



Home Occupations (Aiken County Code Section 3.16)

Home occupations allow a resident to operate a business or trade from their residential dwelling. A home occupation, as defined by this Chapter and where conditionally permitted by Table 1, shall meet ALL of the following requirements.

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

If your operation and property does not meet ALL of these requirements, please contact Planning and Development at (803)642-1520 for the proper application. If your operation and property meet ALL of these requirements, please fill out the following sections on the Commercial/Non-Residential Land Development Permit pages and then all attached pages.

- General Information Section
- Applicant Section
- Property Owner Section
- Property/Site Information (only the zoning district, total area of property, potable water service, and sewer information)
- Additional Information Section



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Attach the following documents with the application.

- Commercial/Non-Residential Site Plan and Checklist
- Functional Performance Standards Review and Compliance Certification
- Property Owner Permission Affidavit (only if you are not the property owner)
- Restrictive Covenants Affirmation

Further details and the complete code regarding home occupations can be found in the [Aiken County Code, Sec. 24-3.16](#)



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COMMERCIAL/NON-RESIDENTIAL LAND DEVELOPMENT PERMIT

General Information	
Aiken County Tax Parcel #	Existing Address(es) on the Site:
Project Name:	
	Will Project Operate Under a Different Name? Please Provide All.
Project Description (Describe the new proposed uses of the project site):	
Applicant (see Aiken Co. Code Section 24-10.7 for Eligible Applicants)	
Applicant Name:	Applicant Address:
Applicant Email:	
Applicant Phone:	
Primary Project Representative	
<p><u>The primary project representative will be the point of contact for all Aiken County staff regarding the land development permit and application.</u> Is the applicant the primary representative? <input type="checkbox"/> Yes <input type="checkbox"/> No If No, provide the primary project representative's information below.</p>	
Representative Name:	Representative Address:
Representative Email:	
Representative Phone:	
Property Owner	

Is the applicant the owner of the property? <input type="checkbox"/> Yes <input type="checkbox"/> No If No, provide the property owner information below.		
Owner Legal Name:	Owner Address:	
Owner Email:		
Owner Phone:		
List any additional parties holding interest in the property listed above:		
Project Designer		
Project Designer of Record:	Designer Address:	
Project Design Firm:		
Designer Email:		
Designer Phone:		
<input type="checkbox"/> Engineer <input type="checkbox"/> Architect <input type="checkbox"/> Other	SCLLR License Number:	
Property/Site Information		
Zoning District(s):	Total Area of Property:	Total Area Disturbed By Project:
Flood Zone (A, AE, X (shaded), X, etc.):	FIRM Panel:	Floodway: <input type="checkbox"/> Yes <input type="checkbox"/> No
Driveways/Intersections (Separate driveway encroachment permits are Access Requested to: State Highway <input type="checkbox"/> Yes <input type="checkbox"/> No County Road/Street <input type="checkbox"/> Yes <input type="checkbox"/> No		
Potable Water Service: <input type="checkbox"/> Municipal/Public <input type="checkbox"/> Private Well	Municipal or Public Water Provider:	
Sewer: <input type="checkbox"/> Municipal/Public <input type="checkbox"/> Private Septic System	Municipal or Public Sewer Provider:	
Electrical Power Provider: <input type="checkbox"/> Dominion Energy <input type="checkbox"/> Aiken Electric Cooperative		
Zoning Overlay District – Is any portion of the subject property covered by the following zones?		
• AO, Airport Overlay District, Aiken Co. Code Sec. 24-2.9.		<input type="checkbox"/> Yes <input type="checkbox"/> No
• Flood Hazard Overlay District, Aiken Co. Code Sec. 24-2.10		<input type="checkbox"/> Yes <input type="checkbox"/> No

- WPO, Wellhead Protection Overlay District, Aiken Co. Code Sec. 24-2.11. Yes No
- Highway Corridor Overlay (HCO) – Aiken Co. Code Sec. 24-2.12. Yes No
- Major Thoroughfares – Aiken Co. Code Sec. Sec. 24-7.3.(5). Yes No

If “Yes”, then additional separate applications and attachments may be required for a complete review of the proposed site.

Aiken Co. Code Sec. 24-7.2, Requires site designs to preserve, to the extent consistent with the reasonable utilization of the site, the specific areas and resources listed below. Are any of the resources found on any portion of the project site?

- Wetlands as defined in Sec. 404, Federal Water Pollution Control Act Amendments of 1972, as determined by the U.S. Corps of Engineers, and/or as defined by the State of SC. Yes No
- Floodplain areas (see Flood Hazard Overlay, Aiken Co Code Sec. Sec. 24-2.10) Yes No
- Habitats of endangered wildlife, as identified on federal and state lists. Yes No
- Historically or archaeologically significant structures and sites. Yes No

If “Yes” to any of the resources listed above, attach any assessments identifying the resource and the boundaries/extent of the resource, a detailed plan for protecting the resource or mitigating adverse impacts from the proposed project, and any required permits from the authority with jurisdiction over the resource.

