

FREQUENTLY ASKED QUESTIONS

Q: Do I need a Lexington County business license?

A: No. Lexington County does not require or issue business licenses. Zoning permits are required for all land use activities. If the business is located in a municipality, check with that City/Town Hall to see if they require a business license and to inquire about their zoning requirements.

Q: Where do I find the Lexington County Zoning Ordinance?

A: The Lexington County Zoning Ordinance can be located on the Lexington County website (<http://www.lex-co.sc.gov/departments/DeptAH/communitydevelopment/Pages/CDOrdinances.aspx>) or a paper copy can be purchased in the Community Development Department on the 4th floor at the County Administration Building.

Q: How often do I renew my zoning permit?

A: Once a zoning permit is issued, it is valid for the life of the activity. If the activity changes or is expanded, another zoning permit must be issued for the new activity.

Q: Do I need a zoning permit to operate a business from my home?

A: Yes. Home occupation zoning permits are issued to home based businesses that meet certain restrictions, such as home daycare, home office, and activities that occupy no more than 25% of total home square footage or no more than 750 square feet. Certain restrictions may apply.

Q: Does the Lexington County Zoning Ordinance cover noise?

A: Yes. The Zoning Ordinance regulates noise generated from activities other than accessory to residential living. The decibel levels an activity can generate depends on the zoning district and surrounding land uses. (Section 24.10 of the Zoning Ordinance) Other nuisance noise may be addressed under Lexington County Ordinance, Chapter 26, Article II.

ZONING FEES

For a full schedule of Development Review and Permit fees for the Community Development Department, please see our Receptionist or go to <http://www.lex-co.sc.gov/departments/DeptAH/communitydevelopment/Pages/CDfees.aspx>.

Please note that fees are subject to change. If you have any questions, please contact the Community Development Department.

IMPORTANT PHONE NUMBERS TO REMEMBER

Lexington County Administration Building

212 South Lake Drive, Lexington SC 29072

Suite 302

Addressing (Planning/GIS)(803) 785-1454

Suite 401

Building Inspections & Safety Office(803) 785-8130

Floodplain Management.....(803) 785-8121

Landscape Office(803) 785-8121

Subdivision (Plat Approval) Office(803) 785-8121

Zoning Office.....(803) 785-8121

Lexington County Fire Service Headquarters

436 Ballpark Road, Lexington, SC 29072

Office of the Fire Marshall(803) 785-8145

Lexington County Public Works/Engineering Building

440 Ballpark Road, Lexington, SC 29072

Stormwater Management/Land Disturbance(803) 785-8201

County Right-of-Way Encroachment(803) 785-8201

SC Department of Health & Environmental Control

Midlands EQC Columbia—State Park Health Center

8500 Farrow Road, Columbia, SC 29203

Well, Septic, Water System & Sewer Permits(803) 896-0620

SC Department of Transportation

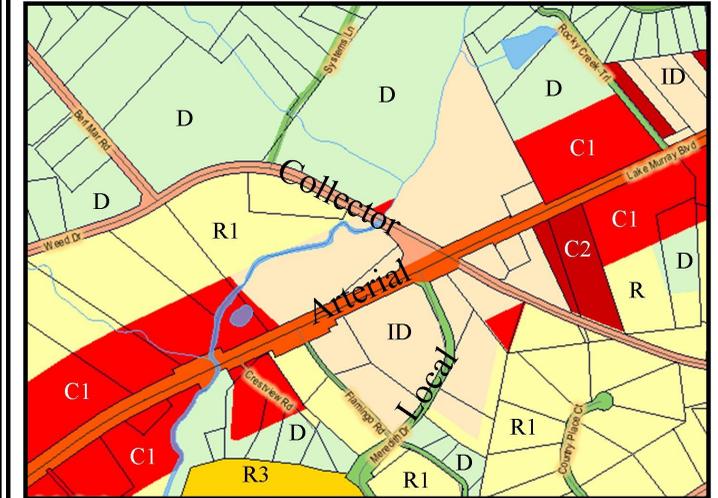
Lexington area R/W Encroachment(803) 359-4103

Chapin area R/W Encroachment(803) 786-0128

Army Corps of Engineers

Wetlands Delineation(803) 253-3444

Please let us know how we may be of assistance in helping you through the development permitting process.



UNDERSTANDING ZONING IN LEXINGTON COUNTY

COUNTY OF LEXINGTON
COMMUNITY DEVELOPMENT DEPARTMENT
212 South Lake Drive, Suite 401
Lexington, SC 29072

Phone: (803) 785-8121

Fax: (803) 785-5186

LEXINGTON COUNTY ZONING

Why do we have zoning ordinances?

Zoning ordinances in Lexington County were enacted in 1976 by County Council (and amended many times since) to promote public health, safety, morals, convenience, order, prosperity, and general welfare of the citizens of Lexington County. These ordinances protect both the property owner's interest in their own property as well as the neighboring properties. Zoning ordinances are a way to safeguard the interests of the residents and property owners in Lexington County.

"No building, structure, or tract of land within the zoned area of the County shall be used, constructed, or developed until the issuance of a valid zoning permit" (Section 121.10 of the Zoning Ordinance.) In simple terms, zoning permits must be applied for and issued for new construction, development, and when there are changes to existing structures, site improvement, activity type and/or new tenants.

