

EDGEFIELD COUNTY
LAND MANAGEMENT ORDINANCE
Organization of the Ordinance

Article 1. Adoption, Purpose and Applicability

Chapter 1 provides for the adoption of the Land Management Ordinance, sets out its purpose and intent, describes the lands and development to which the Ordinance applies, shelters approved permits from changes in the regulations, and provides for the continuation of preexisting uses, structures, lots and signs that are not in conformity with the provisions of this Ordinance.

Article 2. Zoning Districts and Land Uses

Chapter 2 defines the zoning districts in the County and identifies the specific uses to which land and structures may be put in the various zoning districts. This Article also identifies specific uses within each zoning district to which restrictions may apply, which are presented in Article 3 of this Ordinance.

Article 3. Special Development Districts

This Chapter sets out the special standards and associated review processes that apply to the design of certain developments and to designated areas in the county. The purpose of Article 5 is to provide mechanisms for the protection and enhancement of special areas or resources within Edgefield County, including designated overlay districts.

Article 4. Restrictions on Particular Uses

Chapter 4 provides land use and development regulations for specific uses that are applicable to sites throughout Edgefield County. Unless otherwise noted, these standards are intended to be applied within all zoning districts where the particular uses are allowed.

Article 5. Environmental Protection

Chapter 5 sets out the minimum requirements and standards for the protection of the natural environment within the County, including restrictions to protect lands and waters from the effects of excessive soil erosion and sedimentation and to prevent the alteration of natural floodplains and stream channels.

Commented [PH1]: These are the "conditional uses" that don't require PC or CC approval; but have additional standards. I don't see any "special use" or "special exception" classifications – closest thing is truck terminals currently require PC approval (in this instance, unsure if this will stay or will be addressed as a use in an Industrial zoning district)....Unsure if they want special use/exception case-by-case consideration by CC for some uses

Commented [PH2]: Uses the County's existing terminology; and will be the home for new overlays, too

Commented [PH3]: These are their "conditional restrictions on specific uses"

Commented [PH4]: This include Dimensional Requirements for each zoning district (in the format of a single table); due to there not being a ton of content on parking, buffers, signs, I thought we could expand here to include those other building/site standards

Article 6. Building and Site Design

Chapter 6 sets out the standards that control the size of lots, the placement and size of buildings and structures on a lot, and the intensity of development on a lot. This Article also addresses additional details of site planning and project design, including off-street parking and loading, buffers and landscaping, and signs.

Article 7. Signs

Chapter 7 creates a general ordinance to regulate the placement and design of sign

Article 8. Project Design and Construction Standards

Chapter 8 sets out the minimum requirements and standards for construction of subdivisions and other land development projects, including general principals of design and layout and requirements for such public facilities as streets and utilities.

Article 9. Procedures and Permits

Chapter 9 describes the process through which a rezoning may be approved on a property, the approval process for construction of subdivisions and other land development projects, and the approval process for other permits required by this Ordinance.

Article 10. Administration and Enforcement

Chapter 10 sets out the structure, procedures and responsibilities of the various administrative officers and boards for administering, amending and enforcing this Ordinance, and set out penalties for violations.

Article 11. Appeals

Chapter 11 describes the process for addressing unusual situations or unique problems that may arise from the strict interpretation or enforcement of this Development Ordinance, including appeals from an administrative decision, and for unique hardships restricting reasonable use of a property.

Article 12. Interpretation and Definitions

Chapter 12 describes how figures, words and phrases used in this Ordinance are to be interpreted and provides a glossary of all definitions specifically used in the text of this Ordinance.

CHAPTER 1 - Adoption, Purpose and Applicability

ARTICLE 1.1. - TITLE AND AUTHORITY.

Sec. 1.1.1. - Short title.

This ordinance, as it may be amended from time to time, shall be formally known and referred to as the "Edgefield County Land Management Ordinance" or, for brevity, "the Land Management Ordinance" or "this Ordinance."

Sec. 1.1.2. - Authority.

The Land Management Ordinance is adopted pursuant to the authority conferred by the General Statutes of South Carolina, 1976 Code of Laws, Title 6, Chapter 29 of the Comprehensive Planning Enabling Act of 1994, as amended.

ARTICLE 1.2. - ADOPTION.

Sec. 1.2.1. - Adoption of the Land Management Ordinance.

Under the authority and for the purposes stated herein, the County Council of Edgefield County does hereby enact as law the chapters, articles, and sections contained in this Ordinance.

Sec. 1.2.2. - Components of the Land Management Ordinance.

This Land Management Ordinance and the Official Zoning Map of the County on file and maintained in the Building and Planning Department shall together constitute the Land Management Ordinance of Edgefield County, South Carolina.

Sec. 1.2.3. - Conflict with other regulations.

1.2.3.1 Where there is conflict between the regulations of this Ordinance and those in any other regulation, the more restrictive regulation shall govern. In addition, this Ordinance shall abrogate any other regulations previously adopted or issued that are in conflict with any of the provisions of this Ordinance relating to the use of buildings or land in conflict with this Ordinance.

1.2.3.2 The Land Management Ordinance shall not annul any easements, covenants or other agreements between parties; provided, however, that whenever this Ordinance imposes a greater restriction upon the use of buildings or land than are imposed by such easements, covenants or agreements, the provisions of the Land Management Ordinance shall control.

1.2.3.3 In no case shall Edgefield County be required to enforce private easements, covenants, or other private agreements or legal relationships, whether they are more restrictive than the requirements of the Land Management Ordinance or they apply a standard that is not addressed in this Ordinance.

1.2.3.4 All ordinances and parts of ordinances of the Edgefield County, South Carolina, heretofore adopted that are in conflict with this Land Management Ordinance, other than ordinances and approving the rezoning of land or special uses, are hereby repealed to the extent of such conflict.

Sec. 1.2.4. - Validity.

Should any chapter, article, section, subsection or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Land Management Ordinance as a whole or any part thereof other than the part so declared to be invalid.

Sec. 1.2.5. - Effective date.

The Land Management Ordinance shall take effect and be in force from and after _____, 2020. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

ARTICLE 1.3. - PURPOSE.

Sec. 1.3.1. - Land Management Ordinance.

The purpose of the Land Management Ordinance is to promote public health, safety, morals, convenience, order, appearance, prosperity, and general welfare of the community in harmony with the adopted Comprehensive Plan for Edgefield County, and is intended:

- 1.3.1.1 To lessen congestion in the streets;
- 1.3.1.2 To secure safety from fire;
- 1.3.1.3 To provide adequate light, air, and open space;
- 1.3.1.4 To prevent the overcrowding of land;
- 1.3.1.5 To avoid undue concentration of population;
- 1.3.1.6 To facilitate the creation of a convenient, attractive and harmonious community;
- 1.3.1.7 To protect and preserve scenic, historic, and ecologically sensitive areas; and
- 1.3.1.8 To facilitate the provision of public services, affordable housing, and disaster evacuation.

