



PENDLETON

S O U T H C A R O L I N A

History, Hospitality & Happenings!

Town of Pendleton
Planning Commission
Regular Meeting
May 14, 2026
Pendleton Town Hall, 6 pm

AGENDA:

1. **Call to Order:**
2. **Approval of prior meeting minutes:** From the meeting of April 9, 2026.
3. **Public Comments.**
4. **Public Hearings:**
 - a. Hold a Public Hearing to gather information before making a recommendation to Pendleton Town Council to rezone property located at 610 Cherry Street, having TMS#40-16 -01-002 from R1(Low-Density Residential) to R2(Low-Density Residential).
5. **Reports:**
6. **New Business:**
 - a. **Action Item:** The consideration of approving a resolution making a recommendation to Pendleton Town Council to rezone property located at 610 Cherry Street, TMS#40-16 -01-002, from R1(Low-Density Residential) to R2(Low-Density Residential).
7. **Discussion Item**
 - a. Consideration of discussion of amending the Town of Pendleton's Zoning ordinance with items from Resolution 03-2026 of Pendleton Town Council, including a review of the differences between the current Zoning Ordinance and the Draft Unified Development Ordinance (UDO).
8. **Updates:**
9. **Adjournment:**



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Town of Pendleton
Planning Commission
Regular Meeting
April 9, 2026
Pendleton Town Hall, 6 pm

Minutes:

1. Call to Order:

Chairman Holland called the meeting to order at 6:00 pm

2. Approval of prior meeting minutes:

Ms. Jones had one correction she wanted to add to the minutes. The minutes did not address the major concerns that she stated during the previous meeting. She would like those addressed and corrected.

Motion to accept the minutes as amended by Mr. Baldwin, seconded by Ms. Dawson.

All those present were in favor,

3. Public Comments.

Chairman Holland opened this portion of the meeting; there were no public comments

4. Public Hearings:

- a. Hold a public hearing to receive public input on a request for approval of Preliminary Plat Subdivision for a Planned Unit Development (PDMU) located off Cherry Street Extension having TMS#62-00-08-009 and 63-00-01-007.

Chairman Holland opened the Public Hearing portion of the meeting at 6:02 pm.

Chairman Holland recused himself because he lives in the HOA.

At 6:03, Vice Chair Dawson stepped in as acting chair and asked staff to read their report

Mr. Rines of Town Staff read his report and recommendation to the planning commission

Public comment portion of the hearing

Karen Rehrig 446 Beecove Way

She lives in Falls at Meehan and frequently walks through the area in question. She put information out on social media about the meeting. She agrees with removing the trees and not replacing them. However, a letter from Clemson Cooperative Extension suggested different trees. She is in full agreement; however, some folks from the Facebook page said they disagree with full removal. She asked whether she could read their statements aloud to the commission.

Ms. Gemmill stated that if you are an elected board member sent here by the HOA, you can share the community's opinions, unless you represent yourself.

Ms. Rehrig asked if there were any other questions for her.

Ms. Jones asked how long she had lived there.

Ms. Rehrig stated she lived there for a year and rented it for two.

Ms. Gemmill asked whether a representative from the HOA was present.

Ms. Rehrig stated that two were present.

Staff reminded the applicant to talk during the action item.

Mr. Rick Lewis- President of the HOA.

Stated they reached out to the affected homeowners of phase I. It's 60 percent running; take them out. 35 percent replace them. Everyone has varying thoughts that have been discussed before. Right now, they need to regroup and discuss. He was split down the middle. He happened to like the trees. He said there was a concern about further damage, but Ed can also speak to that. The trees they recommend don't have the type of roots that cause the damage the maples do. Staff missed including Crooked Cedar Way in their report.

Ms. Gemmill asked if he was asking the commission not to render a decision.

Mr. Lewis stated that, in his understanding, if they proceed without replacing the trees, the Town Council must vote. As a side note, he'd been under a lot of (ineligible), he spent a lot of time reading the mayor's dissertation on her plans. He thought that if they took the trees, we would become like every other cookie-cutter subdivision in the town of Pendleton. Having said that, there are things that, as a board, we would have to figure out. If they replace them, they will do it for one-for-one, including the ones we have already removed. They should select a tree. There are trees they could use that the arborist suggested last time.

Ms. Gemmill said if one-for-one replacement is your plan, then you need to work with town staff.

Mr. Lewis stated that's correct. What we should do, in my opinion, is proceed as normal, let it go to the town council, and give us, as a board, time to discuss. Right now, we want to keep a petition to not keep them. This will give us time to keep the trees.

Vice Chair Dawson asked if they wanted to table a motion.

Mr. Lewis said right now, we want to petition not to put them back in, which will give us time for due diligence as a board to discuss what is best for the community.

Ms. Gemmill stated the commission hasn't decided; it only goes to the town council if we make a recommendation. If we vote on it tonight, we could decide yes or no.

Mr. Baldwin stated that will go to the town council. Laying the cards on the table, you could withdraw and come back to use later with an alternate plan.

Rick stated that Ed is on board with me; we only need to vote. I respectfully request a withdrawal to consider the impact on our subdivision and the Town. He thanked the commission and returned to the audience.

Motion to accept the withdrawal by Vice Chair Dawson; Ms. Gemmill seconded; all those present were in favor.

5. Updates:

Staff had no additional reports

6. Adjournment:

Ms. Gemmill moved to adjourn.

Ms. Jones seconded, and all those present were in favor at 6:19

Chairman: _____ Date: _____



Staff Report to the Town of Pendleton Planning Commission for a recommendation to Town Council to rezone 610 Cherry Street, having TMS# 40-16 -01-002, from R1(Low-Density Residential District) to R2(Low-Density Residential District).

- Date of Report:** March 7th, 2026
- Report By:** Owen Rines, Assistant Town Planner & Code Enforcement
- Applicant:** Patrick and Helen Adams
- Request:** Hold a public hearing to gather information before making a recommendation to the Pendleton Town Council on this parcel from R1(Low-Density Residential) to R2(Low-Density Residential)
- Property Location:** Off Cherry Street, Buchanan Circle, and Lebanon Road. 610 Cherry Street. TMS # 40-16-01-002. See attached map.
- Existing Zoning:** R1(Low-Density Residential)
- Requested Zoning:** R2(Low-Density Residential)
- Surrounding Zoning & Land Use :**
 - West: R1** (Low-Density Residential)
 - Land Use:** Single Family Homes
 - East: R2**(Low-Density Residential)
 - Land Use:** Single Family Homes
 - South: R2**(Low-Density Residential)
 - Land Use:** Single Family Homes
 - North: R2**(Low-Density Residential)
 - Land Use:** Single Family Homes

Future Land Use Map: Residential

Existing Conditions: 610 Cherry Street is currently zoned R1 and is being used as a single-family home by the residents. The property is 2.32 acres or 101,059 square feet.



Reason for Request: The applicant has expressed a desire to subdivide the subject property to create a new parcel from the rear portion of the lot, with frontage on Buchanan Circle. Under the current R-1, Low-Density Residential District designation, the property is required to maintain a minimum lot size of 20,000 square feet, which prevents the applicant from pursuing the proposed subdivision. To accommodate the requested lot configuration, the applicant is seeking rezoning to the R-2, Low-Density Residential District, which permits a minimum lot size of 10,000 square feet. Rezoning to R-2 would allow the applicant to proceed with the proposed property subdivision.



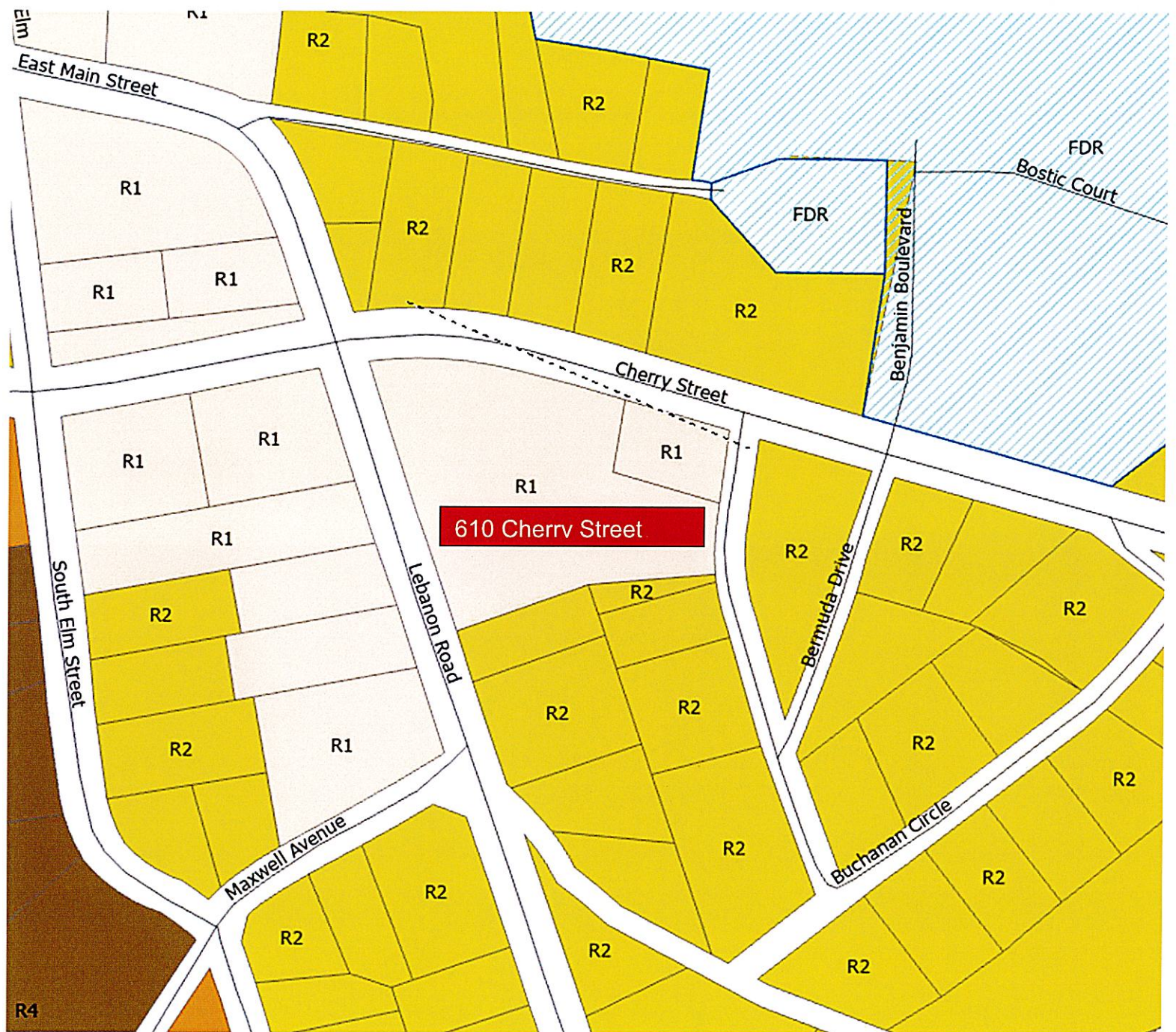
(Facing 610 Cherry Street from Buchanan Circle, Google Street View, February 2026)

Current Zoning Considerations: This property is large enough to create an additional lot that complies with R2 zoning requirements. A large majority of the properties in the area, including those along Buchanan Circle, are zoned R-2, Low-Density Residential, with minimum lot sizes of 10,000 square feet. The requested rezoning to R-2 would align the property's zoning designation with the established zoning pattern of the surrounding neighborhood. It would be consistent with existing lot sizes and residential development characteristics in the area.



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(610 Cherry Street with surrounding zoning districts)



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SOUTH CAROLINA

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| STRICT | SUB-DISTRICT | MINIMUM LOT SIZE REQUIREMENTS | | | | | MAX BLDG COVER (%) | MINIMUM YARD REQUIREMENTS | | | MAX BLDG HEIGHT | |
|--------|--------------|-------------------------------|--------------------------|---------------------|------------|------------|--------------------|---------------------------|-----------|-----------|-----------------|------|
| | | Lot Area (sf) per dwelling | Density (units per acre) | Total Lot Area (sf) | Width (ft) | Depth (ft) | | Front (ft) | Side (ft) | Rear (ft) | (story) | (ft) |
| CO | | None | | | | | | | | | | |
| AF | | 43,560 | 1.000 | 43,560 | 200 | None | None | 100 | 30 | 30 | 2.5 | 35 |
| R-1 | | 20,000 | 2.178 | 20,000 | 75 | 110 | 35 | 30 | (1) | 15 | 2.5 | 35 |
| R-2 | | 10,000 | 4.356 | 10,000 | 60 | 100 | 40 | 30 | 8 | 15 | 2.5 | 35 |
| R-3 | | 8,000 | 5.445 | 8,000 | 60 | 80 | 50 | 25 | 8 | 15 | 2.5 | 35 |
| R-4 | | 8,000 | 5.445 | 8,000 | 60 | 80 | 50 | 25 | (2) | 15 | 2.5 | 35 |
| MF | One-Family | 8,000 | 5.445 | 8,000 | 60 | 80 | 50 | 25 | 8 | 15 | 2.5 | 35 |
| | Duplex | 6,000 | 7.260 | 12,000 | 80 | 100 | 50 | 30 | 8 | 15 | 2.5 | 35 |
| | Multi-Family | (3) | | | 100 | None | (4) | 35 | (5) | 25 | 3 | 40 |
| CB | | None | | | | | | (6) | (7) | None | 3 | 40 |
| NC | | None | | | | | | (8) | (9) | (10) | 3 | 40 |
| AB | | None | | | | | | (8) | (11) | None | 3 | 40 |
| LI | | None | | | | | | | | | | |



SECTION 3-2 DISTRICT PURPOSES

- A. R-1, Low-Density Residential District. A district for low-density one-family dwellings situated on lots having a minimum area of twenty thousand (20,000) square feet, and including customary secondary uses.
- B. R-2, Low-Density Residential District. A district for low-density one-family dwellings situated on lots having a minimum area of ten thousand (10,000) square feet, and including customary secondary uses.
- C. R-3, Medium-Density Residential District. A district for low-density one-family and two-family dwellings situated on lots having a minimum area of eight thousand (8,000) square feet, and including customary secondary uses.
- D. R-4, Medium-Density Mixed Residential District. A district for medium-density one-family dwellings situated on individual lots having a minimum area of eight thousand (8,000) square feet, and including customary secondary uses.
- E. MF, Multi-Family Residential District. Primarily a district for median- and high-density one-family and two-family residential development, including customary secondary uses.
- F. AB, Area-Wide Business District. Primarily a district for retail and service uses along major streets and highways to serve both the traveling public and local residents.
- G. NC, Neighborhood Commercial District. Primarily a district for the development of low-intensity commercial and service centers that are accessible by pedestrians and vehicular traffic, serve the daily convenience and personal service needs of the surrounding neighborhood, and are of such a nature as to minimize conflicts with surrounding residential uses and to allow for residential uses.
- H. CB, Central Business District. Primarily a district for the intensive business and commercial development of certain areas of the town. Off-street parking is permitted separately and is not required as a use because of small lot sizes and intensity of development. This District is designed to provide comparative shopping opportunities within a concentrated area, and promote a business climate essential to the vitality and economic stability of the community.



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Staff Recommendation:

Staff recommends approval of the rezoning request from R1(Low-Density Residential) to R2(Low-Density Residential) on the property in question for the following reasons

1. The rezoning would be consistent with the districts and density of the surrounding properties.
2. The subdivision would create a lot that is consistent with R2 requirements.
3. It would enable the property to be utilized to the highest and best, and as this new parcel could now be used to construct a single-family home.

ATTACHMENTS:

Attachment A: Request for rezoning

Attachment B: Pictures of the property

Attachment C: Map of the Area

Attachment D: Legal ad

Attachment: A



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Rezoning Application

Date: 3-16-2026 Request Number (to be filled by Staff): B26 - 035

Instructions:

1. Submit the application form with owner's signature, legal description, any other supporting documents, and a map with the rezoning area highlighted.
2. Application Fee = \$100.00 for Residential, \$200.00 for Commercial.
3. Deadline is thirty (30) days prior to the next Planning Commission meeting (see deadline schedule).

Name of Property Owner: Patrick & Helen Adams
 Address: 610 Cherry St., Pendleton, SC 29670
 [Redacted Address Line]
 [Redacted Address Line]

Name of Applicant (if other than property owner): _____
 Address: _____
 Phone number: _____ Email: _____
 Signature of Applicant: _____

Property Location: 610 Cherry St., Pendleton, SC 29670
 Existing Zoning Classification: R1 Proposed Zoning Classification: R2
 # of Acres: 2.3 Tax Map Number: 401-601-002

Describe the nature of the request or attach description: Zoning change from R1 to R2

*****OFFICE USE ONLY*****

Date received: 3/16/26 Fee Paid: [Redacted]
 Date Advertised: 4/17/26 Hearing Date: 5/14/26 Date Sign Posted: 4/9/26
 TOWN STAFF RECOMMENDATION: APPROVED _____ DENIED: _____
 PLANNING COMMISSION RECOMMENDATION: APPROVED _____ DENIED: _____
 COUNCIL DECISION (Date of 2nd Reading): APPROVED _____ DENIED: _____

Comments: _____

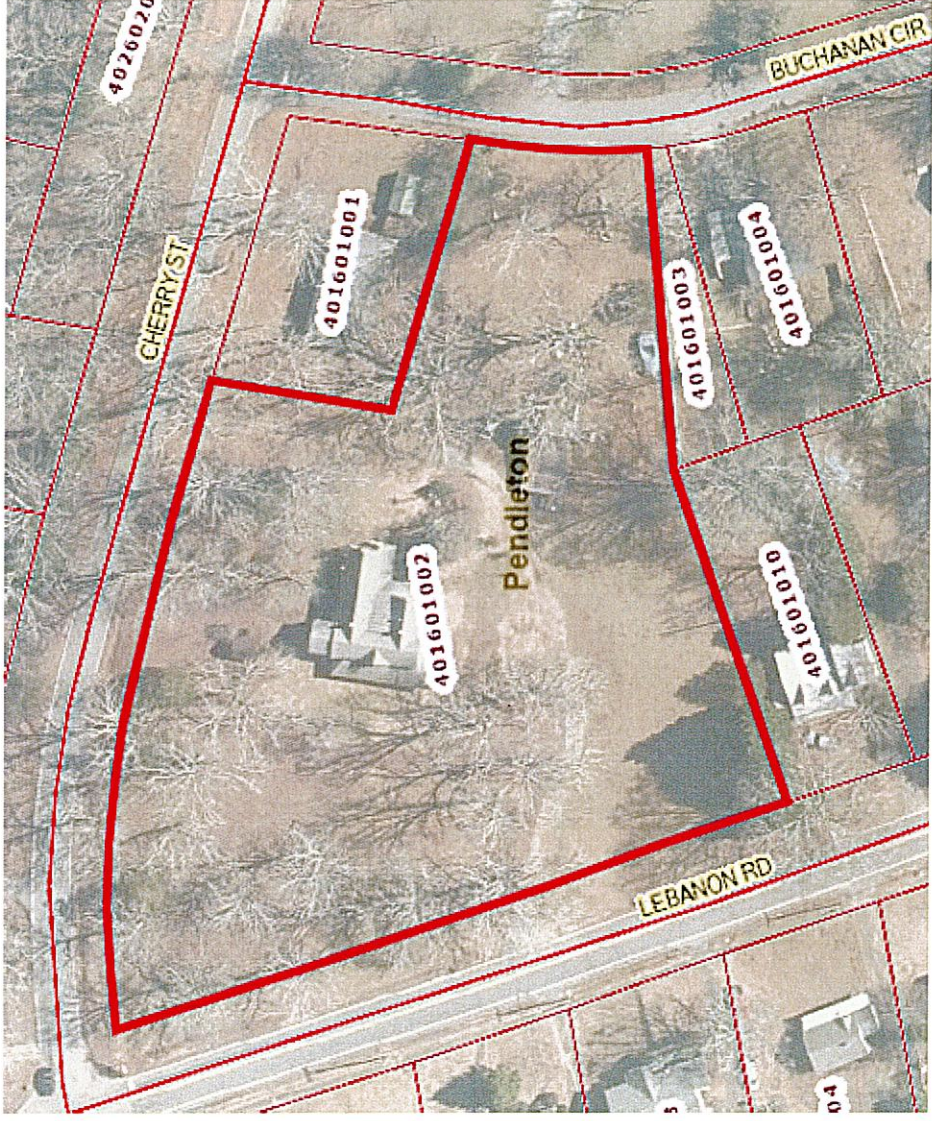
Attachment: B





Attachment: B

Attachment: C



Attachment:0

PUBLIC NOTICE

The Town of Pendleton Planning Commission will hold a Public Hearing in the Council Chambers of Town Hall on Thursday, May 14, 2026, at 6:00 pm to receive public comments on a request to rezone 610 Cherry Street from R1 to R2.TMS# 40-16-01-002.

