

# Corridor Overlay District (COD) **REVISED DRAFT**

## Purpose

The Corridor Overlay District (COD) is established for the purpose of maintaining a safe, efficient, functional and attractive roadway corridor for the Fort Mill Southern Bypass (Bypass). It is recognized that, in areas of high visibility, the protection of features that contribute to the character of the area and enhancements to development quality promote economic development and stability in the entire community.

## Applicability

Parcels in the COD shall be as designated on the Official Zoning Map of the Town of Fort Mill. Such parcels shall be adjacent to the Bypass right-of-way (Corridor) and wholly or in part within 500 feet of the outer edge of the right-of-way of the Corridor. Where part of a parcel is within 500 of the right-of-way of the Corridor, the entire parcel shall be subject to these regulations, unless specifically excluded below.

- **COD**

The COD refers to all parcels with the overlay district as indicated on the Official Zoning Map.

- **COD-N**

The COD-N is intended for areas that lie within the areas identified as activity nodes in the adopted Fort Mill Comprehensive Plan and are envisioned to be more urban in nature. Consistent with the characteristics of urbanized areas, these areas are more likely to accommodate a variety of uses in a walkable environment. Therefore, development will be designed to bring buildings close to the road edge to better define the public space of the streets enhanced by landscaping and walkways and create a scale that is more appropriate for a pedestrian traffic.

The standards established in this section shall be applied to any of the following types of new development to be located within the area delineated on the Official Zoning Map and is approved after the effective date of this ordinance:

- Single-family residential (with exceptions per notes below);
- Multifamily residential; and
- All nonresidential development, including civic and institutional uses, such as schools, churches and community facilities.

*Notes:*

1. *Single-family residential development shall be subject only to the following standards:*
  - a. *the minimum setback requirements under Dimensional Requirements,*
  - b. *the orientation requirements under Building Design,*
  - c. *the applicable requirements under Screening, and*
  - d. *the applicable requirements under Driveways on Corridor.*
2. *In new single-family residential subdivisions, the standards pertaining to Streetscape and Pedestrian*

*Facilities shall also apply.*

These standards shall not apply to any development that is covered by a development agreement between the Town and the developer, provided such development agreement was prepared consistent with the provisions of Chapter 31 of the South Carolina Code of Laws and is still in force.

Existing development shall not be subject to these standards. However, expansions of existing nonresidential development resulting in a minimum ten percent increase in building area or lot area shall be subject to some of the standards, as indicated herein.

If the requirements of the underlying zoning district are more restrictive, those requirements shall apply.

### **Permitted Uses**

All permitted, special and conditional uses of the underlying zoning district are allowed subject to the specific requirements and procedures for each use classification, except as follows:

The following uses are prohibited:

- Automobile rental and sales.
- Automotive wrecker service.
- Casino or gambling establishment.
- Check cashing establishments, title loan lenders, deferred presentment lenders, pawnshops, loan brokers, and small loan companies.
- Communications towers. Where such towers must be permitted per the Telecommunications Act of 1996 and it has been demonstrated that no existing towers or structures (such as rooftops, water towers, etc.) can accommodate such equipment, the towers shall not exceed 100 feet in height. To the extent practicable, they shall be roof-mounted, not freestanding, structures.
- Industrial or heavy manufacturing uses (prohibited in COD-N only).
- Junk or salvage yards.
- Mobile homes.
- Sexually-oriented businesses.

### **Dimensional Requirements**

The dimensional requirements shall be the same as the underlying zoning district, except as follows:

1. Setbacks

The building setbacks of the underlying zoning districts shall apply, except along the Corridor. Building setbacks, measured from the right-of-way of the Bypass, shall be as follows:

	Minimum (ft)	Maximum (ft)	Average (ft)
COD-N	35'	None	45'
COD	50' or 100' (landscaped	None	NA

	buffer requirements vary)		
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The minimum setback in COD shall be reduced in cases where the setback area exceeds 40 percent of the acreage of a parcel already in existence on the effective date of this Ordinance. The width of the setback area shall be reduced to the extent necessary (up to a 15-foot reduction) in order that the buffer shall not exceed 40 percent of the parcel. No setback shall be less than 35 feet.

There shall be no development allowed in the setback, except as follows:

- Drainage features designed to mimic the natural environment;
- Driveways;
- Landscaping;
- Lighting;
- Parks and park-like facilities (not including ball fields);
- Public utilities (limited to lines and other equipment);
- Retaining wall(s);
- Sidewalks, pedestrian ways, or bikeways;
- Signs, subject to subparagraph \_\_\_\_\_ below; and
- Streetscape elements.

