

STATE OF SOUTH CAROLINA)
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COUNTY OF FAIRFIELD)
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First Reading: 06/25/01
Second Reading: 08/27/01
Third Reading: 12/10/01
Public Hearing: 06/25/01

AN ORDINANCE TO AMEND ORDINANCE NO. 335 WHICH ESTABLISHED A ZONING ORDINANCE FOR FAIRFIELD COUNTY, SOUTH CAROLINA IN ORDER TO ADD LANGUAGE EXEMPTING CERTAIN TEMPORARY USES FROM OBTAINING A TEMPORARY USE PERMIT, ADDITION OF LANGUAGE AND CONDITIONS ALLOWING TEMPORARY SALE STANDS IN B-1 AS A TEMPORARY USE, ADDITION OF LANGUAGE AND CONDITIONS ALLOWING FESTIVALS AS A TEMPORARY USE, ADDITION OF LANGUAGE AND CONDITIONS ALLOWING MOTORCYCLE, TRUCK AND CAR SHOWS AS A TEMPORARY USE AND ALLOW FOR TEMPORARY DEPENDENT CARE RESIDENCES AS AN ALLOWABLE TEMPORARY USE WITH CONDITIONS.

ORDINANCE NO. 412

WHEREAS, Fairfield County has authority conferred by the General Statutes of South Carolina, 1976 Code of Laws, Title 6, Chapter 29 of the Comprehensive Planning Enabling Act of 1994, as amended; and

WHEREAS, Fairfield County has adopted the Fairfield County Zoning Ordinance, Ordinance Number 335; and

WHEREAS, Fairfield County has established that there is a public interest in allowing community events (i.e. church or school activities), County sponsored events, and large family reunions as a temporary use not requiring a temporary use permit; and

WHEREAS, Fairfield County has established that there is a public interest in allowing temporary sale stands in B-1 as a temporary use; and

WHEREAS, Fairfield County has established that there is a public interest in allowing and regulating with conditions festivals as a temporary use; and

WHEREAS, Fairfield County has established that there is a public interest in allowing and regulating with conditions motorcycle, truck and car shows as a temporary use; and

WHEREAS, Fairfield County has established that there is a need to provide for dependent care residences; and

WHEREAS, Fairfield County has established that there is a public interest in allowing for dependent care residences as a temporary use.

NOW, THEREFORE, BE IT ORDAINED BY FAIRFIELD COUNTY COUNCIL THAT:

Section 4-19. Temporary Uses of Article IV, CONDITIONAL USE REGULATIONS, of the Fairfield County Zoning Ordinance, Ordinance Number 335, is hereby replaced in its entirety by:

Section 4-19. Temporary Uses

4-19.1 Permit Required

The Building Official is authorized to issue a permit for temporary uses as specified in this Ordinance. No temporary use may be established without receiving such permit. Community events, County sponsored events, and large family reunions are allowed as temporary uses in all zoned areas. Community events, County sponsored events, and large family reunions are exempt from any requirement to obtain a permit for such activities and they are exempt from any additional requirements contained in this section.

A community event for this section is defined as a publicly sponsored, non profit activity providing for one (1) or more of various types of cultural, social, or recreational uses intended to serve the surrounding community, i.e. church or school activities. The term publicly sponsored means that an investment by the County, municipality, local school, or local church is involved in some fashion in the sponsorship of the event.

Temporary use permits may be renewed no more than twice within one calendar year unless otherwise noted, provided that said use will not create traffic congestion or constitute a nuisance to surrounding uses. Any temporary use that is determined to be creating a nuisance or disruption may have its temporary permit revoked by the Building Official.

4-19.2 Type and Location

The following temporary uses and no others may be permitted by the

Building Official, subject to the conditions herein.

- (1) Religious meetings in a tent or other temporary structure in the B-2 and RD Districts for a period not to exceed ninety (90) days.
- (2) Open lot sales of Christmas trees in the B-1, B-2 and RD Districts for a period not to exceed forty-five (45) days.
- (3) Contractor's office and equipment shed, in any district, for a period covering construction phase of a project not to exceed one (1) year unless repermited; provided that such office be placed on the property to which it is appurtenant.
- (4) Temporary "sale" stands in the B-1, B-2 and RD Districts for a period not to exceed sixty (60) days.
- (5) Portable classrooms in any district for cultural or community facilities, educational facilities or religious complexes, for an indefinite period provided all required setbacks for the district in which the structures are to be located shall be observed and maintained.
- (6) Temporary office trailers in any commercial or industrial district where the principal building is being expanded, rebuilt, or remodeled for the conduct of business while the principal building is under construction.
- (7) Fairs, carnivals and festivals shall in addition to the general requirements of 4-19-1 are subject to the following requirements:
 - a. Designated off -street parking must be provided for all attendees and participants. The ingress/egress shall be clearly marked both for all main entrances and designated parking areas.
 - b. The Fairfield County Sheriff Department must be notified at least fourteen days prior to the event. The promoter/sponsor must present a Traffic Control and Security Plan to the Fairfield County Sheriff Department. The Fairfield County

Sheriff Department must approve the plan. Any cost for providing traffic control and security is the responsibility of the promoter/sponsor. A minimum of two security officers per event day are required. The event must comply all times with the approved Traffic Control and Security Plan. If security is required the event must cease operations if the security is no longer present.