Please run this ad on Wednesday, 04/23/26

Bill ad to:

Ms. Amyee Crawford
Town of Pendleton
310 Greenville Street
Pendleton, S.C 29670

Attachment: D



Pendleton Town Council

Municipal Complex
310 Greenville Street
Pendleton, SC 29670
864-646-9409

www.townofpendleton.org



Administrator
Steve Miller
Municipal Clerk
Amber Barnes

Mayor
Sarah Stowkoski

Council Members
Lyn Merchant
Barbara Hamburg
Nancy Von Meyer
Jeff Van Drie

**A RESOLUTION BY THE PENDLETON PLANNING COMMISSION TO REZONE
PROPERTY LOCATED AT 610 CHERRY STREET HAVING TMS#40-16-01-002 FROM
R1(LOW-DENSITY RESIDENTIAL DISTRICT) TO R2(LOW-DENSITY
RESIDENTIAL DISTRICT)**

WHEREAS, on March 16, 2026, the applicants, Patrick and Helen Adams, applied to rezone their property from R1 to R2, and;

WHEREAS, this property is located at 610 Cherry Street, having TMS# 40-16-01-002, and;

WHEREAS, this property is currently zoned R1(Low-Density Residential), and;

WHEREAS, a public hearing was held at the Planning Commission regular meeting on May 14, 2026, on this rezoning request.

NOW, THEREFORE, BE IT RESOLVED, the Planning Commission recommends that Pendleton Town Council rezone this parcel located at 610 Cherry Street from R1(Low-density Residential) to R2 (low-density Residential).

- Attachment A: Rezoning Application
- Attachment B: Legal Advertisements
- Attachment C: Map of the Area

Resolved in a meeting duly assembled this _____ day of _____, 2026.
Planning Commission Chair: _____ Date: _____ Resolution.

Attachment: A



PENDLETON

SOUTH CAROLINA
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Rezoning Application

Date: 3-16-2026 Request Number (to be filled by Staff): B26 - 035

Instructions:

1. Submit the application form with owner's signature, legal description, any other supporting documents, and a map with the rezoning area highlighted.
2. Application Fee = \$100.00 for Residential, \$200.00 for Commercial.
3. Deadline is thirty (30) days prior to the next Planning Commission meeting (see deadline schedule).

Name of Property Owner: Patrick & Helen Adams

Address: 610 Cherry St., Pendleton, SC 29670

Name of Applicant (if other than property owner): _____

Address: _____

Phone number: _____ Email: _____

Signature of Applicant: _____

Property Location: 610 Cherry St., Pendleton, SC 29670

Existing Zoning Classification: R1 Proposed Zoning Classification: R2

of Acres: 2.3 Tax Map Number: 401-601-002

Describe the nature of the request or attach description: Zoning change from R1 to R2

*****OFFICE USE ONLY*****

Date received: 3/16/26 Fee Paid: _____

Date Advertised: 4/17/26 Hearing Date: 5/14/26 Date Sign Posted: 4/19/26

TOWN STAFF RECOMMENDATION: APPROVED _____ DENIED: _____

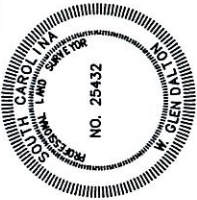
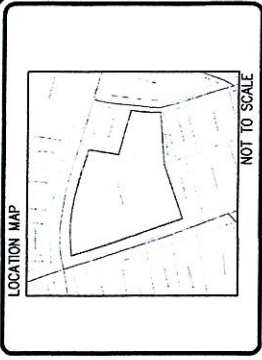
PLANNING COMMISSION RECOMMENDATION: APPROVED _____ DENIED: _____

COUNCIL DECISION (Date of 2nd Reading): APPROVED _____ DENIED: _____

Comments: _____

NOTE: EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAN, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT REAL ESTATE RIGHTS—OF-WAY, EASEMENTS, OTHER THAN POSSIBLE EASEMENTS THAT WERE VISIBLE AT THE TIME OF MAKING THIS SURVEY; BUILDING SETBACK LINES; RESTRICTIVE COVENANTS; SUBDIVISION RESTRICTIONS; ZONING OR OTHER LAND USE REGULATIONS AND ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE. THIS SURVEY DOES NOT CONSTITUTE A TITLE RESEARCH, FLOOD STUDY, WETLAND DELINEATION OR ENVIRONMENTAL INSPECTION BY SURVEYOR.

| LINE | BEARING | DISTANCE |
|------|---------------|----------|
| L1 | S 85°39'32" W | 23.95 |



EXEMPTION FROM REVIEW PROCESS
This plat is a RESURVEY of an existing lot of record.

W. GLEN DALTON, PLS DATE

- REFERENCES:
- 1.) PLAT BOOK 58, PAGE 270
 - 2.) PLAT BOOK 49, PAGE 16

LEGEND

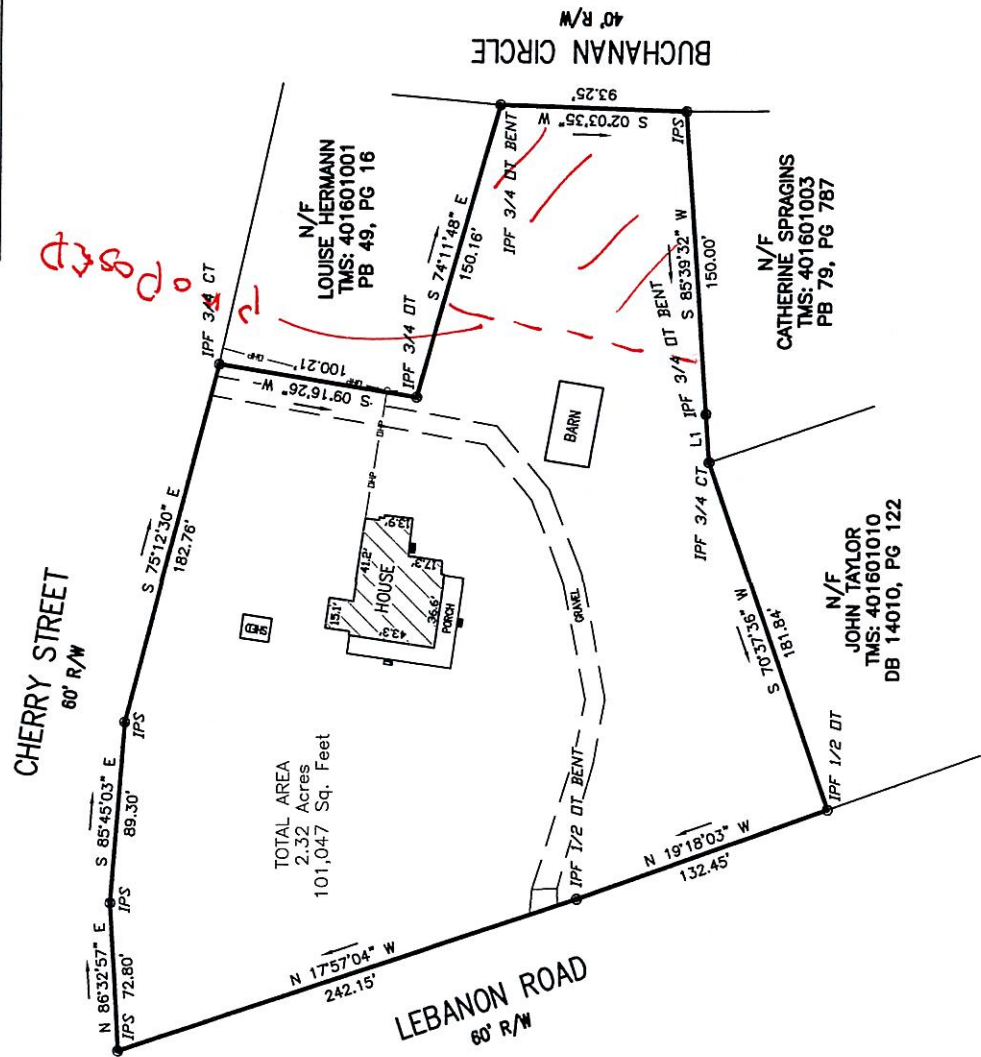
- CT CRIMP TOP
- IPF IRON PIN OLD
- IPS IRON PIN SET
- OHP — OVERHEAD POWER
- DT OPEN TOP
- BB BENCH
- R/W RIGHT OF WAY
- X — FENCE

I HEREBY STATE THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE MANUAL FOR SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS A SURVEY AS SPECIFIED THEREIN; ALSO THERE ARE NO VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN

SURVEY FOR
PATRICK ADAMS

| | |
|---------------------------|--------------------------|
| PROPERTY ADDRESS: | COUNTY: |
| LEBANON ROAD, PENDERLETON | ANDERSON, SOUTH CAROLINA |
| TAX MAP NO. | SCALE: |
| 401601002 | 1" = 60' |
| | DATE: |
| | 06/02/2008 |
| | PROJECT NO.: |
| | DB28-041 |
| | 60 |
| | 120 |

W. GLEN DALTON, PLS
LAND SURVEYING
P.O. BOX 941, WILLIAMSTON, SC 29697
PHONE: (864) 561-5324



Attachment B

PUBLIC NOTICE

The Town of Pendleton Planning Commission will hold a Public Hearing in the Council Chambers of Town Hall on Thursday, May 14, 2026, at 6:00 pm to receive public comments on a request to rezone 610 Cherry Street from R1 to R2. TMS# 40-16-01-002.

Please run this ad on Wednesday, 04/23/26

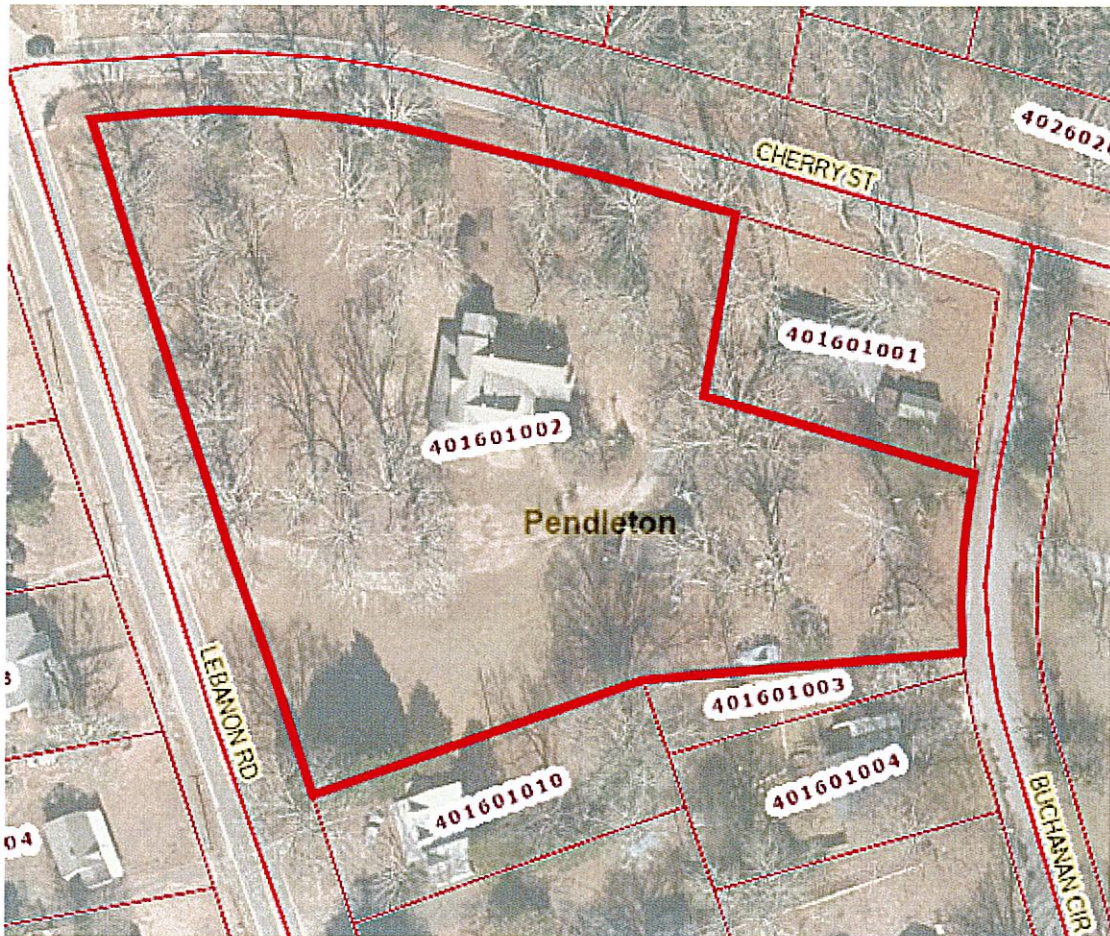
Bill ad to:

Ms. Amyee Crawford
Town of Pendleton
310 Greenville Street
Pendleton, S.C 29670

Attachment: B



Attachment: C



FW: background on proposed agenda items related to trees, historical preservation and riparian buffers

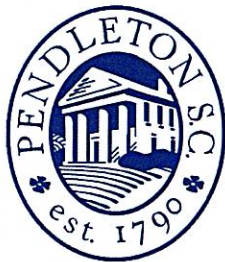
From Amber Barnes <amberb@townofpendleton.org>

Date Fri 1/23/2026 11:48 AM

To Owen Rines <owenr@townofpendleton.org>


 3 attachments (206 KB)

Adopting Anderson County River Buffers Ordinance.docx; Adopting Historic Preservation in Pendleton.docx; Adopting a Tree Ordinance in Pendleton.docx;



Amber Barnes

Asst. Town Administrator, CMC

 864-502-4486 (office)

 amberb@townofpendleton.org

 310 Greenville Street
Pendleton, SC 29670

 864-646-9409 (main line)

 864-646-5425 (main fax line)

Confidentiality Notice: This message is intended for the use of the individual to which it is addressed and may contain information that is confidential. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you receive this communication in error, please notify us by reply mail and delete the original message.

From: Nancy von Meyer <nancyforpendleton@gmail.com>

Sent: Tuesday, December 30, 2025 11:31 AM

To: Amber Barnes <amberb@townofpendleton.org>; Steve Miller <stevem@townofpendleton.org>; Sarah Stokowski <sarahforpendleton@gmail.com>

Subject: background on proposed agenda items related to trees, historical preservation and riparian buffers

Hi -

attached are three documents to serve as background for the three proposed agenda items. My understanding is these agenda items will be requests for the planning commission to consider as updates to our existing zoning ordinances as we consider the larger UDO ordinance.

I am hopeful we can get some more immediate updates to our existing zoning ordinance to protect our quality of life and heritage as the longer UDO process moves through its paces.

In my opinion the riparian buffer could be the fastest to move through, then the tree and historical overlay in any order. focused ordinances on sidewalks and connectivity could be taken up if we have consensus on those topics.

I am happy to discuss any or all of this one on one and I am generally available

Nancy

USA TODAY CO.

PO Box 631697 Cincinnati, OH 45263-1697



AFFIDAVIT OF PUBLICATION

David Poulson
Town Of Pendleton
310 Greenville Street
Pendleton SC 29670


STATE OF WISCONSIN, COUNTY OF BROWN

Being duly sworn, doth depose and say that she/he is an authorized representative of the Independent-Mail, a newspaper published in South Carolina; and that an advertisement of which the annexed is a true copy, taken from said paper, has been published in said newspaper in the issues dated:

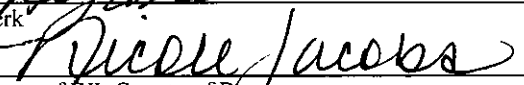
04/17/2026

That said newspaper was regularly issued and circulated on those dates and that the fees charged are legal.

Sworn to and subscribed before on 04/17/2026



Legal Clerk



Notary, State of WI, County of Brown

8-21-26

My commission expires

Publication Cost: \$67.80
Tax Amount: \$0.00
Payment Cost: \$67.80

of Copies:

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

NICOLE JACOBS
Notary Public
State of Wisconsin

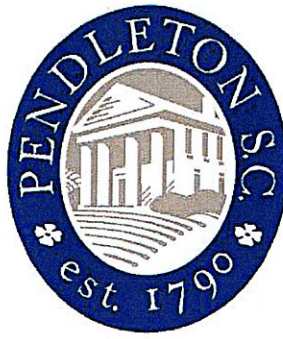
PUBLIC NOTICE

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Sarah Stokowski
Mayor

Steven Miller
Administrator

Amber Barnes
Assistant Administrator



COUNCIL

Lyn Merchant
Ward 1

Barbara Hamberg
Ward 2

Nancy von Meyer
Ward 3

Jeffrey Van Drie
Ward 4

To Whom It May Concern,

You are receiving this formal notice as you are an adjacent property owner to 610 Cherry Street

The Town of Pendleton Planning Commission will hold a public hearing for a request to rezone 610 Cherry Street from R1 low-density residential to R2 Low-Density Residential. The hearing will be on May 14th, 2026, at 6 pm at Pendleton Town Hall. Please contact Owen Rines at 864-646-9409 if you have any questions.

Respectfully,

Owen Rines
Assistant Town Planner and Code Enforcement

- Mailed out on April 23rd to all property owners within 500 feet of this property

Pendleton Town Council

Mayor
Sarah Stokowski

Council Members
Lyn Merchant
Barbara Hamberg
Nancy von Meyer
Jeff Van Drie

Municipal Complex
310 Greenville Street
Pendleton, SC 29670
864-646-9409

www.townofpendleton.org



Administrator
Steve Miller
Municipal Clerk
Amber Barnes

RESOLUTION NO: 03-2026

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PENDLETON, SOUTH CAROLINA, DIRECTING PLANNING STAFF TO PRIORITIZE CERTAIN AMENDMENTS TO THE EXISTING ZONING ORDINANCE AND TO INCORPORATE SAID AMENDMENTS INTO THE UNIFIED DEVELOPMENT ORDINANCE AT A LATER DATE

WHEREAS, the Town of Pendleton is currently engaged in the development of a Unified Development Ordinance ("UDO") intended to modernize and consolidate the Town's development regulations; and

WHEREAS, Town Council recognizes that adoption of the UDO is a comprehensive effort that may require additional time, analysis, and community input to achieve broad consensus; and

WHEREAS, Town Council desires to proceed strategically by identifying certain well-supported and immediately beneficial elements of the draft UDO that may be adopted in advance and incorporated into the Town's existing zoning ordinance; and

WHEREAS, this approach will allow the Town to begin enforcing improved standards and implementing key policy objectives while the broader UDO continues along a longer-term adoption path; and

WHEREAS, the Town Council desires to forward the draft UDO to the Pendleton Planning Commission for further review, refinement, and recommendation to Town Council in accordance with applicable law and procedure.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Pendleton, South Carolina, that:

1. Planning staff is hereby directed to identify, prepare, and advance amendments to the Town's existing zoning ordinance that reflect the following priority items:

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PENDLETON, SOUTH CAROLINA, DIRECTING PLANNING STAFF TO PRIORITIZE CERTAIN AMENDMENTS TO THE EXISTING ZONING ORDINANCE AND TO INCORPORATE SAID AMENDMENTS INTO THE UNIFIED DEVELOPMENT ORDINANCE AT A LATER DATE

Pendleton Town Council

Mayor
Sarah Stokowski

Council Members
Lyn Merchant
Barbara Hamberg
Nancy von Meyer
Jeff Van Drie

Municipal Complex
310 Greenville Street
Pendleton, SC 29670
864-646-9409
www.townofpendleton.org



Administrator
Steve Miller
Municipal Clerk
Amber Barnes

a. Adoption of the Anderson County Stream Buffers Ordinance, which is substantially ready for adoption and may be incorporated as written or with only minor modifications as necessary to conform to Town requirements;

b. Establishment of a Historic Overlay District that consolidates and incorporates the most effective elements of the Town's existing overlay districts, with the elimination of corridor overlays unless such provisions meaningfully contribute to the historic overlay district;

c. Development of a Public Tree Ordinance, based on the draft UDO tree standards, with emphasis on public trees and privately owned trees voluntarily nominated by property owners as significant or important Town trees, utilizing a simplified approach that does not impose fees or costs for tree removal;

d. Consideration of sidewalk requirements and interconnectivity standards, which may be addressed through design standards and a review of existing dimensional requirements;

e. Development of generalized design standards, where appropriate, drawing from previous planning efforts, including the Village Hills design work;

f. Review and enhancement of existing lighting regulations within the zoning ordinance, including consideration of alternative lighting approaches and electrical networks that would allow for lower-scale, pedestrian-oriented lighting such as knee-high fixtures, as opposed to taller streetlight installations with greater clearance requirements.