Commented [JF1]: Insert State Code in place of this list

Sec. 1.3.2. - Comprehensive Plan.

The Edgefield County Comprehensive Plan is intended for the following purposes, among others:

- 1.3.2.1 To guide and direct growth and development in the county;
- 1.3.2.2 To identify current land uses in order to assist the County in making budgetary, utility and other resource allocations;
- 1.3.2.3 To enable the County to predict future land uses for planning purposes;
- 1.3.2.4 To assist the County in fulfilling its statutory and other legal obligations; and
- 1.3.2.5 To provide a public document that will serve as a means of general information on land use and development for the citizens of Edgefield County and other interested parties.

ARTICLE 1.4. - APPLICABILITY.

Sec. 1.4.1. - Land to which this ordinance applies.

The Land Management Ordinance applies to all lands and the buildings, structures and uses thereon within the unincorporated areas of Edgefield County, South Carolina.

Sec. 1.4.2. - Exemptions.

1.4.2.1 Conditions of approval.

1.4.2.1.1. Nothing herein shall be construed as repealing or modifying the conditions of approval associated with any zoning, special exception, or variance approved prior to the effective date of this Ordinance.

1.4.2.1.2. Conditions of approval shall continue in full force and effect until such time as the property is rezoned or the prior action of the County Council is amended through the applicable rezoning, special exception, or variance process established by this Ordinance.

1.4.2.2 Previously submitted applications.

1.4.2.2.1. Valid and complete applications accepted by the County prior to adoption of the Land Management Ordinance for the use or development of land shall be processed and issued under the applicable County regulations in effect prior to adoption or amendment of this Ordinance; provided, however, the County may refuse an application under the circumstances described in Sec. 1.4.2.2.1.1 and Sec. 1.4.2.2.1.2 below.

1.4.2.2.1.1. The County shall deny an application for a land use that would be allowed under the proposed Land Management Ordinance or amendment pending at the time of application for the permit but that is prohibited under existing regulations.

1.4.2.2.1.2. The County may deny an application for a land use when the use is allowed under existing regulations but is not allowed under the proposed Land Management Ordinance or amendment pending at the time of application for the permit.

1.4.2.2.1.3. As used in Sec. 1.4.2.2.1.1 and Sec. 1.4.2.2.1.2 above, the term "pending" shall mean the County has advertised to the public its intentions to hold public hearings on the proposed Land Management Ordinance or amendment.

1.4.2.3 Previously issued permits.

Nothing herein shall require any change in the plans, construction, size or designated use of any land, building, structure or part thereof for which a building permit was issued prior to the effective date of this Ordinance or amendment thereto if:

1.4.2.3.1. The development activity or building construction authorized by the approval or permit has been commenced prior to the effective date of this Ordinance or the amendment, or will be commenced after such effective date but within 6 months of issuance of the permit; and

1.4.2.3.2. The development activity or building construction continues without interruption (except because of natural disaster) until the development or construction is complete. If the approval or permit associated with a site expires, any further development or construction on that site shall occur only in conformance with the requirements of the Land Management Ordinance in effect on the date of the permit expiration unless the permit is extended by the Building Official upon application by the owner/developer..

1.4.2.4 Recently approved rezonings or special exceptions.

Any property rezoned or approved as a special use within the 6 calendar months preceding adoption or amendment of the Land Management Ordinance, but for which such use is not allowed under this Ordinance, shall nonetheless be allowed to be used for such purpose as previously approved, provided that:

1.4.2.4.1. A building permit authorizing such use is issued within 6 calendar months after the date of adoption or amendment of the Land Management Ordinance; and

1.4.2.4.2. The development activity or building construction continues without interruption (except because of natural disaster) until the development or construction is complete. If the building permit expires, any further development or construction on that site shall occur only in conformance with the requirements of the Land Management Ordinance in effect on the date of the permit expiration unless the permit is extended by the Building Official upon application by the owner/developer.

1.4.2.5 Effect of ordinance on exempt properties.

To the extent that exemption under this Sec. 1.4.2. -results in nonconformity with the provisions of this Ordinance, such properties shall be governed by the requirements of ARTICLE 1.5. - below.

Commented [JF2]: Federal property. State property is required to be consistent with local zoning

ARTICLE 1.5. - NONCONFORMITIES.

Sec. 1.5.1. - Nonconformities, in general.

1.5.1.1 Lawfully nonconforming uses, structures, buildings, lots, and signs are declared by this Land Management Ordinance to be incompatible with land uses, structures, buildings, lots, and signs that conform to the districts in which the nonconformity exists.

1.5.1.2 However, to avoid undue hardship, the lawful use of any such uses, structures, buildings, lots, and signs at the time of the enactment, amendment, or revision of this Ordinance may be continued (grandfathered) even though such use, structure, building, lot, and sign does not conform with the provisions of this Ordinance.

Sec. 1.5.2. - Nonconforming uses.

1.5.2.1 Nonconforming uses; defined.

A nonconforming use is a use or activity that was lawfully established prior to the adoption or amendment of the Land Management Ordinance, but which, by reason of such adoption or amendment, is no longer a use or activity allowed by right or no longer meets or conforms to the requirements of this Ordinance.

1.5.2.2 Modification.

A proposed change or modification to a nonconforming use shall be governed by the following:

1.5.2.3 Change of nonconforming use.

1.5.2.3.1. If a change from one nonconforming use to another is proposed and no structural alterations are involved, the change may be allowed, provided:

1.5.2.3.1.1. Nonconformity of dimensional requirements such as height, density, setbacks, or other requirements such as off-street parking shall not be increased; and

1.5.2.3.1.2. The proposed change will have little discernible impact over the existing nonconforming use.

1.5.2.3.2. Whenever a nonconforming use of land or building has been changed to a more restricted nonconforming use or to a conforming use, such use shall not thereafter be changed back to a less restricted or nonconforming use.

1.5.2.4 Enlargement or expansion of nonconforming use.

Enlargement or expansion of a nonconforming use shall be allowed; provided such enlargement shall meet all applicable setbacks, buffer area and off-street parking requirements, and such enlargement shall not extend to an adjoining property.

1.5.2.5 Discontinuance of nonconforming use.

No building or portion thereof used in whole or in part for a nonconforming use which remains idle or unused for a continuous period of 6 months, whether or not the equipment or fixtures are removed and regardless of any reservation of an intent to resume or an intent not to abandon such use, shall again be used except in conformity with the regulations of the district in which such building or land is located.

