlor?			X
	Adult bookstore, adult novelty store, and adult video store	“Significant or substantial portion”: This is very subjective. Consider using a percent of retail sales.	X		
	Adult cabaret (c)	Archaic terms. Revise.			X
	Adult motel (a)	Archaic terms. Revise.			X
	Adult motion picture theater	Archaic terms. Revise.			X
	Adult theater	Last sentence: redundant. Delete			X
	Nearly nude	“of” in last sentence: Delete			X
	Nude model studio	Last sentence: Redundant, already included in the definition of SOB. Delete			X
	Shopping center	Many shopping (strip) centers can be found that don't have landscaped areas, pedestrian malls or plazas. This reads like an all-inclusive list. Revise to state "may have one or more of features such as..."			X
	Sight triangle	Insert graphic; “for” should be “lot”			X
	Sign	Revise. First line relates to billboards and off-premise signs. The definition should be broader and more generic relative to all signs.			X

Zoning Ordinance Technical Review					
Section	Provision	Comment	Type of Change		
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	Sign, campaign	Last sentence: This should be deleted. Sign regulations must be content neutral. This could be construed as controlling the message that may be displayed on an advertising sign.			X
	Sign face	Insert graphic to illustrate area included in sign face. Last sentence: Regulatory language should not be in the definition. Move to the sign provisions.			X
	Sign, off-premises	Revise. The wording should clearly state that the sign is advertising products, etc. that are not available on the premises where the sign is located.			X
	Sign, outdoor advertising (a) Type I	Suggest deleting type I and type II and simply define billboards and bench signs as two separate signs. In any case, the Type I definition, if retained, should be revised to more specifically define "billboard"			X
	Sign owner	This is such a broad definition. Is it really needed? It would be simpler to fix responsibility with the property owner in all cases. Suggest deleting this definition.			X
	Sign, projecting	Should state that it projects perpendicular to the building wall			X
	Sign structure	Second sentence: Regulatory language - move to sign provisions.			X
	Sign, temporary	Revise. Should just state that sign is displayed for a specified period of time. Real estate, for sale and campaign signs are typically defined and regulated separately.			X
	Sky glow	Very technical definition and the term is only used once in the ordinance. Suggest simplifying to layman's terms			X
	Slope	Simplify.			X
	Special emphasis neighborhood	Delete. This term is not found in the ordinance.			X
	Street (a) Arterial	“Exception continuity”: This term doesn't really explain much. There are better definitions of arterial that could be used.			X

Zoning Ordinance Technical Review					
Section	Provision	Comment	Type of Change		
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	Street (b) Collector	Same as above			X
	Street (c) (1) thru (4)	Delete. Cul-de-sac is already defined and the other terms are not used in the ordinance.			X
	Street line	Should it say street right-of-way?			X
	Street width	Typically, street width refers to pavement width, not ROW width. Revise.			X
	Structure	Walls and fences: usually, these are structures.			X
	Subdivision	Revise and simplify			X
	Substantial damage	Market value: This can lead to substantial debate and may be difficult to establish. Assessed value may be more supportable.	X		
	Substantial improvement	First sentence: What does this mean? Does this definition apply to nonconforming structures? The definition should be revised and simplified. It's very difficult to understand.			X
	Taxicab service	This is a self-explanatory term and could be removed as a definition. It's apparently not even used in the ordinance.			X
	Tree (a) thru (e)	Delete. These terms do not appear in the ordinance			X
	Tree density standard; Tree density unit; Tree form shrub; Tree protective zone	Delete. These terms are not used in the ordinance with the exception of "tree protective zone" which is only used in another definition.			X
	Unacceptable species	Delete. This term is not used in the ordinance.			X
	Undeveloped multi-residential and non-residential property	Delete. These terms are not used in the ordinance.			X

Zoning Ordinance Technical Review					
Section	Provision	Comment	Type of Change		
			Policy	Major	House-keeping
	Undeveloped residential property	See above			X
	Usable wall area	Delete. This term is not used in the ordinance.			X
	Utility, major; Utility, minor	Delete. These terms are not used in the ordinance			X
	Utility service area	Delete. This term is not used in the ordinance.			X
	Variance	Revise to note the variance is relief from dimensional requirements based on conditions of the property that pose an unnecessary hardship in complying with the requirements of the zoning district.			X
	Wall, bearing; Wall, pack	Delete. These terms are not used in the ordinance. Bearing wall is referenced in another definition, but not the regulations.			X
	Yard	Insert a graphic to illustrate the various yards			X
	Youth activity center	Delete. This term is not used in the ordinance. In any case, it is an unnecessarily fine distinction. This could be included under indoor recreation, clubs and lodges, or health and fitness establishments.			X
Sec. 2 Jurisdiction	General	This section should be included in a Title and Purpose Article.			X
Sec. 3 Official Zoning Map	General	Sections 3 and 4 should be in a new Article entitled, Zoning Districts and Map.			X
Sec. 4 Intent of Districts, 4.B(3)(A)	Change in boundaries	“Then” should be “When”			X
4.B(3)(B)	Change in boundaries	“its most logical and reasonable use”: This is a fairly subjective statement. Many communities require that the annexed land be zoned to the most restrictive residential category until rezoned at a later date or altered at the time of annexation. Suggest using this approach.		X	

Zoning Ordinance Technical Review					
Section	Provision	Comment	Type of Change		
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4.B(3)(D)	Change in boundaries	“additions or reductions”: Suggest broadening this provision to state that any change to the zoning of property within the town shall be made to the official zoning map.			X
Sec. 5 Establishment of Districts	General	The number of districts appears to be excessive. Where possible, districts should be consolidated or deleted.	X		
Sec. 6 Applicability of Regulations	General	This section should be moved to the Title and Purpose Article.			X
Sec. 7 General Provisions	General	General Provisions should be a separate Article.		X	
7.A.	Street access	“as herein provided”: General comment that will apply throughout the ordinance... phrases like this one should be deleted. The ordinance should be written in a less formal, legalese style.			X
7.A.	Street access	“lot not located on a...”: Restate as a positive. "all buildings... shall be located on..."			X
7.B.	Location of buildings	Revise to simplify			X
7.C.	Corner lots	Just say "On corner lots..." there's no need for the rest of the statement since corner lots are defined.			X
7.D.	Double frontage lots	See above. Just say "On double frontage lots..."			X
7.E.	Front yard requirements	Revise and simplify. Add graphic to illustrate this provision.			X
7.F.	Home occupations	This section should be inserted in a new Article for Additional Use Requirements or Conditional Uses, rather than in General Provisions.			X

Zoning Ordinance Technical Review					
Section	Provision	Comment	Type of Change		
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7.G.	Accessory uses	All sections related to accessory uses or buildings should be consolidated and moved to an Article entitled, Additional Use Requirements or Conditional Uses. Also revise and simplify the wording.			X
7.G. 1) – 4)	Accessory uses	The listing of uses/buildings is not necessary. Accessory uses and structures are defined terms. Sections 1, 2, 3 and 4 should be deleted.			X
7.G.(2)	Accessory uses in front yard	Accessory buildings and structures should be prohibited in the front yard. There is no need to specify which uses may not be located there.			X
7.H.	Setbacks for accessory uses	“uses”: Accessory structures would be a more appropriate term to use.			X
7.H.		“structures above ground level”: What about in-ground swimming pools?			X
7.H.		“observe all setbacks”: Consider reduced setback requirements for accessory buildings.	X		
7.H.		“located within a required side yard”: Consider some minimum setback distance from the lot line to avoid encroachment and allow for maintenance.			X
7.I.	Off-street parking	This should be a separate Article. In addition to the comments below, consider adding: incentives for reduced parking based on providing for bicycles or transit use; including a maximum parking requirement as well as a minimum; allowing for deferred parking until more is needed.		X	
7.I.1)	Parking	Off-street parking should be required for ALL uses, not just those listed in the table. There should be a statement that uses not listed shall meet the requirements of the use most similar to it or as determined by the zoning administrator.	X		
7.I.1)	Parking	“zoning administrator may vary this requirement”: Based on what? This kind of discretionary decision must be based on standards or criteria.		X	
7.I.1)A)	Minimum parking required	“uses and establishments”: No need for both terms. These are all uses.			X

Zoning Ordinance Technical Review					
Section	Provision	Comment	Type of Change		
			Policy	Major	House-keeping
7.I.1)A)	Multi-family	2/unit is common and many communities require additional visitor spaces			X
7.I.1)A)	Accessory dwelling unit (on residential lot)	Should require one since this is a separate dwelling			X
7.I.1)A)	Convenience store	This is very low. Since typical c-stores are about 4,000 SF, this is only requiring one space. That won't even accommodate the employees. What if the c-store doesn't sell gas?		X	
7.I.1)A)	Hotel/motel	What about employees, banquet rooms, restaurants and lounges. This provision should state that additional requirements for such facilities shall be met.		X	
7.I.1)A)	Bank (with drive through)	Are drive-through spaces counted toward the requirement? What is the requirement for banks w/out drive-through?			X
7.I.1)A)	Industrial park	This isn't a use. The parking should be based on individual uses, not the development.		X	
7.I.1)A)	Mini-warehouse	Is this a mini-storage facility? If so, the requirement should be based on the number of storage units rather than total area.		X	
7.I.1)A)	Government	Not a good idea. There should be a specific standard just like for other uses and the ZA should not be put in the position of having to decide what's acceptable for his bosses.		X	
7.I.1)A)	High School	Be consistent, one per three students		X	
7.I.1)A)	Public assembly	One per four persons, to be consistent		X	
7.I.1)A)	Museum	Unusual standard. Should base it on floor area or maximum occupancy per fire code.		X	
7.I.1)A)	Religious centers	Odd ratio (3/5 seats). Suggest one per three seats, which is more common.		X	
7.I.1)A)	Cinemas	For consistency, state one per three seats.		X	

Zoning Ordinance Technical Review					
Section	Provision	Comment	Type of Change		
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7.I.1)A)	Theaters (live performance)	Same as above		X	
7.I.1)A)	Golf course	plus restaurant and banquet facilities		X	
7.I.1)B)	Similar uses	“same as for a listed use of similar characteristics”: Or as determined by the BZA, if no similar use is listed.			X
7.I.1)C)	Mixed uses	Revise. Two things are combined here...multiple uses in a single building or parcel and mixed use developments. These should be separated and the mixed use provision should be reconsidered. A generic parking requirement may not accommodate the variety/intensity of uses that may occur within such a development.		X	
7.I.1)D)	Shared parking	Paragraphs D, E and F should be arranged as a section under the heading "Shared Parking"			X
7.I.1)D)	Shared parking	“1,200 of each respective use”: Nearly a quarter mile. Reconsider		X	
7.I.2)	Handicap parking	Delete. Since the requirements for handicap parking are established by Federal law, the ordinance should only state that handicap parking shall be provided in accordance with the requirements of the ADA. By listing the requirements in the ordinance, if the ADA requirements change, the ordinance will have to be formally amended. This is unnecessary.			X
7.I.3)	Minimum parking dimensions	The dimensions should be specified in a table. The illustrations are good but should not replace a table of requirements. The minimum requirements for 90 degree parking should be reevaluated. An 8.5 foot wide space is very narrow for a full-sized vehicle and the overall dimension of the parking bay (56 feet) is also tight. A 9 to 9.5 foot wide space and 60 to 62 foot bay are more common requirements.			X
7.I.3)A)	Compact spaces	Also consider hybrids or all electric vehicles. Even if the space size is not reduced, preferential parking near the building may be considered to incentivize the use of such vehicles.	X		