2. The amendments developed pursuant to this Resolution shall be brought forward for review and consideration in accordance with applicable public hearings, Planning Commission, and Town Council procedures.

3. The Unified Development Ordinance process shall continue concurrently, with the

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PENDLETON, SOUTH CAROLINA, DIRECTING PLANNING STAFF TO PRIORITIZE CERTAIN AMENDMENTS TO THE EXISTING ZONING ORDINANCE AND TO INCORPORATE SAID AMENDMENTS INTO THE UNIFIED DEVELOPMENT ORDINANCE AT A LATER DATE

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expectation that the prioritized amendments adopted under this Resolution may later be incorporated into the final UDO where appropriate.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon its adoption.

APPROVED and ADOPTED this 6th day of January,
2026.

MAYOR: Sarah Stokowski

TOWN COUNCIL:

WARD 1: Lyn Merchant

WARD 2: Barbara Hamberg

WARD 3: Nancy von Meyer

WARD 4: _____

TOWN OF PENDLETON
COUNTY OF ANDERSON
STATE OF SOUTH CAROLINA

I, AMBER L. BARNES, Municipal Clerk do hereby certify that the foregoing resolution was duly

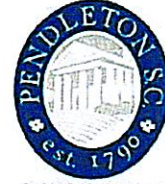
A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PENDLETON, SOUTH CAROLINA, DIRECTING PLANNING STAFF TO PRIORITIZE CERTAIN AMENDMENTS TO THE EXISTING ZONING ORDINANCE AND TO INCORPORATE SAID AMENDMENTS INTO THE UNIFIED DEVELOPMENT ORDINANCE AT A LATER DATE

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Administrator
Steve Miller
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Amber Barnes

adopted by the Pendleton Town Council at a meeting held
January 6, 2026, and is on file in the records of this office.



Amber L. Barnes, Municipal Clerk

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF PENDLETON, SOUTH CAROLINA, DIRECTING PLANNING STAFF TO PRIORITIZE CERTAIN AMENDMENTS TO THE EXISTING ZONING ORDINANCE AND TO INCORPORATE SAID AMENDMENTS INTO THE UNIFIED DEVELOPMENT ORDINANCE AT A LATER DATE

Revising and Building Historical Preservation in Pendleton

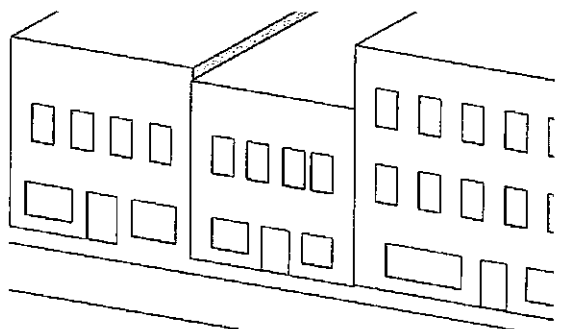

Some Definitions and Considerations

Land use controls describe what can or cannot be done in a district, what can be permitted. These are typical zoning or land use limitations intended to benefit the whole town or community. Single family residential or commercial are examples of zoning districts that cluster like uses into one area

Economic incentives provide financial or tax relief incentives to achieve an intended improvement or use. Things like improving or remodeling vacant buildings, the Bailey Bill, or facade grants are examples of economic incentives.

Economic incentives and land use controls do not have to be adopted at the same time.

The other consideration is the difference between zoning and design. Zoning is a legal mechanism that controls how land can be used, while design elements are specific features related to a building's or site's physical appearance and style. In one sense zoning is a measurable feature describing building height, lot line setbacks, and road and sidewalk width requirements. Design is negotiable, with a goal to create a look or impression that may reflect a time in history or an architectural design.

| Zoning Standards | Design Guidelines |
|--|---|
|  |  |
| Zoning Standards address:* <ul style="list-style-type: none">• Density• Use• Building placement• Lot coverage by buildings• Height• Setbacks | Design Guidelines address:* <ul style="list-style-type: none">• Compatibility• Site design• Building scale, orientation and massing• Historic rehabilitation• Entries and windows• Materials and finishes |

Pendleton Historical Overlay District

An overlay district provides added design guidelines in a specified area for a specified purpose. In this case the goal is to preserve the historical elements of Pendleton, providing an attractive look and feel that encourages business and tourism as well as keeping the town's core characteristics.

An historical overlay for Pendleton would establish an historical district for the structures and sites in Pendleton to preserve the look and feel of our historic village.

We currently have 5 overlay districts covering the Village Green and four primary entrances (North and South Mechanic, East Queen to Greenville Street and Greenville Street, and West Queen). These overlays are guided by the Design Review Board. However, many of the historic areas of our town such as the cemeteries, Vance and Jackson Streets, East Main, and the churches and homes along Broad are not included in the overlay areas.

The entire Town of Pendleton is on the register of historic places and heritage is our middle name. An historic overlay district covers the "central core" (exact areas to be determined, but generally the boundary of the original village), and other areas around the village protects the use and facade modifications, encourages street appropriate public trees, walkways to enjoy a village walk, lighting that promotes safety, and appropriate parking so visitors can enjoy our town.

An important part of this project will be to inventory the historical sites and structures and their current condition and use. This inventory will provide a baseline and will be used to help better define the full extent of the historic overlay.

It may be possible to add the identification of potential commercial lots and buildings to our historical inventory. The inventory of potential commercial/retail sites and buildings can be shared with the Pendleton Area Business Association and other business development organizations to encourage new commercial enterprises for our town

Examples of some of the many towns and cities that have overlay districts and design standards that Pendleton is striving for includes Fort Mill SC, Clover SC, and Anderson SC

Protecting and Planting Trees on Public Lands and New Construction in Pendleton

The purpose and intent of a public tree ordinance is to establish the policies and standards to protect, maintain, and plant new public trees in Pendleton. This ordinance primarily focuses on publicly owned lands but includes new construction and landowner nominated trees. It is modeled after similar public tree ordinances in South Carolina and is intended to preserve the tree canopy in Pendleton and to support the quality of life.

An excerpt from the City of Clemson's tree ordinance articulates the advantages of trees and the reason for this ordinance as a benefit to Pendleton and an important quality of life.

It is understood and acknowledged that public trees provide environmental, social, and economic benefits that include, but are not limited to:

Trees attract residents, visitors, and commerce to the city while increasing the value and marketability of property.

Trees reduce soil erosion, reduce stormwater runoff, and improve water quality.

Trees provide wildlife food and habitat.

Trees absorb carbon dioxide and release oxygen while filtering out dust, particulate matter and other airborne pollutants.

The South Carolina Department of Environmental Services provides example considerations for a tree ordinance including a tree inventory and tree board. (<https://des.sc.gov/sites/des/files/docs/HomeAndEnvironment/Docs/ModelOrdinances/TreeOrdinanceBrief.pdf>)

The proposed ordinance and policy for Pendleton is intended to limit coverage and authority to public trees, new construction including infill, and landowner nominated specimen trees.

A tree survey is likely needed to enforce this ordinance and if this is completed it should be enrolled in a mapping environment like GIS to be used and maintained into the future.

Adopting the Anderson County River Buffers Ordinance for Pendleton

Anderson County's 2025 River Buffer Ordinance (Ordinance 2025-018) was passed to combat sediment runoff from development, requiring vegetation buffers along streams and waterways, setting minimum distances (e.g., 50-100 ft), restricting disturbances, and allowing some approved activities like utilities or trails, aiming to protect water quality and habitat, following resident concerns about erosion and "red mud" filling rivers. The ordinance was introduced in April 2025, passed its second reading in May 2025, and was unanimously approved by the County Council in May 2025, with related updates to stormwater manuals also occurring in 2025.

It is in Pendleton's best interest to adopt this ordinance in our town limits to provide continuous protection for the streams and rivers that pass through our town limits.

Good stream water quality helps the quality of life for everyone in town and downstream.

In addition to protecting the adjacent lands, we can strengthen and improve our erosion control requirements and tree and vegetation requirements to sustain high water quality in Pendleton and all downstream water including Lake Hartwell.

Riparian buffers are essential to public health, protecting private and public drinking water supplies from excessive non-point source contaminants, including sediments, chemicals, pollutants, and nutrients.

Part of ordinance adoption will be to describe the waters affected by the ordinance. The buffers will apply to all new and major redevelopments, including infill developments, on defined streams and rivers through the town.

ORDINANCE NO. 2025-018

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, ANDERSON COUNTY, SOUTH CAROLINA, TO ADD A NEW SECTION TO PROVIDE FOR RIPARIAN BUFFERS; AND OTHER MATTERS RELATED THERETO.

WHEREAS, Riparian Buffers promote public health by protecting private and public drinking water supplies from non-point source contaminants, including sediment, chemicals, pollutants, and nutrients;

WHEREAS, Riparian Buffers support natural resources by enhancing wildlife habitat, including wildlife corridors, fisheries, and the quality of water bodies;

WHEREAS, Riparian Buffers prevent and control flooding, storm damage, and erosion through more even dissipation of drainage flows;

WHEREAS, Riparian Buffers enhance the scenic and recreational qualities of publicly utilized bodies of water;

WHEREAS, Riparian Buffers promote and protect the public health, safety order, appearance, prosperity, and general welfare;

WHEREAS, the Anderson County Council, pursuant to Title 4, Chapter 9 of the Code of Laws of South Carolina 1976, as amended, has the authority and duty to provide for the general health, safety and welfare of Anderson County and to exercise its police power therefor; and

WHEREAS, the Anderson County Council desires to amend the Code of Ordinances, Anderson County, South Carolina to add provision for riparian buffers as provided herein.

NOW, THEREFORE, be it ordained by the Anderson County Council in meeting duly assembled that:

1. The Code of Ordinances, Anderson County, South Carolina, is hereby amended to add a new article to Chapter 24, which article reads as shown on Exhibit A as attached hereto.

2. The remaining terms and provisions of the Anderson County Code of Ordinances not revised or affected hereby remain in full force and effect.

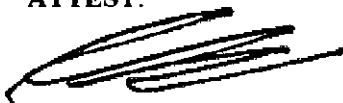
3. Should any part or provision of this Ordinance be deemed unconstitutional or unenforceable by any court of competent jurisdiction, such determination shall not affect the remainder of this Ordinance, all of which is hereby deemed separable.

4. All Ordinances, Orders, Resolutions, and actions of Anderson County Council inconsistent herewith are, to the extent of such inconsistency only, hereby repealed, revoked, and rescinded.

5. This ordinance shall take effect and be in full force upon the Third Reading and Enactment by Anderson County Council.

ORDAINED in meeting duly assembled this 20th day of May, 2025.

ATTEST:

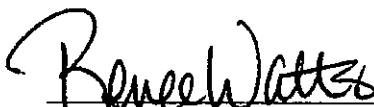


Rusty Burns
Anderson County Administrator

FOR ANDERSON COUNTY:



Tommy Dunn, District #5, Chairman



Renee Watts

Clerk to Council

APPROVED AS TO FORM:



Leon C. Harmon
Anderson County Attorney

1st Reading: April 15, 2025

2nd Reading: May 6, 2025

3rd Reading: May 20, 2025

Public Hearing: May 20, 2025

Article VII. RIPARIAN BUFFERS.

Sec. 24-1150. Purpose.

Riparian buffers are established to:

- (a) Promote public health by protecting private and public drinking water supplies from excessive non-point source contaminants, including sediment, chemicals, pollutants, and nutrients.
- (b) Support natural resources by enhancing wildlife habitat, including wildlife corridors, fisheries, and the quality of water bodies.
- (c) Prevent and control flooding, storm damage, and erosion through more even dissipation of drainage flows.
- (d) Enhance the scenic and recreation qualities of publicly utilized water bodies; and
- (e) Promote and protect the public health, safety, order, appearance, prosperity, and general welfare.

Sec. 24-1151. Generally

Generally:

(a) Applicability:

- 1) Riparian buffers shall apply to all Waters of the State (WoS), including wetlands, for all new development requiring an approval for stormwater management in accordance with the Anderson County Stormwater Design Manual.

(b) Exemptions:

- 1) Activities with approval by a State or Federal Agency for Sections 401 or 404 of the Federal Clean Water Act.
- 2) New development or redevelopment where a larger common plan of development has prior approval of encroachments into riparian buffers.
- 3) Man-made ponds, lakes, and ditches which are outside natural hydrologic connectivity and those created for stormwater management under an NPDES permit or Anderson County stormwater management approval.

(c) Manual and Specifications:

- 1) Applicants must fully comply with "Anderson County Technical Specification WQ-08 Permanent Water Quality Stream Buffers" for concentrated discharges to a buffer from new impervious area not receiving post-construction water quality treatment.

(d) Delineation:

- 1) All relevant WoS shall be delineated by a certified licensed professional using U.S. Army Corps of Engineers and SCDES's Water Classifications and Standards and shall be shown in the Storm Water Management and Sediment Control Plan along with all riparian buffer areas.

Sec. 24-1152. Standards:

(a) Riparian Buffer Requirements:

- 1) A minimum 50-foot riparian buffer as measured from the top of the stream bank inland on each side of all WoS where the watershed is less than 50 acres.

- 2) A minimum 100-foot riparian buffer as measured from the top of the stream bank inland on each side of all WoS where the watershed is 50 acres or more.
- (b) **No Disturbance.** Within a riparian buffer the existing vegetation shall not be cleared or disturbed. Grading, stripping of topsoil, plowing, cultivating, filling, or storage of materials and machinery are prohibited within the buffer.
- (c) **Encroachments.** The following structures and activities are permitted within the riparian buffer if approved by Anderson County within the riparian buffer:
- 1) Utilities
 - 2) Road crossings, bridges, and trails
 - 3) Agriculture and Silviculture
 - 4) Scientific studies, including water quality monitoring and stream gauging
 - 5) Stream restoration projects
 - 6) Removal of hazard trees and invasive species
 - 7) Dock and bulkhead installation and repair



State Historic Preservation Office

South Carolina Department of Archives and History
8501 Parklane Road | Columbia, SC | 29223
scdah.sc.gov

Setting Up a Local Preservation Program

The decisions and actions of local governments and individuals often decide the fate of the irreplaceable historic and prehistoric properties that give South Carolina communities their special character and make them better places to live and visit. Effective local government preservation programs have several closely linked components:

- a survey of historic and prehistoric resources,
- a historic preservation zoning ordinance,
- public education, and
- preservation planning

Surveys of Historic and Prehistoric Resources

Surveys help local governments and preservation groups identify and evaluate historic properties. This information helps communities plan how to protect and benefit from historic and cultural resources. A survey:

- Identifies historic buildings, structures, and landscapes (surveys of archaeological sites may also be conducted)
- Records physical characteristics and locations on maps
- Evaluates significance in local and South Carolina history and determines if properties or areas are eligible for listing in the National Register of Historic Places.

Completed survey records are kept by the local government and the SHPO for future research and planning needs.

Historic Preservation Overlay Zoning Ordinance

State law Section 6-29-870 of the SC Code of Laws 1976, as amended allows communities to pass zoning ordinances to protect historic and architecturally valuable districts and neighborhoods by restricting or placing conditions on exterior alterations, additions, demolitions, or relocations of structures in those areas. Charleston adopted the first preservation zoning ordinance in the country in 1931.

A preservation zoning ordinance protects historic properties by officially recognizing historic areas, buildings and sites as local historic districts and landmarks. Owners of these locally designated properties get approval from a locally appointed board for exterior changes, additions, new construction, relocation or demolition, so that changes complement the historic appearance of the building and its surroundings. This approval process is called design review. The presence of a preservation ordinance does not prevent change, rather it encourages appropriate alterations and new construction that fits in with existing buildings.

SC's Sample Preservation Ordinance (PDF) follows state law and also has all of the necessary language and information to ensure your community can qualify for Certified Local Government status. The SHPO staff will review drafts. The SHPO also offers training for members and staff of BARs and responds to special information requests.

Studies across the nation and in South Carolina have shown that having local preservation overlay zoning in place not only protects the historic properties, it protects the value of those properties. Thus owners of historic buildings in these protected districts see the value of their investments increase.

Public Education

Support for protecting a community's historic resources can be built through programs and publications that:

- Raise awareness of historic buildings in the community
- Explain the design review process
- Help owners with appropriate designs
- Educate owners about historic building maintenance
- Explain the economic benefits of historic preservation

Preservation Planning

With preservation planning communities integrate preservation into other plans and policies, such as transportation, subdivision regulations, housing and economic development. The development or update of a comprehensive plan is a great opportunity to consider the future of a community's historic resources. According to the Comprehensive Planning Act of 1994, it should contain "a cultural resources element which considers historic buildings and structures, commercial districts, residential districts, unique, natural or scenic resources, archaeological, and other cultural resources."

Created with citizen input, a preservation plan:

- Reviews the current conditions of historic resources
- Describes the desired future for these resources
- Outlines action steps

Additional Resources

Local governments that develop effective preservation programs may apply to become Certified Local Governments (CLGs) and enter into a partnership with the SHPO and the National Park Service.

Local governments may apply for matching grants from the SHPO for surveys, design guidelines, educational projects like walking/driving tour brochures and audiotapes, National Register nominations, public programs (workshops, slide shows, videos or conferences), publications, and preservation planning.

July 2018

Subject: UDO Review Update

Dear UDO Steering Committee,

Town staff has dedicated over 60 hours to an in-depth review of the new Unified Development Ordinance (UDO), carefully analyzing over 400 pages to compare its provisions with the previous zoning ordinance. While numerous changes have been made, we have specifically identified and highlighted the revisions that were discussed by the steering committee and subsequently added to or removed from the new document. These adjustments reflect the committee's input and priorities, ensuring that the UDO aligns with the town's vision and regulatory goals. We appreciate your continued engagement and look forward to your feedback as we refine the final document

Please see staff if you have any questions.

2.2.2. Encroachments

- Walls and Fences. Walls or fences may encroach within minimum required setbacks up to the property lines. Encroaching non-opaque fences in the front yard shall be no greater than 4.5 feet in height, and shall not interfere with any required sight triangles. Encroaching walls in the front yard shall be no greater than 3 feet in height. 1. Fence Design. Fence supports shall be placed on the inside of the fence, with the finished side on the exterior. Fences and wall height shall be measured at grade. For fences and walls that are installed on a slope or where there is dramatic grade changes, the fence or wall shall be installed to effectively screen or buffer the intended feature. Height allowances may be permitted by the review entity where additional height is needed to account for grade changes. Chain link fences are not permitted, except in the Light Industrial and Open Space, Conservation Districts
- Porches and Stoops. Covered porches and stoops may encroach a maximum of 6 feet into any required front yard setback
- Building Extensions. Balconies, bay windows, and awnings are permitted to encroach up to 5 feet into the minimum front setback. Where a 0-foot minimum setback is utilized, such features on upper stories may encroach within the public right-of-way with the approval of the Town, County or SCDOT (whichever has authority over a street) but shall maintain a minimum height clearance of 10 feet above any pedestrian pathways

SECTION 2.3 DISTRICTS ESTABLISHED

2.3.1. Official Zoning Map

| District | Name | Purpose |
|----------|-------------------------------------|--|
| TS | Town Square | Intended to allow a diverse mix of commercial, office, and residential uses within a walkable built form. |
| MU-R | Mixed Use Residential | A walkable residential district intended to accommodate a mix of small residential uses (single family, duplex, triplex, townhome, small multifamily, accessory dwelling units) proximate to districts providing commercial amenities or employment. Neighborhood serving commercial uses may be permitted. |
| SR | Single Family Neighborhood | In areas not proximate to urban amenities such as commercial districts and transit and in areas without significant natural or agricultural resources, this district will accommodate moderate densities for Single Family Residential uses on larger lot sizes. |
| GB | Gateway Business | A district reserved primarily for retail and service uses, serving surrounding neighborhoods and larger community or town-wide clientele with a wide range of commercial services. Including but not limited to, offices and business support services located in areas which are well served by collector and arterial street facilities as well as pedestrian access facilities where appropriate. |
| RB | Regional Business (76/187 Business) | Primarily a district for job centers, retail, and service uses along major streets and highways to serve both the traveling public and residents. |
| LI | Light Industrial | A district to encourage the formation and continuance of a compatible environment for industries and discourage any encroachment by residential, commercial, or other uses capable of adversely affecting the basic industrial character of the district. |
| OS | Open Space, Conservation | In areas with existing large lots containing natural and agricultural resources on-site and immediately adjacent, these districts will allow agriculture, conservation, or residential uses on large lots. Some rural commercial uses may be accommodated. |

| | | |
|------|-------------------------|---|
| PD | Planned Development | This district provides developers an opportunity to be flexible and creative while also giving the Town adequate control over the development of its limited developable or re-developable land. The PD designation allows a developer and the town the opportunity to execute a well-integrated design that is responsive to the unique location and the physical features of a site while providing opportunities for public input. |
| C-O | Corridor Overlay | Primarily a district to foster high-quality, attractive, and sustainable development that is compatible with the town's existing character along important corridors. These standards will act to enhance the character and quality of development while strengthening a recognizable identity that is unique to Pendleton. |
| HS-O | Historic Square Overlay | Primarily a district to provide maintenance and protection standards for existing buildings and sites and standards for new construction and additions that ensures that the character of future development will be consistent with existing Town Square historical structures. |

- Residential Buildings

1. General Requirements:

- a. **Encourage neighborhood walkability.** Where appropriate, maintain the line of building fronts in a block. However, where existing buildings exhibit larger front setbacks, building closer to the front lot line may be encouraged to create a more human scale. Generally, new buildings should be placed within ten (10) feet of the average setback along the block.
- b. Orient the front of the house to the street and clearly identify the front door.
- c. Exterior lights should be simple in character and low in intensity to minimize the visual impacts of exterior lighting.
- d. Garages with front loading bays shall be recessed from the front facade of the house at least ten (10) feet and visually designed to form a secondary building volume. Two car garages visible from the street should be designed with two single doors or visually similar to two single doors for consistency of visual proportion. All garages with more than two bays should be turned such that the bays are not visible from the street. At no time shall the width of an attached garage exceed forty (40) percent of the total building facade. Exception: Corner lots may have garage access (side loaded) from the non- fronting street.
- e. **Garage doors are not permitted on the front elevation of any multi-family dwelling.**

2.4.2 Town Square Overlay District

- Place new map of TSOD showing the property added to it

3.1.4 Multiple Principle Uses ???? ask Rico

- Multiple principal uses are allowed on a lot when the uses are all permitted or have received the necessary approvals to operate in the district and the standards for all uses on the lot have been met.

