

ORDINANCE NO.: 2009-118

Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 17, Planning, Land Development and Zoning, Article III, Zoning, Division 8, District Descriptions; Use and Dimensional Regulations, Sec. 17-277 Projections into required yards to add (11); and Division 12, Signs, Sec. 17-406 Permitted signs (4) Location, (d) Projecting signs (2) and (e) Signs on marquees or canopies

BE IT ORDAINED by the Mayor and Council this 3rd day of February, 2010, that the 1998 Code of Ordinances of The City of Columbia, South Carolina, Chapter 17, Planning, Land Development and Zoning, Article III, Zoning, Division 8, District Descriptions; Use and Dimensional Regulations, Sec. 17-277, Projections into required yards to add (11); and Division 12, Signs, Sec. 17-406 Permitted signs, (4) Location, (d) Projecting signs (2) and (e) Signs on marquees or canopies, are amended to read as follows:

Sec. 17-277. Projections into required yards.

The general definition of yards as set forth in section 17-55 states that yards are unoccupied and unobstructed by a structure or portion of a structure from 48 inches above the finished grade level of the ground. However, the general definition shall be construed subject to the following exceptions and interpretations:

- (1) Those objects which are excluded from the definition of a structure under section 17-55 shall not be subject to regulation under interpretation of the definition of yard.
- (2) Steps and open porches without roofs shall be allowed in any required yard to within three feet of an adjoining property line.
- (3) Subject to the height restrictions contained within the Section, screening walls and fences may only be permitted within a required yard upon the determination of the zoning administrator that the fence or wall:
 - a. Does not impede site vision clearance for driveways or streets; and
 - b. Does not include gates that swing outward into sidewalks or public rights-of-way.

A fence or wall not over seven feet in height is permitted outright in side or rear yards provided that no wall or fence in excess of five feet is permitted within six feet of a residential structure on adjacent property.

- (4) Eaves, cornices, gutters and other minor architectural features projecting less than 18 inches from the main portion of a building shall be allowed to project into any yard.
- (5) In C-3, C-4, M-1 and M-2 districts, structures and devices incidental to services, and roofs over such structures and devices, are permitted within required front yards provided that they do not constitute a substantial impediment to visibility across such yards which would contribute to the creation of traffic hazards, and further provided that services operations in connection therewith can be conducted so as not to interfere with public use of adjacent sidewalks or public streets.
- (6) Retaining walls that do not project more than 48 inches above the grade level at the property lines of adjoining lots are permitted outright. A retaining wall in excess of 48 inches may be allowed in any required yard upon the determination of the zoning administrator that the retaining wall will not impede site vision clearance for driveways.
- (7) Signs are permitted to encroach upon required yards in certain instances as set forth in division 12 of this article.
- (8) Screening required by this Code may encroach into required yards.
- (9) Privacy fences not to exceed six feet in height may be erected in the secondary front yard setback.
- (10) Fence posts, wall columns, and decorative elements located thereupon may extend 12 inches above the height restrictions for fences and walls contained within this Chapter. Where fence posts or wall columns are used to frame a gate, said posts or columns may extend 36 inches above the height restrictions for fences and walls contained within this Chapter. This allowance for additional height may extend to the gate itself and/or header across the gate provided that the width measured at the outer edge of each associated post or column does not exceed eight feet.

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No allowance for additional height within this section shall permit any feature of any wall to extend above seven feet high.

- (11) Awnings, canopies, and marquees may project over the public rights-of-way subject to the following regulations:
- Awnings, canopies, and marquees shall not extend more than two-thirds of the distance between the building and the curbline or the nearest edge of the street surface, whichever is least and in no case shall any such structure project closer than twelve inches from the curb line or street edge, whichever is least. No portion of any awning, canopy, and/or marquee shall be less than eight feet above the surface of the right-of-way except that the free-hanging valance of an awning or canopy may extend to seven feet.
 - Any signage on an awning, canopy, and/or marquee is subject section 17-406.
 - Prior to the issuance of a permit, the owner/operator shall place on file with the City Clerk a proof of continuous general liability insurance naming the city as an additional insured in an amount not less than \$600,000.00 per occurrence for personal injury and property damage.

Sec. 17-406. Permitted signs

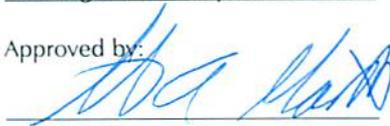
- (4) Location.
- Vision clearance.* No sign shall encroach upon vision clearance as established in sections 17-277 and 17-402.
 - Location in front yard setback.* Signs may be located within front yard setbacks as provided by section 17-402.
 - Wall signs.* Wall signs may be located anywhere on any wall of a building.
 - Projecting signs.* Projecting signs may project over public rights-of-way only where front yards of less than five feet in depth are provided, subject to the following regulations:
 - Such signs shall not extend more than two-thirds of the distance between the building and the curbline or nearest edge of the street surface, whichever is least.
 - No portion of any such sign shall be less than 8 feet above the surface of the street right-of-way.
 - If the front yard provided is increased by any means to exceed five feet, any such sign projecting over any public right-of-way shall be removed.
 - Signs on awnings, marquees or canopies.* Signs on awnings, marquees or canopies projecting into a public right-of-way are subject to the provisions concerning projecting signs in subsection (4)d of this section, except that the length of projection in no case shall exceed the length of projection of the marquee or canopy to which they are attached, and further provided that such signs may not extend more than four feet above the marquee or canopy to which they are attached.
 - Freestanding signs.* Freestanding signs may be located within required front yard setbacks as provided by sections 17-402 and 17-277; however, no part of any freestanding sign or its supporting structure shall extend beyond a property line of the lot on which it is located.
 - Location near residential district. No sign within a commercial or industrial district shall be erected within ten feet from any residential district boundary line unless such sign would meet the sign requirements for nonresidential uses permitted within the residential district to which it is adjacent.

Requested by:

Planning and Development Services


MAYOR

Approved by:


City Manager

Approved as to form:


City Attorney

Introduced: 1/20/2010

Final Reading: 2/3/2010

ATTEST:


City Clerk