Sec. 1.5.3. - Nonconforming structures.

1.5.3.1 Nonconforming structures; defined.

A nonconforming structure is a structure or building whose size, dimensions, location on a property or other features were lawful prior to the adoption or amendment of the Land Management Ordinance, but which, by reason of such adoption or amendment, no longer meets or conforms to one or more such requirements of this Ordinance.

1.5.3.2 Continuance of nonconforming structures.

A nonconforming structure may continue to be occupied and used, except that:

1.5.3.2.1. A nonconforming structure shall not be repaired, rebuilt or altered after damage or destruction of 50% or more of its value, unless the structure is an owner-occupied dwelling.

1.5.3.2.2. A nonconforming structure may be repaired, rebuilt or altered to its original configuration after damage or destruction not exceeding 50% of its value, provided that allowed reconstruction begins within 1 year after the damage or destruction is incurred.

1.5.3.2.3. A nonconforming structure shall not be enlarged or altered in a way that increases its nonconformity, but it may be repaired to the extent necessary to maintain it in a safe and sanitary condition upon order of the Building Official.

1.5.3.2.4. For the purpose of this Section, "value" shall be computed from the amount a building or structure, as applicable, is appraised for tax purposes by Edgefield County.

1.5.3.3 Enlargement or expansion of nonconforming structure.

Enlargement or expansion of a nonconforming structure shall be allowed; provided such enlargement shall meet all applicable setbacks, buffer area and off-street parking requirements, and such enlargement shall not extend to an adjoining property.

1.5.3.4 Hardship replacement.

In the event any home is destroyed by fire or natural disaster, and is rendered uninhabitable, the occupant/owner may replace such destroyed dwelling with a similar type dwelling, irrespective of prevailing district requirements; provided such dwelling shall meet:

1.5.3.4.1. All applicable setback requirements of the district; and

1.5.3.4.2. If the replacement dwelling is a manufactured home, the requirements of Section 24-69.

1.5.3.1 Replacement of nonconforming structure.

Commented [JF3]: Does this still apply?

A building permit for the replacement of a nonconforming building or structure shall be initiated within 6 months of removal or forfeit nonconforming status; existing setbacks shall be considered grandfathered.

Sec. 1.5.4. - Nonconforming lots.

1.5.4.1 Nonconforming lots; defined.

The definitions of certain terms referenced in this Chapter are set forth in Chapter 12 Interpretation and Definitions. ~~A nonconforming lot is a lot of record whose area, frontage, width or other dimensions, or location were lawful prior to the adoption or amendment of the Land Management Ordinance, and which, by reason of such adoption or amendment, no longer meets or exceeds one or more such requirements of the applicable zoning district.~~

Commented [JF4]: Should this be moved to the glossary (See Chapter 12)?

1.5.4.2 Lot of record.

Where the owner of a lot at the time of the adoption or amendment of this Ordinance does not own sufficient land to enable him to conform to the setback requirements of the applicable zoning district, such lot may nonetheless be used as a building site provided applicable setback requirements are not reduced by more than 25%. Setback reductions greater than 25% shall be referred to the Board of Zoning Appeals for consideration.

Sec. 1.5.5. - Nonconforming signs.

See Chapter 7 of this Ordinance.

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CHAPTER 2 - ZONING DISTRICTS AND LAND USES

ARTICLE 2.1. - PURPOSE

This Article defines the zoning districts in the County and identifies the specific uses to which land and structures may be put in the various zoning districts, including certain uses or structures for which special approval is required in order to be allowed. This Article also sets out basic standards that control the size of lots, the placement and size of buildings and structures and the intensity of development on a lot. In addition, this Article identifies specific uses within each basic zoning district to which restrictions may apply, which are presented in Article 4 of this Code.

ARTICLE 2.2. - CONFORMITY WITH ZONING DISTRICT REGULATIONS.

Sec. 2.2.1. - Except for individual nonconformities addressed in Chapter 1 of the Land Management Ordinance, no property shall be used except in accordance with its zoning designation on the Official Zoning Map, conditions of zoning approval for the property, use requirements of this Chapter 2, and all applicable provisions of this Ordinance.

Sec. 2.2.2. - See also Chapter 6 for dimensional requirements by zoning district and Chapter 3 for regulations pertaining to special districts and overlay districts.

ARTICLE 2.3. - ZONING DISTRICTS; ESTABLISHED.

For the purposes of these regulations, the following zoning districts are established for the unincorporated areas of Edgefield County, South Carolina:

Sec. 2.3.1. - Primary Zoning Districts.

- 2.3.1.1 RA – Rural Agricultural
- 2.3.1.2 RC – Rural Conservation
- 2.3.1.3 RE – Rural Estate
- 2.3.1.4 RL – Residential Large Lot
- 2.3.1.5 RS – Residential Suburban
- 2.3.1.6 RV – Residential Village
- 2.3.1.7 LSC – Light Service Commercial
- 2.3.1.8 GSC – General Service Commercial
- 2.3.1.9 LIM – Light Industrial Manufacturing
- 2.3.1.10 GIM – General Industrial Manufacturing

Sec. 2.3.2. - Special Development Zoning Districts.

- 2.3.2.1 PUD – Planned Unit Development
- 2.3.2.2 CRD – Custom Residential Development

Sec. 2.3.3. - Zoning Overlays

- 2.3.3.1 ACP – Airport Compatibility Protection Overlay
- 2.3.3.2 FHP – Flood Hazard Protection Overlay

Commented [JF1]: Pending decision whether to include the term: "District" and if we should include FHP or reference to rules in Chapter 5-Environmental Protection

Commented [JF2]: Assumes we include FHP zoning rather than reference to rules in Chapter 5-Environmental Protection

2.3.3.3 CDP – Corridor and Area Design Protection Overlay

ARTICLE 2.4. - OFFICIAL ZONING MAP.

The boundaries of the zoning districts established by this Chapter are shown on the Official Zoning Map of Edgefield County, South Carolina.

Sec. 2.4.1. - Official Zoning Map Adopted by Reference.

2.4.1.1 The Official Zoning Map is hereby adopted and identified as that map or series of maps and all amendments, certifications, citations, and other matters entered thereon. The Official Zoning Map shall be certified by the Chairperson of the County Council and attested by the Clerk to Council.

Commented [JF3]: Shoeld we specify "overlays" here?

2.4.1.2 A certified copy of the Official Zoning Map shall be kept in the Building and Planning Department, where it shall be available for public inspection.

2.4.1.3 The Official Zoning Map may be amended from time to time pursuant to the provisions of this Ordinance.

Sec. 2.4.2. - Amendments to the Official Zoning Map.