Zoning Ordinance Technical Review					
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7.I.5)B)	Parking location	Required parking should be closer to the use than a quarter mile, unless in a downtown area.		X	
7.I.5)C) & D)	Minimum dimensions	These specs should be in a table of parking dimensions, as noted above.			X
7.J.	Curb cuts	These standards should be revised. Fifteen foot spacing from an intersection is much too close under any circumstances. Spacing from intersections or other driveways should be based on posted speed limits on the roadway and type of use.		X	
7.K.	Corner visibility	Insert graphic			X
7.L.	Height limit exceptions	“structures” instead of “uses”			X
7.L.	Height limit exceptions	“similar structures”: parapet walls around a roof?			X
7.M.A)	Fence permits	Interesting use of special use provision. How many times has this been used? Under what circumstances? It seems that a variance would be the more appropriate method of addressing deviations from the requirements.		X	
7.M.A)	Fence permits	The ordinance doesn't establish procedures or standards for special uses. It seems to be more of a catch-all. In some cases the BZA has authority but here it's the CEO.		X	
7.M.B)3)	Fencing requirements	“concertina” not “constantine”			X
7.M.B)3)	Fencing requirements	Prohibited: even in Industrial Districts for security?		X	
7.M.B)5)	Fencing requirements	Side yards: According to an earlier provision, both street sides are considered front yards. So, to simplify, this seems to be saying that fences are not permitted in any front yard on a corner lot.			X

Zoning Ordinance Technical Review					
Section	Provision	Comment	Type of Change		
			Policy	Major	House-keeping
7.M.B)	Fencing requirements	“sides and rear fence”: ??? Fences in the side and rear yards?			X
7.M.B)	Fencing requirements	“guidance”: Guidance? Requirements.			X
7.M.B)	Fencing requirements	“construction of fences within front yard will be restricted”: Is this unnumbered paragraph part of 5) above it? It seems that this is only referencing corner lots. Again, special use permit doesn't seem to be the proper method of handling this. Fences can be allowed provided they don't encroach into the clear vision triangle and are set back a minimum distance from the front lot lines.		X	
Article II – Requirements by Districts					
General		This Article should be completely restructured. First, the number of districts should be reexamined. Second, the districts should be listed from most to least restrictive. Third, separate articles could be used to group the districts, e.g., Residential, Commercial, Industrial, Special, Overlay, etc.		X	
Sec. 1	R-25 and R-15 One-family Residential Districts	These are two different zoning districts and should be separated like all the other districts.		X	
1.1		Numbering is inconsistent with the outline format used in prior sections. This should be paragraph A. and all subsequent numbers and letters should be changed accordingly.			X
1.1	Purpose	Purpose statement for each district should be specific to that district and, to the extent possible, relate to the comprehensive plan. Generic purpose statements are not helpful. They should provide a framework for the allowed uses and dimensional requirements within the district.		X	
1.2	Permitted uses	A combined use table for all zoning districts should be included so the reader can determine at a glance which uses are allowed in each district.			X

Zoning Ordinance Technical Review					
Section	Provision	Comment	Type of Change		
			Policy	Major	House-keeping
1.2B)	Publicly owned	Presumably this includes parks, schools, cemeteries, etc. However, those uses should be specified individually to minimize confusion.			X
1.2C)	Noncommercial horticulture or ag	Is this desirable on 15,000 square foot subdivision lots?	X		
1.2F)	RV parking	Move to General Provisions re: Recreational Vehicles and revise. This is overly broad; not all RVs (snowmobiles and boats, etc.) could be used as dwellings. Two weeks seems excessive.		X	
1.2G)	RV storage	Move to General Provisions and revise. Travel trailers and boats are included in the definition of RV. There's no need to specify them here. Also, consider setback requirements or prohibit parking in front yard.		X	
1.3	Conditional uses	Should reference the provisions in the ordinance that define the review and approval procedures, standards and application requirements for conditional uses. If there aren't any, there should be.		X	
1.3C)	Religious institutions	Since the definition of Religious Institutions also includes school facilities, other public and private schools should be specifically permitted. Also, it should be noted that if public schools are meant to be included in 2.B above, it might be argued that allowing them as "permitted" while treating religious schools as "conditional" runs afoul of the Federal RLUIPA law (Religious Land Use and Institutionalized Persons Act).		X	
1.3D)	Day care	Does this include all forms of day care - day care home, day care center, group day care? This should be more specific regarding the allowed use(s)		X	
1.5	Other	Dimensional requirements should be put in table format for ease of reading and understanding.			X
1.5B)	Min. area/dwelling	There's no need for repeating the minimum lot area since this is the same as A. Delete.			X

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Section	Provision	Comment	Type of Change		
			Policy	Major	House-keeping
1.5D)	Min. front yard	“measured from nearest street right-of-way line”: Not necessary since "front yard" is defined already			X
1.5G)	Max. height	Accessory building heights should be less than this.		X	
Sec. 2	R-10 One-family Residential District - General	Same comments as above.	X	X	X
2.3B)	Day care	Why is this wording different than for the R-25/R-15 District? Should be consistent.			
Sec. 3	GR Residential District	Same comments as other districts, as applicable.	X	X	X
3.1	Purpose	“unwarranted encroachment of commercial...”: Allowing hotels (which often include restaurants, meeting facilities and lounges) and medical offices (high traffic generators) seems inconsistent with this statement. There are many commercial uses that would be much more compatible with residential than these.		X	
3.2B)	Two-family dwellings	This term is not defined in the ordinance, as previously noted. In fact, the definition of multi-family is two or more dwellings in a building.			X
3.3B)	Boarding facilities	Boarding house is the defined term.			X
3.3G)	Clubs, lodges	What does this mean? Shouldn't this reference be part of D) above.			X
Sec. 4	GR-A General Residential-A District	Same comments as other districts, as applicable. There is such a minimal difference between this and the GR District. Are both needed?	X	X	X
Sec. 5	Planned Cluster Development District	Consider consolidating the several planned development type districts into one.		X	
5.1	Purpose and intent	Be consistent. Heading should be 'Purpose of District' to match the others.			X

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Section	Provision	Comment	Type of Change		
			Policy	Major	House-keeping
5.2	Location and size	“LC, HC”: Since this is permitted in the 2 commercial districts, the Purpose statement should note that mixed use development is encouraged (or something to that effect).			X
5.3	Permitted activities and building types	Title: Wording is very awkward. Revise. Does the word "activities" mean "uses"? The allowed uses should be specified.			X
5.3	Permitted activities and building types	Last sentence: What diagram? Again, this only refers to residential. Are commercial uses allowed?			X
5.4B)	Density and recreation	“part of the living space”: Confusing. Recreation area is outdoor open space, not part of the living area.			X
5.4B)	Density and recreation	“contiguous,” not “continuous”			X
5.4B)	Density and recreation	"Recreation area" is not defined. Is this synonymous with open space? The requirements for recreation or open space areas should be specified - activities/uses allowed, exclusions from the recreation/open space calculations (easements, required yards, unbuildable areas, etc.), minimum size of required area(s), etc. See Section 6.4. as an example.		X	
5.4C)	Density and recreation	“Max. Density Units Per Gross Acre”: 6-8 units per acre is fairly low density for this type of development. Consider either increasing the density (10 - 14 units/ac) or providing for bonus densities based on increased open space, preservation of unique features, provision for TOD, etc.	X		
5.5	Yards	This is too open-ended. There need to be standards to guide such decisions.		X	
5.5B)	Yards	A 10-unit development shouldn't even qualify for this option. Suggest adding a "Qualifying Conditions" section that requires a minimum site size, public water and sewer, and other locational criteria as minimum acceptable standards for being granted such flexibility from the conventional district requirements.		X	

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Section	Provision	Comment	Type of Change		
			Policy	Major	House-keeping
5.7	Required parking	Why is this required when there is no minimum requirement for single family dwellings in any conventional district?	X		
5.9	Approval procedure	“rules and procedures for subdivision approval”: Need to specify review standards specific to Planned Cluster Development. This is different than reviewing a subdivision because there are no minimum requirements and flexibility is a desired part of the process, unlike a subdivision.		X	
5.9	Approval procedure	“additional information”: Landscape plan, building elevations, grading plan, specific uses to be allowed and those to be prohibited. If there is a site plan requirement elsewhere in the ordinance, that could be referenced here to specify the information required.		X	
Sec. 6	Planned Neighborhood Development District	Same comments as previous districts, as applicable. Also, there are no provisions related to the review and approval of the district. Some sections note Planning Commission approval, while others refer to the Town Council. Specific review criteria should also be specified. This type of development usually involves a 2-step process: 1) concept plan, PC review, public hearing, Council approval 2: final site plan, PC review and approval. The process needs to be defined.	X	X	X
6.2	Permitted uses	Why aren't all of these same uses allowed in the Planned Cluster District?		X	
6.2A)6)	Retirement facilities	Should be defined or a different term used - nursing home, assisted living facilities, aging-in-place development, etc.			X
6.2C)1)	Neighborhood retail	This term should be defined in the Definitions section, rather than in this section.			X
6.2C)4)	Neighborhood restaurants	Same as above.			X
6.3	Standards	Qualifying Conditions. These should be essential requirements to be met in order to even apply for consideration as a PND.	X		

Zoning Ordinance Technical Review					
Section	Provision	Comment	Type of Change		
			Policy	Major	House-keeping
6.3C)	Base residential density	“dedicated to uses...”: Delete or restate			X
6.3C)	Base residential density	“article 1, Section 4”: ??? this relates to the Intent of the zoning districts.			X
6.4C)	Open space standards	“article II, section 7”: ????? Mobile Home Park Districts?			X
6.4F)	Open space standards	Subject to acceptance by the Town.			X
6.4H)	Open space - Phases	“proportionate share...”: This may not always be feasible, depending on the site. In some cases, most or all of the open space area may be concentrated in one location rather than distributed throughout the development.		X	
6.5J)	Open space standards	“undeveloped parkland”: ????			X
6.6A)	Screening nonresidential uses	“buffer yard 20 feet in width”: at least 20 feet in width			X
6.6A)	Screening nonresidential uses	“three canopy trees..”: That's a lot of plant material in a small space. Consider revising and/or adding option of berming, wall or combination.		X	
6.6C)	Existing vegetation	Should state that the PC is authorized to review and modify the specific requirements upon determining that the proposed alternate achieves the desired purpose.			X
6.6D)	Screening refuse facilities	This is something that should probably be required for all outdoor trash facilities and should be in a Landscape, Buffer, Screening Article.			X
6.7	Density bonuses	It doesn't seem like it would be possible (based on factors A, B, C, and D) for a developer to achieve a 20 percent increase.		X	