2. Building Height:

	Minimum (ft)	Maximum (ft)
COD-N	24'	45', unless underlying zoning maximum is higher
COD	NA	Consistent with underlying zoning

*Note: Height may be above the maximum height indicated, provided all portions of the structure exceeding the height limit indicated shall be stepped back an additional one foot from the adjoining property line for each additional foot in excess.*

**Building Design**

All buildings in the Corridor Overlay District shall comply with the requirements below. In addition, all nonresidential development shall be subject to the requirements of the Appearance Review Ordinance as well as the Commercial Appearance Review Process.

Orientation:

- Except as provided below for COD-N, the rear facades of buildings shall not be visible from the Corridor. Such facades shall be oriented away from view from the Corridor or shall be screened by landscaped buffers that meet or exceed the requirements for landscaped buffers in subsection \_\_\_\_\_.
- In COD-N, buildings shall be oriented toward the public street(s).
  - Pedestrian access from the street is encouraged for all multi-family residential and

nonresidential uses. Therefore, primary entrances shall be visible and accessible from the public street, where feasible.

- Where parking is provided at the rear of the building, the primary entrance may be located to provide access from such parking. Two primary entrances, one from the street and one from the rear parking area, are permitted.
- Loading areas of buildings shall not be visible from the Corridor. Such loading areas shall be oriented away from view from the Corridor or shall be screened per the requirements in subsection \_\_\_\_\_.

#### Architectural Features / Façade Treatments:

- Materials:
  - Buildings shall be designed to use building materials such as rock, stone, brick, stucco, concrete, wood or Hardiplank.
  - No mirrored glass shall be permitted on any facades that are visible from the Corridor.
  - Corrugated metal shall not be used on any façade.
- In COD-N, any nonresidential façade facing the Bypass or any other street shall be articulated with architectural features and treatments to enhance the quality of pedestrian environment of the public street, particularly in the absence of a primary entrance.

#### Streetscape

- COD-N
  - Street trees shall consist of canopy trees planted within the streetscape zone (the first 15 feet of the setback closest to the Bypass) at rate of one tree per 50 linear feet along all Corridor frontages. Tree spacing shall be not more than 60 feet and not less than 40 feet on center. At planting, street trees shall be a minimum of 2 inches in caliper (measured six inches above ground level) or 8 feet in height. Such tree placement shall comply with SCDOT safety requirements. Significant trees protected in accordance with Section 3 of the Landscaping Standards of Article IV may be counted to satisfy this tree planting requirement.
  - All new development or expansions of existing development resulting in a minimum ten percent increase in building area or lot area shall provide landscaping within the setback in accordance with this subsection. For purposes of this subsection, the planting area shall be determined by multiplying the lot frontage, less driveways, times the minimum required setback width to determine required planting area.
    - Trees
      - For every 2,500 square feet of planting area, a minimum of two trees shall be planted.
      - At least 50% of the trees planted to meet this requirement shall be canopy trees. At planting, required trees shall be a minimum of 2 inches in caliper (measured six inches above ground level), and shall have a mature height of at least 35 feet.
      - Street trees planted in this area shall be counted toward the

minimum tree planting requirements.

- Significant trees protected in accordance with Section 3 of the Landscaping Standards of Article IV may be counted to satisfy this tree planting requirement.
- Shrubs
  - For every 2,500 square feet of planting area, a minimum of ten shrubs shall be planted.
  - At least 50% of the shrubs planted shall be evergreen.
- COD
  - Existing significant trees within 50 feet of the right-of-way of the Bypass shall be protected in accordance with Section 3 of the Landscaping Standards of Article IV.
  - If the 50-foot minimum setback is utilized, a landscaped buffer shall be provided within the setback in accordance with the landscaped buffer requirements in subsection \_\_\_\_\_ for 50-foot buffers. Tree placement shall comply with SCDOT safety requirements. Significant trees protected in accordance with Section 3 of the Landscaping Standards of Article IV may be counted to satisfy the tree planting requirement.
  - If the 100-foot minimum setback is utilized, landscaping a landscaped buffer shall be provided within the setback in accordance with the landscaped buffer requirements in subsection \_\_\_\_\_ for 20-foot buffers. Tree placement shall comply with SCDOT safety requirements. Significant trees protected in accordance with Section 3 of the Landscaping Standards of Article IV may be counted to satisfy the tree planting requirement.
  - Street trees shall not be required along Corridor frontages outside of COD-N. However, if such trees are provided, street trees shall be located only in areas where there is no existing vegetation to be preserved. Canopy trees may be combined with understory trees and may be uniformly spaced or clustered. However, canopy trees shall not be less than 40 feet on center. Such tree placement shall comply with SCDOT safety requirements.