Section 3.3 Conditional and Special Exception Use Provisions

3.3.2 (B) Accessory Dwelling Unit (ADU)

1. **Primary Uses.** ADU's may only be permitted on lots where the existing primary use is Single Family Detached or Two-Family Dwelling.
2. **Infrastructure.** The lot shall be served with public water and sewer.
3. **Number Allowed.** Only one ADU may be permitted per lot.
4. **Ownership.** The primary dwelling must be owner-occupied and the ADU shall have the same ownership as the primary dwelling.
5. **Placement on the Lot.** The ADU shall be sited to the rear or side of the primary residence on the same lot.
6. **Internal Lot Setbacks.** Where the ADU is detached from the primary building, they shall be separated by no less than 5 feet. This shall not apply to existing buildings converted to ADU's where the separation distance is not changed as a result of the conversion.
7. **Maximum Size.** ADU's may be no more than 50% of the gross floor area of the primary building or 1, 000 sq. ft. whichever is less.
8. **Maximum Number of Residents.** The number of adults (i.e., persons over 18 years of age) that will reside in the ADU shall be limited to two.
9. **Compatibility.** The exterior of the ADU shall be compatible with the primary dwelling in terms of color, siding, roof pitch, window detailing, roofing materials, and foundation appearance.
10. **Height.** The maximum height of an ADU is 25 feet or the height of the primary building, whichever is less.

ASK RICO what (C) (D) (E) (F) (G)(H) (I) (J) (K) is in this section

3.3.3 Lodging C. Short Term Rental NO LONGER REQUIRES PRIMARY RESIDENCE

1. **Determination of Short-Term Rental Offering.** Any online advertisement posted by the owner or permanent resident is sufficient to determine that a unit is being offered as a short-term rental.
2. **Primary Uses.** Short Term Rentals may only be permitted in buildings classified as Single Family Detached or Two-Family Dwelling.
3. **Additions.** No additions or extensions to the original structure are allowed, if for the express purpose of adding guest rooms.
4. **Infrastructure.** The lot shall be served with public water and sewer.
5. **Proximity.** The applicant shall provide a list of all other known short-term rentals within a 300' radius at the time of application.

6. **Rental Limit.** Maximum number of consecutive days short term rental may be rented to a renter: 29

7. **Business License.** Property owner required to acquire a business license with the Town of Pendleton. Prior to the issuance of a business license, the applicant shall first produce a valid Certificate of Occupancy from Anderson County. The business license number must be displayed on all advertisements and/or bookings for short term rental. Applicant properties may be subject to an inspection by Anderson County upon application. Proof of "home-sharing" or similar type of insurance for short term rental properties is required at the time of application

8. **Contact.** Property owner, or resident manager, must provide the Town a contact number that is available 24/7 for contact and immediate response with a responsible agent that can be on site within 1 hour of contact. The property owner or resident manager must have a primary residence within 40 miles of the use.

9. **Guest Registry.** The owner or responsible agent shall maintain a guest register to include names, addresses, phone numbers, and dates of occupancy of all guests.

10. **Structures Excluded.** Campers, Boats, any form of recreational vehicle, mobile or manufactured homes, accessory dwelling units, and structures not intended for permanent residence may not be used as short-term rentals.

11. **Peaceful Enjoyment by Neighbors.** Such use shall create no disturbing or offensive noise, vibration, smoke, dust, odor, heat, glare, unhealthy or unsightly condition, traffic, or parking problems.

3.3.5 Commercial & Entertainment. **ALLOWS Accessory Commercial Unit (ACU)**

A. **Accessory Commercial Unit (ACU).**

1. **Primary Uses.** ACU may only be permitted on lots where the existing primary use is Single Family Detached or Two-Family Dwelling.

2. **Infrastructure.** The lot shall be served with public water and sewer.

3. **Limit.** Only one ACU is allowed per lot.

4. **Ownership.** The primary dwelling must be owner-occupied and the ACU shall have the same ownership as the primary dwelling. The commercial space may be leased to other users.

5. **Internal Lot Setbacks.** Where the ACU is detached from the primary building, they shall be separated by no less than 5 feet. This shall not apply to existing buildings converted to ACU where the separation distance is not changed as a result of the conversion.

6. **Maximum Size.** The ACU shall be no more than 50% of the gross floor area of the primary building or 1,000 sq. ft. whichever is less.

7. **Compatibility.** The exterior of the ACU shall be compatible with the primary dwelling in terms of color, siding, roof pitch, window detailing, roofing materials, and foundation appearance.

8. **Height.** The maximum height of an ACU is 25 feet or the height of the primary building, whichever is less.

9. **Uses Allowed.** Uses and activities are limited to Commercial/Entertainment and Office/Service uses that are permitted or conditionally permitted within the applicable zoning district in which the Accessory Commercial Unit is located as shown in Table 3.2.

F. Outdoor Entertainment

1. Size. Minimum lot size shall be two (2) acres.
2. Setback. No structure, parking area or use shall be placed within 50 feet of any property line.
3. Character. Development of the property shall not degrade the agricultural and open space qualities of neighboring parcels.
4. Recreational Vehicle Parks and Campgrounds. Outdoor entertainment comprising of recreational vehicle parks and campgrounds shall comply with the following requirements.
 - a. Access. Each park must have direct frontage and access to a collector or arterial street. Access to each individual site and other provided structures shall be from internal streets. Individual sites shall not be accessed directly from a public road.
 - b. Temporary Residence. No site shall be used as a permanent residence and shall only be for the use of travel trailers, pickup campers, coaches, motor homes, camping trailers, other vehicular accommodations, tents, park model units, and on-site rental cabins. Time limits for individual site occupancy shall be in accordance with the Town of Pendleton Municipal Code of Ordinances.
 - c. Area. Each site in the park or campground shall have a minimum area of eight hundred (800) square feet and have a stabilized and compacted vehicular parking pad or packed gravel, paving, or other suitable material. At least one (1) site must be ADA accessible. When permanent units (cabins) are provided, at least one (1) unit must be ADA accessible.
 - d. Setback. All sites shall be setback from all property lines by a minimum of fifty (50) feet. When the park or campground is adjacent to a residential use, twenty (20) feet must be vegetated accordingly in order to provide a solid screen.
 - e. Sewage. Sites may be served by on-site sewage disposal system as permitted by SCDES; however, individual sites may not be served with an individual system.

3.3.10 Agricultural

A. Farm

B. Backyard Pens or Chicken Coops

1. Maximum Allowed. No roosters shall be permitted. A minimum of two square feet per domesticated female chicken shall be provided for the chicken coop. Invasive species are not permitted.
2. Coop Required. Must be confined in a coop which is fully enclosed with a solid floor and made of suitable, washable material. The coop shall be cleaned regularly with all droppings and excretions placed in a flyproof container. The chicken coop and fenced enclosure must provide adequate ventilation and adequate sun, shade and must be constricted in a manner to resist access by rodents, wild birds and predators including dogs and cats. Chicken coops shall be enclosed on all sides and shall have a roof and doors. Opening windows and vents must be covered with predator- and bird-resistant wire of less than one-inch openings.

3. Slaughter. No slaughtering of fowl is permitted on premises
4. Vermin. All stored food for the domesticated female chickens must be kept either indoors or in a weather-resistant container designed to prevent access by animals. Uneaten food shall be removed daily
5. Location on Property. The coop or pen shall be at least 25' from any property line and shall not be located in front of the primary structure

C. Apiary

1. Location: Shall be located in the rear yard, and shall not create a nuisance to adjacent uses. No colony shall be within 30 feet of adjacent buildings on adjacent lots.
2. Size. Shall be a maximum of five colonies, each with one queen,.
3. Design. A flyway barrier of at least 6 feet in height is required, composed of a fence, wall or opaque vegetations, unless the structures containing bee hives are 80' from the nearest property line. The walls of the barrier shall be oriented towards adjacent uses and buildings. An on-site freshwater source shall be located within 15 feet of the structure.
4. Operation. Swarm management techniques shall be implemented. However, such swarm management techniques for potentially hostile hives, including elimination of the hive, shall be made by an authorized or accredited third party. The owner shall retain documentation pertaining to the elimination of a hive for inspection by the Town or applicable agency

3.4.3 Home Occupations

A home occupation shall be permitted in any residential district provided that such occupation:

- A. Is conducted by members of the family residing on the premises;
- B. Is conducted within the dwelling, is clearly incidental and subordinate to the use of the structure for dwelling purposes, and not detracting from the residential character of the immediate area;
- C. Utilizes no more than twenty-five (25) percent of the total floor area of the principal building;
- D. Creates no offensive noise, vibrations, smoke, dust, odors, heat or glare noticeable at or beyond the property line;
- E. Is not visibly evident from outside the dwelling except for an unlighted sign not to exceed three (3) square feet in size;
- F. Under no circumstances shall any of the following be considered a home occupation: barber shop, beauty parlors, wig styling clinic, mortuary, nursing home, restaurant, veterinarians clinic, musical or dancing instruction involving more than two (2) pupils at one time, or day care for seven (7) or more children at one time; and
- G. Complies with Home Occupation, as defined in Article 9, Definitions.

Article 4 Development Standards

4.2 Alternative Development Patterns is a new section

Purpose. The alternative development options of this section allow for variety in development standards while maintaining the overall character of a neighborhood.

These options have several public benefits such as:

1. Allowing for development that is more sensitive to the environment.
2. Allowing for the preservation of open and natural areas.
3. Promoting better site layout and opportunities for private recreational areas.
4. Promoting opportunities for workforce housing by allowing for a mixture of lot and building sizes.
5. Promoting energy-efficient development.

B. Applicability. The developer or applicant desiring to use these alternative development patterns within this section shall comply with the Major Subdivision development review procedures within Article 7.

C. Conflict With Other Regulations. If there is a conflict between the requirements for alternative development patterns and any other requirement of this Ordinance, the standards of this section take precedence, otherwise these alternative development patterns are subject to all other applicable requirements of this Ordinance.

D. Development Patterns Not Listed. The Development Patterns listed herein do not represent all allowable development options. If a developer wishes to pursue an alternative development pattern not explicitly listed herein, a pre-application conference should be held with the Development Administrator, and others as appropriate, to identify the appropriate process utilizing the review procedures established in Article 7

4.2.2 Cluster Subdivision

A. Purpose. The use of Cluster Subdivision design seeks to optimize land use in and around the Town of Pendleton, while maintaining a balance between the preservation of agricultural, environmentally and historically significant areas and allowing reasonable and sustainable growth to continue in the Town. New development shall avoid disturbance of areas or elements defined as "sensitive" or "significant".

B. Guiding principles.

1. A cluster subdivision must be designed and maintained to ensure that the conservation assets located on the site retain their ecological, hydrological, agricultural, scenic, and other qualities. The design must be designed and maintained to avoid fragmentation of conservation assets and to maintain corridors that connect significant ecological communities.

2. Procedures and institutional structures for ongoing management of the conservation assets on the site are required as a condition of subdivision approval.

C. Applicability

1. When Required. A proposed subdivision in any zoning district must be designed as a cluster subdivision if it is classified as a Major Subdivision or if more than

10% of the parent parcel, contains Class 1 Constrained Areas identified within Section 4.2.2.D.

2. When Optional. For all other subdivisions, the use of cluster subdivision design shall not be required but is encouraged for use on subdivisions located in areas where conservation of undeveloped and/or agricultural land is desirable, feasible, and meaningful to the preservation of natural, rural, and agricultural places

3. Exceptions.

- a. A cluster subdivision shall not be required if the total acreage of the parent parcel is less than three acres.
- b. If, based upon the conservation analysis described in Subsection D below, the Planning Commission determines that there is no reasonable basis for requiring a cluster subdivision, the Planning Commission may allow and may approve a conventional subdivision plat. To make such a determination, the Planning Commission must find at least one of the following:
 - i. The land contains no substantial resources with conservation value;
 - ii. The total acreage under consideration is too small to preserve a substantial amount of land with conservation value (this criterion shall not be evaded by piecemeal subdivision of larger tracts); or
 - iii. The lot configuration is unique and precludes preservation of a substantial amount of land with conservation value.

D. Conservation analysis. MUST BE SUBMITTED BY APPLICANT

1. Components. As part of its sketch plan or preliminary plat submission, an applicant shall prepare a conservation analysis, consisting of inventory maps, a written description of the land and an analysis of the conservation value of various site features.

2. Requirements. The conservation analysis must identify and delineate:

- a. Class 1 Constrained Areas:
 - i. Wetlands.
 - ii. Flood Hazard Areas.
 - iii. Slopes greater than 15%.
 - iv. Land within 100 ft. of the bed of a watercourse.
- b. Class 2 Constrained Areas:
 - i. Agricultural land that was farmed within the past two years and consists of prime farmland, prime farmland if drained, or soils of statewide significance.
 - ii. Woodlands.
 - iii. The visibility of the site from public vantage points.
 - iv. Historic sites within or adjoining the site.
 - v. How the built environment and natural features will be integrated through the design of the cluster subdivision.
 - vi. Land within an existing or proposed stormwater management facility or right-of-way including the classification of streets and highways.
 - vii. Land occupied by existing or proposed public utility structures or improvements.
 - viii. Land encumbered by existing easements or otherwise unavailable for development.

3. Conservation Value. The conservation analysis shall describe the current and potential conservation value of all land on the site and include conservation goals of the proposed subdivision. During preliminary plat review, the Planning Commission shall indicate to the applicant which conservation assets are most important to preserve.

4. The determination as to which land has the most conservation value and should be protected from development by conservation easement shall be made by the Planning Commission. Whenever the Planning Commission approves a preliminary plat with protected open space, it shall make written findings identifying the specific conservation values protected and the conservation findings supporting such protection.

5. An application that does not include a complete conservation analysis sufficient for the Planning Commission to make its conservation findings shall be considered incomplete.

E. Calculation of number of lots permitted.

1. Definition. The maximum number of lots allowed on a site shall be known as the base density.

2. Calculation. Base density shall be determined by dividing the parent parcel acreage by the allowable lot size required within the zoning district. All fractional units shall be rounded to the nearest whole unit.

3. Reduction. The maximum base density determined under this section may be further reduced by the Planning Commission as a result of the conservation analysis required in Subsection D above.

F. Development standards.

1. Uses Allowed. Permitted uses within the cluster subdivision shall be the same as permitted in the zoning district in which the property is located.

2. Area and Dimensional requirements.

a. The Planning Commission may waive requirements for minimum lot sizes, setbacks, and dwelling size that would otherwise apply to residences in the zoning district.

b. Appropriate dimensional requirements will be determined by the Planning Commission after careful consideration of all site characteristics and development requirements.

c. The applicant shall specify lot sizes, and other lot dimensions to be incorporated into the final plat. Lot dimensions and building setbacks must be based on careful consideration of all site characteristics and development requirements.

d. Setbacks between any lots and parcels adjoining the cluster subdivision must be at least the minimum setback required in the zoning district. Larger buffers may be required by the Planning Commission.

G. Conservation Standards

1. The cluster subdivision must be designed to protect the conservation assets proposed to be preserved from future disturbance due to incompatible land uses, changes in ecological function or other impacts associated with development of the site.
2. Minimum open space preservation requirement. Including the land identified as constrained, at least 40% of the area of the parent parcel must be preserved with a permanent conservation easement.
3. Conservation Buffers. A 100-foot buffer from Class 1 Constrained Lands shall be incorporated into the subdivision design, unless waived by the Planning Commission.
4. Connections to adjoining land. The subdivision design must incorporate connections between conservation assets on and adjoining the site to maximize their functional and aesthetic value.
5. Land to be preserved through a conservation easement or other mechanism must be delineated as separate parcel. Conservation easements will not be permitted on a portion of a building lot.
6. Stormwater Facilities Not Included. Stormwater Facilities developed as part of the cluster subdivision shall not be included within the minimum open space requirement.

G. Permanent open space. Open space set aside in a cluster subdivision shall be permanently preserved as required by this section. Any development permitted on land located in a cluster subdivision that is not protected as open space shall not compromise the conservation value of such open space land.

1. Permanent preservation by conservation easement.

- a. A permanent conservation easement or other mechanism approved by the Planning Commission will be required to permanently protect all lands designated for conservation in the cluster subdivision plat and is required for final plat approval
 - i. The lands designated for conservation must be within one or more parcels separate from any area to be developed as building lots.
 - ii. The Planning Commission shall require that the conservation easement be enforceable by a recognized land trust or the homeowners' association, if the Town is not the holder of the conservation easement.
 - iii. The conservation easement shall be recorded in the County Clerk's office, and recording information shall be shown on the final plat prior to filing of the final plat.

B. The conservation easement shall prohibit residential, industrial or commercial use of open space land, except in connection with agriculture, forestry, and passive recreation, and shall not be amendable to permit such use.

2. Land management plan. A land management plan, approved by the Planning Commission, shall be included in the conservation easement. The land management plan must clearly describe how the conservation assets will be preserved to maintain the relevant conservation goals for the site and shall contain the following information:

- a. A baseline property condition report fully describing conditions of the property to be protected under the easement.
- b. Primary contact information for all parties responsible for holding, monitoring and enforcing the easement.
- c. A monitoring schedule and associated requirements.
- d. A recordkeeping procedure.
- e. Enforcement policy.
 - i. The conservation easement shall provide that if the Town Council finds that the management plan has been violated in a manner that renders the condition of the land a public nuisance, the Town may, upon 30 days' written notice to the owner, enter the premises for necessary maintenance, and the cost of such maintenance by the Town shall be assessed against the landowner, or, in the case of a homeowners' association, the owners of properties within the development, and shall, if unpaid, become a tax lien on such property or properties.
 - ii. The conservation easement shall provide that if the Town's Code Enforcement Officer finds that the conservation easement or management plan has been violated in any way, the owner of the property and any persons or entities contributing to said violation shall be subject to the penalties specified for violations in Article 8.

I. Application. The developer/applicant shall supply a completed Major Subdivision application (Section 7.2) to the Administrator which shall include a draft of the conservation easement for the portion of the property that will remain as permanent open space or agricultural land. The application shall include a Preliminary Plat including all the requirements of Section 7.2.5 and shall further include:

- 1. The location and type Constrained Lands, as defined in Section 4.2.2.D.
- 2. The location and type of all proposed areas to be preserved.
- 3. Proposed land use(s) and approximate density of residential uses.
- 4. The required buffer areas. When possible, existing woodlands should be used, if not, a variety of rapidly growing indigenous trees and shrubs should be planted thickly in the buffer area.