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Section	Provision	Comment	Type of Change		
			Policy	Major	House-keeping
6.8	Traffic improvements	This could be very subjective. Suggest changing it to require a traffic study performed by a qualified transportation engineer approved by the Town and paid for by the applicant. This requirement could be based on a threshold of number of dwelling units or anticipated peak hour traffic.		X	
6.9B)	Building separation	“taller” instead of “tallest”			X
6.10A)	Perimeter boundary	“of a building”: of a single or two-family dwelling, ...			X
6.10B)	Perimeter boundary	“within 110 feet”: This is a pretty substantial separation considering the perimeter buffer that is required. Also, consider varying the setback depending on whether the abutting property is residential or non-residential.		X	
6.11A)	Multi-family standards	“multiplexes”: Not defined			X
6.11B)3)	Townhouse accessory buildings	“one enclosed storage shed”: Per 8 unit building? Per development? Clarify.			X
6.11B)4)	Townhouse garages	Last sentence: Clarify. Is this meant to prohibit garages facing the front yard or projecting forward of the front facade? Could garages or carports be located on the opposite side of the drive aisle from the units?			X
6.11C)	Multiplexes	This is very low. Typical "garden apartment" developments consist of buildings with 8 to 12 units per building. Some are as much as 24. Suggest increasing this provision to at least 8.	X		
6.11C)3)	Accessory buildings	Does this preclude carports or garages that are freestanding?			X
6.12	Utilities	“open space subdivision”: ????			X
6.13	Accessory structures	Suggest deleting this as it takes away from the flexibility and may preclude residential carports or garages that are not attached to the units.		X	
6.14	Neighborhood recreation	Define in Definitions section with all other ordinance definitions.			X

Zoning Ordinance Technical Review					
Section	Provision	Comment	Type of Change		
			Policy	Major	House-keeping
6.15A)	Commercial standards	“shall not exceed ten percent of the total acreage”: Since this district can be established within the LC and HC commercial districts, why would a developer relinquish 90 percent of commercially zoned property to do this type of development? Has this been done? It seems that the Mixed Use District (Sec. 19) would be a better option.	X		
6.15D) & E)	Commercial standards	These requirements inhibit any commercial. Visibility is important to any business. Access to an arterial should be prohibited, but not frontage. This runs contrary to the purpose of the district.		X	
6.17	Definitions	All definitions should be in one place, not scattered throughout the ordinance.			X
6.17D)	Neighborhood retail	Last sentence: Drive-thru service is the norm for banks and pharmacies as a convenience to patrons. Consider allowing these two exceptions.		X	
6.17F)	PND	???? Delete. This definition is not needed.			X
Sec. 7	Mobile Home Park District	Current terminology is Manufactured Home Community			X
7.1	Permitted uses	Is this a District or is it a use allowed in any district? Clarify.			X
7.4A)4)	Mobile home on individual lot	What districts allow this?			X
7.4B)	RV parking	“only one such unit...”: Could allow the creation of a designated outdoor storage area within the MHC rather than having RVs parked on each individual lot.		X	
7.6A)	Site plan	Need to be more specific. This doesn't provide any guidance to the applicant or the decision-maker.		X	
7.6B)	Off-site views	Vague and very subjective. Could be argued that this is targeting MHCs when traditional single family developments have no such standard. It would be preferable to require perimeter landscaping similar to the planned development districts in order to avoid being unfairly discriminatory.		X	

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Section	Provision	Comment	Type of Change		
			Policy	Major	House-keeping
7.6C)	Health department approval	In addition to the Town Planning Commission?		X	
7.7	Preliminary plan	These requirements are more detailed than what the "informal" plan referenced in paragraph 6.A) implies. These two provisions should be reconciled.			X
7.9D)	Phased approval	Why not the Planning Commission? The ZBA seems an inappropriate body for this.	X		
7.9E)	Sales	The owner may not still be occupying the unit but trying to sell it. Add "or ownership" at the end of the last sentence.			X
7.14A)	Recreation area	The planned neighborhood district requires 335 SF per unit. Shouldn't these be consistent?		X	
7.15C)	Parking	Parking spaces not allowed on the individual lots? If not, why not?		X	
Sec. 8 LC Local Commercial District,	Purpose	This should be more specific - limited to small-scale businesses, serving surrounding residential neighborhoods, pedestrian oriented uses, etc. The Purpose statement needs to clearly state why this district exists, what it is intended to do, how it relates to the comprehensive plan and how it differs from other commercial districts.		X	
8.1	Purpose	"local or 'main street'": What does this mean? Be more specific.			X
8.1 b) thru d)	Purpose	These 3 statements could apply to any commercial district. How is this one different?		X	
8.2 A)	Permitted uses	It isn't necessary to list so many specific uses. Use categories or generic terms (sale of food products for consumption off the premises such as grocery stores, bakeries, produce markets and ice cream shops) or (retail establishments not exceeding 5,000 square feet of gross floor area). Many of the uses listed could include big box stores that would be inconsistent with the district purpose.		X	
8.2 A)2)	Appliance store	Best Buy? Not a local business.	X		

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Section	Provision	Comment	Type of Change		
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8.2 A)4)	Book store	Barnes & Noble? Need better definition of uses or maximum size limitation to maintain neighborhood (local) scale	X		
8.2 A)12)	Hardware store	Lowe's, Home Depot? A developer could easily argue that either of these is a hardware store, an appliance store, a paint store, etc. The district purpose needs to note the scale of businesses and the regulations should limit the size of businesses permitted by right and with conditional approval in order to achieve the purpose of the district.	X		
8.2 A)14)	Household furnishings	Not usually considered a neighborhood business	X		
8.2 A)15)	Millinery store	Archaic. Delete			X
8.2 A)16)	Record shop	Archaic. Delete			X
8.2 A)18)	Office supplies	Office Max? This is another one that would benefit from a size limit.	X		
8.2 A)25)	Video store	Archaic. Delete.	X		
8.2 B)2)	Banks	Generally considered financial institution rather than personal service.			X
8.2 B)8)	Insurance agency	Office rather than personal service			X
8.2 B)11) & 12)	Medical and government offices	Office			X
8.2 B)14)	Public utility office	Office and more specific than needed. Could be included under General Business Office or something similar			X
8.2 B)15)	Real estate agency	Office			X
8.2 B)17)	Secretarial service	Archaic. Delete			X
8.2 B)19)	Telegraph office	Archaic. Delete.			X
8.2 B)21)	Veterinary clinic	Office			X
8.2F)	Residential uses	Located above a non-residential use? Free-standing residential would not be consistent with the district purpose. And if the intent is to permit a mix of residential and commercial, can the Neighborhood Planned Development or the Mixed Use Districts accomplish the same thing?	X		

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Section	Provision	Comment	Type of Change		
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8.3C)	Contractor's office	Not a local business	X		
8.3H)	Theaters	These are definitely not local businesses. They tend to draw from a very large area, not consistent with the district purpose. Delete	X		
8.3I)	Newspaper publishing	Not a neighborhood business. Delete	X		
8.4A)	Min. lot area	It seems pointless to require such a small minimum. Why require any?	X		
8.4B)	Min. width	"Measured at the building line": Not needed. this is already in the definition of Lot Width			X
Sec. 9	HC Highway Commercial District	This may be a misnomer. It is really a General Commercial or Community Commercial District. Consider establishing a true Highway Commercial District (gas stations, drive-in restaurants, banks, hotels, etc.) near I-77.	X		
9.1	Purpose	Again, this could be strengthened and made more specific, i.e., catering to the motorist, large-scale, broad market area.		X	
9.1C)	Pedestrian access	Unlikely for this type of district. Pedestrian orientation should be part of the LC District.			X
9.2	Permitted uses	Same comment as LC. Uses should be categorized with a few examples given rather than attempting to provide a long list of possible uses.			X
9.2	United States Postal Service	Government offices			X
9.2	Restaurants	including drive-through? Or are drive-through restaurants a conditional use?		X	
9.2	Car washes	"Vehicle wash"			X
9.2	Repair garage	What is this? There is a definition of Automobile Repair and Automobile Servicing (change to Vehicle). Those are the terms that should be used.			X

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Section	Provision	Comment	Type of Change		
			Policy	Major	House-keeping
9.3 A)	Dealerships	The terms that are defined are automobile rental and sales, recreational vehicle rental and sales, etc. The terminology should be consistent throughout the ordinance.			X
9.3 D)	Uses permitted as conditional	Need a different heading. This is already under the Conditional Uses category			X
9.3 D)1)a)	Check cashing separation distance	3,000 feet: Can the separation distances noted in this and subsequent paragraphs be met? Are there areas of the town that could meet these requirements? If not, the requirements should be reevaluated to make them defensible?	X		
9.4 A)	Min. lot area	10,000 sq. ft.: Very small minimum requirement for such an intense commercial district. Consider half acre.	X		
9.4 D)	Buffers	"suitable": very subjective. Precise standards should be referenced, such as those in Article IV.		X	
Sec. 10	General Industrial District	Strengthen Purpose statement. Reevaluate allowed uses per Purpose.	X		
10.2	Conditional uses	Second sentence is redundant with first sentence. Delete			X
10.2 H)	Repair garage	Use "Vehicle Repair"			X
10.2 M)	Automobile service station	Change to "Vehicle service station"			X
10.2 M)1)	Service station	Fifteen feet pump setback: still pretty close, greater setback would be appropriate to accommodate landscaping and vehicle circulation		X	
10.2 N)	Wholesale business outlet	Is this the same as "Wholesale establishment" in the definitions? If so, the same terminology should be used in both places. If not, this term should be defined or examples given.			X

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			Policy	Major	House-keeping
10.2 O)	Retail business	This is far too open-ended and very inconsistent with the Purpose of this District. Retail and Industrial uses are generally not compatible due to traffic conflicts, noise and other nuisance effects. Commercial should be strictly limited in this district: convenience store, restaurants, service stations, vehicle wash, banks, day care, etc. Only those uses that may provide services to the employees and visitors to the industrial uses should be permitted.	X		
10.2 Q)	Watchman residence	List as Accessory Use			X
10.2 R)	Private recreation	This should be listed separately under Accessory Uses, along with things like day care, cafeteria, caretaker's residence, etc.			X
10.3	Section reference	Incorrect reference, Article II, section 2, subsection 5: R-10 requirements?			X
11	Historic Preservation District	This District should be an overlay and reference back to uses allowed in the underlying district.		X	
11.7 A)	Permitted uses	Where are "special uses" identified and regulated? Are these "special exception uses"?			X
11.7 B)	Dimensional regulations	Where are they? This makes it sound like an overlay district, but that's not how it's structured.			X
11.9 F)	HRB Action	Article VII refers to the Board of Zoning Appeals??? Review criteria are in subsection 10 of this section.			X
11.9 J)	Pre-app review	Last sentence: Interior improvements are specifically exempted from HRB review. Why is this sentence even in this paragraph? Also, the word "may" implies that the building inspector also has the discretion to not exempt the application. Again, this is contrary to the prior provision. Interior improvements should not be subject to any part of this section.			X

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Section	Provision	Comment	Type of Change		
			Policy	Major	House-keeping
11.9 K)	Substantial hardship	Second sentence: Since the HRB is the decision-making body that would have denied the request in the first instance, it seems that they should not be sitting as the appellate body to determine substantial hardship. This could raise a due process issue.	X		
11.9 K)4)	Hardship	If financial hardship is to be considered as a factor, it should be applied equally to all applicants, not just non-profits.	X		
11.10 B)	Demolition	Paragraph 9.H) requires action within 60 days or it's deemed approved. This should be reconciled. In addition, 180 days (6 months) seems to be an excessive period of time for the property owner to have to wait. A more expeditious time frame should be considered.			
11.10 B)	Demolition	"another 180 days"? Same as above.	X		
12.1	Scenic Highways Planned Development District	What is the road segment where this applies?			X
12.3	Location	The COD overlay is 500 feet on either side. Should these be consistent? A corridor in excess of one-half mile wide (3000 ft.) seems excessive.	X		
12.5 C)	Prohibited uses	What does this mean? They cannot prohibit a use that is allowed in the underlying district and not specifically prohibited here. The council always has the authority to amend the ordinance, which makes this provision unnecessary.		X	
12.8	Special exception	Special exception and conditional use are different terms. Consistent terms should be used. The planning commission is not authorized under SC law to decide special exceptions which are the purview of the BZA.		X	

