



Section 3.16 Home Occupations

Home occupations, as defined by this Chapter and where conditionally permitted by Table 1-A and 1-B-A, shall meet the following requirements:

- (A) The home occupation shall be carried on wholly within the principal building;
- (B) The floor area dedicated to such use shall not exceed 25 percent of the gross floor area of the principal building, up to 400 square feet;
- (C) No activity shall be conducted outside, nor shall there be any outdoor storage, display, or refuse area in the yard;
- (D) No signs shall be allowed for home occupations in RC, RD, RM, or RH5 Districts;
- (E) No merchandise or articles shall be displayed so as to be visible from outside the building;
- (F) No more than one (1) person not residing in the residence shall be employed by the home occupation;
- (G) No traffic shall be generated by the home occupation in an amount above that normally expected in a residential neighborhood;
- (H) No off-street parking shall be needed above that required by the principal residential use;
- (I) There shall be no alteration whatsoever of the residential character of the building(s) and/or premises;
- (J) The home occupation shall generate no noise, glare, heat, vibration, smoke, dust, or odor perceptible to adjacent uses; and
- (K) The home occupation shall not involve the retail sale on the premises of merchandise manufactured off the premises.

<https://www.aikencountysc.gov/Reference/LMO/LMR.pdf>



Remembering the Past, Preparing for the Future

COMMERCIAL SITE PLAN REVIEW APPLICATION

Business Information

Name of Business Entity: _____

Applicant/s Full Name: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____ Telephone: _____

Fax: _____ Email: _____

Project Information

Property Owner's Name: _____ Telephone: _____

Site Plan Address: _____

City: _____ State: _____ Zip Code: _____

Type of Business/Project: *(Please provide a complete description of any and all commercial activities and/or uses being conducted on the proposed site plan)*

Tax Parcel Number: _____ Zoning: _____ Acreage: _____

Water and Sewer Service Provided By: _____

Affidavit

Under penalties of perjury, I certify to the best of my knowledge that the information given in this Application is both true and correct. It is expressly understood that the issuance of any County permit upon approval of this Application does not relieve me of my responsibility to comply with and adhere to all applicable federal, state, and local laws. I further understand that I am subject to the provisions of the Business Registration Ordinance No. 06-10-31 of Aiken County, South Carolina requiring any and all business entities, including nonprofit organizations, to register with the Aiken County Tax Collector's Office. Failure to comply with the foregoing provisions is a misdemeanor, which may result in a fine of \$500.00 and/or imprisonment up to thirty (30) days for each violation.

Signature of Applicant

Date



GENERAL COMMERCIAL DEVELOPMENT INFORMATION

Land Management Regulations (LMR) Permit

In accordance with Chapter 24, Land Management Regulations (LMR) of the Aiken County Code of Ordinances, a commercial site plan must be approved and an LMR Development Permit issued prior to commencing any development activities, including any improvements, within Aiken County. All developers and property owners must submit a complete application and all associated documentation to include the following: a copy of the recorded plat from the Aiken County Register Mesne Conveyance (RMC) Office located at 828 Richland Avenue West, Aiken, South Carolina, seven (7) copies of a site plan, and appropriate review fee.

Site Analysis

In an effort to comply with applicable federal and state laws, Aiken County requires a site analysis to be conducted to address certain design standards that preserve natural features on properties within its jurisdiction thereby minimizing potentially negative or hazardous impacts. Any information concerning protected wetlands, wildlife, flood plain areas, and/or historic landmarks must be indicated on the site plan. Please refer to the following government agencies and departments for further information:

| | |
|--|---------------------------------|
| SC Department of Health and Environmental Control (803) 641-7671 | Wetland Information |
| Aiken County Building Codes Division (803) 642-1518 | Flood Plain Information |
| Federal Emergency Management Agency (FEMA) SC Department of Natural Resources Aiken County - (803) 641-7725 Columbia - 803-734-4007 DNR-Boating- (800) 922-5431 Game Warden -(803) 259-7900 | Endangered Wildlife Information |
| SC Department of Archives & History (803) 896-6100 | Historic Structures & Sites |
| SC Archeology- (803) 777-8170 | Archeological Sites |
| SC Department of Transportation- (803) 641-7665 | |

If any of these conditions are determined to exist, a statement shall be placed on the site plan by the developer or applicant indicating such existence.

