

ORDINANCE No. 03-487

(OA-02-25) -- AN ORDINANCE TO AMEND THE TEXT OF ODINANCE NO. 99-372 KNOWN  
AS THE SUMTER COUNTY  
ZONING AND DEVELOPMENT STANDARDS ORDINANCE

**WHEREAS**, the request by the Planning Commission Staff to amend the text of the County Zoning and Development Standards Ordinance, has been duly considered by the Planning Commission and all requirements of Article One, Section T, and all other applicable sections of the County Zoning and Development Standards Ordinance have been complied with; and

**WHEREAS**, the request has been forwarded to County Council with a recommendation for approval from the Planning Commission and County Council concurs with their recommendation;

**NOW THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL OF THE COUNTY OF SUMTER, SOUTH CAROLINA, AT ITS REGULAR MEETING DULY ASSEMBLED AND BY THE AUTHORITY THERE OF:**

The Text Changes are based on existing procedures for the Airfield Compatibly District in the SZO,

**Article 3 of the SZO:**

- a. Re-letter Sections Q, R, and S to  
Section R: Noise Attenuation (NA) District.  
Section S: Highway Corridor Protection District.  
Section T: Farming
- b. Insert new Section Q as follows:

**SECTION Q: RANGE COMPATIBILITY DISTRICTS (RCD)**

**3.q.1 Purpose:** The intent of the RCD is to prevent incompatible land uses or the creation of flight hazards, which would impair the utility and public investment of Poinsett Electronic Combat Range (PECR).

**3.q.2** *Within the RCD, there are several overlay districts, which are shown on the Official Zoning Map as follows:*

- a. DNL-1, Day-Night Noise Level Zone 1
- b. DNL-2, Day-Night Noise Level Zone 2
- c. NA, Noise Attenuation District.

**3.q.3 Restrictions Within the Range Compatibility Districts:** Land designated DNL-1, and DNL-2 may not be used for any purpose other than those indicated by Exhibit 7 and under the conditions attached thereto. Property owners or land users should consult both the text of this Section and the Official Zoning Map to determine the location of properties in question and the limitations imposed thereon by this Section.

**3.q.4 Land Use:** The use of land within these zones shall be subject to the safety and performance standards in Sections 3.p.4 and the requirements of Exhibit 7.

**3.q.5 Performance Standards:** Height and size requirements shall be evaluated in accord with the "Ordinance Regulating the Height of Structures and other Activities in the vicinity of Shaw Air Force Base," as adopted October 13, 1981.

- a. Setbacks: Front 50-feet  
Rear 50-feet  
Side Interior Side 20-feet  
Exterior Side 50-feet
- b. Off-Street Parking: Comply with Article 8, Section J as appropriate.

**3.q.6 Prohibited Uses:** As indicated in Exhibit 7 for appropriate districts.

**3.q.7 Non-Conforming Uses:** The regulations prescribed by this section shall not be construed to require the removal, lowering of the height, or other changes or alterations of any structure or use conforming to the regulations as of December 31, 2002, or otherwise interfere with the continuance of any non-conforming use. Nothing herein contained shall require any change in the construction, alteration, or intended use of any such structure, the construction or alteration of which has begun or plans or residential plats which have been filed in the Planning Commission Office prior to December 31, 2002.

**3.q.8 Permits:** As described in Section 3.p.8 of this Ordinance.

**3.q.9 Variance Permits:** The Sumter City-County Board of Appeals shall have the power to grant variances to the Safety Requirements Standards and/or the Performance Standards Regulations of this Section and to authorize the issuance of variance permits therefore as defined in Article 1, Section H of this Ordinance; provide that the Commander of Shaw Air Force Base, or his designee, shall be notified of any variance requested and shall be asked for comments on such requests.

**3.q.10 Other Ordinance:** Adoption of this Ordinance shall not invalidate any existing Ordinance, and shall be used in addition to such Ordinances, such as the "Ordinance Regulating the Height of Structures and other Activities in the Vicinity of Shaw Air Force Base," as adopted on October 31, 1981.

**Change the text in the new Section R:** Noise Attenuation (NA) District as shown.

**SECTION Q: NOISE ATTENUATION (NA) DISTRICT**

**3.q.1 Purpose:** The intent of this district is to define areas by physical features, which are prone to exposure to airport and range operations noise and changes in the patterns thereof. Therefore, the purpose of the district is to reduce the noise, which may accrue to the benefit of the health, safety, welfare of the occupants of or those associated with the uses of land therein.

**3.q.2 Noise Notification Zone:** Noise Notification Zone is hereby created by map action, which depicts the area adjacent to Shaw Air Force Base and/or Poinsett Range. This notification would be shown on all plats/building permits and other correspondence regarding construction within the area so designated.

**MAP CHANGES:**

- a. Adopt Range Compatibility District (RCD) as shown in Figure 7 of the report.
- b. Expand the Noise Notification Zone to be the same as the RCD.
- c. Adopt the noise contours for DNL-1 (65 to 74 DBL) and DNL-2 (75 DBL and above) as depicted on Figure 6 of the report. Also, adopt the provision to accept any future changes of the noise contours automatically when presented by the USAF.

**ALL OTHER SECTIONS OF THE ZONING AND DEVELOPMENT STANDARDS ORDINANCE OF THE COUNTY OF SUMTER, SOUTH CAROLINA, AND SUBSEQUENT AMENDMENTS, SHALL REMAIN AS PREVIOUSLY ADOPTED.**

ADOPTED BY COUNTY COUNCIL THIS 11<sup>th</sup> DAY OF February 2003 TO TAKE EFFECT IMMEDIATELY.

**SUMTER COUNTY, SOUTH CAROLINA**

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Naomi D. Sanders, Chairwoman

ATTEST:

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Mary W. Blanding, Clerk to County Council

FIRST READING - January 14, 2003  
SECOND READING - January 28, 2003  
PUBLIC HEARING - January 28, 2003  
THIRD READING - February 11, 2003

cc: Council, Planning, Clerk of Court, Attorney, and Administrator