Attachments/Submissions

Application shall include the following additional items (check box for each attached item):

- Functional Performance Standards Review and Compliance Certification (Aiken Co. Code, Sec. 24-3.3) – **required for all applications**
- Property Owner Permission Affidavit – required if applicant is entity other than current property owner
- Restrictive Covenants Affirmation – **required for all applications**
- Storm Water Management Permit Application (Less than One Acre of Disturbance) – required for all projects exempt from full storm water NOI
- Floodplain Development Permit Application - required if any portion of the subject property is located in a Flood Zone A, AE, or X (shaded) zone as defined by the latest FIRM for Aiken County.
- Commercial/Non-Residential Site Plan - **submit six (6) copies**
- Commercial/Non-Residential Site Plan Checklist
- SCDES - Notice of Intent (NOI)
- Storm Water Management Calculations & Erosion Control Plan (C-SWPPP) – **submit three (3) copies**
- Traffic Impact Analysis Study – may be required; see Aiken Co. Code, Sec. 24-10.10.7 for guidance.
- SCDOT Encroachment Permit - required for driveways connecting to state maintained roads.
- CAD file of the basic site plan (excluding drainage, erosion control, etc.) in DWG format

Digital Submissions – Applications and attachments may be submitted through the Aiken County Development Services Online Portal available at www.aikencountysc.gov. If submitting electronically, the paper copies delivered to Aiken County Planning and Development may be reduced to four (4) site plans and two (2) C-SWPPP.

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Additional Information

Attach any additional information or narrative regarding the site or proposed use that may assist County staff reviewing this application. Additional Information or Narrative attached? Yes No.

Applicant Signature and Authorization

Under penalty 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.

Signature Date

I, the undersigned authority, a Notary Public in and for _____ County in _____ (state), hereby certify that _____, whose name is signed to the foregoing application, and who is known to me, acknowledged the same before me on this the _____ day of _____, 20 ____

My commission expires _____

For Departmental Use

Date Received:	Time Received:	Received By:
Complete Application <input type="checkbox"/> Yes <input type="checkbox"/> No Complete Attachments/Submissions <input type="checkbox"/> Yes <input type="checkbox"/> No		
Notes:		



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Manufacturing, Commercial, and Other Nonresidential Uses Functional Performance Standards

Aiken County Code of Ordinances, Section 24-3.3 details the performance standards listed herein. The standards are designed to ensure that all permitted or conditionally permitted manufacturing, commercial, and other nonresidential uses listed in **Aiken County Code, Section 24-2.6, Table 1, Permitted Uses**, produce no injurious or obnoxious elements affecting areas beyond the property boundary of the permitted use.

Indicate whether the following performance standards apply to the proposed use/development by checking "Applicable" or "Not Applicable" for each standard. This form and certification are **required** for all permitted or conditionally permitted manufacturing, commercial, and other nonresidential uses. Where the applicant is unable, or potentially unable, to meet any one of the listed performance criteria, the applicant shall mitigate to the satisfaction of the Planning and Development Director any potential adverse impacts of such operation and/or request a variance before the board of appeals, in accordance with the provisions of Chapter 24, Article 10, Aiken County Code.

For each standard checked as Applicable, attach a detailed description of how the applicant shall mitigate the potentially injurious or obnoxious elements and achieve the established performance standard. Attachments shall include any/all reports or product details necessary to detail the mitigation activities.

(1) Use Produces Vibration That Exceed the Minimum Levels: **Applicable** **Not Applicable**

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) Use Produces Fire, or Involves the Use of Explosives: **Applicable** **Not Applicable**

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) Use Produces Noise That Exceed the Minimum Levels: **Applicable** **Not Applicable**

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 following values 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) Use Produces Air Pollution Requiring SC DES Permit: **Applicable** **Not Applicable**

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 Environmental Services.

(5) Use Produces Odor That Exceed the Minimum Levels: **Applicable** **Not Applicable**

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) Use Produces Glare That Exceed the Minimum Standard: **Applicable** **Not Applicable**

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) Use Produces Fumes and Vapors That Exceed the Minimum Standard: **Applicable** **Not Applicable**

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) Use Produces Heat, Cold, or Impacts the Dampness or Movement of Air Above the Minimum Standard:

Applicable **Not Applicable**

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) Use Produces or Utilize Toxic Material Requiring SC DES Permit: **Applicable** **Not Applicable**

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) Use Incorporates Exterior Illumination That Exceed the Minimum Standard: **Applicable** **Not Applicable**

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.

Compliance Guarantee: The applicant of a permit for any manufacturing, commercial, and other nonresidential uses 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 site, and shall submit with the land development permit application this agreement to maintain any required mitigation or state permits and conform with such standards at all times. Any violation of the signed agreement shall constitute a violation of Aiken County Code of Ordinances, Chapter 24, and shall be treated accordingly. Enforcement of this agreement may be precipitated by complaint from any person allegedly aggravated by failure of the non-residential use to comply with the provisions of this section.

FUNCTIONAL PERFORMANCE STANDARDS COMPLIANCE GUARANTY

This is to acknowledge that I, _____, as

Owner Executive Officer of _____
(Business Name)

have completed 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 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 and Parcel Number)

in compliance with such applicable standards at all times. I also understand that any violation of this Guaranty shall constitute a violation of Section 3.3, and shall be subject any available enforcement actions, unless and until remedied to the satisfaction of Aiken County.

Date

Owner/Executive Officer

Name (printed)

Sworn to me before this _____

day of _____, 20_____

Notary Public of: _____

My Commission expires on: _____



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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, and a copy of the lease agreement must be submitted.

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

_____ to use the property located at:
(Applicant Name)

(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 Signature

Witness Signature



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.”



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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.

Property Owner or Authorized Representative

(Date)

(Print Name)

For Staff Use Only:

Received by: _____

Date: _____



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HOME OCCUPATION SITE PLAN

When submitting a home occupation commercial site plan for review, please submit one (1) copy of the plan as required. In addition, your commercial site plan must include the following:

Tax Parcel Number: _____

Date site plan was drawn: _____

Utility Providers - water: _____

sewer: _____

electric: _____

Gross floor area of the main residential building: _____ sq. ft.

Dedicated gross floor area of the home office: _____ sq. ft.

Please use the diagram below to draw where the dedicated home office space will be. See example.

Example



Area dedicated to home occupation business