SECTION 4.3.3 Block Standards

- A. Block and Perimeter Length. No development is permitted on an applicable site having a block perimeter greater than 1,800 feet or a block length greater than 800 feet.
- B. New Connections. Where the existing block perimeter is greater than the maximum allowed block perimeter or block length, development projects must provide new streets and/or street rights-of-way to comply with the maximum block standards.
- C. Pedestrian Connections. Where a block is bisected by a pedestrian connection, the maximum block perimeter and block length may be increased by 25%. The pedestrian connection shall be:

1. At least 15 ft wide.
 2. Accessed at least 200 ft. from the street intersection measured along the primary street.
 3. Inaccessible to vehicles and physically separated from vehicular traffic.
 4. Made permanently available to the general public.
- D. Industrial Development. Blocks intended for industrial development may vary from the standards of design detailed above in favor of dimensions more suitable to their prospective use; provided such blocks permit adequate traffic circulation.

Section 4.5 Streets and Rights-of-Way

4.5.4 On-Street Parking

- A. Types allowed. **On-street parking shall only be parallel parking. Angled or perpendicular on-street parking is prohibited.**
- B. Street Width. If on-street parking is proposed for both sides of the street, an additional ten (10) feet of dedicated right-of-way is required. This includes at least eight (8) of pavement width dedicated to the parking spaces

4.5.8 Street Trees

- A. Location. Street trees shall be planted at forty (40) foot intervals on both sides of the street. Street trees and other vegetation shall be installed within the planting strip between the sidewalk and the curb of a street to ensure that the trees provide adequate shade and protection from vehicular traffic. Street trees may also be located in other locations, such as within public access easements, where practical and as determined by the Planning Commission during the review of the Preliminary Plat.
- B. Spacing. Street trees may be installed within tree wells and shall be installed to replicate existing spacing patterns of street trees. The Administrator, in coordination with the Agency Having Jurisdiction (AHJ) or SCDOT, shall determine the appropriate spacing of street trees.
- C. Tree Species. Diverse and native species of street trees shall be used. The administrator may reference geological or forestry maps from county, state, or federal agencies to aid in the selection of street trees. The local conditions including but not limited to, soil and irrigation shall be used to inform the species planted.
- D. Minimum Tree Size. At the time of planting, small maturing trees should be 2.5-inch caliper, with the lower side of the crown a minimum of 6 feet above grade to avoid hazards to pedestrians.
- E. Tree Wells. Tree size and longevity is directly related to soil volume and quality; projects where tree wells are utilized will be evaluated on an individual basis to determine the ideal size of the tree well for the application and context in an attempt to maximize volume. Where possible with new construction, a continuous trench of soil (even underneath hardscape) should be provided for root growth.

- F. **Root Barriers.** To ensure the protection of the street trees' root system, as well as utility lines and paved surfaces, all street trees shall be installed with root barriers.

Section 4.7 Landscaping, Buffers, and Tree Preservation

4.7.1 General

- A. **Purpose.** Landscaping, buffering and screening shall be emphasized as a means of enhancing the character, value, and attractiveness of both development and surrounding properties.
- B. **Applicability.** Landscaping, buffering and screening will be required on all new developments or buildings, and any old buildings with renovation or remodeling equaling fifty (50) percent of the building's value.

4.7.2 Standards Applicable to all Zoning Districts

- A. **Integral Design.** Landscape design and planning shall be integrated with the overall project design and environs and shall not be considered merely as an afterthought.
- B. **Natural Landscaping.** The natural landscape character shall be preserved in every reasonable instance. Also, in an area containing a stand of trees, the developer/owner should preserve as many of these trees as possible and landscape in a complimentary manner.
- C. **Included in Landscape.** In applying landscaping to complement natural conditions, factors to be included in the integral design of development projects include trees, plantings, all vegetative cover and ornamentation, paving, pedestrian benches, fountains, fences, lighting fixtures, and all items of exterior furniture. Landscape materials/items shall be selected for their functional and aesthetic value, as complementary to the project's total impact. Vegetation and landscaping shall be planted following the guidance of ANSI A300 standards in areas not covered by the code.
- D. **Screening and Landscaping.** Landscaping shall be considered in meeting the requirements of Section 4.7.4. of this Ordinance. To this end, screening may include walls, fences, earthen mounds, or vegetation, when such screening accomplishes the purpose of Section 4.7.4. and is an integral part of development design. Development factors which may lend well to screening by other than fencing or walls, include parking lots, trash receptacles, air-conditioning units, and similar unaesthetic applications.
- E. **Tree Planting Standards.** Where appropriate site conditions exist as determined by the Administrator, replacement trees must be canopy trees. Tree spacing must be a minimum of 15 feet and a maximum of 25 feet for canopy trees.
 - a. **Replacement trees should be distributed and spaced with a naturalized pattern.**
 - b. **For stream bank or wetland restoration projects, the Administrator can approve the use of smaller caliper trees or saplings to meet mitigation requirements.**
 - c. **In no instance shall a replacement tree's caliper be less than 2.5". This may be increased by the review entity if a more substantial screen is needed at the time of planting, ensuring a shorter time frame for the buffer or screen to become opaque**

F. Landscaping Maintenance. The owner, occupant, tenant, and the respective agent of each, if any, shall be jointly and severally responsible for the maintenance of all landscaping. Landscaping shall be maintained in a good condition to present a healthy, neat, and orderly appearance at least equal to the original development, and shall be kept free of refuse, with dead vegetation promptly replaced.

G. Public Dedication. All landscaping materials placed in the public right-of-way shall be either bonded or guaranteed by the owner of the premises for a period of one (1) year after approval for acceptance thereof by the Town.

H. Certificate of Occupancy. All landscaping and planting designated on all development plans reviewed for granting the Building Permit (see Section 7.3) shall be installed in accordance with specified height, spread, density, and quality before a Certificate of Occupancy is granted.

4.7.3 Buffer Screens

A. Purpose. The purpose of a screen will be to remove or substantially reduce any noise, glare, visual nuisances, and/or undesirable effects which a use on a lot might have on an adjacent lot or use or on a public right-of-way. Along certain lot lines within any district, along the boundary lines separating districts, along the Town Limit boundaries of a zoning district, or in conjunction with any potentially- conflicting adjacent land uses, a buffer screen may be required by this Ordinance or by the Zoning Administrator.

B. Buffers Required. Where the rear or side lot line of a lot used for non-residential purposes or three or more dwelling units abuts the rear or side lot line of a lot used for single- or two-family residential purposes, the commercial, industrial, or multi-family development shall provide a buffer screen which meets the requirements of this Section. Screening shall pay particular attention to parking lots, trash receptacles, air-conditioning units, and other, similar unaesthetic or noisy applications.

C. Type of Screen. A buffer screen may be of three basic types, as listed below, and must be constructed of durable material and designed to obscure the contents of the adjacent yard and otherwise reduce or eliminate the undesirable effects of the adjacent use. The screen may either be totally or substantially solid and shall be constructed of stone, wood, brick, or similar durable material. Plastic sheeting and panels or corrugated sheet metal shall not be utilized as screening. A dense vegetative buffering may be substituted for all or a portion of such fence or wall, provided that such buffering shall not be unsightly at any season, nor create a fire hazard at any season, and that in all seasons it shall be equivalent in its screening effects to a fence or wall. In all instances, attention shall be given to the provision of screening as an integral part of the entire development.

1. Visual Screen (V). Intended to enhance privacy and the aesthetic quality of the living environment.

2. Visual and Acoustic Screen (VA). The intent of this type of screen is to enhance both the visual and acoustic qualities of the adjacent site environment. Although vegetative buffering is frequently preferred, it shall be approved only if it is a dense-growing evergreen, capable of effecting appropriate noise reduction.

| Proposed Use | Adjacent Use | | | | | |
|------------------------------|--|------------------------|-----------------|--------------|------------------------------|-----------|
| | Conservation, Agriculture, or Forestry | Single Family Detached | Duplex, Triplex | Multi-family | Commercial and Entertainment | Vehicular |
| Single Family, Detached | V | N/A | V | VA | VA | VAS |
| Duplex, Triplex | V | V | N/A | V | VA | VAS |
| Multi-family | VA | VA | VA | V | VA | VA |
| Commercial and Entertainment | VA | VAS | VA | VA | N/A | N/A |
| Vehicular | VA | VAS | VAS | VA | N/A | N/A |
| Light Industrial | VAS | VAS | VAS | VAS | VAS | VAS |

3. Visual, Acoustic, and Separation Buffer (VAS). The intent of this buffer is to provide the maximum in separation from potentially obnoxious land uses or streets with a high traffic volume, by increasing sound attenuation and visual disturbance more than would be provided by screens alone. To be constructed of suitable material mentioned above as an integral part of a “greenbelt” or other dedicated “barrier zone” of such width and overall design as to provide greater screening than otherwise possible.

D. Buffer and Screen Applicability. Table 4.7.4.D. regulates what type of buffer or screen is required between different use types. The use types refer to the categories or uses found in the Table of Uses in Section 3.2.

E. Composition of Buffers and Screens. Where a buffer is required, Table 4.7.4.E regulates the width and required planting within the buffer.

| Requirement per 100 linear foot of frontage/shared property lines | | | | |
|---|---------------|------------------------|------------------------|-------------------|
| Type of Buffer | Minimum Width | Canopy/Overstory Trees | Understory/Small Trees | Shrubs/Underbrush |
| Visual (V) | 0-5'* | 4 | 6 | 25% |

| | | | | |
|--|--------|---|----|-----|
| Visual and Acoustic (VA) | 5-15'* | 6 | 10 | 25% |
| Visual, Acoustic, and Separation (VAS)** | 20'+* | 8 | 12 | 25% |
| *Based on review authority analysis based on existing and similar uses based on NAICS classification. Any additional use conditions shall be in addition to the following buffer requirements. | | | | |
| ** A separation buffer shall be required for certain uses as specified in this Ordinance. The minimum depth of a separation buffer shall be 50 feet, measured from the property line of the subject property. The reviewing entity may require a separation buffer of up to 200 feet for industrial, manufacturing, processing, or similar uses as classified by (NAICS) | | | | |

F. Hight of Screen. Height of Screen. Unless otherwise approved by the Zoning Administrator, all buffer screens must be at least six (6) feet high above the finished grade, or if composed of planted materials, the screen (tight evergreen hedge) must be capable of growing to a height of six (6) feet within a period of two (2) years. Screens constructed of other than planted materials shall not exceed eight (8) feet in height. This requirement notwithstanding, appropriate setback or other modification of screens shall insure that the requirements of site triangles or other visibility standards are not negatively impacted.

1. Minimum Planting Height. Shall be planted at 3' in height.
2. Minimum Opacity. At the time of planting, the screen shall be at least 40% opacity.

G. Maintenance of Screen. The maintenance and repair of a buffer screen is the responsibility of the owner of the property on which it is placed. It must, at all times, be maintained in good condition and be routinely painted, trimmed, and repaired by the owner of the property or agent. The area surrounding the screen and the lot line should be landscaped and must be kept clear of trash and debris.

H. Front Yard Requirements. Screens constructed of other than planted materials shall comply with any front yard requirements established for the district in which it is located.

4.7.5 Tree Protection **NEW SECTION**

A. General

1. Purpose. The purpose and intent of this Section is to protect existing tree cover; facilitate the incremental growth of the City's tree canopy; enhance and preserve the environmental and aesthetic qualities of the City; encourage site design techniques that preserve the natural environment and enhance the developed environment; control erosion, slippage, and sediment runoff into streams and waterways; increase slope stability; improve air quality; protect wildlife habitat and migration corridors; and reduce homeowner energy costs.
2. Applicability. Except as stated herein, the requirements of this Section apply to all land-disturbing activities that require permit for existing and new development.
3. Exemptions. The following developments and activities are exempt from this Section except where otherwise noted below.

- a. The removal of diseased, dead or naturally fallen trees as determined by a certified arborist, licensed landscape architect or the Administrator; or

trees that are found to be a threat to the public health, safety, or welfare by a TRAQ certified arborist or the Administrator.

- b. The selective and limited removal of vegetation or trees under 10 inches diameter at breast height necessary to obtain clear visibility at driveways or intersections, or for the purpose of performing authorized field survey work.
- c. The removal of trees within operationally active utility easements to maintain their intended function.
- d. The removal of trees or vegetation on land that is being used for agricultural and forestry activities, including tree farms and approved forestry management practices, except that if a site is substantially cleared of trees pursuant to legitimate agricultural or forestry activities, no development applications will be accepted for 36 months from the date the clearing is completed. It is the burden of the property owner to prove that any timber harvesting or land clearing is conducted as a commercial timber operation. A forestry plan must be submitted that demonstrates that the intended forestry activities will contribute to the long-term production of marketable forest products and ensure the continued existence of forests through regeneration. Conducting a timber sale as the sole timber management activity does not constitute a "commercial timber operation."
- e. Residential property consisting of an existing single-family home, and where the tree is located in the rear or side yard. Mitigation or replacement shall not be required for front yard removal, only tree coverage requirements.
- f. Tree clearing or cutting performed to comply with aeronautic safety requirements mandated by federal or State law or regulation.

4. Tree Protection Zone (TPZ). Before and during any land disturbance, construction or development, the following measures shall be utilized to protect trees, including tree crowns and roots, designated for retention on development plans. The location of the TPZ fencing and method of construction shall be noted on the site plan.

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

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

B. Tree Inventory. The tree inventory and protection plan must be submitted as part of an application for any land development activity not otherwise exempted.

1. A legible tree inventory must be submitted as part of an application for any land disturbing permit or activity, including storage or staging of equipment. The inventory must show all heritage trees and trees greater than 8 inches DBH to be removed (or for residential property consisting of an existing single-family home where title to such property is acquired on or after July 1, 2021, trees that meet the heritage tree definition), and any tree to be retained. Trees must be clearly identified on the tree survey as either to be removed or retained. Each tree to be retained should show the critical root zone to determine impacts.
 - a. The tree inventory must include any boundary trees, i.e. trees on neighboring properties, which may experience any land disturbance, including storage of equipment or other material, within their critical root zone. In cases where the boundary tree cannot be accessed by a surveyor, the dripline can be substituted for the critical root zone.
 - b. Invasive tree and prohibited tree species as determined by the Administrator and all pinus species are exempt from tree protection requirements.
 - c. Encroachment within the critical root zone, or dripline if the tree cannot be accessed by a surveyor, of trees located on adjacent properties is not allowed without written approval from that adjacent property's owner if the tree is to be impacted. If the limits of disturbance or land disturbance activity may reasonably be expected to occur within the critical root zone, or dripline as defined above, of trees located on adjacent properties, a letter from the tree's owner may be provided in lieu of tree protection for the tree. The letter must clearly state that the

tree's owner is aware of the risk to the tree, that the land disturbing activity may result in the immediate or long-term death or demise of the tree, and that the Town is not responsible for any damage or removal of the tree or its parts. The letter must be signed by the adjacent property owner and included with the tree inventory.

C. Tree Removal and Replacement. NEW SECTION Tree Removal and Replacement.

Development or activity that results in the removal or injury of canopy trees 8 inches or greater in DBH (or for residential property consisting of an existing single-family home, trees that meet the heritage tree definition), that are not recognized invasive species must provide replacement or mitigation equal to or greater than the cumulative DBH of the trees removed and/or injured.

1. Canopy trees required to meet landscape requirements per the Development Code, may be used to meet tree replacement requirements.
2. Tree loss mitigation may be provided by retaining existing canopy trees on site which meet the following criteria:
 - a. Trees are between 3 inches and 6 inches DBH;
 - b. Trees are in good health and are free of damage or disease, as verified by a certified arborist; and
 - c. Trees are not a recognized invasive or prohibited species, or of the pinus species; and
 - d. Trees are not within an active utility easement.
3. For all other parcels and land development applications, the applicant shall submit a tree survey (as described in above section) notating all applicable trees/landscaping to be removed, as well as planned vegetation. For those canopy trees over 8 inches in DBH and trees classified as Heritage trees, the following mitigation schedule shall apply:

| Table 4.7.5.C.3: Tree Replacement and Mitigation Schedule | | |
|---|---|--|
| Tree Type | Replacement: % of caliper inches | Mitigation: Cost/Caliper Inch |
| Canopy Tree | 25% | \$10/inch |
| Heritage Tree | 33% | \$50/inch |
| EXAMPLES: | APPROVED REPLACEMENT | APPROVED MITIGATION |
| | Heritage Tree: A 24-inch Live Oak tree is approved to be removed. The applicant may choose to plant back four (4) 3-inch Live Oaks (12") to equal 50% of the tree to be removed | Historic Tree: A 24-inch (DBH) Live Oak tree is approved to be removed. The applicant must pay \$2,400 for the removal of the tree (24" x \$100 = \$2,400) |
| | Canopy Tree: A 12-inch Live Oak tree is approved to be removed. The applicant may choose to plant back one (1) 4-inch live oak to equal 33% of the tree to be removed. | Canopy Tree: A 12-inch tree is approved to be removed. The applicant must pay \$600 for the removal of the tree (12" x \$50 = \$600) |

*Replacement location of historic or significant trees removed shall be decided by the administrator or applicable review entity.

4. In cases where tree mitigation is required but planting is not preferred by the applicant, the Administrator must approve a fee-in-lieu-of mitigation via a payment to the Town’s Tree Fund. Fees must be based on market rate quotes for related tree mitigation. Fee-in-lieu-of mitigation fees are capped at \$25,000 per acre (excluding heritage tree fines), to be adjusted upward or downward on a pro rata basis based upon the size of the parcel. By way of example, the fee-in-lieu would be capped at \$12,500 for a one-half acre parcel and capped at \$37,500 for a one and one-half acre parcel. This fee in-lieu of shall not exempt the applicant from any landscaping requirements such as buffers, screenings, parking lot landscaping, and other plants required with the development application. The Tree Fund will be managed by the Town and must be used solely for the purposes of:

- a. New tree purchase and installation by the Town.
- b. A percentage of new tree and landscape material and installation costs for affordable housing developments, as defined by the Town, and executed via d Development agreements with the Town;
- c. Maintenance of existing tree canopy on public property and rights-of-way;
- d. Purchase of real property for the purposes of tree plantings or dedicated open space; or
- e. Administration of the above.
- f. The total tree mitigation fee may be reduced by a percentage equal to the percentage of affordable housing units included within the project as documented by the Town.

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

| Table 4.7.5.D: Tree Coverage Requirements | |
|--|-----------------------------------|
| Type of Development | Minimum Number of Trees Required* |
| | 1 Canopy/Overstory Tree Required |
| Single Family Residential, Detached | Per 4,000 sq. ft. of lot size |
| Attached Single Family, Two-family, three-family dwellings | Per 6,000 sq. of lot size |
| Multi-Family | Per 4,000 sq. ft. of lot size |
| Town Center | N/A |
| Lodging & Mixed Use | Per 6,000 sq. ft. of lot size |
| Office, Commercial, & Vehicular | Per 6,000 sq. ft. of lot size |

| | |
|--|-------------------------------|
| Civic & Institutional | Per 8,000 sq. ft. of lot size |
| Industrial | N/A |
| *Approved existing vegetation, buffer trees, street trees, landscaping islands, etc. could all count towards this requirement. | |

Section 4.10 Parking, Loading, and Accessways

4.10.1 Purpose and Intent

The purpose of this Section is to ensure the appropriate provision of parking and loading facilities in the different zoning districts and different uses allowed by this Ordinance. The standards in this Section are intended to provide for adequate off-street parking and loading and allowing the flexibility to accommodate alternative parking solutions. The standards are also intended to achieve Town policies of smart, sustainable growth, walkability, accommodating appropriate infill development, and avoiding excessive paved surface areas. There are no provisions that establish a minimum number of off-street parking spaces for development. **However, certain development proposals are required to complete a parking demand analysis.**

C. On-Street Parking. Uses may count on-street parking spaces that are within the frontage of the lot on public street rights-of-way abutting the subject property towards the off-street motor vehicle parking minimums. If a development creates on-street parking spaces, one (1) created on-street parking space equals two (2) off-street parking spaces required by this ordinance.

D. **Fee-In-Lieu.** If there is a case where the creation of off-street parking is deemed infeasible due to site or legal constraints within the Town Square, Mixed Use Residential, or Gateway Business zoning district, the applicant may pay a fee per parking space into a fund, in lieu of the parking requirements, set up by the Town for the purposes of establishing public parking. The fee shall be in the amount of \$3,000 per parking space. This fee-in-lieu may be reduced or exempted by Town Council.

H. **Traffic Impact Study Required.** Developments that require more than one hundred (100) parking spaces based on Section 7.2.1 may be required to submit a traffic impact study by the Zoning Administrator prior to approval of the permit.