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Section	Provision	Comment	Type of Change		
			Policy	Major	House-keeping
12.8 2)	Application	The ordinance should have a specific site plan chapter/article that defines the procedures for site plan review and specifies the items to be shown on the site plan. This would provide consistency among all requests that involve site plan review and negate the repetition in the ordinance for restating site plan information requirements and procedures for review and approval.		X	
12.9	Development criteria	“Special exception” or conditional use?			X
12.9 C)	Screening	A more quantifiable standard should be used. Does this mean that the entire frontage must be a solid vegetative screen of evergreens or are filtered views permitted? This standard should be more definitive.		X	
12.9 D)	Access	Define “spectator sports facility”. A tennis center with a few bleachers should not warrant multiple drives. Consider also adding a minimum frontage requirement or requiring that additional drives be located on an intersecting street.		X	
12.10	Vegetated buffer	Last sentence: Is there a potential conflict with the screening requirement of C) above?			X
12.11	Waivers	“Planning commission” not “planning and zoning commission”. Be consistent			X
12.12	Severability	Delete as unnecessary. Article IX, section 2 already addresses that for the entire ordinance.			X
13.1	Resource Conservation District Intent	Other districts use "Purpose". Change for consistency.			X
13.2	Definitions	Where are they?			X
13.3 B)2)	District established	Delete as unnecessary. Council has the authority to amend the ordinance at any time.			X
13.3 D)	Interpretation	Why the BZA? State law does not grant authority to anyone other than the legislative body to change zoning boundaries.		X	

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Section	Provision	Comment	Type of Change		
			Policy	Major	House-keeping
13.4	Development	Reference to Article I, Section 5 ???? this just lists the districts			X
13.4 A)	Development	“assessed taxable value”: This is an appropriate metric but is not consistent with other sections that used "market value" as the metric. Those should be changed to be consistent with taxable value.		X	
13.4 B)	Development	Revise the paragraph. This is requiring town manager approval for any rehab or renovation of 50 percent or more of assessed value, but the wording suggests that the rehab or renovation has already occurred.			X
13.4 B)	Development	Paragraph A) says 50 percent or less. What if it's exactly 50 percent? Is paragraph A) or B) applicable? Suggest B) state: "...extent of more than 50 percent of..."			X
13.6 B)	BZA variance	More specific standards should be specified. Consolidate E) and H) into a "standards" subsection		X	
13.6 E)	Variance	First sentence: Should be stated in the affirmative.			X
13.6 E)1) thru 5)	Variance criteria	“Significantly”: Very subjective term. These should be quantified to the extent possible or examples given to minimize the potential arbitrary and subjective interpretation.		X	
14.2 Transitional Commercial District	Permitted uses	As stated previously, use groups (personal services, professional offices, financial institutions, etc.) should be used in lieu of listing all potential uses individually.			X
14.2 G)	Single family dwellings	Seems like attached single family and multi-family would be appropriate uses in this district.	X		
14.4 E)	Min. rear yard	15 feet: Not much of a rear yard for a single family dwelling.		X	
14.4 F)	Max. bldg.. height	40 feet: Why not 35 to be consistent?			X
14.4 G)	Building size	Building space: Not defined. Use a consistent term such as gross floor area			X

Zoning Ordinance Technical Review					
Section	Provision	Comment	Type of Change		
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14.4 H)	Office or commercial	Change to "non-residential uses"			X
14.4 H)	Office or commercial	“conforming residential”: Does this mean that if the adjacent single family home has a nonconforming front yard, but is otherwise conforming, a buffer will not be required. The buffer requirements should be based on zoning districts rather than uses.			X
Sec. 16 TC	Transitional Commercial District	What is this? How does it differ from Section 14 (TC District)? Delete	X		
Sec. 17.1 LI	Limited Industrial District Purpose	Should be very limited commercial compatible with and supportive of the industrial uses. Retail is generally not desirable within industrial developments.	X		
17.2	Permitted uses	Again, categorize rather than list individual uses. Note also that numbering is inconsistent with ordinance outline format			X
17.2 c.	Auto sales	Delete		X	
17.2 h.	Boat and ship sales	Delete		X	
17.2 i	Building material sales	Home Depot, Lowe’s...not appropriate.		X	
17.2 k	Catalog and mail order	Archaic, delete			X
17.2 m	Commercial recreation	Delete (bowling lanes, arcades, theaters are not compatible)		X	
17.3 a4)	Adequate parking	Delete. What is "adequate"? The ordinance parking requirements would have to be met. It's not an option.			X
17.4 b	Suitable buffer	Subjective. Be specific as has been done in other sections. Buffer width and type, height and number of trees should be specified.		X	
17.4 c	Illumination	Light fixtures? Why only Residential Districts? Light spill and glare should not be permitted in any case.		X	

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Section	Provision	Comment	Type of Change		
			Policy	Major	House-keeping
18.1	R-12 One-family Residential District Purpose	Purpose needs to be better defined, less generic, specific to this district. Is this district even needed? Or is the R-15 needed? There is very little difference.	X		
18.5 C)	Min. width	100 feet: 90 feet would offer a deeper lot		X	
19.1	MXU Mixed Use Development District Purpose	Revise to give more reasons why mixed use is desirable. Relate to comp plan, if possible. Note that mixed use results in more vibrant areas, promotes walkability, etc.		X	
19.2	Permitted uses	“Any use proposed by an applicant”: Is this consistent with the comp plan and the purpose of the district? Consider a more defined menu of uses by right with others to be approved by council as conditional uses.		X	
19.2	<i>Note</i>	“lie within one-fourth-mile or less of each other”: Parcels that far apart don't constitute a mixed use development. This seems to be a loop hole that may have been created to accommodate one specific situation. Suggest reconsideration.	X		
19.2	Accessory structures	“provided such use is compatible with and subordinate to the use of the principal structure”: Unnecessary. Accessory use is defined, no need to repeat the definition here.			X
19.2 A)	Residential accessory uses	“of the principal structure”: Total floor area? Living area? Total area including attached garage? Specify what is being measured.		X	
19.2 A)	Residential accessory uses	“combined floor area shall be no greater than 75 percent of the principal structure”: This should be reconsidered. One accessory structure is limited to 50% of the principal structure; but if that accessory structure is added onto with a second structure (or addition), then it can be up to 75%. This would seem to encourage abuse.		X	
19.2 A)2)	For-rent apartments	Consider other conditions for such use: owner must live on the premises, no separate driveway connection to abutting local street, no separate utility meters, maximum floor area, etc. Also change to “accessory dwelling unit” and define.		X	

Zoning Ordinance Technical Review					
Section	Provision	Comment	Type of Change		
			Policy	Major	House-keeping
19.2A)3)	Home occupations	The standards for home occupations should be listed in a Conditional Use article rather than repeated in several separate sections.			X
19.2 A)3)a	Home occupations	“separate structure on the same lot”: Previous regulation required the home occupation to be located within the principal dwelling. Why allow it in an accessory building here?		X	
19.2 A)3)c)	Home occupations	“number of vehicles”: Prior regulation did not permit employees other than family residing in the home. There is no such provision here. Why?		X	
19.3 E)	Design guidelines	“For properties that include...”: Does this provision only apply if the applicant chooses to establish design guidelines or is it applicable to any project that includes a residential component? If the latter, that provision should be in a separate paragraph such as "Residential Design Review" so the requirement is not confused with the first part of paragraph E which is optional.		X	
19.4 A)	Cottage	Max height: Why more than 35 ft.?		X	
19.4 A)	Estate	Lot width: This would only result in 80 foot depth. Given the small lot size, suggest reducing to 70 ft. or less.		X	
19.4 A)	Estate	Max height: Why more than 35 ft.?		X	
19.4 A)	Townhouse/ Rowhouse	Lot area: This is about 40 units per acre. Is that the desired density?		X	
19.4 A)	Multi-family	Lot area: same as above		X	
19.4 A)	Multi-family	Lot width: minimum width seems unnecessary for multi-family, especially since it's only up to 75 feet		X	
19.4 C)1)	Lot development standards	“shall be determined”: By whom?		X	
19.4 C)2)	Lot development standards	Should state the alternative...shall front on either a public or approved private street? There should be private street and alley standards in the ordinance and referenced here and elsewhere, as appropriate		X	

Zoning Ordinance Technical Review					
Section	Provision	Comment	Type of Change		
			Policy	Major	House-keeping
19.4 D)	Building height	Unnecessary. Building height is defined in the ordinance and the height exceptions are spelled out in a prior section. Delete.			X
19.4 E)2)	Sidewalks	Many communities have found that this doesn't work. Consider requiring on both sides.	X		
19.4 E)2)	Sidewalks	May be approved: Based on what? Need standards or criteria to make the decision		X	
19.4 E)2)	Sidewalks	Specific person/title should be named. Paragraph 4 states zoning administrator.		X	
19.4 E)5)	Sidewalks	“waived administratively”: same comment as above		X	
19.4 F)1)a	Street intersections	50’: Inadequate. Standard is usually 125 to 150 foot offset. Revise	X		
19.4 F)1)a	Street intersections	Reductions below 50 foot separation: Should not be permitted	X		
19.4 F)1)b	Street intersections	Restate that it should be as close to 90 degree right angle as possible, but no less than X			X
19.4 F)3)	Streets	Waived administratively: See prior comment		X	
19.4 F)4)	Streets	The standards and design details should be moved to the Town's engineering design manual and simply referenced here.			X
19.4 F)4) Exhibit 5	Street details	Note that the ordinance only requires sidewalk on one side of the street, but the design details all show sidewalks on both sides			X
19.4 F)4)	Streets	“Road centerline K values...”: Move to engineering design manual			X
19.4 G)2)	Off-street parking	These provisions seem to be the same as in the Parking provisions (7.I). There is no need to restate them or to have differences that are so subtle as to be unnecessary.			X
19.4 G)2)a	On-street parking reduction	50%: That's very generous. On-street parking would have to be spread out over a long distance to accommodate half the required spaces for a large use. This paragraph should also be further divided to separate the various individual provisions stated here.		X	

Zoning Ordinance Technical Review					
Section	Provision	Comment	Type of Change		
			Policy	Major	House-keeping
19.4 G)2)a3	Shared parking	As noted previously, this is nearly a quarter mile away and unlikely to be used by tenants, employees and visitors. Parking is normally required to be located within 300 feet of the use.		X	
19.4 G)3)	Accessible parking	This is unnecessary since it is Federal law. The parking section of the ordinance should simply state that handicapped parking must be provided in accordance with the ADA. That way, if the ADA requirements change, the ordinance won't have to be amended or won't be inconsistent with the amended law.			X
19.4 G)4)	Parking dimensions	Delete. This is redundant.			X
19.4 G)6)	Parking lot landscaping	Delete, already stated in the parking provisions			X
19.4 G)7)	On-street parking	Delete, already stated in parking section			X
19.4 H)1)	Dedicated open space	“increase in the allowable density”: Is density based on gross acreage or net acreage? If net, the developer would actually lose units by giving more open space.		X	
19.4 H)1)	Dedicated open space	“unless town approves an alternative”: Who has the authority? Criteria are needed to determine when an alternative is appropriate and to guide the amount of the density bonus.		X	
19.4 H)6)	Conservation lands	Article II, Section 7, subsection 3.D: Mobile home park district?			X
19.4 H)7)	Impervious surfaces	“other impervious surfaces shall be excluded”: Clarify...“unless otherwise exempted” since the next line permits bike paths to be counted.		X	
19.4 H)11)a	Open space dedication	Town’s consent: If one of the other options is chosen, can the development still qualify for a density bonus?		X	
19.4 H)11)a	Open space dedication	“provide up to 50 percent..”: If one of the other options is chosen, can the development still qualify for a density bonus?		X	
19.4 I)	Signage`	The “town”: who? review criteria? Sign requirements should be included within the sign article		X	