2.4.2.1 No changes of any nature shall be made to the Official Zoning Map except in conformity with amendments to the map approved by the County Council and in conformity with the procedures set forth in the Land Management Ordinance or by adoption of a new Official Zoning Map. Such amendments shall be spread upon the minutes of the County Council and shall be available for public inspection.

2.4.2.2 If, in accordance with the provisions of this Ordinance, amendments to the map are approved which result in changes to the district boundaries on the Official Zoning Map, then the Planning Administrator shall alter or cause to be altered the Official Zoning Map to indicate the amendment, and shall enter in writing upon the face of the map a certification indicating the alterations and citing the date of adoption and the effective date of the ordinance amending the map.

Commented [JF4]: 2.1.1.1A NEW PHYSICAL MAP IS GENERATED UPON REZONINGS; DIGITAL COPY INCLUDES CASE INFO IN ATTRIBUTES TABLE

2.4.2.3 The Official Zoning Map as amended from time to time by the County Council may be kept in an electronic format from which printed copies can be produced.

Sec. 2.4.3. - Boundaries.

Where uncertainty exists as to the boundaries of a district shown on the Official Zoning Map, the following rules shall apply:

2.4.3.1 Boundaries indicated, as approximately following the centerlines of streets, highways, railroad tracks, alleys, or public utility easements shall be construed to follow such centerlines.

2.4.3.2 Boundaries indicated as approximately following platted lot or tract lines shall be construed as following such lines, whether public or private.

2.4.3.3 Boundaries indicated as approximately following political boundaries shall be construed as following such boundaries.

2.4.3.4 Boundaries indicated as approximately following the centerlines of natural barriers such as streams, shall be construed to follow such centerlines.

2.4.3.5 Where a district boundary divides a lot, the zone classification of the greater portion shall prevail throughout the lot.

2.4.3.6 Boundaries indicated as parallel to, or extensions of features indicated in the above paragraphs, shall be determined by the Planning Administrator.

2.4.3.7 The Planning Commission will act to resolve any questions or controversy arising over district lines or where uncertainties continue to exist after the application of the above rules.

ARTICLE 2.5. - ZONING DISTRICTS; PURPOSE.

The following purpose statements present objectives that are intended to advance the broader purpose of this Land Management Ordinance as presented in Chapter 1. In addition, these statements are intended to assist in interpretation of the district standards.

Sec. 2.5.1. - Primary zoning districts.

2.5.1.1 RA – Rural Agricultural.

2.5.1.1.1. The RA District is established to protect, conserve, and encourage the retention of suitable areas for common farm and agricultural practices and similar nonfarm uses, preserve open space, manage soil, water, air, game and other natural resources and amenities, and discourage the creation or continuation of conditions which could detract from the function, operation, and appearance of areas to provide food supplies and to prevent or minimize conflicts between common farm practices and nonfarm uses. This district seeks to sustain and protect the rural environment and the right of property owners to conduct owner-based entrepreneurial and agricultural-related businesses.

2.5.1.2 RC – Rural Conservation.

2.5.1.2.1. The RC District is intended to protect, conserve, and sustain rural areas and resources including agricultural and forested lands; and is intended to preserve a mixed agricultural and residential character; serve as a transition between rural and suburban land; protect rural areas from premature urban encroachment; and maintain a balanced rural-urban environment.

2.5.1.3 RE – Rural Estate.

2.5.1.3.1. The RE District is established to provide for large lot, very low-density single-family detached dwellings; and is intended to serve as a transition between rural and suburban land; and sustain existing rural-community values and environments. The district allows many agricultural uses and is intended to preserve the mixed agricultural and residential character of land while providing a transition between rural and agricultural land and suburban land.

2.5.1.4 RL – Residential Large Lot.

2.5.1.4.1. The RL District is established to provide for large lot, low-density single-family detached dwellings, and is intended to foster, sustain, and protect areas in which the principal use of land is for single-family dwellings and related support uses, and to reserve sufficient undeveloped land to meet future single-family housing demands. This district also is intended to encourage infilling and expansion of "like development" consistent with the character of existing development.

2.5.1.5 RS – Residential Suburban.

2.5.1.5.1. The RS District is established to provide for small lot, medium density single family detached dwellings which are served by publicly owned sanitary sewer systems. Residential uses that are not served by sanitary sewer systems require a sanitary septic system that meets state requirements on the property.

2.5.1.6 RV – Residential Village.

2.5.1.6.1. The RV district is established to provide for small lot, high density single family detached or attached (duplex and triplex) dwellings which are served by publicly owned sanitary sewer systems. **The RV district may also allow mixed uses.**

Commented [JF5]: THERE IS THE POTENTIAL FOR MIXED USE HERE, KEVIN TO GET LANGUAGE ON THIS AND OTHERS

2.5.1.7 LSC – Light Service Commercial.

2.5.1.7.1. The LSC district is established to provide for limited retail services, convenience goods, and personal services to satisfy the common and frequent needs of surrounding residential neighborhoods. Goods and services normally available in this district are of the “convenience variety.” The size of this district should relate to surrounding residential markets and the location should be at or near major intersections, in proximity to and/or on the periphery of residential areas, existing or proposed. Exterior storage facilities are not allowed in this district as a primary use.

2.5.1.8 GSC – General Service Commercial.

2.5.1.8.1. The purpose of the GSD District is to provide for a wide variety of retail and service uses to satisfy the common and frequent needs of residents in large sections of the county. Exterior storage facilities will be allowed in this district as conditionally approved.

2.5.1.9 LIM – Light Industrial Manufacturing.

2.5.1.9.1. The LIM District is established to provide for light industrial uses such as assembling, wholesaling, warehousing and commercial services. This district shall not allow industries which may create injurious noise, smoke, gas fumes, odor, dust, or fire hazard or that produce, store or handle hazardous waste. Exterior storage facilities will be allowed in this district as conditionally approved.

2.5.1.10 GIM – General Industrial Manufacturing.

2.5.1.10.1. The GIM District is established to protect and accommodate wholesaling, distribution, warehousing, processing, manufacturing, office and related business uses on individual lots and in business park settings. This district also is intended to protect for future development land with industrial potential. The GIM District shall not allow industries which may create injurious noise, smoke, gas fumes, odor, dust, or fire hazard or that produce, store or handle hazardous waste unless a special exception permit has been granted by Edgefield County in accordance with this ordinance. Exterior storage facilities will be allowed in this district.

Sec. 2.5.2. - Special Development Zoning Districts.

2.5.2.1 PUD – Planned Unit Development.

2.5.2.1.1. The PUD District is established to encourage flexibility in the development of land to promote appropriate uses and do so in a manner that will enhance public health, safety, morals, and general welfare, and to allow residential, commercial, industrial, or institutional uses, or certain combinations thereof, to be developed as a unit. The unified planning and development regulations within the PUD are intended to accomplish the purpose of zoning and other applicable regulations to an equal or higher degree than where regulations are designed to control unscheduled development on individual lots or tracts, and to promote economical and efficient land use, provide an improved level of amenities, foster a harmonious variety of uses, encourage creative design, and produce an enhanced environment.

