

STATE OF SOUTH CAROLINA)
COUNTY OF LEXINGTON) ORDINANCE 2020-07
TOWN OF SOUTH CONGAREE)

AN ORDINANCE ADDING SOUTH CONGAREE CODE OF ORDINANCES CHAPTER 114: AUTOMOTIVE; SO AS TO UPDATE THE ORDINANCE TITLE XI: BUSINESS REGULATIONS.

WHEREAS, the Mayor and Town Council is authorized to establish ordinances for the general purposes of guiding development in accordance with existing and future needs and promoting public health, safety, morals, convenience, order, appearance, prosperity and general welfare and;

NOW THEREFORE, BE IT ORDERED by the town of South Congaree, South Carolina, in Council duly assembled and by the authority thereof, that:

114: Automotive

(Tire Sales and Services, Vehicle Sales and Services, Body Shops)

114.01 Standards:

- A. If any of the provisions of this chapter are inconsistent with the provisions of any other law presently existing or enacted in the future the more restrictive requirement shall apply.
- B. If any other provision of any other chapter of these ordinances is clearly in conflict with this chapter this chapter shall apply.
- C. Other provisions determined by the Planning Commission, Architectural Review Board or the Zoning Board of Appeals to have a detrimental effect on the surrounding neighborhood and businesses.

114.02 Severability: If any section, sentence, clause or phrase of this Ordinance should be held to be unconstitutional or unlawful by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

114.03 Title:

This article shall be known and may be cited as the "Automobile Repair Ordinance" of the Town of South Congaree, South Carolina. In order to serve the public health, safety and welfare, the declared purpose of this article is to regulate the conduct of automobile repair.

114.04 The following requirements apply to all Body Shops, Vehicle Sales and/or Services and Tire Sales and/or Services:

- A. It shall be unlawful for any establishment within the Town of South Congaree, to maintain any vehicle on the premises of such body shop or auto repair and maintenance shop for longer than ninety (90) days. Excluding Car lots.

- B. There shall be no open storage of junked vehicles, dismantled parts, scrap parts or other salvage material other than outdoor storage of not more than 10 disabled vehicles with current license plates. Servicing shall be conducted in an area that can be cleaned.
- C. All structures must be accessible by an unobstructed lane sufficient to accommodate fire apparatus. The minimum unobstructed lane width is twenty (20) feet.
- D. A parcel used for Vehicle Sales and/or Services and Tire Sales and/or Services must have two (2) driveways, one for ingress and one for egress, or one (1) driveway adequate to permit simultaneous ingress and egress. If one (1) driveway is provided, then the driveway must consist of at least two (2) lanes. The minimum unobstructed lane width is twenty (20) feet.
- E. Service of vehicles requiring draining or replacing fluids or exceedingly more than one (1) hour must occur inside a structure designed for servicing vehicles and meets requirements of the International Fire Code.
- F. Vehicles not in readily apparent working order must be stored in an area screened from public view.
- G. No portion of any vehicle under repair or awaiting service or displayed for sale may project into any landscape area, right-of-way, onto any public or private sidewalk or obstructs visibility in sight triangles for streets and driveways.
- H. Landscape and screening requirements must be met prior to a zoning permit being issued for establishing a use as vehicle sales and/or services or tire sales and/or services.
- I. Temporary structures may not be permitted for occupancy.
- J. Tire storage. Tires must be screened from public view and may not be visible from public or private roadways or from any adjacent property. No tires may be stacked or stored within 50 feet to set back of any property line. Tires must be stored in a manner that prevents water from accumulating in or around tires.
- K. All automobiles not displayed for sale or lease, automobile parts, discarded parts, and similar materials shall be stored within an enclosed building or within an outdoor storage area which complies with screening requirements in Chapter 159.
- L. Automobile sales and rental uses shall be subject to the following standards:
 - 1. Site Configuration.
 - a. Buildings: A sales office is required for all Automobile sales and rentals. Minimum size is 100 sq. ft. with functioning restroom on site.
 - b. Minimum site size. Automobile sales or rental uses shall be located on a site at least ½ acre in area. Contiguous or adjacent parcels, including rights-of-way, under the same ownership and used for automobile sales or rental, shall be counted as one parcel to meet the minimum lot size.
 - c. Multi-building developments. Developments of three or more buildings shall cluster the buildings close to one another in a campus-style configuration.

- d. Vehicles may not be used for storage nor may shipping containers or truck trailers be used.
 - e. Vehicles for sale shall be locked outside of normal business hours.
2. *Vehicle display/storage areas:*
- a. A vehicle display/storage area shall not be located within a required setback, required landscaping area, or required parking space.
 - b. Vehicle display devices shall not be elevated more than two feet above grade.
 - c. Areas used for display or storage of vehicles shall be paved. Use of permeable pavers or porous pavement is strongly encouraged.
 - d. No vehicles shall be displayed on top of a building.
 - e. Junked or salvage vehicles are prohibited. All motor vehicles for sale shall be maintained in running condition.
3. *Service areas.* Major automobile service areas shall take place entirely within an enclosed building. Service bay or garage doors that face a public right-of-way shall be recessed at least 15 feet beyond the main facade of the building. Service bay and garage doors shall not face residential districts.
4. *Site features.*
- a. *Public address system.* Automobile sales and rental uses shall not include a public address system that is audible off-site.
 - b. *Refuse and recycling containers.* Refuse and recycling containers shall be fully screened public. Refuse and recycling container enclosures shall incorporate opaque entry gates.
 - c. *Exterior lighting.* In addition to lighting standards in section, automobile sales and rental uses that are adjacent to existing single-family homes shall extinguish all exterior lighting located within 100 feet of the single-family parcel, except lighting necessary for security or emergency purposes, by 10:00 p.m. or within one hour of closing, whichever occurs first. For the purposes of this subsection, the term "lighting necessary for security or emergency purposes" shall be construed to mean the minimum amount of exterior lighting necessary to illuminate possible points of entry or exit into a structure, to illuminate exterior walkways, or to illuminate outdoor storage areas. Such lighting may be activated by motion sensor devices. Lighting shall not be allowed to shine towards traffic.
 - d. *Screening wall.* Lot lines abutting residentially zoned land shall incorporate a solid masonry wall with a minimum height of six feet.
 - e. *Outdoor storage prohibited.* Outdoor storage of materials, supplies, and equipment shall be prohibited.
- M. Business signs must be permanent and must comply with Sign Requirements.
- N. No vehicle may be parked at any time in such a manner that the vehicle is required to back onto a public street or way when leaving the premises.

- O. A business or sales office is required to be established on the same lot used for Vehicle Sales and/or Services and Tire Sales and/or Services. The minimum interior floor area for a business or sales office is 100 square feet with functioning restrooms and waiting room.


114.05 **Screening wall.**

Refer to 158.140

114.06 **Continuation of Non-conformities**


- A. All parcels which are subject to not comply with these provisions on the date of their adoption are allowed to continue as non-conformities until the earliest of the following occurrences:
 - 1. A permit for alteration to the parcel, parking lot, or any existing or proposed structure is issued.
 - 2. The passage of 365 days (1 year) from the date of adoption of this section or the adoption of any subsequent amendments thereto.

1st Reading: 1/21/2020
Public Hearing: 2/18/2020
2nd Hearing: 2/18/2020



Danny Jones, Mayor

Attest:



Patt Shull, Town Clerk