Setbacks

The site plan should be a picture of the finished product, to include the building, parking area, bufferyards, etc. Building setbacks, based on the zoning classification of the property, are to be shown on the site plan. (See Example Site Plan attached)

Bufferyards

Depending on adjacent property uses, bufferyards with plant materials may be required. If the property has existing vegetation, indicate it on the site plan, it may be used to serve towards the required buffer. There is a mandatory front buffer with a minimum depth of five (5) feet and a maximum depth of ten (10) feet. The deeper the bufferyard, the fewer number of plants will be required. All bufferyards and plant materials should be shown on the site plan with a legend indicating the number, type, and size during installation. Specific bufferyard requirements are contained in Article 5, Tables 3 and 4, Chapter 24 Land Management Regulations (LMR) of the Aiken County Code of Ordinances.

Parking

Table 1-B of the LMR dictates the number of parking spaces required depending on the commercial use specified by the North American Industry Classification System. Please indicate on the site plan the location of the parking area and whether the parking area is to be left unpaved, paved or graveled. Also, pay close attention to certain parking lot requirements, such as handicapped spaces, landscaped islands, and surfacing material within the parking lot where applicable.

Curb Cuts/Driveways

For any new curb cuts (driveways) along State roads, you must obtain an encroachment permit from SCDOT (South Carolina Department of Transportation) and a copy must be submitted for the permanent file. SCDOT can be reached at (803) 641-7665.

Utility Providers

The site plan must indicate the utility providers to include water, sewer, and electric. Also, if lighting is planned in the parking area or within the compound, the lamp locations must be shown on the plan. If the project is within 1,500 feet of a utility service, the project must tie into the system.

Drainage Calculations

Pursuant to the Federal Storm Water Management Act and Chapter 19-6 of the Aiken County Code of Ordinances, professional drainage calculations will be required for certain land disturbing activities involving more than one (1) acre or parcels containing greater than fifty (50) percent of impervious surface. The County Engineer will review each site plan for storm water runoff to determine whether professional drainage calculations are necessary. If you have questions or need additional information concerning storm water, please contact the Aiken County Engineering Department at (803) 642-1535.

Airport Overlay District

A statement whether the property is within the Airport Overlay District must be provided on the site plan.

HCO District

Effective 03/20/07, County Council adopted the Highway Corridor Overlay District (HCO) as part of the Land Management Regulations to include specific roadways in the District that require additional development standards. Generally, these standards are intended to preserve the unique nature of the commercial development within the HCO and do not apply to properties being used for residential purposes. However, should the use of a residential property change to a commercial use, the HCO District regulations will be applicable to the site. The following roadways have been incorporated into the HCO:

1. S-19 (Whiskey Road) from Boardman Road to the New Ellenton City Limits
2. S-123 (Atomic Road) from US-1 to the North Augusta City Limits.
3. S-230 (Martintown Road) from US-1 to the North Augusta City Limits
4. S-126 (Belvedere Clearwater Road) from US-1 to US-25.
5. US-25 (Edgefield Road) from the North Augusta City Limits to the Edgefield County Line.
6. US-1 (Jefferson Davis Highway) from the Savannah River to S-125 (Atomic Highway).
7. S-936/SC-302 (Silver Bluff Road) from Whiskey Road to Richardson's Lake Road.

National Pollution Discharge Elimination System (NPDES) Permit

For certain industrial and commercial developments, an NPDES Permit issued by DHEC must be submitted with the application before approval can be obtained. Please contact DHEC at (803) 642-1637 for more information.

Sign Permits

If signage is proposed, a sign permit must be obtained prior to the erection of any sign. Applications for signs are available from the Planning and Development Department.

Commercial Building Permit

You may apply for a building permit simultaneously, but your building permit will not be issued until an LMR permit has been issued after site plan approval. Building permit applications also are available in the Planning and Development Department. If you have building code questions, please contact the Building Official, Rick Hallman, or the Commercial Inspector, Dan McElroy, at (803) 642-1518.