2.5.2.2 CRD – Custom Residential Development.

2.5.2.2.1. The CRD District is established to provide for a variety of planned residential uses including single family detached, single family attached, triplexes, quadrplexes and multi-family dwellings (apartments) with four or more units which are served by a DHEC approved

sanitary sewer systems. Limited institutional or commercial uses are permissible within the principal building.

Sec. 2.5.3. - Zoning Overlays.

2.5.3.1 ACP – Airport Compatibility Protection Overlay.

2.5.3.1.1. The purpose of the ACP Overlay is to protect the dual interests of airports and neighboring land uses, and to:

- a. Protect and promote the general health, safety, economy, and welfare of airport environs;
- b. Prevent the impairment and promote the utility and safety of airports;
- c. Promote land use compatibility between airports and surrounding development;
- d. Protect the character and stability of existing land uses; and
- e. Enhance environmental conditions in areas affected by airports and airport operations.

2.5.3.2 FHP – Flood Hazard Protection Overlay.

2.5.3.2.1. The purpose of the FHP Overlay is to protect human life and health; minimize property damage; encourage appropriate construction practices; and minimize public and private losses due to flood conditions by requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction.

2.5.3.2.2. Additionally, the FHP Overlay is intended to help maintain a stable tax base by providing for the sound use and development of flood-prone areas and to ensure that potential home buyers are notified that property is in a flood area. The provisions of this district are intended to minimize damage to public facilities and utilities such as water and gas mains, electric, telephone, and sewer lines, street and bridges located in the floodplain, and prolonged business interruptions; and to minimize expenditures of public money for costly flood control projects and rescue and relief efforts associated with flooding.

2.5.3.3 CDP – Highway Corridor and Area Design Protection Overlay.

2.5.3.3.1. The purpose of the CDP Overlay District is to protect residents, enhance the appearance of developments, and improve the traffic and circulation in areas adjacent to the primary highway corridors in the unincorporated areas and along the main entrance roads into the municipalities of Edgefield County by identifying additional requirements for design and development. The requirements of the overlay zoning district are considered additional to the requirements of the underlying zoning district and are to be considered cumulative.

ARTICLE 2.6. - USES ALLOWED IN EACH ZONING DISTRICT.

Sec. 2.6.1. - Primary zoning districts.

2.6.1.1 See Table 2-1 of this Chapter for allowed Principal Uses and restrictions that apply to particular uses:

Sec. 2.6.2. - Special Development Zoning Districts.

2.6.2.1 Allowed uses are established through rezoning and an approved general development plan.

2.6.2.2 See Chapter 3 regarding the general development plan and allowed uses.

Commented [JF6]: Pending determination by County staff to retain or drop the Flood Hazard Protection district pending internal discussions.

Commented [JF7]: My understanding at tis time is that the creation and allowed uses in a PUD or a PRD through a general development plan are defined in Chapter 3. However the restrictions created by the planned development are specified in Chapter 4.

2.6.2.3 See Chapter 4 for information regarding allowed and restricted uses in a planned development zoning district.

Sec. 2.6.3. - Zoning Overlays.

2.6.3.1 Zoning overlays provide additional requirements or restrictions on the portions of the zoning districts over which they are established. These additional requirements or restrictions generally address design and development but may identify uses that are incompatible with an overlay district.

2.6.3.2 See Chapter 3 for details regarding allowed uses.

ARTICLE 2.7. - PRINCIPAL USE TABLE.

Uses allowed in the basic zoning categories are identified on a Principal Use Table. Uses within the special development districts or affected by the overlays are discussed in Chapter 3. The following Table 2-1 lists the principal uses allowed in each basic zoning district, as described herein:

Sec. 2.7.1. - "A" Allowed Use.

2.7.1.1 An "A" means that the principal use is allowed in the zoning district without any qualifications, except wherever such qualifications may be indicated in this Land Management Ordinance. Such indication will also be noted in the righthand column of the table of uses.

Sec. 2.7.2. - "C" Conditional Use.

2.7.2.1 A "C" means that the principal use is conditionally allowed, subject to meeting applicable requirements that are stated in this Land Management Ordinance. These requirements will be noted in the righthand column of the table of uses.

Sec. 2.7.3. - "S" Special Exception.

2.7.3.1 An "S" means that the principal use is allowed only by approval as a special exception. A listed special exception is one which may be granted by the Board of Zoning Appeals only when certain conditions are met in accordance with the special exception process described in Chapter 9 of this Ordinance. Additional restrictions may also apply, as noted in the righthand column of the table of uses.

Sec. 2.7.4. - Prohibited uses.

Any principal use not shown on the following on Table 2-1 as allowed in a zoning district, whether by right, conditionally, or with approval as a special exception, is specifically prohibited. A blank space indicates that the use is not allowed in any district and is specifically prohibited.

Sec. 2.7.5. - Interpretation of uses.

Some degree of interpretation will occasionally be required. It is not possible to list each and every variation or name of a given use.

2.7.5.1 In addition to other generally accepted references and resources, the North American Industrial Classification System (NAICS), published by the U.S. Department of Commerce (current available edition), may be referred to in order to interpret the definition of uses listed on Table 2.1 and to identify similar uses that may be allowed along with each listed use. The NAICS classification number is shown on the tables for each applicable use for reference and interpretation only; the NAICS is not adopted as part of this Ordinance.

2.7.5.2 In all cases of uncertainty, the determination of whether or not a particular use is allowed in a particular zoning district shall reflect the purpose of the zoning district as stated

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in this Chapter, both the common and dictionary definitions of the use, and the array of listed uses that are allowed in the district as to their character and intensity, as determined by the Planning Administrator.

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Table 2-1 Principal Use Table

NOTE: An "*" in the far righthand column indicates that this use will have specific application, design, review, and or approval requirements. This may be done via a specific section of the ordinance, or in the land development section of the ordinance listing additional requirements and noting on the use table which additional requirements are required for this particular use.

NOTE: A "C" in the far righthand column identifies conditional use requirements to be addressed.

NOTE: An "AA" in the far righthand column indicates that this use should be administratively approved by staff, rather than by the Planning Commission or BZA. If not denoted as "S", "AA" or "NA" (see below) then the Planning Commission is the approving entity.

NOTE: An "NA" in the far righthand column indicates that this as a use that would not need to receive approval by any staff, Planning Commission, or BZA. "NA" is overruled by an "S" for some uses in specific zoning districts.