## **Buffers**

Any required landscaped buffers shall meet the following requirements:

- A landscaped buffer shall be a natural, undisturbed wooded area where possible, provided it meets the intent of this buffer requirement. Where existing natural, undisturbed vegetation does not exist or is not sufficient to achieve intended separation and screening of uses, a planted buffer shall be provided.
- A planted landscaped buffer meet or exceed the following standards:
  - Minimum width, measured from the property boundary (or right-of-way):
    - Lots under 5 acres: 20 feet
    - Lots 5-10 acres: 35 feet
    - Lots over 10 acres: 50 feet

- Minimum landscaping to be provided within the required buffer per 100 linear feet:
  - 20-foot buffers: three (3) canopy trees
    - six (10) understory trees
    - nine (9) shrubs
  - 35-foot buffers:
    - five (5) canopy trees
    - ten (10) understory trees
    - fifteen (15) shrubs
  - 50-foot buffers:
    - five (5) canopy trees
    - ten (10) understory trees
    - twenty (20) shrubs
  
- Significant trees protected in accordance with Section 3 of the Landscaping Standards of Article IV may be counted to satisfy the tree planting requirement.

### Screening

Screening shall be provided in accordance with the following:

- Multifamily and nonresidential development shall be screened as follows:
  - Notwithstanding the dimensional requirement of Section 2 of Article IV, which requires nonresidential vehicular areas shall be set back at least 25 feet from any property line abutting land used for residential purposes or located in a residential zone, landscaped buffers per subsection \_\_\_\_\_ shall be used to screen multifamily and nonresidential uses from existing one-family residential uses or approved one-family residential subdivision lots, except where one-family uses are integrated with other uses in accordance with an approved PND or MXU zoning district. This requirement applies to new development as well as expansions of existing development resulting in a minimum ten percent increase in building area or lot area. Such buffers shall only be required along the property boundary abutting the one-family residential use or lot.
  - All required trees and shrubs planted to meet this requirement shall be evergreen.
  - Required landscaped buffers shall be located entirely on the parcel of the developing multi-family or nonresidential use; the width of the required buffer shall be measured from the property boundary of the parcel that is being developed where it adjoins the parcels of existing one-family residential uses or approved one-family residential subdivision lots.
- All loading areas and service areas shall be screened from view from the Corridor in accordance with Section 5 of Article IV.
- All rear facades of single family residential buildings visible from the Corridor shall be screened from view from the Corridor with a landscaped buffer.
- All off-street parking areas of multi-family and nonresidential development shall be screened from view from the Corridor with a minimum of one row of evergreen shrubs. Such shrubs shall be planted

not more than five feet on center and shall be at least three feet in height at maturity. This requirement applies to new development as well as expansions of existing development resulting in a minimum ten percent increase in building area or lot area. Such shrubs may be counted toward any setback landscaping requirements for parcels in COD-N.

### **Lighting Standards**

Lighting shall be installed within the streetscape zone (the first 15 feet of the setback closest to the Bypass) along the Corridor in COD-N in accordance with the fixture spacing, height, color and type requirements specified in the lighting plan (or streetscape plan that includes a lighting plan) adopted by the Town for that COD-N segment of the Corridor, if such plan exists. All other lighting standards of Section 6 of Article IV shall apply.

### **Pedestrian Facilities**

Pedestrian facilities shall be provided in the COD district in accordance with the following requirements:

- Sidewalks at least eight feet in width shall be provided along all sides of lots that abut public roads.
- Continuous pedestrian walkways, no less than eight feet in width, shall be provided from the public sidewalk to the principal customer entrance of nonresidential establishments and the primary entrance of multi-family buildings. At a minimum, walkways shall connect areas of pedestrian activity such as, but not limited to, road crossings, parking areas, and building entry points.
- All sidewalk and walkways constructed in accordance with the above provisions shall be constructed by the developer. Maintenance shall be the responsibility of the property owner unless the Town or SCDOT has accepted maintenance responsibilities in conjunction with the dedication by the developer or property owner of a right-of-way or an easement encompassing the facility.

