

STATE OF SOUTH CAROLINA)
)
COUNTY OF LEXINGTON)
)
CITY OF CAYCE)
)

ORDINANCE 2021-07
Amending Chapter 10, Article IV of
the Code of Ordinances Concerning
Rental, Non-Owner Occupied and
Unoccupied Property Regulations

WHEREAS, the City Council, on the recommendation of City Administration, has determined that it is in the interest of the City and its citizens to revise and amend the current language of Chapter 10 ("Building and Building Regulations"), Article IV ("Rental, Non-Owner Occupied and Unoccupied Property Regulations") of the City Code of Ordinances concerning the allowable locations for parking on rental, non-owner occupied and unoccupied properties; and

WHEREAS, the Planning Commission held a properly scheduled and noticed public hearing on this amendment to receive comments from the public; and

WHEREAS, the Planning Commission met on February 22, 2021, to receive public comments and vote on whether to recommend adding a section on regulating parking in yards in Article 9 of the Zoning Ordinance, and has decided, by a unanimous vote, that it does recommend regulating parking in yards; and

WHEREAS, the City Council, in Council duly assembled at a meeting held on March 2, 2021 heard the recommendations of the Planning Commission and asked staff to further refine the proposed ordinance to consider greener and more cost effective options that were also not burdensome to code enforcement staff; and

WHEREAS, the City Administration recommends that the most effective enforcement for regulating parking in yards is to apply the standards to non-owner occupied units, as regulated in Chapter 10, Article IV,

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Cayce, in Council, duly assembled, that Chapter 10 ("Buildings and Building Regulations"), Article IV ("Rental, Non-Owner Occupied and Unoccupied Property Regulations") of the City Code of Ordinances is hereby amended as shown on the attached document and as follows:

1. Section 10-80 ("Definitions") is hereby amended to delete the last sentence of the definition of "Occupant" and to add the following definitions,

Bedroom as defined by the IPMC, refers to any room or space used or intended to be used for sleeping purposes in either a dwelling or sleeping unit.

Buildable area is that portion of any lot which may be used or built upon in accordance with the regulations governing the zoning district within which the lot is

located when the front, side and rear yard, open space, and applicable buffer area requirements have been met.

Driveway means an access constructed within the public rights-of-way connecting the public roadway with the adjacent property and intended to provide vehicular access to no more than one (1) lot.

Residential driveway means a driveway providing access to single-family residence or a duplex.

2. Section 10-86 ("Offenses and assignment of offenses") is hereby renumbered to Section 10-87 ("Offenses and assignment of offenses") and Section 10-86 is hereby renamed, Section 10-86 ("Standards") and amended to add the following paragraphs:

"For purposes of this Article, the following standards apply to non-owner occupied and must be met prior to a rental, non-owner occupied, and unoccupied registration (Sec. 10-81 City of Cayce Code of Ordinances) being issued and at all times thereafter. City sponsored inspectors will have the authority to certify that these properties meet the International Property Maintenance Code (IPMC) standards for both the interior and exterior of the dwelling. Any and all violations will be subject to section 10-87 of the City of Cayce Code of Ordinances. Failure to correct the deficiencies will result in revocation of the registration and are subject to penalties as outlined in Section 10-97 of the City of Cayce Code of Ordinances. The standards that will apply to all non-owner occupied will be in accordance with the 2018 Edition of the IPMC. Violations will be handled as outlined in Chapter 10 Article IV.

The landlord, owner, and/or property management personnel are responsible for informing and providing these standards to their tenants. Further, the landlord, owner, and/or property management personnel are responsible for any improvements required as a result of these standards. For the purpose of this section, multiple lots or parcels that function as one shall be considered as one lot or parcel.