NAICS Ref.	Principal Uses ↓	Zoning Districts →	RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	NOTE
<i>A = Allowed</i>			<i>S = Allowed if Approved as a Special Exception</i>				<i>C = Allowed if Conditional Use Requirements are Met</i>				<i>Blank = Prohibited</i>		
AGRICULTURAL USES			RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
111	Crop Production, including Greenhouses, Nurseries (non-retail), and Floriculture Production		A	A	A	A			A	A	A		AA
112111	Beef Cattle Ranching and Farming		A	A	A	S							NA
112112	Cattle Feedlots, not including Concentrated Animal Feeding Operations (CAFOs)		A	A	A								NA
112112	Cattle CAFO		S								S		
112120	Dairy Cattle and Milk Production		A	A	A	S							NA
112130	Dual-Purpose Cattle Ranching and Farming		A	A	A	S							NA
1122	Hog and Pig Farming, not including Feedlots or CAFOs		A	A	A	S							NA
1122	Hog Feedlots, not including CAFOs		S	A	A								
1122	Hog CAFOs		S								S		
1123	Poultry and Egg Production, not including CAFOs		A	A	A	S							NA
1123	Poultry CAFOs		S								S		
1124	Sheep and Goat Farming, not including CAFOs		A	A	A	S							NA

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NAICS Ref.	Principal Uses ↓	Zoning Districts →	RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	NOTE
<i>A = Allowed S = Allowed if Approved as a Special Exception C = Allowed if Conditional Use Requirements are Met Blank = Prohibited</i>													
1124	Lamb CAFOs		S								S		
1125	Aquaculture		A	A	A	S							NA
112910	Apiculture		A	A	A	S							NA
112920	Horses and Other Equine Production		A	A	A	S							NA
112930	Fur-Bearing Animal and Rabbit Production		A	A	A	S							NA
1131	Timber Tract Operations		A	A	A	A	A	A	A	A	A	A	NA
1132	Forest Nurseries and Gathering of Forest Products		A	A	A	A	A			A	A		NA
1133	Logging		A	A	A	A	A	A	A	A	A	A	NA
114	Fishing, Hunting and Trapping		A	A	A	A	A	A	A	A	A	A	NA
114210	Hunting Preserve		A	A	A								NA
713990	Fee Fishing		A	A	A								
713990	Riding Stables		A	A	A	S							
721214	Hunting or Fishing Camp, with accommodations		A	A	A								
RESIDENTIAL USES			RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
Dwellings			RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
	Single-Family Detached: Site-Built or Modular Home, excluding Patio and Zero Lot Line Homes		A	A	A	A	A	A					AA
	Single-Family Detached: Patio and Zero Lot Line Homes							A					AA
	Single-Family Detached: Residential Designed Manufactured Home ¹		A	A	A	A	A						AA
	Single-Family Detached: Standard Designed Manufactured Home ²		A	A	A								AA
	Two-Family Dwelling: Duplex		C					A					C= acreage per unit AA
	Three-Family Dwelling: Triplex							A					?

¹ To be specified in definitions: Tongue removed, brick or block underpinning, and permanently placed steps and landings.

² To be specified in definitions: Mobile home as approved by HUD.

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NAICS Ref.	Principal Uses ↓	Zoning Districts →	RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	NOTE
<i>A = Allowed S = Allowed if Approved as a Special Exception C = Allowed if Conditional Use Requirements are Met Blank = Prohibited</i>													
	Four-Family Dwelling: Quadruplex							A					?
	Townhouses							A					*
	Multi-Family Dwelling: Apartments							A	A	A			*
	Manufactured Home Park		A	A	A								*
	Manufactured Home Subdivision												
	Apartment Units in Mixed-Use Building							A	A	A			*
721310	Boarding House and Rooming House		A						A		A		*
721310	Dormitories and Residence Halls		A					A	A		A		*
623	Residential Care and Nursing Facilities		RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
623110	Hospice, Inpatient Facility		A	A	A			A	A				*
623110	Nursing Home		A					A	A				*
623210	Residential Treatment Facilities		A					A	A				*
623311	Continuing Care Retirement Community		A	A	A	A	A	A					*
623990	Community Residential Care Facility / Assisted Living Facility		A					A					*
623990	Group Home, fewer than 10 children		A	A	A	A	A	A	A				AA
623990	Child Caring Institution, 10 or more children							A	A				*
	INSTITUTIONAL USES		RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
611	Academic Schools		RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
611110	Private Schools: Elementary, Middle, and High Schools		S	S	S	S	S	S	S	S			
611210	Private Schools: Junior Colleges		S	S	S	S	S	S	S	S			
611310	Private Schools: Colleges and Universities		S	S	S	S	S	S	S	S			
62	Outpatient Medical Care and Hospitals		RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
6214	Clinics, including Urgent Care Facilities		C					A	A	A			* C= Size
622	Hospitals		C						A	A			* C= Size
624	Social Assistance		RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	

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NAICS Ref.	Principal Uses ↓	Zoning Districts →	RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	NOTE
<i>A = Allowed S = Allowed if Approved as a Special Exception C = Allowed if Conditional Use Requirements are Met Blank = Prohibited</i>													
6241	Individual and Family Services, <i>non-residential</i> (Child and Youth Services, Services for the Elderly and Persons and Disabilities, and Counseling Services for Individuals and Families), excluding Day Care Center for Adults		A						A				
624210	Food Banks and Meal Delivery Programs		A						A	A			
62422	Community Housing Services: Construction or Repair of Low-cost Housing		A						A	A			
62423	Emergency or Relief Shelters		A						A	A	A	A	AA
624310	Job Counseling and Job Training Services		A						A	A	A		
624	Child Day Care		RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
624410	Child Care Center, 13 or more children		A					A	A	A			*
624410	Group Child Care Home, 7 to 12 children		A					A	A				*
623310	Family Child Care Home, up to 6 children		A	A	A	A	A	A					AA
81	Religious Facilities		RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
8131	Churches and Other Facilities for Religious Organizations Worship		A	A	C	C	C	C	A	A			C= size
812220	Cemeteries and Mausoleums (human or pet)		A	A	A								*
812220	Crematory (not combined with a Funeral Home)		A						A				*
813	Civic, Professional, & Similar Organizations		RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
8132	Grantmaking and Giving Services, including Charitable Organization Offices								A	A			
8133	Social Advocacy Organizations								A	A			
8134	Clubs: Fraternal Lodges, Veterans Membership Organizations, and Other Private Civic and Social Organizations		A	A	A			A	A				*
8139	Business, Professional, Labor, Political and Similar Organizations								A	A			
922	Correctional Institutions		RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
922140	Private Correctional Facility/Prison		S								S		
	RETAIL TRADE		RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
441	Motor Vehicle and Parts Dealers		RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
441110	New Car Dealers (for automobiles and light trucks)									A			