Zoning Ordinance Technical Review					
Section	Provision	Comment	Type of Change		
			Policy	Major	House-keeping
19.4 D)1)	Project identification signs	Not defined.			X
19.4 D)1)	Project identification signs	360 square feet of text area per sign: This is very large and even more so since the sign background could apparently be much larger, provided the text area is no more than 360 SF. This is inconsistent with the definition of sign area. The measurement of sign area should be specified in the sign provisions (Article III).	X		
19.4 D)1)	Project identification signs	Why is all of this listed? Apparently, the sign is permitted at every entrance.			X
19.4 D)1)a	Project identification signs	It should be made clear that pole signs are not acceptable.			X
	Project identification signs	18 feet in height: Very tall for an entry sign.		X	
19.4 D)1)b	Project identification signs	Second sentence: Seems inconsistent with paragraph 1. If this is the case, this language should be moved to paragraph 1.			X
19.4 D)2)a	Project identification signs	“Shall,” not “may”			X
19.4 J)	Landscaping	Landscaping requirements are also found in Article IV and in the Off-street Parking provisions. The bits and pieces that overlap from one to another are either identical or very similar. All landscaping and related (buffering, screening, etc.) provisions should be in the Landscaping Article and simply referenced where relevant.			X
19.4 K)2)	Buffer required	“excluding road frontage”: What does this mean? If a project edge abuts a road, a buffer is not required? Whatever the intent, this should be revised to state it more clearly.			X

Zoning Ordinance Technical Review					
Section	Provision	Comment	Type of Change		
			Policy	Major	House-keeping
19.4 K)3)a1	Buffer standards	Who decides if it's comparable? Based on what criteria? Suggest creating at least three buffer types, depending on the adjacent uses/zoning districts abutting one another. The width and intensity of plantings would vary according to the buffer type.	X		
19.4 K)3)a2	Buffer standards	What's the rationale for this? What if the wider lots were within the project and the narrow lots were not? What if the abutting lots were commercially zoned but abutting narrow single family lots? It's more relevant to consider the uses abutting one another.		X	
19.4 K)3)c	Trails within buffers	“provided adequate width (minimum 15 feet) is added”: Isn't this a disincentive to providing trails? The buffer width (and loss of developable land) goes from a 35 foot strip to a 50 foot strip. But if the trail/pathway is kept out of the buffer, an 8 to 10 foot easement is all that would be needed.	X		
19.4 M)	Screening	Exception: Suggest adding a limitation on the number of expansions or a cumulative total that are exempted. Two expansions of 1,500 SF will exceed the 2,000 SF limit.			X
19.4 M)2)d	Screening	Is this a potential loophole? Could it be worded differently? For example, additions to or expansion of existing loading docks that were in existence prior to the date of this ordinance.			X
19.4 M)3)	Screening	“at least five feet wide”: This is too narrow for any effective plant material.		X	
19.4 M)3)e	Screening	An earth berm can't fit in a five foot wide strip. At 3:1, a 3 foot high berm would be 20 feet wide (including 2 foot flat top).		X	
19.5 D)4)	Concept plan requirements	This could be put in table or checklist format. It could also be incorporated into the site plan review Article and just referenced here.			X
19.5 E)1)	Final plan - phasing	Change “section 4” to Subsection E.4 to make it easier to identify.			X
19.5 E)3)	Traffic impact analysis	Required in all cases? Suggest having a threshold of estimated daily trip generation or estimated peak hour trips in excess of a specified number.	X		

Zoning Ordinance Technical Review					
Section	Provision	Comment	Type of Change		
			Policy	Major	House-keeping
19.5 E)4)	Final plan	As noted under Concept Plan, these requirements could be incorporated into the site plan review article and simply referenced here.			X
19.6	Definitions	As stated elsewhere, all definitions should be in the Definitions Article not scattered throughout the ordinance			X
19.6	Accessory structure or use	Similar, but not the same as the definitions in Article I. The last sentence should be deleted. This is regulatory and not part of the definition.			X
19.6	Average finished grade	Should be the "average ground level along all sides of the building when construction and grading are completed."			X
19.6	Home occupation	Different than definition in Article I			X
19.6	Lots	Different than definition in Article I			X
19.6	Principal structure	Different than definition in Article I			X
19.6	Principal use	Different than definition in Article I			X
Sec. 20	MID Municipal Improvement Districts	This doesn't belong in the zoning ordinance. Remove.			X
21.3	THCD Tom Hall Street Corridor District Purpose	These purposes are not consistent with a "Highway Commercial" district. It would be preferable to create a Downtown Business District rather than an overlay. Also note that numbering format is inconsistent with the predominant format of the ordinance	X		
21.4	Prohibited uses	This illustrates another reason why the overlay approach is not suitable. Instead of a long list of prohibited uses, the ordinance should specify what is permitted.		X	
21.5	Building materials	This is pretty weak and difficult to measure or enforce. If the town is committed to architectural standards, they should be specific requirements, not suggestions.	X		

Zoning Ordinance Technical Review					
Section	Provision	Comment	Type of Change		
			Policy	Major	House-keeping
Sec. 22 UD	Urban Development District	How is this different from the MXU District? Are both needed? There appears to be only one small area zoned UD. This suggests it is a special purpose district and not needed.		X	
22.2 A)1) thru 3)	Multi-family residential	These are forms of rental or ownership and not relevant in zoning. Multi-family units are permitted. Therefore, whether they're owned, leased, rented, etc. does not matter.			X
22.2 B)1) & 2)	Single family attached	Unnecessary. Attached single family attached is sufficient.			X
22.4 A)2)	Parking in front yard	“minimize visibility from public rights-of-way”: What if the dwellings front on an internal private street? Are parking lots or garages allowed in that case?			X
22.4 D)3)	Water quality	Consider density bonus as an inducement.		X	
22.5 A)2)	Appearance review	“higher degree of architectural design and quality building materials”: Very subjective. This should be more specific...percent of stone and masonry, pitched roof, etc.		X	
Sec. 23	R-5 Residential District	How is this different from GR and GR-A?	X		
23.4	Other requirements	Dimensional requirements should be in table format for ease of reading and comparing.			X
23.4 i)1)	Buffer requirements	“buffer at least 35 feet...abutting existing residential development”: If adjacent to a multi-family development? Or single family adjacent to single family? It seems that this may not be warranted in many cases where the adjacent development is of similar type or character.		X	
23.4 k)1)	Traffic impact analysis	Are there specifications for the TIA?		X	
24.2 H)	COD/COD-N Corridor Overlay District	“expansions of existing nonresidential development resulting in a minimum ten percent increase”: In any one expansion or cumulative additions?			X

Zoning Ordinance Technical Review					
Section	Provision	Comment	Type of Change		
			Policy	Major	House-keeping
22.4 A)1)(b)1	Minimum setback	Very difficult to interpret. Revise wording and add graphic to illustrate.			X
22.4 A)2)(b)1	Building height	Delete. The terms are defined. There is no need to reference the definitions.			X
22.4 A)2)(b)4	Building height	Not needed, since the overlay supersedes the underlying zoning			X
22.5 C)2)	Architectural design	“encouraged”: Not a requirement? Should be more specific.	X		
22.6 A)1)(b)1b	Trees	First sentence: Suggest limiting any one species to no more than one-third of all trees			X
22.7 A)2)	Buffer table	Lot size: Why is lot size relevant? The buffer intensity should relate to the length of the property line bordering the neighboring property and the adjacent uses.		X	
22.7 A)2)	Buffer table	“Min. buffer width, measured from the property boundary (or right-of-way)”: Is this in addition to the streetscape trees that are required?			X
22.7 A)2)	Buffer table	“Min. landscaping if min. 6’ opaque fence or wall is installed”: Reduction in plant material is not significant considering a solid fence or wall is being constructed		X	
22.8 A)1)(a)	Screening	Second sentence: Is this applicable to new development or expansion immediately adjacent to property occupied by a single family development? Or any new or expanded development, even if not adjacent to the neighboring property?			X
22.10 A)4)	Pedestrian pathways	Town approval: Who specifically?			X
22.11 B)	Vehicular access	Regardless of length of frontage? This seems overly restrictive and potentially counter-productive.	X		
22.11 D)	Driveway alignment	If not directly aligned, the drives should be offset a minimum of 150 feet.	X		
22.11 F)	Cross-access	“dimensions of such easement”: Some minimum standard should be established.	X		

Zoning Ordinance Technical Review					
Section	Provision	Comment	Type of Change		
			Policy	Major	House-keeping
22.12 A)2)	Parking	“side or rear of the structure(s) located nearest to the public road(s)”: Clarify the meaning of this. Add a graphic to illustrate. What if the building is on a corner lot? Can parking be in the side street side?			X
22.12 A)6)	Shared parking	The stated requirements should be applicable to all shared parking and specified in the Parking article and referenced here.		X	
22.12 A)7)(e)	Bicycle parking	“entire development”: This is vague. Should state something like the combined floor area of all non-residential uses is...		X	
22.13 A)1)(b)2	Freestanding signs	Applying a formula with such minor size difference is unnecessary. Establish maximum sign area of 25 or 30 square feet for 50 to 200 feet of frontage.			X
22.13 A)1)(c)	Freestanding signs	Why? Should allow one per entry, maximum of two. Current provision would give a development with 250 feet of frontage and one entry two signs (each 50 SF), but a parcel with 200 feet of frontage is limited to one 30 SF sign.	X		
22.13 A)1)(c)2a	Unified development signs	Content regulation is not appropriate. The sign size should not be related to the message.		X	
22.13 A)1)(c)2bii	Sign size	This (250 sq.ft.) is huge and inconsistent with the intent of the COD District.	X		
22.13 B)1)	Pole signs	Does the sign have to be located within 150 feet of the interstate? If so, that should be stated. In not, there may not be a nexus between the intent of this provision and the actual sign location.		X	
22.13 D)1)	Temporary signs	Does this mean that temporary signs are not permitted? If so, it should be stated that way. If not, what does this mean?			X
22.14	Traffic signals	“consistent with the black...municipal limits”: Rather than specify the style, simply state mast arm signals, as approved by ???, shall be used. This allows some flexibility for the town and avoids having to amend the ordinance if the policy or style changes.			X