How does this affect me?

Zoning Ordinance topics range from types of land use-- to the allowed density for an area (number of dwelling units)-- to signs (size and location) -- to driveway location. Just about every aspect of property use is regulated by zoning.

Zoning permits are needed for any change to a property whether it be new construction or upgrade to an existing structure. The process for a zoning permit is very simple.

PROCESS FOR OBTAINING A ZONING PERMIT

1. Obtain an Application for Zoning/Landscape Site Plan Review from the County Zoning Office or the County Web Site <http://www.lex-co.sc.gov/departments/DeptAH/communitydevelopment/Pages/PrintableForms.aspx>
2. Complete the application requirements and submit all information to the County Zoning Office for review (see list of fees).
3. Include the zoning site plans drawn to scale together with all of the requirements on the site plan as stated on the application.
4. Please allow staff time to complete the review.
5. Revisions to the zoning permit application can be made as necessary.
6. Once approved and fees are paid, zoning permits can be picked up from the County Zoning Office.
7. If a variance is needed to obtain a zoning permit a request may be filed to be heard by the Board of Zoning Appeals (see list of fees).

BOARD OF ZONING APPEALS

The Board of Zoning Appeals (BZA) is a group of 9 residents of Lexington County appointed to hear and decide zoning appeals, applications for variances, and special exceptions regarding the Zoning Ordinance. The

decisions of the BZA are held before a public hearing. Decisions of the BZA may be appealed to Circuit Court.

All issues that go before the BZA must be filed with the County Zoning Office by noon the second Friday of each month to be applicable for the next month's meeting. A handout specific to variance requests is available from the Zoning Office.

CONSEQUENCES FOR NON-COMPLIANCE

When the Zoning Administrator, or his authorized representative, finds a violation of the Zoning Ordinance, he shall direct compliance as he deems necessary, to include the issuance of verbal and/or written compliance orders. Enforcement actions may include:

- The revocation of any zoning permits previously issued
- The withholding of any related permits, plats, inspections, or other permissions, approvals, or privileges authorized by any County ordinances
- Legal action

The Zoning Office of Lexington County works with each case to find a positive outcome for all concerned parties and in an attempt to remedy the zoning issue without serious penalty.

The Code Enforcement Division of the Lexington County Sheriff's Department handles enforcement of the Zoning Ordinance.

COMMONLY USED TERMS

Sign Ordinance: to ensure that signs are designed, constructed, installed, and maintained so that public safety and traffic safety are not compromised. *There are restrictions on sign height/display area, setback from adjoining property, and setback from the right-of-way.* The restrictions on a sign depend on the sign location, size, type, and purpose of the sign. Contact the zoning office for permit information, prior to the placement or replacement of any signage.

Buffering Restrictions: limits on land use with regard to height, proximity to property lines, and visibility of the activity including height restriction, buffer, setback, and screening requirements for a land use activity.

Buffer: an area in which no activity is permitted other than necessary utility functions such as transmission lines, underground conduits, etc. A single driveway access may encroach upon this buffer when that driveway location is the only possible point of access for the parcel.

Setback: the minimum distance from a property line and/or right-of-way that a structure/activity may be located.

COMMONLY USED TERMS continued

Screening: natural vegetation, landscaped vegetation (including planted berms), walls, or fences designed to lessen the visual interaction between adjacent activities or accessories thereto.

Mobile Home Park (MHP): 3 or more mobile homes, exclusive of a mobile home occupied by the property owner that are operated as a single entity and located within the vicinity of one another. The MHP may be located on a single parcel, or multiple parcels in the same or different ownership.

- *Limited:* Minimum size of an individual mobile home space in a MHP is 20,000 square feet.
- *Extensive:* Minimum size of an individual mobile home space in a MHP is 6,000 square feet.

Mining: the extraction or removal of minerals for sale, processing, or consumption. Even if the mining activity is not required to obtain a mining permit from SDDHEC, a Lexington County zoning permit may be required. Mining does not include grading, backfilling, plowing, or excavating areas for agriculture or on-site construction, unless the extraction or removal of materials exceeds 25,000 cubic yards or the activity continues for longer than 6 months.

Landfill: a site used for disposal, recycling, and/or storage of waste material.

Sign: Any device which informs or attracts attention.

Right-of-Way-Plan: designates the various categories of roads within Lexington County according to potential right-of-way needs.

Salvage/Wrecking Yard: includes the dismantling, wrecking, or dumping of used automobiles, vehicles, crafts, and trailers, or the storage and sale of their parts. Also, the presence of two or more vehicles, which have not been capable of operating under their own power for 30 days and from which parts have been or are to be removed for reuse or sale. All salvage yards must have total screening around the perimeter of the property.

Zoning Maps: Considered as part of the Zoning Ordinance, both of which have been amended many times over the years. These maps can be found at www.lex-co.sc.gov/Departments/DeptAH/pages/GISdisclaimerpage.aspx.

Design Standards for Driveway and Street Restrictions: include vision clearance, corner clearance, sight distance, driveway location and limitation, and parking lot connectivity. All must be considered when designing or modifying a land use activity.