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NAICS Ref.	Principal Uses ↓	Zoning Districts →	RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	NOTE
A = Allowed S = Allowed if Approved as a Special Exception C = Allowed if Conditional Use Requirements are Met Blank = Prohibited													
441110	Auto Broker (no vehicles stored or for sale on site)								A	A			
441120	Used Car Dealers (for automobiles and light trucks)									A			
441210	RV (Recreational Vehicle) Dealers									A			*
441222	Boat Dealers									A			*
441228	Motorcycle, ATV, and All Other Motor Vehicle Dealers (excludes medium- and heavy-duty trucks, buses and other motor vehicles; see under Manufacturing, Wholesaling and Warehousing: NAICS Ref. 423110, Automobile and Other Motor Vehicle Merchant Wholesalers)									A			*
441310	Automotive Parts and Accessories Stores								A	A			
441320	Tire Dealers									A			
442	Furniture and Home Furnishings Stores		RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
442	Furniture and Home Furnishing Stores, except Wood or Ceramic Tile Flooring Stores & Antique and Used Furniture Stores; see under NAICS Ref. 444									A			
443	Electronics and Appliance Stores		RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
44314	Household Appliance Stores									A			Combine
443142	Cellular Telephone Accessories Stores (accessories only; no phone sales)												
51731	Retailing New Cellular Phone Telephones and Communication Service Plans (with or without repair) services								A	A			
443142	Music Stores (e.g. new records and compact discs)								A	A			
443142	Electronics Stores									A			
444	Building Material and Garden Equipment and Supplies Dealers		RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
444110	Home Centers									A			
444120	Paint and Wallpaper Stores									A			
444130	Hardware Stores		A						A	A			
444190	Wood or Ceramic Tile Flooring Stores								A	A			
444190	Plumbing Supply Stores								A	A			
444190	Lumber Yards, retail		A							A			

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NAICS Ref.	Principal Uses ↓	Zoning Districts →	RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	NOTE
<i>A = Allowed S = Allowed if Approved as a Special Exception C = Allowed if Conditional Use Requirements are Met Blank = Prohibited</i>													
444210	Outdoor Power Equipment Stores		A							A			
444220	Plant Nurseries and Garden Centers		A							A			
444220	Farm Supply Store (e.g. Feed and Seed Store)		A							A			
445	Food and Beverage Stores		RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
445110	Supermarkets and Other Grocery (except Convenience) Stores									A			
445230	Farmers Market, Permanent		A	A	S				A	A			
4452	Specialty Food Stores, not for immediate consumption and not made on the premises (including Vegetable and Fruit Markets, Meat Markets, Fish and Seafood Markets, Confectionary and Nut Stores, and Miscellaneous Specialty Foods)		S					A	A	A			
445310	Beer, Wine and Liquor Stores		S					A	A	A			
311811	Retail Bakeries		S					A	A	A			
	<i>For Convenience Stores, see under Gas Stations</i>												
446	Health and Personal Care Stores		RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
446110	Pharmacies and Drug Stores							A	A	A			
446120	Cosmetics, Beauty Supplies and Perfume Stores							A	A	A			
446130	Optical Goods Stores							A	A	A			
446191	Food (Health) Supplement Stores								A	A			
446199	All Other Health and Personal Care Stores (such as hearing aids and convalescent supplies)								A	A			
447	Gas Stations		RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
447110	Gasoline Stations with Convenience Stores (no repair or service of vehicles on site and no display of cars for sale)		A						S	A			<i>Combine</i>
447110	Gasoline Stations with Convenience Stores (with light repair or service of vehicles on site; no display of cars for sale)		A							A			
447190	Gasoline Station without Convenience Stores (no repair or service of vehicles on site or display of cars for sale)		A							A			
447190	Gasoline Station without Convenience Stores (with light repair and service of vehicles on site; no display of cars for sale)		A							A			

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NAICS Ref.	Principal Uses ↓	Zoning Districts →	RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	NOTE
<i>A = Allowed S = Allowed if Approved as a Special Exception C = Allowed if Conditional Use Requirements are Met Blank = Prohibited</i>													
447190	Truck Stops		A							A			*
448	Clothing and Clothing Accessories Stores <i>(for used merchandise stores, see under NAICS Ref. 453)</i>		RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
4481	Clothing Stores							A	A	A			
448310	Jewelry Stores							A	A	A			*
448320	Luggage and Leather Goods Stores							A	A	A			
451	Sports, Hobby, Music Instrument & Book Stores <i>(for used merchandise stores, see under NAICS Ref. 453)</i>		RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
451110	Sporting Goods Stores		C	C	C				C	A			C= size
451120	Hobby, Toy, and Game Stores		C	C	C			C	C	A			C= size
451130	Sewing, Needlework and Piece Goods Stores		C	C	C			C	A	A			C= size
451140	Musical Instrument and Supply Stores		C	C	C			C	A	A			C= size
451211	Book Stores		C					C	A	A			C= size
452	General Merchandise Stores <i>(for used merchandise stores, see under NAICS Ref. 453)</i>		RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
452210	Department Stores									A			
452311	Warehouse Clubs and Supercenters									A	A		
452319	Dollar Store		A						A	A			
453	Miscellaneous Store Retailers		RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
453110	Florists		A	A	A			A	A	A			
453210	Office Supplies and Stationary Stores								C	A	A		C= size
453220	Gift, Novelty, and Souvenir Stores		A	A	A			A	A	A			
453310	Used Merchandise Stores (including Antiques, Used Books, Second-Hand Clothing, and Thrift Shops), not including Pawnshops and Flea Markets		A	S	S			A	A	A			
453310	Flea Market, Indoor		A							A			
453310	Pawnshops								A	A			*
453910	Pet and Pet Supply Stores									A			*