Pedestrian facilities shall be provided in the COD-N district in accordance with the following requirements:

- Sidewalks at least eight feet in width shall be provided along the Corridor with 15 feet of the right-of-way and all sides of lots that abut public roads.
- Multi-family and nonresidential developments sharing a common lot line with another district parcel that is developed for or zoned for multi-family or nonresidential use shall provide a pedestrian walkway to the common property boundary.
- All new residential subdivisions, multifamily developments and nonresidential developments sharing a common lot line with an existing residential subdivision shall provide a pedestrian walkway to the common property boundary, provided such sidewalk would connect to an existing sidewalk within the subdivision that has extends to the common property boundary.
- Sidewalks, no less than eight feet in width, shall be provided along any nonresidential facade featuring a customer entrance, and along any facade abutting public parking areas. Additional sidewalk width shall be provided as needed to accommodate outdoor seating areas adjacent to restaurants to maintain an eight-foot wide clear pedestrian circulation area.
- Pedestrian walkways and crosswalks in parking areas shall be distinguished from asphalt driving surfaces through the use of durable, low-maintenance, surface materials such as pavers, bricks, or scored, stamped or colored concrete to enhance pedestrian safety and comfort as well as the attractiveness of the walkways.

## **Driveways on Corridor**

- All driveways and public road intersections shall be subject to the standards and permitting processes of SCDOT.
- Any parcel of land with frontage on a Corridor shall have no more than one vehicular access point (driveway) connecting to the Corridor, unless a traffic analysis demonstrates to the Town Council the need for an additional driveway due to potentially hazardous traffic conditions, and SCDOT Dept. of Highways and Public Transportation agrees that an additional driveway is needed.
- No driveway shall be allowed within 400 feet of an intersection of any other public road on the Corridor.
- Driveways shall be a minimum of 400 feet apart (measured from center line to center line) on the Corridor, and shall align with opposing driveways, where possible.
- Shared driveways, or parallel access roads (in COD only), shall be used when deemed necessary, and the appropriate legal documents may be required by the Town prior to driveway permit issuance.
- A cross access easement may be required between adjacent lots fronting on the Corridor in order to minimize the total number of access points along the Bypass and to facilitate traffic flow between lots. The location and dimensions of such easement shall be determined by the property owners in coordination with Town staff.
- If access to a lot or legally created parcel of land is physically unobtainable under these provisions, an access point may be approved which is located the greatest distance possible from an existing access point and in the safest possible location to be approved by SCDOT.
- For the purpose of this section, adjacent parcels in common ownership fronting on the Corridor shall be considered as one parcel when determining permitted driveways.

## **Parking**

### **Off-Street Parking**

- All off-street parking shall be provided in accordance with the off-street parking requirements set forth in Article I, Section 7, of the Ordinance.
- Off-street parking in the district shall be located to the side or rear of the structure(s) located nearest to the public road(s), to the extent practicable. Where parking is located between a structure and the Corridor, it shall be limited to one bay of parking (i.e., two rows of parking spaces with one shared drive aisle between the rows of spaces).
- All off-street parking areas shall be screened in accordance with the screening requirements of subsection \_\_\_\_\_.
- Landscaping in off-street parking lots shall meet the requirements of the Landscaping Standards of Article IV.
- All such off-street parking shall be subject to the requirements of the Appearance Review Ordinance as well as the Commercial Appearance Review Process.
- Shared parking is allowed and is encouraged in circumstances where the parking would be within 1,200 feet of each respective use.
  - Those wishing to use shared parking as a means of satisfying off-street parking requirements

must submit a shared parking analysis to the zoning administrator that clearly demonstrates the feasibility of shared parking. The study must be provided in a form established by the zoning administrator. It must address, at a minimum, the size and type of the proposed development, the composition of tenants, the anticipated rate of parking turnover and the anticipated peak parking and traffic loads for all uses that will be sharing off-street parking spaces.