Zoning Ordinance Technical Review					
Section	Provision	Comment	Type of Change		
			Policy	Major	House-keeping
22.16A)4)	Fences on corner lots	Last sentence: Not consistent with intent and concept of special uses. Should reference clear vision triangle and limit or prohibit fences within that area.	X		
22.16 C)	Fence construction	These are general requirements applicable to all fences and walls. They should be in the Fence/Wall article and can be simply referenced here (though that isn't needed, since the regulations would apply to all fences/walls within the town).			X
22.17 C)	Alternate means of compliance	Unnecessary to state this since the BZA is given that authority in the statutes and it's stated in the ordinance.			X
22.17 D)	Alternate means of compliance	Already stated elsewhere in the ordinance. No need to repeat it here. Delete.			X
22.18 A)	Waivers	All the criteria or any one?			X
22.18 A)1)	Waivers	This means that 75% would still lie within the overlay district. It may be more effective to state that less than half the parcel is within the overlay district.			X
22.18(B)	Waivers	“authorized to charge”: Does this mean he doesn't have to charge it? Should state more directly that an application fee shall be submitted with the application in an amount established by the Town Council. Don't specify amount in the ordinance. If the fee changes, the ordinance has to be formally amended.			X
22.18(F)	Waivers	This should be restated in much simpler language			X
Article III – Signs					
Sec. 2 Definitions	General	All definitions should be in Article 1, Section 1. This section includes several definitions of terms already defined in Article 1 and the definitions are different. Note also that numbering does not follow outline format generally used throughout the ordinance			X
2.2	Freestanding sign	Very awkward definition. Should be revised to simplify.			X

Zoning Ordinance Technical Review					
Section	Provision	Comment	Type of Change		
			Policy	Major	House-keeping
2.3	Sign area	Last sentence: Regulatory language should not be in the definition. This is also contradictory since other district regulations allow freestanding signs substantially larger than 100 SF.			X
2.4	Business ID sign	Last sentence: Doesn't belong in the definition and is not content neutral.		X	
2.5	Pylon sign	"contains...premises": Delete. Can't regulate content.		X	
2.7	Off-premise signs	Revise. This is also different than the definition in Article 1			X
2.7	Off-premise signs	Second sentence: What does this mean?			X
2.8	Temporary signs	Revise. There's no mention of limited time period of display or other reference to "temporary".		X	
2.9	Freestanding signs	Last sentence: Delete...refers to content.		X	
2.10	Pole sign	Revise.			X
2.11	Ground sign	Revise.			X
2.12	Merchandising sign	Revise or delete. Is this a separate type of sign? Not needed if sign content regulations are removed from other provisions.			X
2.13	Wall sign	14 inches: Definition in Article 1 states 12 inches			X
2.14	Wall sign	Content! Revise			X
2.16	Electronic sign	Delete. This distinction is not clear. Is this intended to differentiate between electronic signs that only have copy and those that may have a graphic image? If so, such a distinction may not be defensible in terms of regulating content.		X	
2.18	Video display	Delete. This distinction is not needed.			X
Sec. 3	General Provision	Provisions should be added regarding measurement, maintenance, permitting and nonconforming signs		X	
4.3	Prohibited Signs	Most of this subsection deals with requirements for projecting signs. This should be moved to the section of permitted signs.			X
4.4	Off-premise signs	This term is already defined. There is no need for this additional definition.			X

Zoning Ordinance Technical Review					
Section	Provision	Comment	Type of Change		
			Policy	Major	House-keeping
4.5	Roof signs	Already defined, no need for this added language.			X
4.6	Portable signs	Delete, already defined.			X
4.7	Animated signs	Move to section on Illumination or Movement rather than prohibited signs. This is a general requirement, not a sign type.			X
4.8	Abandoned signs	Move to General Provisions.			X
4.9	Pennants	Delete, not needed.			X
4.10	Signs obstructing access	Suggest this regulation be listed in General Provisions, not Prohibited Signs. This is not a sign type.			X
4.11	Signs in right-of-way	Move to General Provisions			X
Sec. 5	Signs For Which a Permit is not Required	Add: flags, help wanted, historical markers, memorial, political, essential services, garage sale.			X
5.3	For sale signs	Residential districts: Consider changing to "residential uses" to acknowledge that some offices, institutions, etc. are allowed in residential districts and may warrant a larger sign.			X
Sec. 6	Regulations Applying to Specified Types of Signs	This should be formatted as a table for clarity and ease of understanding.			X
6.1	Signs on work under construction	Title: change to "construction signs"			X
6.1	Construction signs	"One": One per street frontage is more common		X	
6.3	Open house	Define sign type.			X
6.3	Open house	"One 36-hour period": Difficult to enforce		X	

Zoning Ordinance Technical Review					
Section	Provision	Comment	Type of Change		
			Policy	Major	House-keeping
6.4	Routine real estate directional sign	How does this differ from 3)? Why are the time limits different? These sign types should be consolidated as off-premise real estate directional signs		X	
6.5	Off-premise real estate	Content. This is not defensible.		X	
6.6	Yard sale	Second sentence re: two day sale limit. Move to use regulations. This isn't related to the sign.			X
6.7	Temporary signs	"Allowed in Commercial districts": What about churches and schools in Residential Districts?		X	
6.7 A)	Temporary signs	"Responsible individual": specify property owner or business owner			X
6.7 B)	Temporary signs	??? Again, be cautious about regulating content		X	
6.7 D)	Temporary signs	Does this mean those organizations can only have temporary signs above town property?		X	
6.7 D)	Temporary signs	"Controversial nor offensive": Content. What's the definition of controversial or offensive? Chances are someone will find any message controversial or offensive. There are free speech/content implications.		X	
Sec. 7	Sign Illumination	Revise this section. The wording is awkward. Additional provisions should be included regarding electronic signs, movement, etc.		X	
Sec. 8	Height Limitations	Since the height of freestanding signs is limited to 24 feet, what other signs would this apply to?			X
Sec. 9	Signs Permitted in Front Yard, Side yard, and Rear Yard Limitations	Delete. The sign regulations establish setback requirements. This section is not needed.			X
Sec. 10	Signs Permitted in Residential Districts	Are subdivision or development gateway signs permitted?		X	

Zoning Ordinance Technical Review					
Section	Provision	Comment	Type of Change		
			Policy	Major	House-keeping
10.2	Business ID sign in Residential Districts	Not exceeding six square feet and non-illuminated: This is very restrictive for schools, churches, hotels and medical offices		X	
Sec. 13	Ground Signs	This doesn't specify where the ground signs are permitted.		X	
Sec. 13	Ground signs	"Ground signs...real estate developments": Delete, already defined.			X
13.1	Maximum height	"Normal": Should state natural grade or measured from the abutting road elevation. In General Provisions note that sign height may not be increased by creating artificial mounds or berms.		X	
13.3	Maximum area	These sizes are very large for a ground sign. 32 to 48 sq. ft. is more common and reasonable.		X	
13.4	Minimum setback	This is a contradiction. If it must be 15 feet from any property line, it can't be 3 feet from the ROW (front property) line. Revise			X
13.5	Advertising message	"Should not": Is this a suggestion or a requirement? Revise		X	
13.5	Advertising message	This seems to limit the actual "sign" display to 40 percent of the total area permitted. If this is the intent, then reduce the sign size.		X	
Sec. 14	Pole Signs	Delete. Already defined.			X
14.1	Pole sign height	Should also require minimum ground clearance below bottom of sign		X	
14.2	Pole sign number	Consider one per street frontage	X		
14.5	Pole sign message	See prior comment re: ground signs		X	
Sec. 15	Merchandising signs	Delete. Already defined			X
Sec. 15	Merchandising signs	"Shall," not "should"			X
15.2	Maximum area	36 square feet: Is this in addition to the allowed area of the pole sign? This is a content sign and should not be in addition to the pole or ground sign requirements. The owner is entitled to put whatever he wants on the sign. Suggest deleting this and allowing a portion of a pole, ground or wall sign (25%) be used for changeable messages (manual or electronic)		X	
Sec. 16	Wall Signs	Delete. Already defined. Note, the definition states 12 inch projection from the wall.			X

Zoning Ordinance Technical Review					
Section	Provision	Comment	Type of Change		
			Policy	Major	House-keeping
Sec. 16	Wall signs	50 feet: Minimum distance should be increased before allowing larger sign. Any building with a bay of parking in front will be setback over 60 feet.		X	
Sec. 17	Temporary signs	Delete. Again, the sign regulations have to be content neutral.		X	
Sec. 17	Temporary signs	Pole signs: By definition, temporary signs cannot be pole signs (which would make them permanent). This whole section should be revised.		X	
18.1	Unified development signs	30 feet: No need for taller sign. Suggest keeping it consistent with other pole signs at 24 ft.		X	
18.2	Unified development signs	This is unnecessary. If the development has such substantial frontage, they don't need a larger sign since there will be no competing signs in the vicinity and they will have unobstructed visibility.	X		
18.2(1) & (2)	Maximum area	These maximum sizes are excessive	X		
19.1)	Electronic Signs	“Permitted in all zoning districts”: As freestanding signs or part of an otherwise allowed sign? This should be more specific.		X	
19.1) b)1	Electronic signs	Static: Should note that message changes must be instantaneous		X	
19.1) b)2	Electronic signs	50 percent of the allowed/permitted sign face: This distinction in sign area is not necessary and only adds complexity	X		
19.1)b) 7	Electronic signs	Why not just prohibit them in any historic district?	X		

Article IV – Landscaping Standards					
	General	Change to Landscaping, Screening and Lighting Standards This Article should be more comprehensive regarding greenbelts, buffer strips, preservation of significant trees, payment in lieu, landscaping plan requirements and other related landscaping provisions found elsewhere in the ordinance		X	
1.1	Landscaping required in parking areas (for proposed commercial, professional, office, institutional, and multi-family residential development.	“At least one tree per ten parking spaces”: Add graphic			X
1.2	Parking areas	First sentence: Add graphic			X
Sec. 2	Landscaped buffer between residential and nonresidential uses	“vehicular areas”: Parking lots?			X
Sec. 2	Landscaped buffer between residential and nonresidential uses	“along each side of the property line”: Does this mean a 25 foot buffer on each side of the property line, including the residential property? If so, that seems excessive and unfair to the residential property owner. If not, this should be clarified.		X	
Sec. 2	Landscaped buffer between residential and nonresidential uses	“evergreen trees, a minimum of eight feet high”: More options should be considered, e.g., a berm, fence, wall, combination of trees and fence/wall, etc.		X	
Sec. 4	Screening of security fences	"Planning Board", "Planning Commission" and "Planning and Zoning Commission" have been used so far in the ordinance. Be consistent			X
Sec. 5	Fencing-service areas	This entire section should be revised to establish specific screening requirements and the uses/areas to be screened. More uniform requirements should be established.		X	