4.10.4 Required Parking NEW Section

A. Parking Demand Analysis. Off-street parking shall be provided to meet the realistic demand for the proposed land use. The analysis shall be reviewed by the highest reviewing authority established in Article 7. The parking demand analysis, prepared by an engineer with expertise in transportation, shall utilize the following criteria to calculate the required spaces:

1. Data or studies of similar sites and uses;
2. Comparisons to minimum standards in national published data sources such as Institute of Transportation Engineers (ITE), Urban Land Institute (ULI), National Parking Association (NPA), American Planning Association (APA), or other professionally recognized data sources; or
3. Comparisons of the minimum requirements of similar municipalities.

B. Applicable Projects. Projects exceeding the following thresholds, except those specifically exempted in 4.10.4.C, shall provide a parking demand analysis.

1. New construction of principle buildings in excess of 4,000 square feet of gross floor area.
2. Enlargement of existing buildings by 20% of the existing gross floor area. Any additional off-street parking and loading spaces that may be required shall apply only to the expanded or enlarged part of the structure.
3. The substantial renovation of a principal building with a gross floor area of at least 15,000 square feet and involving a change of use.
4. Upon request of the Planning Commission or Development Administrator during the course of their review.

C. Exempt Projects. The following projects shall provide information in their application justifying their proposed parking and demonstrating that public infrastructure will not be burdened.

1. Projects not meeting the thresholds established in 4.10.4.B.
2. Changing a building's use from one conforming use to another conforming use or when a non-conforming use is converted to a conforming use.
3. All single-family dwellings, accessory dwelling units and two-family dwellings.
4. A generally accepted agricultural operation or practice.
5. Roadside Agricultural Stands.
6. A designated building on the National Register of Historic Places, recorded with the State SCDAH, or NPS that undergoes expansions shall not require additional off-street parking or loading facilities.

Section 4.11 Parks and Open Space

4.11.1 Provisions of Open Space

A. Open Space. The Town shall require that open space be reserved for active or passive recreation in applicable developments. Each reservation shall be of suitable size, dimension, topography and general access for the particular purposes envisioned by the Planning Commission. These areas shall be shown on the Plat and marked "reserved for recreation open space".

B. Applicability. The Section shall apply to all developments except those specifically exempted in 4.11.1.C.

C. Exemptions. The following development is exempted from the standards in this Section:

1. Development of a single building on a single lot that does not involve the major subdivision or major certificate of appropriateness process.
2. Residential development defined as minor subdivisions.
3. Utility Uses.
4. Agricultural Uses.
5. Industrial Uses.

4.11.2 Open Space Standards

A. Open Space Types. The following amenities shall be defined as open space:

| Table 4.11.2.A: Open Space Types | |
|----------------------------------|--|
| Open Space Type | Description |
| Parks (Active) | A large public green area dedicated for use recreation or gatherings. Area is designed and landscaped. |
| Plaza | An open space that may be improved, landscaped, or paved, usually surrounded by buildings or streets. |
| Square | Open space that may encompass an entire block, is located at the intersection of important streets, and is set aside for civic purposes, with landscaping consisting of paved walks, lawns, trees, and civic buildings |
| Playground | A land use designed principally to offer recreation, passive or active, to the public, particularly children, with the use of structures and or equipment. |
| Community Garden | A private or public facility for cultivation of fruits, flowers, vegetables, or ornamental plants by the surrounding community. |
| Pedestrian Passageway | A publicly accessible path that navigates between buildings or developments to encourage pedestrian movement. |
| Greenway | A linear park, alternative transportation route, or open space conservation area that provides passive recreational opportunities, pedestrian and/or bicycle paths, and/or the conservation of open spaces or natural areas. |
| Trail, or Trail Connection | A way designed for and used by equestrians, pedestrians, and cyclists using nonmotorized bicycles, sometimes a part of a local or regional system, through a natural space(s) and/or landscaped area. |

1. Not Considered Open Space. The following features shall not be counted towards the open space requirement:
 - a. Private yards not subject to an open space or conservation easement
 - b. Street rights-of-way or private access easements, including sidewalks located within those rights-of-way or easements.
 - c. Required buffer that is inaccessible to all residents and not integrated with an accessory to open space features of Table 4.11.2.A.
 - d. Open parking areas and driveways including parking lot landscaping.
 - e. Land covered by structures, unless accessory to open space feature of Table 4.11.2.a
 - f. Outdoor storage areas
 - g. Stormwater ponds not located and designed as a site amenity (e.g., with low fencing, trails, vegetative landscaping, gentle slopes, fountain or other visible water circulation device, and pedestrian access or seating) and surrounding areas
2. Open Space Types Not Listed. An applicant may propose other open space types, for passive or active recreation, to the Planning Commission for approval.
- B. Location. Open space shall be located within the development site and be easily accessible and useable by occupants and users of the development. Where possible, a portion of the open space should provide focal points for the development through prominent placement or easy visual access from streets

C. Configuration

1. Open space shall be compact and contiguous unless a different configuration is needed to continue an existing trail or accommodate preservation of natural features.

2. If the development site is adjacent to existing or planned public trails, parks, or other public open space area, consideration should be given to adjoining, extending, and enlarging the trail, park, or other public open space area .

D. Ownership and Management

1. All open space areas shall include deed restrictions, covenants, or other legal instruments that ensure continued use of the land for its intended open space purposes, in perpetuity, and provide for the continued and effective management, operation, and maintenance of the land and facilities.
2. Responsibility for managing and maintaining open space rests with the owner of the land. Failure to maintain open space in accordance with this Section and the development approval shall be a violation of this Ordinance.

- E. **Required Open Space.** Development subject to these standards shall provide open space set-asides in an amount that meets or exceeds the minimum area in this section, based on the use and the zoning district where the development is proposed. Open space requirements are calculated based on the net acreage of the entire property involved in a development application. If there is a conflict with the requirements herein, this article shall govern.

| Table 4.11.2.F: Required Open Space | | | |
|---|-------------------------|-----------|----------------------|
| | Minimum Open Space Area | | |
| Size of Development* | Less than 1 acre | 2-5 acres | Greater than 5 acres |
| District | | | |
| Open Space or Conservation | 50% | 50% | 50% |
| Single Family Neighborhood | 20% | 20% | 25% |
| Mixed Use Residential (MU-R) | 10%** | 20%** | 25%** |
| | | | |
| Town Square | 5%** | 5%** | 10%** |
| Gateway Business | 5%** | 5%** | 10%** |
| 76/187 Business | 5% | 5% | 5% |
| Light Industrial | Exempt | Exempt | Exempt |
| <p>*This shall include the total area of a development, including properties involved in future phases (i.e. The entirety of all property(s)) Example: A 10-acre property that is being subdivided for a residential development within an Single Family Neighborhood Zoning District must allocated 20% or (2 acres) to one or more of the open space types in Table 4.11.2.A: Open Space Types.</p> <p>**Shall consist of public, or quasi-public, spaces for either pedestrian connections, plazas, or other on-site amenities as determined by the Planning Commission.</p> | | | |

Section 4.12 Environmental Protection New Section

4.12.1 Preservation of Natural Features

- A. **Stream and Wetland Buffer.** Except as otherwise stated in this chapter, no structure shall be built within 50 feet of the bed of a watercourse or edge of wetland.
- B. **Topsoil Preservation.** No person shall strip, excavate, stockpile, or otherwise remove or relocate topsoil, except in connection with the approved construction or alteration of a building, a structure, a parking lot or road, a swimming pool, a pond, or lawful excavation operation.
- C. **Adverse Effects.** No movement of earth or soil erosion shall be permitted at any time in any district which adversely affects conditions on any other property.
- D. **Retention of Features.** Whenever natural features such as trees, brooks, drainage channels and views interfere with the proposed use of property, the retention of the maximum amount of such features consistent with the intended use of the property shall be required.

7.1.1 Purpose

The purpose of the Development Review Procedures Article is to provide a clear, transparent, and comprehensive development process that is fair and equitable to all interested parties, affected neighbors, Town Officials, related agencies, and Town Council. This Article will establish an orderly process for the responsible growth, development, revitalization, and expansion of property, lands, and areas within jurisdictional control of the Town of Pendleton.

7.1.4 Public Notice Requirements

A. Required Public Notice. Applications for development review under Article 7 shall provide public notice as provided in Table 7.1.4.A.

| Table 7.1.4.A Required Public Notice | | | | | | | | |
|---------------------------------------|---|--------|----------|----------------|-------------------|---|--|---|
| Action | Published | Posted | Mailed** | Public Hearing | Special Exception | X | | X |
| | | | | | Site Plan Review | | | |
| Major Subdivision, Preliminary Plat | X | X | X | X | | | | |
| Certificate of Appropriateness, Major | X | | | | | | | |
| UDO Amendments | | | | | | | | |
| Text | X | | | | | | | |
| Map* | X | X | X | X | | | | |
| Planned Development Districts* | X | X | X | X | | | | |
| Administrative Appeal | | | | | | | | |
| Zoning Variance | X | X | X | X | | | | |
| * | Types of notice shall be provided during each of the Planning Commission and Town Council review. | | | | | | | |
| ** | Notice shall be provided to persons who have expressed interest in being informed. | | | | | | | |

Section 7.2 Application Material Description

7.2.1 Traffic Impact Study (TIS)

A. Purpose. A TIS shall be completed as the first step of the project approval process. The TIS is the responsibility of the applicant. The Town may require the applicant to select a non-bias third-party traffic engineer, either previously identified by the Town or that is familiar with the area or region. If the Town requires third party review it shall be at the sole expense of the applicant. Coordination with other entities in the county government or

South Carolina Department of Transportation (SCDOT) shall be the responsibility of the applicant.

B. Applicability

1. All applications for rezoning shall include a TIS.
2. Exceptions
 - A. Where a project will generate fewer than 75 new peak hour traffic trips as defined by the Institute of Transportation Engineers Trip Generation Manual no further TIS is required unless otherwise required by the Development Administrator, Planning Commission, or Town Council
 - B. Where a rezoning is proposed to a less intensive zoning district as determined by the Development Administrator, no TIS is required.

C. General

1. A TIS must be prepared under the supervision of, and signed, stamped and dated by, a professional Civil Engineer registered in South Carolina
2. All existing traffic counts must be conducted within the 12-month period prior to application submittal.
3. Traffic counts shall be taken on Tuesdays, Wednesdays, or Thursdays when the Public Schools are open with students and staff on site and operating on a normal schedule and not prior to or following a holiday or during the week of a holiday.
4. Turning movement counts must be collected from 7:00 am to 9:00 am and from 4:00 pm to 6:00 pm at 15-minute intervals, unless otherwise requested
5. All phases of a development are subject to review, and all traffic plans for the entire development shall be integrated with the overall traffic analysis.
6. Efficient traffic operations, safety, and pedestrian/multi-modal accessibility are to be considered in the TIS.
7. The adequacy of the roads to which the development takes access shall be assessed in the TIS.
8. Recommendations for improvements shall be made where operational or safety concerns exist, and installation of these improvements shall be required as a condition of any approval from the Town.
9. Function and Safety Improvements. Improvements may be required to mitigate and improve the safety and function of multiple transportation modes the site traffic may impact. These improvements may not be identified in the TIS, but improvements to benefit the function and safety of the transportation system of the development site. These improvements may include but are not limited to center medians, sidewalks and/or bicycle

accommodations, modifications to ingress and egress points, roadside shoulders, pavement markings, traffic calming, and other traffic control devices.

D. Contents

1. Study Area. A description of the study area including surrounding land uses and expected development in the vicinity that would influence future traffic conditions. The study area shall include the intersections immediately adjacent to the development and those identified by Development Administrator, the Director of Public Works, and the SC DOT as applicable. These intersections may include those not immediately adjacent to the development if significant site traffic could be expected to impact the intersection. A study area site map showing the site location is required.

2. Proposed Land Use. A description of the current and proposed land use including characteristics such as the number and type of dwelling units, gross and leasable floor area, number of employees, accompanied with a complete project site plan (with buildings identified as to proposed use).

3. Existing Conditions. A description of existing traffic conditions including existing peak-hour traffic volumes intersection L.O.S. within the study area. In general, AM and PM peak hour counts should be used. In some cases, pedestrian counts will be required. Data should be adjusted for daily and seasonal variations. Other information that may be required may include, but not limited to, crash data, stopping sight distances, and 50th and 85th percentile speeds.

4. Future Growth. Estimate of future background traffic growth and growth factor. Also included is the state, local, or private transportation improvement projects in the project study area that will be underway in the build-out year and traffic that is generated by other proposed developments in the study area.

5. Estimate of Trip Generation. The site forecasted trips should be based on the most recent edition of the ITE Trip Generation Manual. A table should be provided in the report outlining the categories and quantities of land uses, with the corresponding trip generation rates or equations, and the resulting number of trips. The reason for using the rate or equation should be documented. Any reductions due to internal trip capture and pass-by trips, transit use, and transportation demand management should be justified and documented. All trip generation and trip reduction calculations and supporting documentation shall be included in the report appendix.

6. Trip Distribution and Traffic Assignment. The distribution (inbound versus outbound, left turn versus right turn) of the estimated trip generation to the adjacent street network and nearby intersections shall be included in the report and the basis should be explained. The distribution percentages with the corresponding volumes should be provided in a graphical format.

7. Analysis and Estimate of Impact. A capacity analysis should be performed at each of the study intersections and access intersection locations (signalized and unsignalized) in the vicinity of the development. Intersection analysis shall include LOS determination for all approaches and movements. The levels of service will be based on the procedures in the latest edition of Transportation Research Board's Highway Capacity Manual. Coordination analysis will be required for the signal systems or portion of the signal systems analyzed.

8. Access Management Standards. The report shall include a map and description of the proposed access including any sight distance limitations, adjacent driveways and intersections, and a demonstration that the number of driveways proposed is the fewest necessary and that they provide safe and efficient traffic operations.

9. Traffic signalization. If a traffic signal is being proposed, a signal warrant analysis shall be included in the study.

10. Mitigation and alternatives. The traffic impact study should include proposed improvements or access management techniques that will mitigate any significant changes in the levels of service.

E. Responsibility for Improvements. The costs of implementation of an approved mitigation program shall be the responsibility of the applicant.

7.2.2 Economic Impact Statement. New Section

A. Purpose. The purpose of this section is to provide the Town Council with necessary information to appropriately regulate the use and development of land to assure that new development does not result in an adverse fiscal burden to be borne by the taxpayers of the Town of Pendleton.

B. Applicability

1. All applications for rezoning shall include an Economic Impact Statement.
2. Exceptions. Where a rezoning is proposed to a less intensive zoning district as determined by the Development Administrator, no Economic Impact Statement is required.

C. General. The Economic Impact Statement shall describe the economic and fiscal impacts of the proposed rezoning and development.

D. Contents. At a minimum, the Economic Impact Statement shall include the following:

1. A calculation of the change to the number of jobs, wages and spending in the Town.
2. A calculation of the changes to revenues and expenses related to service delivery provided by the local public service entities such as the Town of Pendleton, Anderson County, and any others as may be applicable.

7.2.3 Environmental Impact Study

A. Purpose. The purpose of this section is to provide the Town Council with necessary information to appropriately regulate the use and development of land to assure that new development does not result in an adverse environmental conditions within the Town of Pendleton or as part of a larger region. An Environmental Impact Study facilitates the weighing of social, economic, and environmental factors early in the planning and decision-making process

B. Applicability

1. All applications for rezoning shall include an Environmental Impact Study
2. Exceptions. Where a rezoning is proposed to a less intensive zoning district as determined by the Development Administrator, no Environmental Impact Study is required

C. Scope. The scope of study including the nature of impacts to be reviewed whether air pollution, lighting, hazardous wastes, flooding, environmental justice, and other reasonably foreseeable impacts shall be reviewed and approved by the Town Council. The Town Council may request additional matters to review. A study area map showing the site location is required. Generally, the Environmental Impact Study should consider the following impacts except where they are clearly not applicable to the development or where impacts are so minor as to be negligible:

1. Impacts on steep slopes, unique geological features, or national natural landmarks.
2. Impacts on surface waters, streams, and wetlands.
3. Impacts on groundwater.
4. Impacts on flooding.
5. Impacts on air and possible air pollution.
6. Impacts on plants and animals including threatened, endangered, rare species, or species of special concern and habitats for those species.
7. Impacts on agricultural resources.
8. Impacts on historic and archeological resources.
9. Impacts on open space and recreation.
10. Impacts on energy demand and supply.
11. Impacts on noise, odor, light, and other nuisances.
12. Impacts on human health which may result from exposure to toxic and hazardous substances and contaminants.

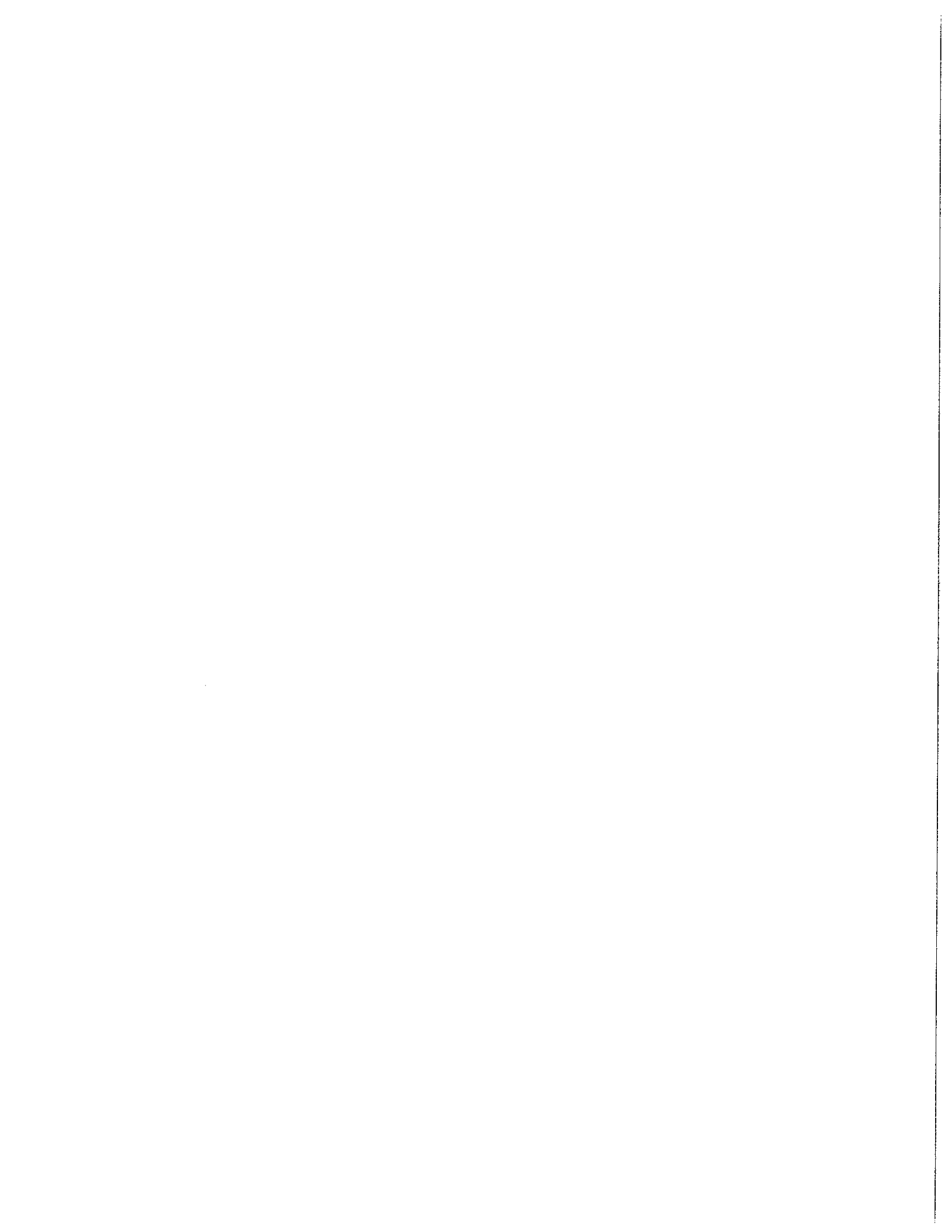
D. Content. The format of the Environmental Impact Study is flexible; however, all Environmental Impact Study must include the following elements:

1. a concise description of the proposed development, its purpose, public need and benefits, including social and economic considerations.
2. a concise description of the environmental setting of the areas to be affected, sufficient to understand the impacts of the proposed action and alternatives.
3. a statement and evaluation of the potential significant adverse environmental impacts at a level of detail that reflects the severity of the impacts and the reasonable likelihood of their occurrence. The study should identify and discuss the following impacts only where they are relevant and significant:
 - a. reasonably related short-term and long-term impacts, cumulative impacts and other associated environmental impacts.

