

(OA-11-04) -- AN ORDINANCE TO AMEND THE TEXT OF ORDINANCE 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 Amend Ordinance #99-372 as follows:

ORDINANCE TEXT CHANGE:

- A. Temporary Signage. County Council directed Staff to provide language allowing banners and fluttering devices for temporary fireworks stands (new language in ***bold italics***). The Ordinance would be amended in the following way:

8.i.7. Miscellaneous and Temporary Signs.

n. Fire Cracker Stands. Each fire cracker stand may have one on-premise banner for the period of the temporary stand. The banner may not exceed 32 sq. ft. ~~and may only be affixed to the structure.~~ Ribbons, pennants, spinners, streamers and other similar devices are permitted without a permit.

- B. Permit Process. The Zoning Ordinance provides for the Planning Commission to adopt a schedule of fees of all land use applications, including that for temporary stands such as fire cracker stands. The current fee is \$30 per occurrence. For fire cracker stands this is often twice per year for an annual fee of \$60 dollars. The fee is designed to address the administrative review/zoning review of the temporary use. In addition, a permit is required for the tracking of the use which is permitted a maximum of 30 days. For operators placing the stands in the same location, twice per year (usually around the 4th of July and New Year's Day), a second fee and review may not be necessary.

Therefore we recommend that a permit may be applied for and issued for both occasions so long as the dates of operation are identified for both the July 4th and New Year's period. Thus, operators would pay one annual \$30.00 fee per year for each fire cracker stand, instead of two fees equaling \$60.00. The Ordinance would be amended in this fashion (new language ***bold and italics***):

5.c.6. Permitted Temporary Uses

d. Fire cracker stands in the NC, LC, GC, or industrial districts for a period not to exceed thirty (30) days *twice per year*. *One annual temporary permit may be issued for each occurrence so long as the dates of operation are identified on the annual permit. Otherwise, a temporary permit and fee is required for each occurrence.* End Of Changes

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 14th Day Of June, 2011, To Take Effect Immediately.

SUMTER COUNTY, SOUTH CAROLINA

(Seal)



Eugene R. Baten

Eugene R. Baten
Chairman, Sumter County Council

ATTEST:

Mary W. Blanding

Mary W. Blanding, Clerk to County Council

First Reading: May 10, 2011

Second Reading: May 24 2011

Public Hearing: May 24, 2011

Third Reading and Adoption: June 14, 2011

Attachment: Staff Report

cc: Council, Planning Director, County Assessor, Clerk of Court, County Attorney, and County Administrator



Sumter County Council

OA-11-04, Firework Stands

Request to amend article 5, Section C *Temporary Uses* and Article 8, Section 8.i.7 *Temporary Signs* in order to clarify the permitting process for fireworks stands and to permit temporary signage for the use.

First Reading: May 10, 2011

Second Reading/Public Hearing: May 24, 2011

Third/Final Reading: June 14, 2011

Sumter City-County Planning Commission

April 27, 2011

OA-11-04, Fireworks Stands (County)

I. THE REQUEST

Applicant: Sumter County Council

Request: A request to amend **Article 5, Section C Temporary Uses and Article 8, Section 8.i.7 Miscellaneous and Temporary Signs** in order to clarify the permitting process for fireworks stands and to permit temporary signage for the use.

II. BACKGROUND

On March 8, 2011, Sumter County Council directed Planning Staff to amend the Zoning Ordinance to permit additional allowable signage for temporary fireworks stands and to relax the permitting process, perceived as overly burdensome or unnecessary for firework stand operators.

PROPOSED ORDINANCE AMENDMENTS

- C. Temporary Signage. County Council directed Staff to provide language allowing banners and fluttering devices for temporary fireworks stands (new language in ***bold italics***). The Ordinance would be amended in the following way:

8.i.7. Miscellaneous and Temporary Signs.

n. Fire Cracker Stands. Each fire cracker stand may have one on-premise banner for the period of the temporary stand. The banner may not exceed 32 sq. ft. ~~and may only be affixed to the structure.~~ Ribbons, pennants, spinners, streamers and other similar devices are permitted without a permit.

- D. Permit Process. The Zoning Ordinance provides for the Planning Commission to adopt a schedule of fees of all land use applications, including that for temporary stands such as fire cracker stands. The current fee is \$30 per occurrence. For fire cracker stands this is often twice per year for an annual fee of \$60 dollars. The fee is designed to address the administrative review/zoning review of the temporary use. In addition, a permit is required for the tracking of the use which is permitted a maximum of 30 days. For operators placing the stands in the same location, twice per year (usually around the 4th of July and New Year's Day), a second fee and review may not be necessary.

Therefore we recommend that a permit may be applied for and issued for both occasions so long as the dates of operation are identified for both the July 4th and New Year's period. Thus, operators would pay one annual \$30.00 fee per year for each fire cracker stand, instead of two fees equaling \$60.00. The Ordinance would be amended in this fashion (new language ***bold and italics***):

5.c.6. Permitted Temporary Uses

d. Fire cracker stands in the NC, LC, GC, or industrial districts for a period not to exceed thirty (30) days ***twice per year. One annual temporary permit may be issued for each occurrence so long as the dates of operation are identified on the annual permit. Otherwise, a temporary permit and fee is required for each occurrence.***

III. STAFF RECOMMENDATION

As noted above.

IV. DRAFT MOTION

V. PLANNING COMMISSION – APRIL 27, 2011

The Sumter-City Planning Commission at its meeting on Wednesday, April 27, 2011, voted to recommend approval for this request.

VI. COUNTY COUNCIL – MAY 10, 2011 – FIRST READING

The Sumter County Council at its meeting on Tuesday, May 10, 2011, gave First Reading approval for this request.

VII. COUNTY COUNCIL – MAY 24, 2011 – SECOND READING/PUBLIC HEARING

The Sumter County Council at its meeting on Tuesday, May 24, 2011, gave Second Reading / Public Hearing approval for this request. **Council recommended that each fire cracker stand may have one on-premise banner.**

VIII. COUNTY COUNCIL – JUNE 14, 2011 – THIRD / FINAL READING