Sec. 5	Fencing-service areas	“which detract from the appearance of the community”: Delete. This is subjective. It’s sufficient to list the various locations and uses where screening is required.			X
6.1 B)	Lighting Standards	“Lighting fixture”: This could be construed to mean if one light pole/fixture in a parking lot is replaced or changed, it has to meet the requirements of this section. Is that the intent? That seems impractical.		X	
6.2 A)4)	General standards	This should be broadened to allow accent lighting on buildings to highlight architectural features, not just limited to places of worship.			X
6.3 B)3)	Light pole height	Seems like the size of the parking lot would be a more appropriate threshold than building size. The rationale for taller fixtures is to minimize the number of poles distributed throughout the parking area. Therefore size of parking lot is the variable.		X	
6.4(A)	Light pole height in Residential	“lighting fixtures in any residential zoning district”: For schools and churches? This results in a lot of light poles. Suggest using the commercial standards.		X	
Sec. 7	Sidewalks and walkpaths	Very narrow. Sidewalks should be five feet.	X		
Article V – Commercial Development Appearance Review					
Sec. 1 Purpose	General	This should be defined or more specifically detailed. Does this apply to all non-residential development? Industrial development? All uses within a commercial zoning district?		X	
2.2	Proposed commercial development	Is this intended to exclude Industrial? “Commercial should be more specifically defined. “Business” can be construed as any non-residential or institutional use. Is that the intent?		X	
Sec. 3 Site Plan	General	Include landscape architect among the professionals who may prepare a site plan.			X
3 G)	Elevations	Elevations of proposed buildings should be required, but may be unnecessary to provide elevations of adjacent buildings.		X	
3 G)	Adjacent property	50 feet: Should be at least 100 feet		X	
4.2	Appearance Review	Should state that incomplete applications and plans will not be reviewed by the committee			X
4.3(B)	Purpose	Special exception: Conditional use?? Special exceptions are handled by the BZA. Clarify			X

4.3(C)	Membership	Why create a separate committee? The design review function could be added as a consideration in site plan review which is normally handled by the Planning Commission. This makes it seem like another body, another meeting and a more complicated review process. it doesn't have to be that way.			X
5.1	Appearance Standards	Relationship to what? The three criteria are all different. There should be a common thread/unifying element?		X	
5.1 A)	Appearance standards	Desirable view: Subjective, arbitrary criterion. Revise.		X	
5.1 B)	Appearance standards	Innovative means: These aren't innovative. Again, the standard should be more specific..." all parking shall be screened from view from adjoining properties and streets by means of a screen fence, wall, hedge, evergreen trees or combination as approved by the committee."		X	
5.2 A)	Relationship to adjoining areas	Reword. This sounds like the onus is on the adjacent buildings rather than the proposed development.		X	
5.3	Landscaping	It would be helpful if all landscaping requirements were in the Landscaping Article.			X
5.4 B)	Building design	Good architectural character: What does this mean? This is too arbitrary and subjective. Revise.		X	
5.4 H)	Building design	Consider specific requirements such as no more than three different building materials may be used; any building wall over 100 feet in length shall be designed so there is articulation to add interest and reduce the scale and potential monotony of a large unbroken wall plane. Consider identifying acceptable building materials and even specifying the percent that must be brick, stone or masonry. Conversely, a list of prohibited materials, such as metal siding or EIFIS, could be considered.		X	
5.5	Signs	These standards are very vague and subjective. It seems that if a sign meets the sign requirements of the ordinance, it would have to be approved. These standards should be revised or the sign review should be deleted.		X	
5.5 B)	Signs	This could result in a larger sign because the neighbors have a large sign. Is that the intent?		X	
5.5 G)	Signs	What does this mean?			X

5.6	Miscellaneous structures	What are they???? This is too vague. Define and specify			X
Article VI – Administration, Enforcement, Penalties, and Fees			Policy	Major	House-keeping
1.A)1)	Administrative and Decision-Making Bodies	This is unnecessary. In addition, the list is incomplete since the planning director and appearance review committee are not listed but are charged with certain responsibilities in the ordinance.			X
1.C)1)(a)	Comprehensive plan	Revise. This appears to be statutory language and is not needed. It's sufficient to note that the PC is charged with overseeing and recommending adoption of the Plan.			X
1.C)1)(a)	Comprehensive plan	“local planning commission”: Should be city planning commission			X
1.C)1)(f)	Designation of historic properties	Does the PC need to be involved in this? This should be the role of the HRB and Council		X	
1.C)1)(g)	Design guidelines for historic properties	Same comment as above		X	
1.C)1)(l)	Appeals	This should be the province of the Board of Zoning Appeals.		X	
1.C)1)(m)	Street names	Not necessary to cite procedures.			X
1.C)1)(m)1 thru 3	Street names	These regulations should be moved someplace else, not under the list of duties.			X
1.C)2)	Membership	Subsections (2) thru (6) are not necessary and could be deleted.			X
1.D)1)(c)	Special exception permits	The ordinance uses this term in several places but seems to use it interchangeably with "conditional use". There is no reference to special exception uses in the individual districts. Suggest deleting reference to special exception uses throughout the ordinance or adding “uses permitted by special exception” as a subsection in each zoning district.			X
1.D)2)	BZA membership, etc.	Subsections (2) thru (6) are not needed and should be deleted. The BZA provisions are redundant since Article VII specifically addresses the BZA			X
1.E)2)	HRB membership, etc.	Subsections (2) thru (6) are not needed and should be deleted.			X
1.F)b)2	Zoning administrator	Sec. 3. 2) states the PC is responsible for deciding conditional uses. This should be reconciled		X	

1.F)c)	Training requirements	Delete. Not needed in the ordinance			X
1.G	Town attorney	Superfluous. There's no mention of the planning director or town engineer. This should be deleted.			X
3.1 thru 3.4	Certificate of Occupancy	These provisions should be moved to a separate section dealing specifically with Conditional Uses and the approval process. They seem out of context listed under C of O.			X
Sec. 4	Temporary Uses and Special Events	This section seems out of place. It may be more appropriate in a General Provisions article or a new article addressing Conditional and Other Uses			X
4.2 F)	Contractor's office and equipment	"Not to exceed 24 months": A provision for an extension should be added in the event that the construction schedule goes beyond 24 months			X
4.2 G)	Farmer's market	"responsible businesses": delete. This is a subjective term. A more descriptive term should be used.			X
4.3 I)	Off-street parking	"Adequate off-street parking": Note that the zoning administrator is responsible for determining parking requirements based on specified criteria.			X
Sec. 5	Sign Permits	This section should be in the Sign Article.			X
Sec. 5	Sign Permits	"The building official shall issue sign permits": Sec. 3. 1) of the Sign Article states that the zoning administrator is responsible for issuing sign permits.			X
Sec. 6	Penalties	This section should be expanded regarding procedures, time limits and each day of noncompliance constituting a separate offense.			X
Sec. 7	Remedies	"the building official": Should be the zoning administrator for zoning violations. Building violations should not be addressed in the zoning ordinance. Those are addressed separately in the building code.			X
Sec. 8	Fraudulent Subdivisions	"for the purpose of fraudulently circumventing this ordinance": May be difficult to prove. This should probably be a broader statement such as "any subdivision of land performed knowingly or unknowingly in violation of the requirements of this ordinance shall be void..."			X
Article VII – Board of Zoning Appeals			Policy	Major	House-keeping

Sec. 2	Jurisdiction	This is unnecessary. In addition, the list is incomplete since the planning director and appearance review committee are not listed but are charged with certain responsibilities in the ordinance.			X
3.1	Meetings	Same comment as above.			X
3.2	Records	First sentence: Delete. This level of detail is not needed.			X
Sec. 4	Appeal procedure	Second sentence: Special exception procedures should be in a separate section of this Article. It's not an appeal.			X
Sec. 4	Appeal procedure	Seventh sentence: Add something to the effect: "Unless, it can be shown that a change in circumstances or new evidence is available that might reasonably result in an approval."			X
Sec. 5	Powers and duties	This should come before Section 4.			X
5.2	Powers and duties	First sentence: Should specify the nature of variances (dimensional and development requirements), but not use variances.			X
5.2	Powers and duties	"give consideration to the following factors where applicable": These are not appropriate or relevant factors to consider for a variance. This subsection should be deleted. The appropriate standards are listed in subsection 3.			X
5.2 D)	Powers and duties	"establish such reasonable conditions of approval": this should be included in a separate section related to the authority to attach conditions to an approval			X
5.2 D)	Powers and duties	Second sentence: This should be moved to a separate section related to making decisions. In addition, it may not be advisable to ask the Planning Commission for a recommendation regarding a variance, since the decision to grant a variance should be based solely on the stated criteria. PC input on special exceptions, however, is desirable.	X		
Sec. 6	Action on Appeals	Building official: change to zoning administrator			X
Sec. 7	Stay of Proceedings	Building official: zoning administrator			X
Sec. 8	Public Hearings on Appeals	Combine with Sec. 4.			X
Article VIII – Amendments			Policy	Major	House-keeping

Sec. 1	Authority	Second sentence: This is a very tight time frame. It may be sufficient in most cases but does not account for unforeseen circumstances... controversial issues, lack of quorum to conduct business, desire for more information from the applicant, etc. Should increase to 60 days or delete time reference altogether.			X
3.1	Procedure for Amendments	“more than once every 12 months”: See prior comment to add language regarding change in circumstances that might reasonably be expected to alter the decision.			X
3.2	Application forms	“shall be submitted in proper form”: Should state that incomplete applications will not be accepted or forwarded to the PC.			X
3.4 A)	Procedure for enactment	There are several separate items in this paragraph that should be separated into subsections or individual paragraphs for ease of understanding.			X
3.4 A)	Procedure for enactment	Fifth sentence: Revise to clarify. This seems to be stating that after the PC has made its recommendation, a change to the proposed amendment may not be made until the request is sent back to the PC for reconsideration. Correct?			X
Article XIX – Legal Status Provisions					
Sec. 1	Zoning ordinance control	Revise. This is unnecessarily wordy.			X
Sec. 3	Nonconforming uses	This should be a separate Article and completely rewritten to address nonconforming uses, nonconforming structures and nonconforming lots of record. In addition, expansion, removal, maintenance, change to another use, etc. should all be addressed.		X	
Sec. 3	Nonconforming uses	“which would be prohibited...as nonconforming.” Should be restated.			X
Sec. 4	Discontinued Nonconforming Structure	Confusing. Should be restated.			X
Sec. 5	Removal of Nonconforming Structures	Under what circumstances might this occur?			X
Article X – Other Uses					

Sec. 1	Conditional uses	Revise this section to define "Conditional Use" and the procedures for applying for conditional use approval. The article is titled "Other Uses". Should it be "Conditional Uses" as the provisions all seem to relate to conditional uses? Clarify			X
Sec. 1	Conditional uses	"and zoning": Delete			X
1.1	Conditional uses	"the general plans for the physical development of the town": Very vague and broad. Determining the impact of a single use on the entire town seems excessive and impractical. Revise wording			X
1.2	Conditional uses	"residents and workers": Also overly broad. This should be more focused on the immediate vicinity surrounding the location of the proposed use.			X
1.3	Conditional uses	The board: ??? Planning Commission			X
Sec. 2	Additional Restrictions	"and zoning": Delete			X
Sec. 4	Uses which may be allowed	This section is out of context and doesn't relate to the allowed uses in the zoning districts. Both auto repair and auto service stations are listed as permitted in some districts and conditional in others, but not as special exception. This section should be deleted. A separate article should be created for Conditional Uses and specific standards should be cited, as appropriate, for individual uses coinciding with the conditional uses listed in the various zoning districts.			X
Sec. 4	Uses which may be allowed	"special uses": Does this mean special exception uses or conditional uses? Clarify and be consistent in the terminology. Why are these two uses singled out? There are many more in the ordinance that are listed as "conditional".			X
4.1 B)	Auto repair facilities	This can be construed to permit an unlimited number of damaged vehicles to be stored if they are licensed and operable. Revise to limit the number of vehicles awaiting repair.		X	
4.1 C)	Auto repair facilities	Same comment as above		X	
Article XI – Nuisances					
	General	This entire Article should be removed from the zoning ordinance. This should be a General Law ordinance rather than a zoning provision.			X

Sec. 1	Dwelling	Dwelling Unit is defined in Article 1. The ordinance should use one term and one definition.			X
	Person	Already defined in Article 1 differently than this definition. Revise			X

**Technical Audit
Fort Mill, SC
Chapter 32 - SUBDIVISIONS**

Section	Provision	Comment	Type of Change		
			Policy	Major	House-keeping
Article I – In General					
		The ordinance would be greatly improved with additional user-friendly flow charts and tables to best illustrate multi-step processes, making the ordinance easier to understand. New charts and tables are recommended for existing and proposed processes.			X
		A table of responsible parties, authorities and steps of the subdivision process could serve as a helpful visual for readers. Each responsible party can be listed along with their role and specific authority in the process, including but not limited to: review, recommend, distribute, approve and inspect.			X
		An early section of the Subdivision Chapter should clearly outline the types of subdivisions and general procedures. Detailed information is available in later sections, but including this information early on would result in a more user-friendly document.			X
		A major subdivision flow chart would help applicants to better understand processes, submittal deadlines and timeframes. Most importantly, a flow chart can help to distinguish between two separate courses: infrastructure surety bonding and final plat versus construction prior to final plat approval and recording.			X
		There are numerous references to fees. Fees should be addressed in one section in the UDO Administration Section.			X
		Checklists should be placed in the appendices or available online and at Town Hall (section 32-38, 32-40, 32-46)			X
Article I – In General					
32-3	Purpose	Add “as amended in 2004” to end of second sentence.			X
32-4	Definitions	Definitions needed:			X
		<ul style="list-style-type: none"> • Multi-frontage lot. Combined definitions in UDO.			