- b. those adverse environmental impacts that cannot be avoided or adequately mitigated if the proposed action is implemented.
 - c. any irreversible and irretrievable commitments of environmental resources that would be associated with the proposed action should it be implemented.
 - d. measures to avoid or reduce both an action's impact on climate change and associated impacts due to the effects of climate change such as flooding.
4. a description of the mitigation measures.
5. a description and evaluation of the range of reasonable alternatives to the action that are feasible, considering the objectives and capabilities of the project sponsor. The description and evaluation of each alternative should be at a level of detail sufficient to permit a comparative assessment of the alternatives discussed. The range of alternatives must include the no action alternative. The no action alternative discussion should evaluate the adverse or beneficial site changes that are likely to occur in the reasonably foreseeable future, in the absence of the proposed action. The range of alternatives may also include, as appropriate, alternative:
- a. sites.
 - b. technology.
 - c. scale or magnitude.
 - d. design.
 - e. timing.
 - f. uses.
 - g. types of action.
 - h. For applicants, any alternative for which no discretionary approvals are needed may be described. Site alternatives may be limited to parcels owned by, or under option to, a private project sponsor.
6. a list of any underlying studies, reports, and other information obtained and considered in preparing the study.

E. Waiver. The applicant may request and the Town Council may grant waivers for all or part of the preparation of an Environmental Impact Study. Any such waiver, which shall be subject to appropriate conditions, may be exercised in the event any such requirements or improvements are found not to be requisite in the interest of the public health, safety and general welfare or inappropriate because of the size or type of the proposed development inadequacy or lack of connecting facilities adjacent or in proximity to the subdivision.

- 1. If an applicant wishes to request a waiver, said request shall be submitted, in writing, as part of the application. The application shall state fully the grounds of said request.
- 2. The Town Council shall make findings supporting its decision regarding a waiver.
- 3. Waivers shall be made by resolution of the Town Council in the course of their review of a project. A statement showing the date that such waiver was granted shall be affixed to any subsequent site plans or subdivision plats.
- 4. When granting waivers, the Town Council may also impose additional conditions, as needed, to achieve the objectives of the waived requirement(s).



Background, Scope, and Expectations for Adoption of UDO and Amendments to the Town of Pendleton's Zoning Ordinance

Prepared by Owen Rines, Assistant Town Planner

May 7, 2026

Background of UDO

Work on the Unified Development Ordinance (UDO) began in November 2022 at the Town Council's request. During a period of almost 4 years, the Town conducted a comprehensive, multi-phase public engagement and review process, totaling 32 documented meetings.

2023 Outreach and Engagement

Throughout 2023, the Town held meetings with a broad range of community sectors, including civic organizations, local businesses, historic preservation groups, developers, educational institutions, transportation partners, faith-based organizations, and other key stakeholders.

A public workshop was held in August 2023, followed by two additional meetings to review and incorporate public input.

In April of 2023, a Steering Committee was appointed by the Town Council. The following are the members of the Steering Committee: Frank Crenshaw, Lyn Merchant, Sandra Gantt, Vince Gaulin, Mike Seef, Pam Patterson, Barbara Hamberg, Byron Edwards, Jackie Reynolds, Cindi Long, Lou Robinson, Scott Ward, Nancy von Meyer, Mona Fleming, Jeff Van Drie, Jami Brothers, Ricky Lewis, Greg Brock, Thomas Shirley, Kim Hamel, Nathan Missel, Emily Martin, Pat Zungoli, Miriam Ladner, Presley Bellinger, Susan Jezek, Howard Anderson, Amy Trick, Caroline Mohr, Molly Roper and Joey Welborn.

Draft Development and Review, 2024

A total of eight meetings with the UDO Steering Committee were held to refine and produce the final draft of the UDO. The draft was formally reviewed in January 2024.

Extended Review Period, 2024–2025

Following completion of the draft, an additional eight meetings with the UDO Steering Committee were held to examine the document in detail.

The final meeting occurred in September 2025, at which no formal motion was made to advance the document to the Planning Commission.

Council Direction, 2026

Upon receiving the update, Town Council expressed appreciation for the work completed by the UDO Steering Committee and directed that the UDO proceed to the Planning Commission for consideration and advancement toward adoption.

Council additionally requested that several high-priority items be adopted immediately through resolution 03-2026, and incorporated into the current Zoning Ordinance ahead of complete UDO adoption.

Scope Plan

(Implementation Focus for 2026)

The next phase of work is focused on advancing specific critical elements identified by Town Council. These items are detailed in Resolution 03- 2026, which has been provided for review and consideration.

Scope components include:

1. Extraction and Adoption of Priority Items

Incorporate selected regulatory components of the forthcoming UDO and other items from Resolution 03-2026 directly into the existing Zoning Ordinance to address important needs identified by Council.

2. Zoning Districts

Town Staff and the Consultant recommend not adopting the new zoning districts or undertaking the associated rezoning included in the UDO draft. Introducing new districts during the initial UDO adoption could significantly delay the adoption process, create unnecessary nonconformities throughout the Town, and increase the likelihood of challenges to the adoption itself. Deferring rezoning allows the Town to focus on implementing the UDO's regulatory framework efficiently while maintaining consistency with existing zoning designations.

3. Planning Commission Review of the Full UDO

Initiate formal Planning Commission review of the complete Unified Development Ordinance, including scheduling workshops, public hearings, and iterative review sessions as needed.

4. Coordination with Staff and Legal Review

Ensure alignment with current statutory requirements, local plans, and implementation procedures to support both the temporary amendments and the long-term full UDO adoption.

5. Public Communication and Transparency

Maintain clear public messaging to explain the phased adoption approach, emphasizing how immediate amendments relate to the eventual comprehensive UDO implementation.

6. Final Adoption Process

Upon Planning Commission recommendation, move the full UDO to Town Council for the required hearings, amendments, and final adoption

Expectations for Meetings

- The first phase of meetings will focus on the review and adoption of priority items identified in Resolution 03-2026.
- Once the full UDO review begins, the document will be evaluated in sections at a time to ensure a thorough and organized discussion.
- The objective is to conduct three meetings, each with an anticipated duration of approximately two hours.
- Participants are encouraged to submit any follow-up questions after each meeting so they can be addressed efficiently at the next session and help streamline discussion time.

- G. Maintenance of Screen. The maintenance and repair of a buffer screen is the responsibility of the owner of the property on which it is placed. It must, at all times, be maintained in good condition and be routinely painted, trimmed, and repaired by the owner of the property or agent. The area surrounding the screen and the lot line should be landscaped and must be kept clear of trash and debris.
- H. Front Yard Requirements. Screens constructed of other than planted materials shall comply with any front yard requirements established for the district in which it is located.

4.7.5. Tree Protection

A. General

1. Purpose. The purpose and intent of this Section is to protect existing tree cover; facilitate the incremental growth of the City's tree canopy; enhance and preserve the environmental and aesthetic qualities of the City; encourage site design techniques that preserve the natural environment and enhance the developed environment; control erosion, slippage, and sediment runoff into streams and waterways; increase slope stability; improve air quality; protect wildlife habitat and migration corridors; and reduce homeowner energy costs.
2. Applicability. Except as stated herein, the requirements of this Section apply to all land-disturbing activities that require permit for existing and new development.
3. Exemptions. The following developments and activities are exempt from this Section except where otherwise noted below.
 - (a) The removal of diseased, dead or naturally fallen trees as determined by a certified arborist, licensed landscape architect or the Zoning Administrator; or trees that are found to be a threat to the public health, safety, or welfare by a TRAQ certified arborist or the Zoning Administrator.
 - (b) The selective and limited removal of vegetation or trees under 10 inches diameter at breast height necessary to obtain clear visibility at driveways or intersections, or for the purpose of performing authorized field survey work.
 - (c) The removal of trees within operationally active utility easements to maintain their intended function.
 - (d) The removal of trees or vegetation on land that is being used for agricultural and forestry activities, including tree farms and approved

forestry management practices, except that if a site is substantially cleared of trees pursuant to legitimate agricultural or forestry activities, no development applications will be accepted for 36 months from the date the clearing is completed. It is the burden of the property owner to prove that any timber harvesting or land clearing is conducted as a commercial timber operation. A forestry plan must be submitted that demonstrates that the intended forestry activities will contribute to the long-term production of marketable forest products and ensure the continued existence of forests through regeneration. Conducting a timber sale as the sole timber management activity does not constitute a "commercial timber operation."

- (e) Residential property consisting of an existing single-family home, and where the tree is located in the rear or side yard. Mitigation or replacement shall not be required for front yard removal, only tree coverage requirements.
 - (f) Tree clearing or cutting performed to comply with aeronautic safety requirements mandated by federal or State law or regulation.
4. Tree Protection Zone (TPZ). Before and during any land disturbance, construction or development, the following measures shall be utilized to protect trees, including tree crowns and roots, designated for retention on development plans. The location of the TPZ fencing and method of construction shall be noted on the site plan.
- (a) Prior to clearing/grading/land disturbance, construction, and/or development of a property, the owner shall install all tree and root protection necessary to protect identified canopy and understory trees from damage.
 - (b) All trees shall be protected with a sturdy and visible fence before any land disturbance begins. At a minimum, such Tree Protection Zone (TPZ) shall be established and be equal to a one-foot radius on the ground for every inch of Diameter at Breast Height (DBH) or the extent of the drip line of each canopy and understory tree to be protected, whichever is greater.
 - (c) Tree protection fencing shall be installed and remain in place and in good condition until all clearing/grading/land disturbance, development and construction activities are completed.
 - (d) The TPZ fencing shall be constructed from any material visible and substantial enough to prohibit and keep out vehicles, people, and all

other activities associated with the clearing/grading/land disturbance, development and construction process,. Examples include wood posts and rails, chain link fencing, wire fencing and posts, and other substantial materials. Tree protection fencing shall be a minimum of four feet high.

- (e) All Tree Protection Zones shall be designated as such with signs posted visibly on all sides of the fenced protection area, with lettering and colors that provide maximum readability in terms of distance and contrast.
 - (f) No soil disturbance or compaction, stock piling of soil or other construction, paving or landscaping materials, vehicular traffic, or storage of heavy equipment is allowed in the tree protection zones of trees to be retained.
 - (g) In situations where strict adherence to the provision of tree protection zones is not possible due to factors including, but not limited to, site conditions, overlapping tree protection zones, or grade changes, the Zoning Administrator may, through field determination and consultation, allow modifications to the required tree protection zone.
- B. Tree Inventory. The tree inventory and protection plan must be submitted as part of an application for any land development activity not otherwise exempted.
- 1. A legible tree inventory must be submitted as part of an application for any land disturbing permit or activity, including storage or staging of equipment. The inventory must show all heritage trees and trees greater than 8 inches DBH to be removed (or for residential property consisting of an existing single-family home where title to such property is acquired on or after July 1, 2021, trees that meet the heritage tree definition), and any tree to be retained. Trees must be clearly identified on the tree survey as either to be removed or retained. Each tree to be retained should show the critical root zone to determine impacts.
 - (a) The tree inventory must include any boundary trees, i.e. trees on neighboring properties, which may experience any land disturbance, including storage of equipment or other material, within their critical root zone. In cases where the boundary tree cannot be accessed by a surveyor, the dripline can be substituted for the critical root zone.
 - (b) Invasive tree and prohibited tree species as determined by the Zoning Administrator and all pinus species are exempt from tree protection requirements.

-
- (c) Encroachment within the critical root zone, or dripline if the tree cannot be accessed by a surveyor, of trees located on adjacent properties is not allowed without written approval from that adjacent property's owner if the tree is to be impacted. If the limits of disturbance or land disturbance activity may reasonably be expected to occur within the critical root zone, or dripline as defined above, of trees located on adjacent properties, a letter from the tree's owner may be provided in lieu of tree protection for the tree. The letter must clearly state that the tree's owner is aware of the risk to the tree, that the land disturbing activity may result in the immediate or long-term death or demise of the tree, and that the Town is not responsible for any damage or removal of the tree or its parts. The letter must be signed by the adjacent property owner and included with the tree inventory.
- C. Tree Removal and Replacement. Development or activity that results in the removal or injury of canopy trees 8 inches or greater in DBH (or for residential property consisting of an existing single-family home, trees that meet the heritage tree definition), that are not recognized invasive species must provide replacement or mitigation equal to or greater than the cumulative DBH of the trees removed and/or injured.
1. Canopy trees required to meet landscape requirements per the Development Code, may be used to meet tree replacement requirements.
 2. Tree loss mitigation may be provided by retaining existing canopy trees on site which meet the following criteria:
 - (a) Trees are between 3 inches and 6 inches DBH;
 - (b) Trees are in good health and are free of damage or disease, as verified by a certified arborist; and
 - (c) Trees are not a recognized invasive or prohibited species, or of the pinus species; and
 - (d) Trees are not within an active utility easement.
 3. For all other parcels and land development applications, the applicant shall submit a tree survey (as described in above section) notating all applicable trees/landscaping to be removed, as well as planned vegetation. For those canopy trees over 8 inches in DBH and trees classified as Heritage trees, the following mitigation schedule shall apply:

| Table 4.7.5.C.3: Tree Replacement and Mitigation Schedule | | |
|--|---|--|
| Tree Type | Replacement: % of caliper inches | Mitigation: Cost/Caliper Inch |
| Canopy Tree | 25% | \$10/inch |
| Heritage Tree | 33% | \$50/inch |
| EXAMPLES: | APPROVED REPLACEMENT | APPROVED MITIGATION |
| | Heritage Tree: A 24-inch Live Oak tree is approved to be removed. The applicant may choose to plant back four (4) 3-inch Live Oaks (12") to equal 50% of the tree to be removed | Historic Tree: A 24-inch (DBH) Live Oak tree is approved to be removed. The applicant must pay \$2,400 for the removal of the tree (24" x \$100 = \$2,400) |
| | Canopy Tree: A 12-inch Live Oak tree is approved to be removed. The applicant may choose to plant back one (1) 4-inch live oak to equal 33% of the tree to be removed. | Canopy Tree: A 12-inch tree is approved to be removed. The applicant must pay \$600 for the removal of the tree (12" x \$50 = \$600) |
| *Replacement location of historic or significant trees removed shall be decided by the Zoning Administrator or applicable review entity. | | |

4. In cases where tree mitigation is required but planting is not preferred by the applicant, the Town Administrator must approve a fee-in-lieu-of mitigation via a payment to the Town's Tree Fund. Fees must be based on market rate quotes for related tree mitigation. Fee-in-lieu-of mitigation fees are capped at \$25,000 per acre (excluding heritage tree fines), to be adjusted upward or downward on a pro rata basis based upon the size of the parcel. By way of example, the fee-in-lieu would be capped at \$12,500 for a one-half acre parcel and capped at \$37,500 for a one and one-half acre parcel. This fee in-lieu of shall not exempt the applicant from any landscaping requirements such as buffers, screenings, parking lot landscaping, and other plants required with the development application. The Tree Fund will be managed by the Town and must be used solely for the purposes of:

- (a) New tree purchase and installation by the Town.
- (b) A percentage of new tree and landscape material and installation costs for affordable housing developments, as defined by the Town, and executed via development agreements with the Town;
- (c) Maintenance of existing tree canopy on public property and rights-of-way;
- (d) Purchase of real property for the purposes of tree plantings or dedicated open space; or
- (e) Administration of the above.
- (f) The total tree mitigation fee may be reduced by a percentage equal to the percentage of affordable housing units included within the project as documented by the Town.

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

| Type of Development | Minimum Number of Trees Required* |
|--|-----------------------------------|
| | 1 Canopy/Overstory Tree Required |
| Single Family Residential, Detached | Per 4,000 sq. ft. of lot size |
| Attached Single Family, Two-family, three-family dwellings | Per 6,000 sq. of lot size |
| Multi-Family | Per 4,000 sq. ft. of lot size |
| Town Center | N/A |
| Lodging & Mixed Use | Per 6,000 sq. ft. of lot size |
| Office, Commercial, & Vehicular | Per 6,000 sq. ft. of lot size |

| | |
|--|-------------------------------|
| Civic & Institutional | Per 8,000 sq. ft. of lot size |
| Industrial | N/A |
| *Approved existing vegetation, buffer trees, street trees, landscaping islands, etc. could all count towards this requirement. | |

SECTION 4.8 LIGHTING

4.8.1. General

- A. Purpose. The purpose of this section is to regulate exterior lighting to enhance the areas being lit; help ensure the safety of pedestrians, cyclists and drivers; and minimize light spillage and glare.
- B. Applicability. The provisions of this section shall apply to:
1. All development in the Town of Pendleton, future annexations, and all lighting fixtures installed after the effective date of this Code.

Replacement of site lighting and changes to existing light fixture wattage, type of fixture, mounting or fixture location must be made in compliance with this Section.

- C. Exemptions. The following lighting types shall be exempt from the requirements of this section:
1. Street lighting which is regulated separately under Section 4.5.9.
 2. All temporary emergency lighting needed by the Police or Fire Departments or other emergency services, as well as all vehicular lights.
 3. All hazard warning lights required by Federal regulatory agencies and in compliance with adopted standards.
 4. Individual residential lighting that is not part of a site plan or subdivision plan for street or other common or public area outdoor lighting.
 5. Lighting associated with holiday, festival, or other temporary uses.
 6. Lighting of public art that has been permitted or otherwise approved by the Town.

7. Other Municipal or State lighting installed for the benefit of public health, safety, and welfare.
8. All fixtures installed or temporarily used by public agencies, their agents, or contractors for the purpose of illuminating public streets.
9. Lighting of US and South Carolina State Flags.
10. Routine maintenance of all existing fixtures.

4.8.2. Standards

The following standards are required of all exterior lighting with the exception of street lighting:

- A. Design. Exterior lighting shall be consistent with the architectural character of the building.
- B. Location
 1. Fixtures shall be placed to provide uniform distribution of light and to avoid intense lighting that produces excessive glare.
 2. All lighting poles shall be located at least 10 feet from property lines defining rear and side yards.
 3. Light sources shall not be located within any perimeter-landscaped areas with the exception of pedestrian walkways.
- C. LED Lighting. The use of LED lighting or other high efficiency lighting equal to is strongly preferred.
- D. Shielding
 1. Building lighting and landscaping lighting shall be located, aimed, and shielded so that direct illumination is focused exclusively on the building facade, building foundation, plantings, or other site features and away from adjoining properties and the street right-of-way.
 2. Any upwardly-directed lighting used to illuminate structures shall be limited to low-wattage architectural lighting.
 3. Lighting used to illuminate pedestrian walkways and signage shall be downcast or cutoff type lighting fixtures.

- E. Maximum Height. The maximum height as measured from grade for outdoor lighting, except outdoor recreation and performance areas, shall be:
 - 1. Non-Cut-Off Lights: 12 feet
 - 2. Cut-Off Lights: 25 feet
- F. Hours of Illumination. Public and institutional uses, commercial uses, and industrial uses (heavy and light) shall turn off all exterior lighting within 1 hour after closing except lighting that is necessary for security or emergency purposes .
- G. Parking Lot Lighting. Parking lots and vehicular use areas shall be lighted for efficient use during hours of darkness. Specifically, lighting will not illuminate, nor cast glare into neighboring properties nor in the eyes of motorists. Lighting fixtures shall be part of the overall project design and contribute to the landscaping effect both in daylight and dark.
- H. Landscape and Decorative Lighting. Landscape and decorative lighting, of 600 lumens or less is permitted, provided that the light is installed and aimed to prevent lighting build up and light spillage.
- I. Maximum Illumination. The maximum allowable light trespass permitted onto a residential property shall be 0.3 Footcandles as measured at the property line. Minimum lighting for streets shall be based on County or SCDOT regulations or best practices.

4.8.3. Security Lighting

- A. Motion Activated Security Lights. Unshielded flood and spotlights, with 675 lumens or less, installed for security and activated by motion sensor, are permitted. These unshielded lights must be mounted and aimed in a manner that minimizes up-lighting and light spillage.
- B. Floodlights. The visibility of the light source inside a luminaire shall be restricted; the direct light shall not be visible above six feet at the adjoining public roadway pavement edge or 15 feet beyond the property line.
- C. Lights with Photosensors. Area "dusk to dawn" open-bottom lights, with photosensors that automatically turn the light on and off at certain levels of ambient illumination, are permitted. These lights must be full cutoff.

4.8.4. Prohibited Lighting

The following types of lighting are prohibited:

- A. Lasers. Laser source light or any similar high intensity light for outdoor advertising or entertainment that is projected above the horizontal.
- B. Searchlights. The operation of searchlights for advertising purposes.
- C. Flashing Lights. Flickering or flashing lights.