- (1) **Occupancy** – Where family is defined by the City of Cayce Zoning Ordinance and Code of Ordinances, occupants of a non-owner occupied unit will not exceed (3) unrelated persons, unless there are (4) bedrooms in the unit, when the number of individuals cannot exceed (4).
- (2) **Parking** – The number of vehicles parked or stored at the unit cannot exceed the number of occupants per home up to (4) vehicles. Parking is only allowed within certain areas of a residential lot. With the exception of driveways, the delineation of off-street parking within the front yard is restricted to the area between the property line and the front and side setback lines as illustrated in the Figure below. For corner lots, off-street parking may be delineated along the side yard facing the side street between the property line and the side setback line. Vehicles can only be parked parallel to the street, except when within a residential driveway. Residential driveways are parking structures

permitted to be located within the buildable area of the lot, as illustrated in the Figure below. This section is not intended to prohibit the temporary parking of a vehicle upon a driveway or permitted parking area in accordance with this section. Any vehicle with a valid handicap plate or placard on the vehicle is exempt from this section.

Permitted parking areas may be constructed of the following materials, with strong consideration given for low impact development principles: plastic grid pavers, grass grid pavers, concrete grid pavers, grass, mulch, slag, gravel, crushed stone, pervious concrete, brick/concrete/stone pavers, concrete, and asphalt. If used, all impervious parking materials should not occupy more than 40 percent of the front yard or 500 square feet within the primary front yard, whichever area is greater.

On corner lots, impervious parking materials shall not exceed the above amount of area within the combined primary front yard or secondary front yard.”

Figure 1 – Permitted Parking Area on Primary Front Yard

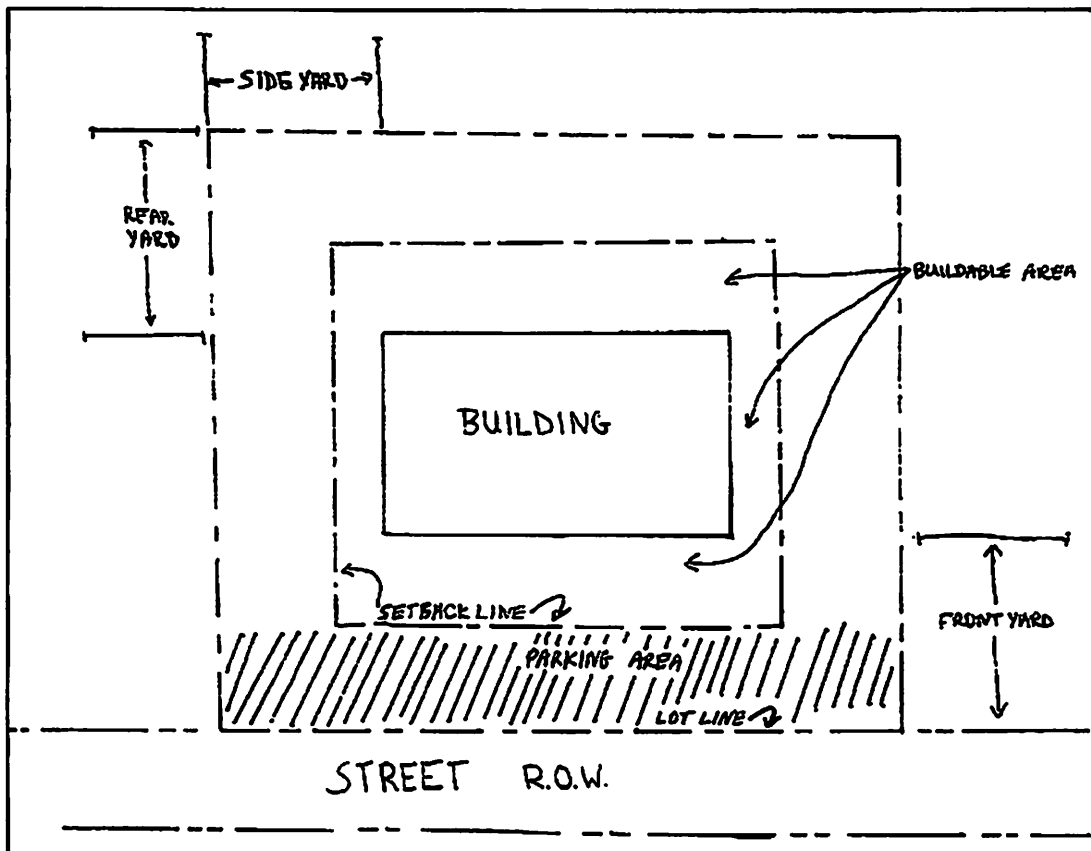
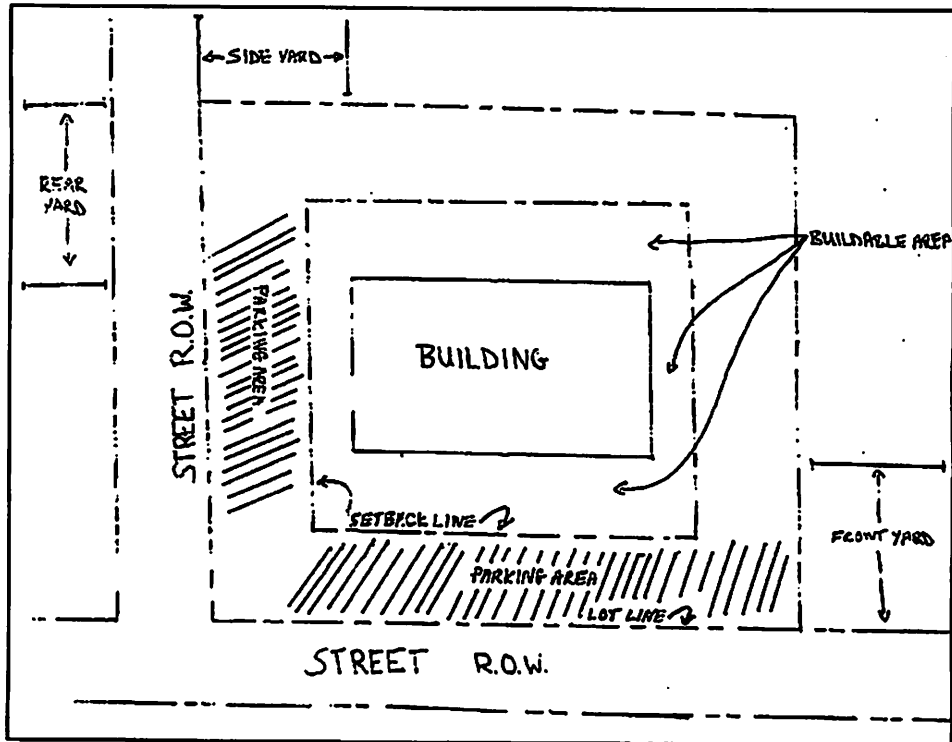