SITE PLAN CHECK LIST

When submitting a commercial site plan for review, please **submit (7) copies** of the plan as required. In addition, your commercial site plan must include the following:

- _____ Lot Size – width, depth, shape, grade, orientation to streets.
- _____ Surrounding property uses---residential, commercial, vacant, etc.
- _____ Building Setbacks---front, side, and rear setbacks
- _____ Landscaping, Bufferyards, & Fences---all plant material and/or fence must be shown
- _____ **Tax Parcel Number**
- _____ **Site Map**
- _____ **Developers name & contact information**
- _____ **Date site plan was drawn**
- _____ Scale of plan
- _____ **Number of parking spaces, & handicap**
- _____ **Utility Providers---water, sewer, & electric**
- _____ Number of apt. /residential units (if applicable)
- _____ Location of exterior lights
- _____ Location of existing/proposed sign
- _____ For churches & restaurants---number of seats in each
- _____ Drainage calculations---3 sets

FOR HOME OCCUPATIONS ONLY



AIKEN COUNTY LAND MANAGEMENT REGULATIONS
FUNCTIONAL PERFORMANCE STANDARDS

Section 24-3.3 Manufacturing, Commercial, and Other Nonresidential Uses

The following performance standards are designed to ensure that all permitted manufacturing, commercial, and other nonresidential uses listed in Table 1, Permitted Uses, produce no injurious or obnoxious elements related to the operation of such uses beyond the premises.

Please indicate whether the following standards apply by checking the appropriate space below.

(1) Vibration: **Applicable** _____ **Not Applicable** **X** _____

No vibration shall be produced which is transmitted through the ground and is discernible without the aid of instruments at any point beyond the lot line; nor shall any vibration produced exceed the following particle velocity levels, measured with a vibration monitor in inches per second at the nearest:

- a) Residential property line: 0.02
- b) Nonresidential property line: 0.10

Vibration emanating from construction activities between 7:00 a.m. and 9:00 p.m. shall be exempt from these regulations.

(2) Fire and explosives: **Applicable** _____ **Not Applicable** **X** _____

All activities and all storage of flammable and explosive materials shall be provide with adequate safety devices against the hazards of fire and explosion, including adequate firefighting and fire suppression equipment, as prescribed in the International Building Codes.

(3) Noise: **Applicable** _____ **Not Applicable** **X** _____

All noise shall be muffled so as not to be objectionable due to intermittence, beat frequency or shrillness. In no event shall the sound pressure level of noise radiated continuously from a facility exceed at the lot line the values given in Tables III and IV in any octave band or frequency. Sound pressure level shall be measured with a sound level meter and an octave band analyzer that conform to specifications published by the American Standards Association.

| Frequency Band (Cycles Per Second) | Sound Pressure Levels (In Decibels) | |
|---------------------------------------|--|--------------------------------|
| | At Residential Lot Line | At Non-Residential Lot Line |
| 0 – 75 | 72 | 79 |
| 75 – 150 | 67 | 74 |
| 150 – 300 | 59 | 66 |
| 300 – 600 | 52 | 59 |
| 600 – 1200 | 46 | 53 |
| 1200 – 2400 | 40 | 47 |
| 2400 – 4800 | 34 | 41 |
| 4800 – 10000 | 32 | 39 |

(4) Air pollution: **Applicable** _____ **Not Applicable** **X**_____

The emission of visible smoke, dust, dirt, fly ash, particulate matter from any pipes, vents, or other openings, or from any other source into the air, shall comply with the regulations of the South Carolina Department of Health and Environmental Control.

(5) Odor: **Applicable** _____ **Not Applicable** **X**_____

When an industrial plant is operating at close to maximum production the odors emissions, measured at the property line, shall not exceed a D/T (Dilution Threshold) of 100. Odor samples shall be taken and tested by an independent, qualified, odor-testing laboratory using ASTM (American Society of Testing and Materials) method of E79-91.

(6) Glare: **Applicable** _____ **Not Applicable** **X**_____

There shall be no direct or sky-reflected glare, whether from floodlights, high temperature processing, combustion, welding or otherwise, so as to be visible in any residence.

(7) Fumes and vapors: **Applicable** _____ **Not Applicable** **X**_____

There shall be no emission of any fumes or vapors of a noxious, toxic, or corrosive nature, which can cause damage or irritation to health, animals, vegetation, or to any form of property.

(8) Heat, cold, dampness or movement of air: **Applicable** _____ **Not Applicable** **X**_____

Activities which would produce an adverse impact on the temperature, motion, or humidity of the atmosphere beyond the lot line shall not be permitted.