SECTION 4.9 SIGNAGE

4.9.1. Purpose.

The purpose of the section is to promote health, safety, and general public welfare by governing the location, size, and other characteristics of signs in each of the use districts established in this Ordinance. Safeguards must be in place to:

- A. Protect historic character of the Town
- B. Protect property values
- C. Encourage attractive community appearances
- D. Preserve natural environment and scenic beauty
- E. Improve pedestrian and traffic safety through the proper placement of signs
- F. Protect the public from unsafe signs and require that signs be properly constructed, installed and maintained
- G. Lessen the confusion, visual clutter and sight impairment that can be caused by proliferation, improper placement, excessive illumination and disproportionate size of signs when such signs are not properly controlled and regulated
- H. Create a balance between the need to advertise, identify, and communicate, and desire to maintain a safe, healthful and attractive community

4.9.2. General Provisions.

All signs within the Town of Pendleton shall comply with the following regulations:

- A. Permit Required. A permit shall be required for the erection, alteration, or reconstruction of any sign unless otherwise exempted and shall be issued by the Zoning Administrator or designee in accordance with Section 7.3.8.

building or structure used or arranged to be used for commercial, industrial, governmental, or multi-family residential purposes. Such off-street loading areas shall have access to a public alley or street and shall be provided and maintained in accordance with the following requirements, the computation of which shall not be included in the off-street parking requirements.

- G. Number of Off-Street Loading Spaces Required. The number of off-street loading spaces shall be calculated on the basis of the use of the land or principal building on a lot, according to the requirements indicated in this Section.

| Gross Floor Area in Structure (sq. ft.) | Number of Berths |
|---|------------------|
| 0—25,000 | 1 |
| 25,001—50,000 | 2 |
| 50,001—100,000 | 3 |
| 100,001—150,000 | 4 |
| 150,001—200,000 | 5 |
| Each 100,000 above 200,000 | 1 |

- H. Amount of Area Required for Each Loading Space. Each off-street loading and unloading space required by the provisions of this Ordinance shall be least twelve (12) feet wide, forty (40) feet long and fourteen (14) feet high. Such space shall be clear and free of obstruction at all times.
- I. Location of Off-Street Loading Areas. Required off-street loading and unloading areas shall in all cases be located on the same lot or parcel of land as the structure they are intended to serve. In no case shall the required off-street loading area provided to satisfy off-street parking requirements as listed herein.
- J. Adequacy of Loading Area. All uses, whether specified in this Ordinance or not, shall provide off-street loading areas sufficient for their requirements. Such space shall be adequate so that no vehicle being loaded or unloaded in connection with normal operations shall stand in or project into a public street, walk, alley, or way.

SECTION 6-2 LANDSCAPING, BUFFERING AND SCREENING REQUIREMENTS

In all districts, emphasis shall be placed upon landscaping, buffering and screening as a means of enhancing the character, value, and attractiveness of both development and surrounding properties. To this end, landscaping, buffering and screening will be required on all new developments or buildings, and any old buildings with renovation or remodeling equaling fifty (50) percent of the building’s value. General landscaping, buffering and screening criteria are as follows:

- A. To Apply in all Zoning Districts:

1. Integral Design. Landscape design and planning shall be integrated with the overall project design and environs, and shall not be considered merely as an afterthought.
 2. Natural Landscaping. The natural landscape character shall be preserved in every reasonable instance. Also, in an area containing a stand of trees, the developer/owner should preserve as many of these trees as possible, and further landscape in a complimentary manner. The provisions of **Section 7-5, Grading Permit** outline steps to insure appropriate clearing or grading of a property.
 3. Included in Landscape. In applying landscaping to compliment natural conditions, factors to be included in the integral design of development projects include: trees, plantings, all vegetative cover and ornamentation, paving, pedestrian benches, fountains, fences, lighting fixtures, and all items of exterior furniture. Landscape materials/items shall be selected for their functional and aesthetic value, as complementary to the project's total impact.
 4. Screening and Landscaping. Landscaping shall be considered in meeting the requirements of **Section 6-2(C)** of this Ordinance. To this end, screening may include walls, fences, earthen mounds, or vegetation, when such screening accomplishes the purpose of **Section 6-2(C)**, and is an integral part of a development design. Particular development factors, which may lend well to screening by other than fencing or walls, include parking lots, trash receptacles, air-conditioning units, and similar unaesthetic applications.
 5. Landscaping Maintenance. The owner, occupant, tenant, and the respective agent of each, if any, shall be jointly and severally responsible for the maintenance of all landscaping. Landscaping shall be maintained in a good condition so as to present a healthy, neat, and orderly appearance at least equal to the original development, and shall be kept free of refuse, with dead vegetation promptly replaced.
 6. Public Dedication. All landscaping materials placed in the public right-of way shall be either bonded or guaranteed by the owner of the premises for a period of one (1) year after approval for acceptance thereof by the Town.
 7. Certificate of Occupancy. All landscaping and planting designated on all development plans reviewed for granting the Building Permit (see **Section 7-4, Building Permit**) shall be installed in accordance with specified height, spread, density, and quality before a Certificate of Occupancy (see **Section 7-6, Certificate of Occupancy**) is granted.
- B. Landscaping of Parking and Vehicular Use Areas. These areas, aside from being designed according to functional requirements as described herein, shall also be designed as aesthetic assets to the facility, building, or neighborhood which they serve. To this end, such vehicular areas are considered in light of their surroundings, and shall be developed as outdoor spaces-transitional spaces between access areas (roads) and the particular land use served.

Corridor Overlay Standards, Excludes Town Square

from public view with materials similar to the structure.

- b. Ground mounted mechanical equipment shall be located to the rear or side yard and screened from off-site view.
 - c. Roof-mounted mechanical equipment shall be screened from off-site view by a parapet wall and shall not be visible from the street. Unused equipment should be removed.
 - d. Locate a satellite dish out of public view, to the extent feasible, and in compliance with other regulations.
2. Minimize the visual impacts of trash storage and service areas.
- a. Loading and service delivery areas shall be located to the rear or side yard away from the primary street frontage and away from major pedestrian routes; typically place them at the rear of a building when feasible.
 - b. Locate storage, solid waste collection, and loading areas at least twenty (20) feet from any public street, public sidewalk, internal pedestrian walkway, or building with a residential use.
 - c. Incorporate loading docks, truck parking, outdoor storage, trash collection, trash compaction, and other service functions into the overall design of the building and landscaping so that the visual and acoustic impacts of these functions are fully contained/screened and out of view from adjacent properties and public streets.
 - d. Use screening materials for solid waste collection and loading areas that are the same and of equal quality to the materials used for the primary building and landscaping.

F. Residential Buildings:

1. General Requirements:

- a. When adapting a residence to a commercial use, respect the residential character of the building. Seek uses that are compatible with the traditional character of the building.
- b. Maintain the line of building fronts in a block. The front yard setback of a new building should match the established range of adjacent buildings. Where setbacks are uniform, the new building should be placed in general alignment with its neighbors. In those areas where setbacks vary, new buildings should be placed within ten (10) feet of the average setback along the block.

- c. Orient the front of the house to the street and clearly identify the front door.
 - d. Exterior lights should be simple in character and low in intensity so as to minimize the visual impacts of exterior lighting.
 - e. Garages with front loading bays shall be recessed from the front facade of the house and visually designed to form a secondary building volume. Two car garages visible from the street should be designed with two single doors or visually similar to two single doors for consistency of visual proportion. All garages with more than two bays should be turned such that the bays are not visible from the street. At no time shall the width of an attached garage exceed forty (40) percent of the total building facade. Exception: Corner lots may have garage access (side loaded) from the non-fronting street.
 - f. Side Loaded Garages may be permitted on corner lots from the non-fronting street.
 - g. Garage doors are not permitted on the front elevation of any multi-family dwelling.
 - h. New outbuildings should be subordinate to the primary structure on a site, located to the rear of the lot and should be similar in character to those seen traditionally.
2. Materials:
- a. Accessory buildings with a floor area greater than one hundred fifty (150) square feet shall be clad in materials similar in appearance to the principal structure.
 - b. Garden walls may be of brick, stone or stucco matching the principal building. Front yard fences shall be wood picket, wrought iron, or similar material only. Side and rear yard fences may be chain link, wood, wrought iron, or similar material. All side and rear yard fences over five (5) feet in height shall be wood or similar material.
3. Configurations:
- a. Main roofs on residential buildings shall be symmetrical gables or hips with a pitch between 4:12 and 12:12. Monopitch (shed) roofs are allowed only if they are attached to the wall of the main building. No monopitch roof shall be less than 4:12.
 - b. Design of new additions should be such that the original character of the building can be clearly seen and should be compatible in scale, materials and character with the main building.
 - c. Any roof-top addition should keep the mass and scale subordinate to the primary building and be in character with the primary structure's design.

- d. Two wall materials may be combined horizontally on one facade. The heavier material should be below.
 - e. Exterior chimneys shall be finished in brick or other material approved by the Design Review Board.
 - f. The crawlspace of buildings shall be enclosed.
4. Techniques:
- a. Overhanging eaves may expose rafters.
 - b. Flush eaves shall be finished by profiled molding or gutters.
 - c. Water from downspouts should drain away properly.
 - d. All rooftop equipment shall be enclosed in building material that matches the structure or is visually compatible with the structure.

G. Commercial Buildings:

1. General Requirements:
- a. Maintain the alignment of buildings at the sidewalks edge by locating the front building wall at the sidewalk line when feasible. Where a building must be set back from the sidewalk, use landscape elements to define the sidewalk edge.
 - b. Orient the front entrance of the building toward the street and clearly identify the primary entrance. A secondary public entrance to commercial spaces is also encouraged on larger buildings.
 - c. New outbuildings should be subordinate to the primary structure on a site, located to the rear of the lot and should be similar in character to those seen traditionally.
 - d. When adapting a residence to a commercial use, respect the residential character of the building. Seek uses that are compatible with the traditional character of the building.
 - e. Use of trees and flowering plants is strongly encouraged to enhance the pedestrian experience.

- f. Minimize the visual impacts of a parking lot by locating surface lots in the interior of a block whenever possible. Where a parking lot shares a site with a building, place the parking at the rear of the site or beside the building.
 - g. Where a parking lot abuts a public sidewalk, provide a visual buffer such as a landscaped strip, planter, or wall.
2. Materials:
- a. All accessory buildings shall be clad in materials similar in appearance to the principal structure.
 - b. Pitched roofs shall be clad in wood shingles, standing seam metal, corrugated metal, slate, diamond tab asphalt shingles or similar material.
 - c. Windows shall be vertically proportioned wherever possible. Also, to the extent possible, upper story windows shall be vertically aligned with the location of windows and doors on the ground level, including storefront or display windows.
 - d. Signs on the inside of glazed openings may be neon.
3. Configurations:
- a. Two wall materials may be combined horizontally on one facade. The heavier material should be below.
 - b. Skylights shall be flat (non-bubble).
 - c. At least seventy (70) percent of the street level frontages should be in windows or doorways. Street level windows shall be visually permeable. Mirrorized glass is not permitted in any location. Faux or display casements are not permitted in lieu of exterior window treatments for the frontage elevation.
 - d. No frontage wall shall remain without a window or functional general access doorway for more than sixteen (16) feet.
 - e. Design of new additions should be such that the original character of the building can be clearly seen and should be compatible in scale, materials and character with the main building.
 - f. An addition should not damage or obscure architecturally important features.
 - g. Any rooftop addition should keep the mass and scale subordinate to the primary building and be in character with the primary structure's design.

4. Techniques:
 - a. Stucco shall be float finish.
 - b. Windows shall be set to the inside of the building face wall in most cases unless otherwise provided for by the decision of the Design Review Board.
 - c. All rooftop equipment shall be enclosed in building material that matches the structure or is visually compatible with the structure.

5. **Lighting:**
 - a. Street lighting should be used to enhance the pedestrian experience at night by providing a well-lit environment.
 - b. Light pole and lamp design should be similar to those used by the Town of Pendleton.
 - c. Streetlights should convey a pedestrian oriented scale and convey a color spectrum that is similar to daylight.
 - d. Exterior lights should be used to accent architectural details, building entrances, signs, and illuminate sidewalks.
 - e. Minimize the visual impacts of site and architectural lighting through the use of low intensity white lights that are similar to daylight.
 - f. Prevent glare by using shielded and focused light sources that focus light downward. Unshielded, high intensity lights sources and those that direct light upward should not be permitted.
 - g. Shield lighting associated with service areas, parking lots, and parking structures.

- H. Civic Buildings (Churches, Schools, Government Offices, other Civic Facilities): Schools, churches, and government buildings should be built so that they shall be of sufficient design to create visual anchors for the community. Civic buildings shall adhere to the provisions as marked below:
 1. Materials:
 - a. Gutters and down spouts shall be made of copper or galvanized painted metal and do not expel onto the street.

- (e) Pipe underdrains shall be covered by washed stone of appropriate size on all sides to a one (1) foot minimum dimension and wrapped in geotextile fabric.
- (f) Pipe underdrains shall be required on both sides of the street in cut sections where the water table is within two (2) feet of the centerline subgrade elevation.
- (g) Pipe underdrains shall be required in addition as determined by the Director of Public Works.
- (h) Pipe underdrains shall not be covered over until the Director of Public Works has inspected them.
- (i) Manufactured "strip" or edge drain consisting of a perforated piped core enclosed in non-woven engineering fabric surrounded by granular backfill is an acceptable alternative.

SECTION 7.11: SIDEWALKS

Sidewalks are required on both sides of the street. Sidewalks must be installed according to the following standards:

(1) Design Specifications:

Sidewalks are required to be a minimum of five (5) feet wide according to ADA (Americans with Disabilities Act) Standards. Sidewalks shall be placed parallel to streets, with exceptions permitted to preserve natural features or to provide visual interest where required for pedestrian safety. Design and location of sidewalks shall connect with existing pedestrian infrastructure.

(2) Construction Specifications:

- (a) Sidewalks shall be four (4) inches thick except at points of vehicular crossing where they shall be at least six (6) inches thick. At vehicular crossings, sidewalks shall be reinforced with welded wire fabric mesh or an equivalent.
- (b) There shall be a minimum distance of two (2) feet between the back of curbing to the edge of sidewalk to provide an area for a planting strip and buffer from vehicular traffic.
- (c) Expansion Joints: Preformed expansion joints three-quarter ($\frac{3}{4}$) inch thick, extending the full depth of the concrete, shall be constructed at the locations indicated on the plans and at other locations as follows:

- (i) Whenever a sidewalk is constructed between an adjoining substantial structure on one side and curbing on the other side, an expansion joint shall be formed adjacent to the curbing.
 - (ii) An expansion joint shall be placed between the sidewalk and the radius curbing at street intersections.
 - (iii) When sidewalks are constructed adjacent to existing or new pavements or structures, expansion joints shall be placed to match these existing joints.
 - (iv) Sidewalks shall be installed in accord with Section 720 of the Standard Specifications for Highway Construction Manual, Latest Edition, as amended.
- (d) Contraction Joints: The concrete slabs in sidewalks between expansion joints shall be divided into blocks five (5) feet in length by scoring transversely after floating operations are complete. Whenever the sidewalk slabs are more than ten (10) feet in width, they shall be scored longitudinally in the center. All scoring shall extend for a depth of one (1) inch and shall not be less than one-quarter (1/4) inch or more than one-half (1/2) inch in width. All scoring shall be edged and finished smooth and true in line.
- (e) Graded areas shall be planted with grass or treated with other suitable ground cover, and their width shall correspond to that of sidewalks.
- (3) Bonding Requirements:

The bond requirement for sidewalk is 150% of the estimated construction costs for all sidewalks required by the provisions of this ordinance. The contractor may secure the bond to allow for installation at the closing stages of phase or complete development of the project. The contractor must secure approval from the Director of Public Works and the designated ordinance administrator to bond sidewalk installation and improvements.

SECTION 7.12: ROAD CONSTRUCTION STANDARDS

Before final approval, the following road improvements shall have been completed and approved in accordance with the construction standards specified herein. Such improvements shall be certified in writing by the Director of Public Works.

SECTION 7.13: EASEMENTS

- A. The county or town may construct a driveway easement or entrance to a county or town road.
- B. The maximum width will be twenty (20) feet for residential driveways and forty (40) feet for other driveways.
- C. The driveway will be cut to the edge of the right-of-way. If there is no dedicated right-of-way the driveway will be cut twenty (20) feet or only a sufficient length to get across the road ditch.
- D. A pipe or valley gutter will be provided for the first driveway only, if a pipe is needed for a second drive the pipe must be furnished to the town or county.

SECTION 4.5 STREETS AND RIGHTS-OF-WAY

4.5.1. Applicability.

All new development that results in the creation of new streets are subject to the standards of this section.

4.5.2. Sidewalks

- A. Design Specifications.
 - 1. Sidewalks are required to be a minimum of five (5) feet wide according to ADA (Americans with Disabilities Act) Standards.
 - 2. Sidewalks shall be placed parallel to streets, with exceptions permitted to preserve natural features, or to provide visual interest, or where required for pedestrian safety.
 - 3. Design and location of sidewalks shall connect with existing pedestrian infrastructure.
- B. Construction Specifications
 - 1. Sidewalks shall be four (4) inches thick except at points of vehicular crossing where they shall be at least six (6) inches thick. At vehicular crossings, sidewalks shall be reinforced with welded wire fabric mesh or an equivalent.

2. There shall be a minimum distance of two (2) feet between the back of curbing to the edge of sidewalk to provide an area for a planting strip and buffer from vehicular traffic.
 3. Expansion Joints: Preformed expansion joints three-quarter ($\frac{3}{4}$) inch thick, extending the full depth of the concrete, shall be constructed at the locations indicated on the plans and at other locations as follows:
 - (a) Whenever a sidewalk is constructed between an adjoining substantial structure on one side and curbing on the other side, an expansion joint shall be formed adjacent to the curbing.
 - (b) An expansion joint shall be placed between the sidewalk and the radius curbing at street intersections.
 - (c) When sidewalks are constructed adjacent to existing or new pavements or structures, expansion joints shall be placed to match these existing joints.
 - (d) Sidewalks shall be installed in accord with Section 720 of the Standard Specifications for Highway Construction Manual, Latest Edition, as amended.
 4. Contraction Joints: The concrete slabs in sidewalks between expansion joints shall be divided into blocks five (5) feet in length by scoring transversely after floating operations are complete. Whenever the sidewalk slabs are more than ten (10) feet in width, they shall be scored longitudinally in the center. All scoring shall extend for a depth of one (1) inch and shall not be less than one-quarter ($\frac{1}{4}$) inch or more than one-half ($\frac{1}{2}$) inch in width. All scoring shall be edged and finished smooth and true in line.
 5. Graded areas shall be planted with grass or treated with other suitable ground cover, and their width shall correspond to that of sidewalks.
- C. Bonding Requirements. The bond requirement for sidewalk is 150% of the estimated construction costs for all sidewalks required by the provisions of this ordinance. The contractor may secure the bond to allow for installation at the closing stages of phase or complete development of the project. The contractor must secure approval from the Director of Public Works and the Zoning Administrator to bond sidewalk installation and improvements.

4.5.3. Street Classification and Dimensions

- A. Minimum Dimensions. Table 4.5.3.A. below provides the minimum requirements for new streets to be constructed within the Town.

| Road Classification | Lane Width | Sidewalks and Planting Strip | Pavement Width | Right-of-Way |
|-----------------------------|------------|------------------------------|----------------|--------------|
| Minor Residential | 10' | See Section 4.5.2 | 22' | 50' |
| Major Road | 11' | See Section 4.5.2 | 32' | 66' |
| Major Road with a turn lane | 11' | See Section 4.5.2 | 40' | 66' |
| Alley | 9' | N/A | 18' | 22' |

- B. Alternative Street Design. Subject to the approval of the Planning Commission, private streets that are not to be dedicated to a public entity may propose alternative streetscape designs that promote walkability, multi-purpose sidewalks, connectivity, safety, and environmental sustainability.

4.5.4. On-Street Parking

- A. Types allowed. On-street parking shall only be parallel parking. Angled or perpendicular on-street parking is prohibited.
- B. Street Width. If on-street parking is proposed for both sides of the street, an additional ten (10) feet of dedicated right-of-way is required. This includes at least eight (8) of pavement width dedicated to the parking spaces

4.5.5. External Connections

- A. When Required. New nonresidential, multi-family, or major subdivision developments shall provide street stubs to adjacent undeveloped parcels of land, as determined by the Planning Commission. Exemptions may be granted by the Planning Commission for topographic conditions, water features, irregular property shape, or incompatible adjacent land uses.