

ORDINANCE NO.: 2007-015

Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 17, Planning, Land Development and Zoning, Article III, Zoning, Division 1, Generally, Sec. 17-55, Definitions, Restaurant and Restaurant, fast food; Division 7, General Regulations, Sec. 17-258, Table of permitted uses; and Table I, Division G, Retail Trade (Sec. 17-263), SIC 58, Eating and drinking places, SIC 581, Eating and drinking places, to rename SIC 5812 Eating places (except fast food) and to delete SIC 5814 Fast food eating places in its entirety

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BE IT ORDAINED by the Mayor and Council this 6th day of June, 2007, that the 1998 Code of Ordinances of The City of Columbia, South Carolina, Chapter 17, Planning, Land Development and Zoning, Division 1, Generally, Sec. 17-55, Definitions, Restaurant and Restaurant, fast food; Division 7, General Regulations, Sec. 17-258, Table of permitted uses, and Table I, Division G, Retail Trade (Sec. 17-263), SIC 58, Eating and drinking places, SIC 581, Eating and drinking places, SIC 5812 Eating places (except fast food), are amended as follows, and SIC 5814 Fast food eating places is deleted in its entirety.

Sec. 17-55. Definitions.

Drive-through facility means any use, either principal or accessory, that provides goods or services to a person without requiring the person to leave his or her vehicle. Examples of drive-through facilities include, but are not limited to, drive-through automated teller machines, automated car washes, and drive-through windows at restaurants, financial institutions, dry-cleaning establishments, and retail establishments such as liquor stores and pharmacies. Drive-in motion picture theaters, automotive service facilities (except automated car washes), automotive repair facilities, and fuel pumps and like service islands at gasoline service stations are not considered drive-through facilities.

Restaurant means a place of business where food, drinks or refreshments are prepared and sold to customers primarily for consumption on or off the premises. This term shall include but not be limited to an establishment known as a cafe, lunch counter, cafeteria, fast-food restaurant, eating and drinking establishment or other similar business. This definition does not include establishments that sell food or beverages as an accessory use or for off-premises preparation or consumption, such as a retail grocery store, convenience store, or delicatessen.

Sec. 17-258. Table of permitted uses.

Uses permitted in the general zoning districts shall be as set forth in table 1 and as modified by special provisions, exceptions and conditions contained elsewhere in this article.

(1) Symbols used in table 1 are as follows:

a. "x" means that the indicated use is permitted in the indicated district.

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- b. "e" means that the indicated use is permitted in the indicated district, subject to the granting of a special exception by the board of zoning appeals.
- c. "a" means that the indicated use is permitted as an accessory use in the indicated districts.
- d. "a/e" means that the indicated use is permitted as an accessory use in indicated districts, but is also permitted in those districts as a principal use if approved by the board of zoning appeals as a special exception.
- e. "n.e.c." means "not elsewhere covered" in the Standard Industrial Classification Coding Manual.
- f. "n.r." means "no requirement."
- (2) Any use not permitted in a district is expressly prohibited.
- (3) In residential districts, the following uses are prohibited:
 - a. Storage in connection with a trade;
 - b. Storage or long term parking of commercial vehicles or industrial storage in excess of one day; and
 - c. Storage of building materials except in connection with active construction.
- (4) A section number following the use category means that the use is allowed but must meet the conditions and requirements set forth in the referenced section.
- (5) The zoning administrator may utilize the Standard Industrial Classification Manual to determine the appropriate classification of land use.
- (6) Any drive-through facility shall require review and approval by the Board of Zoning Appeals as a special exception.

BE IT FURTHER ORDAINED that Table 1, Division G, Retail trade (Sec. 17-263), SIC 58, Eating and drinking places, SIC 581, Eating and drinking places, SIC 5812 Eating places (except fast food) is amended to read SIC 5812 Eating places, and SIC 5814 Fast food eating places is deleted in its entirety.

This ordinance shall become effective as of final reading.

Requested by:

Marc Mylott, Zoning Administrator


MAYOR

Approved by:


City Manager

Approved as to form:

Interim City Attorney
Introduced: 5/16/2007
Final Reading: 6/6/2007

ATTEST:

City Clerk