(9) Toxic matter: **Applicable** _____ **Not Applicable** **X**_____

The applicant of a permit for any facility which would utilize toxic matter in the process of manufacturing, fabricating, assembling, packaging, or any related activity, shall provide with the application a certificate from the South Carolina Department of Health and Environmental Control, indicating compliance with the rules and regulations of such agency.

(10) Exterior Illumination: **Applicable** _____ **Not Applicable** **X**_____

All outdoor light fixtures shall be fully shielded and installed in such a way that no light is emitted above a horizontal plane running through the lowest part of the fixture. Low-pressure sodium should be used wherever possible. The pattern of light pooling from each light source shall be carefully considered to avoid throwing light onto adjacent properties. Light sources visible in residential or medical areas shall not exceed 0.1-foot candles. Light sources visible in other areas shall not exceed 0.5-foot candles. Measurements shall be in a vented plane at the property line.

(11) Compliance guarantee

The applicant of a permit for any manufacturing or processing plant or commercial or other nonresidential use which could produce any of the above "injurious or obnoxious elements" shall acknowledge in writing his or her understanding of the performance standards applicable to the proposed use and shall submit with the permit application an agreement to conform with such standards at all times. Any violation of the agreement shall constitute a violation of this chapter and shall be treated accordingly. Enforcement of this agreement may be precipitated by complaint from any person allegedly aggravated by failure of the industrial use to comply with the provisions of this section. Where there is a potential problem in meeting any one of the performance criteria in this section, the applicant shall be required to mitigate to the satisfaction of the development official any potential adverse impacts of such operation and/or request a variance before the board of appeals, in accord with the provisions of Article 10.



AIKEN COUNTY FUNCTIONAL PERFORMANCE STANDARDS
COMPLIANCE GUARANTEE FOR MANUFACTURING, COMMERCIAL, & NONRESIDENTIAL USES

This is to acknowledge that I, _____, as
{ } Owner { } Executive Officer of _____ (Business Name) have been
provided a questionnaire concerning Chapter 24, Section 3.3 of the Land Management Regulations, Aiken
County Code of Ordinances, which requires that certain performance standards governing manufacturing,
commercial, and other nonresidential uses are designed to prevent potential injurious or obnoxious elements
related to such operations from extending beyond the premises. I understand the requirements of said
provisions of Section 3.3 of the Aiken County Code, that I have indicated the specific functional
performance standards, if any, which are applicable to my proposed development, and agree to conduct the
business located at _____(address) in compliance with such applicable
standards at all times. I also understand that any violation of this Guarantee shall constitute a violation of
Section 3.3, Land Management Regulations, and shall be treated accordingly, unless and until remedied to
the satisfaction of Aiken County.

Date

Owner/Executive Officer

Name (printed)

Witness (printed)

Witness (signature)



PROPERTY OWNER PERMISSION AFFIDAVIT

NOTE: *If the applicant is not the owner of the property, this Affidavit must be completed by the applicant and property owner, or a copy of the lease agreement must be submitted.*

I, _____ have knowledge of and agree to allowing
(Property Owner)

_____ to use the property located at:
(Applicant)

_____ (Street Address) _____ (City, State, & Zip Code)

_____ to be used as _____
(Tax Parcel Number) (Type of use and/or business name)

Property Owner's Signature

Applicant's Signature

Printed Date

Printed Date

Witness

Witness

ONLY NEEDED IF YOU DO NOT OWN YOUR HOME.



**STORMWATER MANAGEMENT PERMIT APPLICATION
FOR LAND DISTURBING ACTIVITIES (NOI) ON
PROJECTS LESS THAN ONE ACRE.**

Date: _____ Project Description/ Site Name: _____

I. Project Information

Project Owner (Company or person): _____
Permit Contact (if owner is company): _____ Company EIN: ____ - _____
Mailing Address: _____ City: _____ State: ____ Zip: _____
Phone: (Day) ____ - ____ - _____ (Cell) ____ - ____ - _____ (Fax) ____ - ____ - _____

II. Property Information

A. Site Location (street address, nearest intersection, etc.): _____
City/Town (if in limits): _____ Tax Map # (list all): _____