- (8) Turkey shoots in RD, B-2, and I-1 Districts for a period not to exceed sixty (60) days may be permitted. The use shall be oriented away from habitable and/or occupied areas. The site must be suitable in size and area to ensure safety of area residents. Operation shall not extend past 10:00pm.
- (9) Motorcycle, truck, car shows and outdoor music events/festivals shall in addition to the general requirement of 4-19.1 are subject to the following requirements:
 - a. Any permit issued will be based on the expected maximum daily attendance. It will be in violation of this Zoning Ordinance to allow for any attendance in excess of the permitted figure.
 - b. Designated off -street parking must be provided for all attendees and participants. The off-street parking will be based on the maximum daily attendance. The ingress/egress shall be clearly marked both for main entrances and designated parking areas. A site plan shall be submitted with the application showing designated off-street parking area including number of parking spaces. Maximum permitted attendance capacity for the event will be based on the off-street parking provided for.
 - c. The Fairfield County EMS must be notified at least fourteen days prior to the event. In all events, there must be maintained a clear ingress/egress for all emergency vehicles.
 - d. The Fairfield County Sheriff Department must be notified at least fourteen days prior to the event. The promoter/sponsor

must present a Traffic Control and Security Plan to the Fairfield County Sheriff Department. The Fairfield County Sheriff Department must approve the plan. Any cost for providing traffic control and security is the responsibility of the promoter/sponsor. The manpower required for security will be determined by the Fairfield County Sheriff's Department. This will be based on the maximum daily attendance. The event must comply all times with the approved Traffic Control and Security Plan. If security is required the event must cease operations if the security is no longer present.

- e. Adequate sanitary facilities must be provided for the expected maximum daily attendance.
 - h. Any Motorcycle, truck, car shows and outdoor music events/festivals held on County property must sign a hold harmless agreement with the County freeing the County from any indemnity and provide proof of insurance covering the event.
 - i. The permit is for motorcycle, truck, car shows and outdoor music events/festivals only. No subsidiary shows or events such as wet T- shirt contests, etc. which are not generally considered appropriate for family viewing are allowed.
- (10) A temporary dependent care residence (manufactured home) is allowed on any lot used for single family residential purposes under the following circumstances and conditions:
- a. A permit may be issued for only one temporary dependent care residence (manufactured home);
 - b. The applicant for the permit presents a written certificate from a licensed physician stating that, because of poor health, there is need for the direct custodial care between the occupant(s) of the principal residence on such a lot and the occupants of the manufactured home;
 - c. The temporary dependent care residence (manufactured home)

must meet SC DHEC requirements for water and sewer facilities (i.e. well and septic tank);

- d. The occupants of the two (2) residences are related by blood or marriage or there is a legal guardianship relationship between them;
- e. The permit for temporary dependent care residence (manufactured home) as authorized under this section shall be valid for a period of twelve months from the date of issuance, except the Building Official may renew such a permit on a twelve month basis upon presentation of a written certificate from a licensed physician stating that, because of poor health, there is need for the direct custodial care between the occupant(s) of the principal residence on such a lot and the occupants of the manufactured home;
- f. The temporary dependent care residence (manufactured home) authorized under this section shall not be subject to the density, size and/or dimensional regulations of this ordinance, but shall be subject to applicable setback requirements.
- g. The temporary residence shall be removed within 120 days of termination of the medical necessity need or non renewal of the temporary permit whichever is the earliest. The Fairfield County Planning, Building and Zoning Department shall be notified within 30 days of the termination of the medical necessity need. Failure to notify the Fairfield County Planning, Building and Zoning Department of the termination of the medical necessity need shall be considered a violation of the Zoning Ordinance, Ordinance No. 335, and be prosecuted under Section 9-7 of the Ordinance

4-19-3 Removal

Temporary uses and structures from which temporary uses are operated shall be removed from the site after the temporary permit has expired.

4-19.4 Off-Street Parking

Unless specified by Table I for a specific use, a minimum of five off-street parking spaces shall be required, and ingress/egress areas shall be clearly marked.

ADOPTED THIS 10th DAY OF December, 2001, BY ORDER OF THE FAIRFIELD COUNTY COUNCIL.

David L. Ferguson Sr.
Chairman

Robert W. Davis
Vice Chairman

Paul D. Brown
Member

Mary Lynn Kinley
Member

Kaman McManis
Member

Thurman
Member

Sheryl A. Brown
Clerk to Council

Carolyn B. Robinson
Member