- A shared parking plan shall be enforced through written agreement among all owners of record and included in the development agreements filed with the town. The owner of the shared parking area shall enter into a written agreement with the town with enforcement running to the town providing that the land comprising the parking area shall never be disposed of except in conjunction with the sale of the building which the parking area serves so long as the facilities are required; and that the owner agrees to bear the expense of recording the agreement and such agreement shall bind his or her heirs, successors, and assigns. An attested copy of the agreement between the owners of record shall be submitted to the zoning administrator for recordation in a form established by the town attorney. Recordation of the agreement must take place before issuance of a building permit or certificate of occupancy for any use to be served by the shared parking area. A shared parking agreement may be revoked only if all required off-street parking spaces will be provided on-site. The town shall void the written agreement if other off-street facilities are provided in accord with these zoning regulations.
- Access to adjacent nonresidential development:
  - Where feasible, driveway connections between adjacent nonresidential developments shall be provided and clearly identified. All driveway connections shall be constructed and stubbed, and future development of adjacent property shall complete a connection to any existing stub.
  - Access easements shall be required to ensure outparcels or adjacent developments have adequate access if ownership patterns change.
  - The Town Council may waive the requirement for a driveway connection required above in those cases where unusual topography or site conditions would render such an easement of no benefit to adjoining properties.
  - The Town Council may approve the closure of driveway access in those cases where adjoining parcels are subsequently developed with a residential use.
- In addition, the following bicycle parking requirements shall be met for the retail, restaurant, office, service, civic, institutional and multi-family residential uses:
  - Bicycle parking shall be provided in an amount equal to 5% of the minimum required off-street parking for vehicles, or a minimum of two spaces, whichever is greater.
  - Such parking shall be located in close proximity to the primary entrance used by customers, visitors, or residents.
  - Bicycle parking areas shall be designed to utilize bike racks installed on paved surfaces.
  - Bicycle parking areas and walkways connecting them to the buildings they serve shall be lighted for the safety of the cyclists and to discourage theft.
  - Bicycle parking is not required if the entire development has a gross floor area of 5,000 square feet or less.

- Shared bicycle parking for two or more uses is permitted provided an attested copy of the agreement between the owners of record is submitted to the zoning administrator for recordation in a form established by the town attorney.

#### On-Street Parking

- No on-street parking shall be located on the Bypass.
- In COD-N, a minimum of 50% of the required off-street parking shall be provided on site. Where on-street parking is available or provided as part of the development, on-street parking spaces may account for up to 50% of the required spaces, provided:
  - A key map is provided that delineates the location of allocated on-street spaces for a designated parcel or use.
  - The on-street parking must be located within 1,200 feet of the primary entrance of the use it is serving.
  - On-street parallel parking spaces shall be 7' x 20' measured from the face of curb (or edge of pavement, if curb does not exist).
  - On-street diagonal parking with a 60-degree angle or less shall have a minimum travel lane width of 11 feet.

#### Freestanding Signs

Freestanding identification signs for nonresidential and multi-family uses are permitted along the Corridor in accordance with the following:

- No parcel with less than 50 feet of frontage on a Corridor shall be permitted to have a freestanding sign.
- Parcels with 50 to 200 feet of frontage on the Corridor may be permitted to have one free standing sign.
  - Maximum height: 4 feet in height
  - Maximum sign face area: 0.5 sq. ft. per 2 linear feet of frontage , up to 30 sq. ft. (total)
  - Maximum setback from ROW: 5 feet
- Parcels with more than 200 feet of frontage on the Corridor may be permitted to have up to two free standing signs.
  - Maximum height: 7 feet in height
  - Maximum sign face area (total): 50 sq. ft.
  - Maximum setback from ROW: 5 feet
- In addition, nonresidential multi-tenant developments shall be subject to the limitations of Article III, Sec. 18, Unified Development Signs.

Internal lighting of signs, neon, LED, and flashing signs shall not be permitted along the Corridor. Building floodlighting shall not be permitted, except in COD-N.

The provisions of this subsection shall not apply to temporary signs.

All other sign standards pertaining to freestanding signs per section \_\_\_\_\_ shall apply along other street frontages.

**Alternative Means of Compliance**

Strict interpretation and application of the standards of this section may create particular hardships in areas of unusual topographic condition, or in retrofitting existing developed properties which are expanded. The Town Council may approve a site plan for any proposed development which does not meet any specific standard of this section as an alternate means of compliance, subject to making the following findings:

- The proposed development attempts to meet the intent of the Corridor Overlay District.
- There are physical conditions, not only economic considerations, which prevent the proposed development from meeting the specific standards of this Zoning Ordinance.
- The proposed development will be designed to meet the standards of this section to the fullest extent possible.

In determining alternative means of compliance, the Town Council may consider various features such as width in relation to opacity of landscaping in setback, number of required parking spaces, and driveway locations and/or distances from nearby intersections.