III. Site Information

A. Disturbed area (to the nearest tenth of an acre): _____ acres Total area: _____ acres
B. Is this project part of a Larger Common Plan for Development or Sale (LCP)? Yes No
If yes, and the total disturbed area of this project and the LCP is equal to or greater than one acre then you must apply for permit coverage under the NPDES General Permit SCR100000.
C. Start Date (MM/DD/YYYY): ____/____/____ Completion Date: ____/____/____
D. Is this NOI being submitted in response to a Notice to Comply issued by S.C. DHEC or Aiken County? Yes No
E. Type of Activity (check all that apply):
 Commercial Residential: Single-family Linear (Roads, utility lines, etc.)
 Other:
 Institutional Residential: Multi-family Site Preparation (No new impervious) _____
F. Are there any flooding problems downstream or adjacent to this site? Yes No _____

IV. Waterbody Information

A. Nearest receiving waterbody(s): _____ Distance to this waterbody (feet): _____

V. Signatures and Certifications: DO NOT SIGN IN BLACK INK!

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

I hereby certify that all land-disturbing construction and associated activity pertaining to this site shall be accomplished pursuant to and in keeping with the terms and conditions of the approved plans and SCR100000. I also certify that a responsible person will be assigned to the project for day-to-day control. I hereby grant authorization to the Department of Health and Environmental Control and/or the local implementing agency the right of access to the site at all times for the purpose of on-site inspections during the course of construction and to perform maintenance inspections following the completion of the land-disturbing activity. (See Section 122.22 of S.C. Reg. 61-9 for signatory authority information.)

Printed name of Project Owner/Operator

Signature of Project Owner/ Operator

Date



RESTRICTIVE COVENANTS AFFIRMATION OF APPLICANT

South Carolina Code of Laws Section 6-29-1145 (attached hereto) requires local planning agencies to inquire whether a tract or parcel of land is restricted by any recorded covenant that is contrary to, conflicts with, or prohibits an activity for which a permit is being sought.

I, _____, have researched the existence of restrictive covenants applicable to
Tax Parcel Number(s) _____,
located at (address or street) _____, and I have determined that:

SELECT ONE

___ The property is subject to restrictive covenants, but the requested permit is not contrary to, does not conflict with, and is not prohibited by any of the restrictive covenants as specified in South Carolina Code of Laws, Section 6-29-1145.

OR

___ The property is subject to restrictive covenants, but the applicable restrictive covenants have been released for the tract or parcel of land by the appropriate authority or property holders or by court order (**attach copy of release or court order**)

OR

___ There are no restrictive covenants on the tax parcel(s).

I have read and understand the statements on this application and do hereby affirm that the information provided is true to the best of my knowledge. I further understand the approval of this application or issuance of a County Permit does not relieve me of my duty to adhere to and abide by all Federal, State, and Aiken County laws pertaining to the use of the property as specified herein.

Owner or Authorized Representative

(Date)

(Print Name)

For Staff Use Only:

Received by: _____

Date: _____



South Carolina Code of Laws Section 6-29-1145

- (A) In an application for a permit, the local planning agency must inquire in the application or by written instructions to an applicant whether the tract or parcel of land is restricted by any recorded covenant that is contrary to, conflicts with, or prohibits the permitted activity.
- (B) If a local planning agency has actual notice of a restrictive covenant on a tract or parcel of land that is contrary to, conflicts with, or prohibits the permitted activity.
- (1) in the application for the permit;
 - (2) from materials or information submitted by the person or persons requesting the permit; or
 - (3) from any other source including, but not limited to, other property holders, the local planning agency must not issue the permit unless the local planning agency receives confirmation from the applicant that the restrictive covenant has been released for the tract or parcel of land by action of the appropriate authority or property holders or by court order.
- (C) As used in this section:
- (1) ‘actual notice’ is not constructive notice of documents filed in local offices concerning the property, and does not require the local planning agency to conduct searches in any record offices for filed restrictive covenants;
 - (2) ‘permit’ does not mean an authorization to build or place a structure on a tract or parcel of land; and
 - (3) ‘restrictive covenant’ does not mean a restriction concerning a type of structure that may be built or placed on a tract or parcel of land.”

EXAMPLE

Zoning Classification: _____

Tax Parcel Number 000-00-00-000

Utility Providers: _____ Water

_____ Sewer

_____ Electricity

Number of Parking Spaces: _____

Name of Project: _____