Section	Provision	Comment	Type of Change		
			Policy	Major	House-keeping
		Definition of <i>Block</i> : inconsistent with ZO			
		<i>Building line</i> : also known as “building setback line” in ZO.			
		<i>Density</i> : Gross and net; how will density be used within the UDO?			
		<i>Dwelling</i> : not defined in ZO.			
		<i>Dwelling, group</i> : not defined in ZO.			
		<i>Dwelling, multifamily</i> : inconsistent with ZO. ZO is two or more which is incorrect.			
		<i>Dwelling, one-family</i> : refer to as “single-family.”			
		<i>Dwelling unit</i> : inconsistent with ZO.			
		<i>Easement</i> : inconsistent with ZO.			
		<i>Family</i> : inconsistent with ZO.			
		<i>Group development</i> : This is a condominium but SC commonly uses this term; may be antiquated.			
		<i>Lot</i> : inconsistent with ZO.			
		<i>Lot, corner</i> : inconsistent with ZO.			
		<i>Lot, double frontage</i> : An alley on the opposite side of a street does not constitute a double-frontage lot.			
		<i>Lot width</i> : measured at setback; use ZO version.			
		<i>Mobile home subdivisions</i> : inconsistent with ZO; use ZO version.			
		<i>Right-of-way</i> : inconsistent with ZO; use this version.			

Section	Provision	Comment	Type of Change		
			Policy	Major	House-keeping
		<i>Street</i> : inconsistent with ZO; all categories.			
		<i>Subdivider</i> : inconsistent with ZO.			
		<i>Subdivision</i> : this definition can be generalized and have sub-categories, such as Major, Minor, Exempt. Consider including minor subdivisions that do not involve road infrastructure and major utility improvements. Determine an appropriate number of resulting lots and a timeframe for dividing adjacent land or resulting lots.			
		<i>Subdivision (3)</i> : Exempt subdivision.			
		<i>Subdivision (4)</i> : delete from definitions as it is procedural.			
32-5	Official filing of regulations	Except for exempt subdivisions. Why not minor subdivisions?	X		
32-11	Variance	Design requirements but not zoning spatial and dimensional requirements.		X	
32-14	Appeal	Exempt subdivisions only at this time.		X	
Article II – Plat Requirements and Review Procedures					
32-36	Steps of approval process	(b) Cannot sell lots, except in the case of posting a performance guarantee. Reference surety bonding section.			X
32-37	The Sketch Plan	This step is unnecessary and should be a staff function.	X		
		Fees should be addressed in standalone section.			X
32-38	Information to be shown on the sketch plan	(4): include proposed widths and depths. Add: stormwater infrastructure.	X		
32-39	The preliminary plat	12-15 copies is typical. 14 days may be insufficient time for checklist review, plat review, and a one-week review period for the Planning Commission.	X		
		Fees should be addressed in a standalone section.			X
32-40	Contents of the preliminary plan	All checklists should be placed in the appendix.			X
		Most of the proposed site data should be prepared by a registered engineer.	X		

Section	Provision	Comment	Type of Change		
			Policy	Major	House-keeping
32-41	Planning commission action on preliminary plat	(b): Confirm public hearing requirements against the act.			X
		(c): 14 day timeframe is insufficient for this level of outside review. It would be difficult to approve a preliminary plat during the first review.	X		
		(d): Why two other members?	X		
		(d): Retain one copy for staff file	X		
		(e): A step is missing here. A reference to construction or development plans is necessary as only "preliminary" engineered plans are required during preliminary plat review. Replace "arrangements for required improvements" with a reference to infrastructure surety bonding.		X	
		Conditions of approval should be based on guidelines to avoid challenge. The purpose of conditions shall: 1. Be consistent with the intent and purpose of the zoning and subdivision requirements. 2. Be related to the standards to ensure compliance.			X
32-42	The final plat	(a): Increase 14 to 21 days	X		
		(a): Include standalone fee section			X
		(b): If no preliminary plat is necessary for this "minor" subdivision, it should be stated earlier in the chapter and defined as a distinct type of subdivision (minor).			X
		Is there a performance guarantee ordinance elsewhere?		X	
32-43	Improvements	When and how are final construction or development plans reviewed?		X	
		Is there a performance guarantee ordinance elsewhere?		X	
32-44	Time of submission	A process for extension should be outlined.		X	
32-45	Recording	Seems out of order, should be placed after 32-48, Planning Commission action on final plat.		X	
32-46	Contents of the final plat	Include all checklists in the appendix.			X
Article III – Design Standards					
32-72	Streets	(8): Refer to fire apparatus code requirements.			X

Section	Provision	Comment	Type of Change		
			Policy	Major	House-keeping
32-74	Blocks	(b): Mid-block crossings should be required for blocks greater than 800'. In the design of blocks longer than 800', the Planning Commission could require the provision of pedestrian crosswalks in conjunction with traffic calming measures near the center, or wherever most useful to facilitate pedestrian circulation to a school, park, recreation area, shopping center or other significant site.		X	
32-75	Lots	(b): Width should be addressed in the zoning spatial requirements.			X
32-76	Building lines	Delete this section as it is addressed in zoning spatial requirements.			X
32-77	Public sites and open spaces	Is there a general plan? Have major park sites been reserved in this manner? Should this be a reference to the Official Map? (S.C. Code §§ 6-7-1210 through 6-7-1280).	X		
32-78	Area subject to flooding	A reference and connection to the flood protection ordinance is necessary here.			X
32-79	Group developments	This entire section should be removed from the Subdivision Chapter. Group development should be addressed in the General Provision Article and processed in accordance with Site Plan Review.		X	
Article IV – Required Improvements					
32-101	Plat approval conditional on installation	This is confusing as as-builts should be provided in two cases: 1. After installation of improvements, prior to final plat approval. 2. After bonded improvements, prior to acceptance and final compliance inspection.			X
32-102	Survey accuracy	Reference the Standards of Practice Manual for Surveying in South Carolina			X
32-104	Surety bond	This entire section needs to be expanded and refined. It should include: 1. Review of a project contract or certified cost estimate. 2. Increase of the minimum surety bond amount of 125%. Litigation could take years to finalize and prices made increase. Additionally, existing or incomplete infrastructure may need full replacement if a project is left unfinished. 3. Surety reduction policy and procedure. 4. Time limit for completion of construction and issuance of a certificate of construction compliance.			

**Technical Audit
Fort Mill, SC
Chapter 8, Article I, Section 8-1 – Yard Sales**

Section	Provision	Comment	Type of Change		
			Policy	Major	House-keeping
Article I – In General					
8-1	Yard sales	This section could be relocated to the new General Provisions article in the UDO.			X
		Yard sales could be permitted as Temporary Uses.			X
		Yard sale signs should be regulated in the Sign article and a reference should be included.			X

**Technical Audit
Fort Mill, SC
Chapter 16, Article II, Division 2 – Junked or Abandoned Vehicles**

Section	Provision	Comment	Type of Change		
			Policy	Major	House-keeping
Article I – In General					
16-36	Definitions	Vehicle abandonment occurs when one or more of the five conditions is met, not a combination of conditions.			X

Section	Provision	Comment	Type of Change		
			Policy	Major	House-keeping
		(1 & 4) Inoperability lends itself to the definition of Junk Vehicle. Inoperability does not necessary mean a vehicle is abandoned. This distinction should be made clear between the two definitions.			X
16-38	Parking or storage on private property prohibited	This section is the most appropriate to include in the General Provisions or Parking articles in the UDO.			X

Technical Audit

Fort Mill, SC Chapter 8, Article IV – Sexually Oriented Businesses

Section	Provision	Comment	Type of Change		
			Policy	Major	House-keeping
Article IV – Sexually Oriented Businesses					
Article VI	General	Several sections within this article are appropriate for the UDO while some of the specific permitting regulations should remain in Article VI of the Town Code of Ordinances. <ul style="list-style-type: none"> • Definitions; • Reference to permitting requirements; • Section 8-155, Location of sexually oriented businesses (500 foot rule); • Section 8-160 Hours of operation; • Signs/advertising; 			X
8-142	Definitions	Definitions should match those in the Zoning Ordinance.			X
8-155	Location of a sexually oriented business	This section states that a SOB is limited to the general industrial district (GI). However, it is not listed as a permitted use in the Zoning Ordinance.			X

Technical Audit

**Fort Mill, SC
Chapter 20 – Floods**

Section	Provision	Comment	Type of Change		
			Policy	Major	House-keeping
Article III – Flood Hazard Prevention					
20-74	Standards for subdivision proposals	While the flood protection ordinance will not be a component of the UDO, this section should be replicated in the subdivision chapter.			X

**Technical Audit
Fort Mill, SC
Chapter 16, Article 16 – Stormwater Management and Sedimentation Control**

Section	Provision	Comment	Type of Change		
			Policy	Major	House-keeping
Article III – Stormwater Management and Sediment Control					
	General	The contents should be a full article of the UDO. We will rely on the Town Engineer for necessary changes to the stormwater management and sediment control regulations during this process.			X
16-122	Fee schedule	This section should reference a new consolidated fee section.			X
16-126	Permit application and approval process	This section should be reference in the Subdivision Article. For instance, there is no reference currently in the Subdivision Article concerning stormwater permitting or any time.			X
16-221	Definitions	Consolidate in UDO. Combine and ensure consistency of the following terms: <ul style="list-style-type: none"> • Applicant • As-built plans or record documents • Development or develop land • Developer • Easement • Plan • Redevelopment • Subdivision • Variance • Town Council 			X

**Technical Audit
Fort Mill, SC
Chapter – Preservation Corridor**

Section	Provision	Comment	Type of Change		
			Policy	Major	House-keeping
Article –					
30-11	Preservation Corridor Limits	This should correspond with overlay districts or setbacks for parcels fronting the noted corridors. This section requires “additional setbacks” to preserve ROW.			X