Figure 2 – Permitted Parking Area on Corner Lot



3. Section 10-87 ("Requirement for revocation hearings") is hereby renumbered to Section 10-88 ("Requirement for revocation hearings").
4. Section 10-88 ("City council hearing") is hereby renumbered to Section 10-89 ("City council hearing").
5. Section 10-89 ("Notice of revocation") is hereby renumbered to Section 10-90 ("Notice of revocation").
6. Section 10-90 ("Effect of revocation") is hereby renumbered to Section 10-91 ("Effect of revocation").
7. Section 10-91 ("Notification exemption") is hereby renumbered to Section 10-92 ("Notification exemption").
8. Section 10-92 ("Defense") is hereby renumbered to Section 10-93 ("Defense").
9. Section 10-93 ("Appeals/revocation hearing before city council") is hereby renumbered to Section 10-94 ("Appeals/revocation hearing before city council").
10. Section 10-94 ("Change of ownership") is hereby renumbered to Section 10-95 ("Change of ownership").

11. Section 10-95 ("Confidentiality") is hereby renumbered to Section 10-96 ("Confidentiality").
12. Section 10-96 ("Offenses") is hereby renumbered to Section 10-97 ("Offenses").
13. Section 10-97 ("Registration fee") is hereby renumbered to Section 10-98 ("Registration fee").
14. Section 10-98 ("Severability") is hereby renumbered to Section 10-99 ("Severability").
15. Section 10-99 ("Occupancy label required") is hereby renumbered to Section 10-100 ("Occupancy label required").

This Ordinance shall become effective 180 days after second reading approval.

DONE IN MEETING DULY ASSEMBLED, this 21 day of April 2021.



Elise Partin, Mayor

Attest:



Mendy Corder, CMC, Municipal Clerk

First Reading: April 6, 2021

Second Reading and Adoption: April 21, 2021

Approved as to form: 

Danny C. Crowe, City Attorney