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NAICS Ref.	Principal Uses ↓	Zoning Districts →	RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	NOTE
A = Allowed S = Allowed if Approved as a Special Exception C = Allowed if Conditional Use Requirements are Met Blank = Prohibited													
453920	Art Dealers (includes commercial studios and galleries); see also under Manufacturing, Artisan for Artisans and Craftsmen		A	S	S			A	A	A			
453930	Manufactured Home Dealers									A			
453991	Cigar and Tobacco Shops (excludes lounges; see under Arts, Entertainment and Recreation: NAICS Ref. 713990)		A					A	A	A			
453998	Art Supply Stores								C	A			C= size
453998	Swimming Pool and Pool Supply Stores									A			
453998	Auction House		A						C	A	A		C= size *
454	Nonstore Retailers (excluding portable stalls and mobile vendors)		RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
454110	Electronic Shopping and Mail Order Houses								A	A			?
454210	Vending Machine Operators								A	A	A	A	
454310	Fuel Dealers									A	A	A	
454390	Other Direct Selling Establishments (except food for immediate consumption and fuel)								A	A			
	COMMERCIAL SERVICES		RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
236	Building Construction Services		RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
2361	Residential Construction & Remodeling Contractors, Builders and Developers, office only		A						A	A	A		Combine 1
2361	Residential Construction & Remodeling Contractors, Builders and Developers, with outdoor storage		A							A	A		Combine 2
2362	Non-Residential Construction Contractors, Builders and Developers, office only		A						A	A	A		Combine 1
2362	Non-Residential Construction & Remodeling Contractors, Builders and Developers, with outdoor storage		A							A	A		Combine 2
238	Building Services: Specialty Trade Contractors		RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
238	Specialty Trade Contractors (including: Foundation, Structure, and Building Exterior Contractors; Building Equipment Contractors; and, Building Finishing Contractors)		A							A	A		
52	Financial and Insurance Services		RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	

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NAICS Ref.	Principal Uses ↓	Zoning Districts →	RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	NOTE
<i>A = Allowed S = Allowed if Approved as a Special Exception C = Allowed if Conditional Use Requirements are Met Blank = Prohibited</i>													
5221	Banks, Credit Unions and Savings Institutions							C	C	A			C= no drive throughs *
522291	Consumer Lending Services							C	A	A			^same *
522390	Check Cashing Services							C	A	A			^same *
5242	Insurance Agencies, Brokerages, Actuarial Services, and Claims Adjusting							C	A	A			^same *
532	Rental and Leasing Services		RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
531120	Conference and Training Center							A	A	A	A	A	
531120	Assembly / Banquet Hall or Event Center, no onsite catering		S	S	S	S	S	S	A	A			
722320	Assembly / Banquet Hall or Event Center, with onsite catering		S	S	s	S	S	S	A	A			
531130	Self-Storage, Mini Warehouses		A								A		*
532111	Passenger Car Rental									A			
532120	Truck, Utility Trailer, and RV Rental and Leasing		A							A			*
532210	Consumer Electronics and Appliances Rental									A			
532281	Formal Wear and Costume Rental								A	A			
532283	Home Health Equipment Rental									A			
532284	Recreational Goods Rental		A							A			
532289	Furniture Rental Center									A			
532289	Party Rental Supply Centers									A			
532310	General Rental Centers									A			
532411	Construction Equipment Rental and Leasing		A							A	A		*
532420	Office Equipment and Machinery Rental and Leasing									A	A		
532490	Farm Implement Rental		A							A	A		*
5613	Employment Support Services		RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
56131	Employment Placement Agencies & Executive Search Services								A	A	A		

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NAICS Ref.	Principal Uses ↓	Zoning Districts →	RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	NOTE
<i>A = Allowed S = Allowed if Approved as a Special Exception C = Allowed if Conditional Use Requirements are Met Blank = Prohibited</i>													
561320	Temporary Help Services								A	A	A		
561330	Professional Employer Organizations								A	A	A		
5614	Business Support Services		RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
561410	Document Preparation Services								A	A			
56142	Telephone Call Centers (including Telephone Answering Services and Telemarketing Bureaus)									A	A		*
56143	Business Service Centers (including Copy Shops)								A	A	A		
561440	Collection Agencies									A	A		
561450	Credit Bureaus								A	A			
561491	Repossession Services									A	A		*
561492	Court Reporting and Stenotype Services								A	A			
	Other Business Support Services		RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
561910	Packaging and Labeling Services								A	A	A		
561110	Office Administrative Services							A	A	A	A	A	
541380	Testing Laboratories (includes physical, chemical, and other analytical testing; excludes medical and veterinary testing)		S								A	A	*
5418	Advertising Agencies and Public Relations Agencies							A	A	A			
541910	Marketing Research and Public Opinion Polling							A	A	A			
541922	Commercial Photography		A	S	S			C	A	A			C= size
541930	Translation and Interpretation Services							A	A	A			
5615	Travel Services		RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
561510	Travel Agencies							A	A	A			
561520	Tour Operators		A	A	A			A	A	A			
561591	Convention and Visitors Bureaus								A	A			
5616	Investigation and Security Services		RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
56161	Investigation, Guard, and Armored Car Services									A	A		
561621	Security System Services									A			
561622	Locksmiths		A	A	A			A	A	A			

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NAICS Ref.	Principal Uses ↓	Zoning Districts →	RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	NOTE
<i>A = Allowed S = Allowed if Approved as a Special Exception C = Allowed if Conditional Use Requirements are Met Blank = Prohibited</i>													
5617	Services to Buildings and Dwellings		RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
561710	Exterminating and Pest Control Services		A						A	A	A		
561720	Janitorial Services								A	A	A		
561730	Landscaping and Lawn Services		A	A	A				A	A	A		
561740	Carpet and Upholstery Cleaning Services								A	A	A		
6114	Job Training: Business Schools and Computer and Management Training		RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
611410	Business and Secretarial Schools		S	S	S	S	S	S	S	S			
611420	Computer Training		S	S	S	S	S	S	S	S			
611430	Professional and Management Development Training		S	S	S	S	S	S	S	S			
6115	Job Training: Technical and Trade Schools		RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
611511	Cosmetology and Barber Schools		S					A	A	A			
611512	Flight Training		S	S	S	S	S	S	S	S	A	A	
611513	Apprenticeship Training		S						A	A	A	A	
611519	Truck and Bus Driving Instruction		S							A	A		
611519	Other Technical and Trade Schools (Bartending Schools, Modeling Schools, Broadcasting Schools, Real Estate Schools, and Computer Repair Training)		S	S	S	S	S	S	S	S			
6116	Other Non-Academic Schools & Instruction		RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
611610	Fine Arts Schools		S	S	S	S	S	S	S	S			
611620	Sports and Recreation Instruction		S	S	S	S	S	S	S	S			
611630	Language Schools		S	S	S	S	S	S	S	S			
611691	Exam Preparation and Tutoring		S	S	S	S	S	S	S	S			
611692	Automobile Driving Schools		S	S	S	S	S	S	S	S			
6117	Educational Support Services		RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
6117	Educational Counseling, Testing and Other Non-Instructional Support Services							A	A	A			
721	Accommodation Services (Temporary Lodging)		RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
721110	Hotels		C	C	C			C	C	A			C= size *

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721110	Extended Stay Hotels		C	C	C			C	C	A			C= size *
721110	Motels		C						A	A			*
721191	Bed and Breakfast Inn		A	A	A	A	A	A	A	C			C= existing structure *
722	Food Services and Drinking Places		RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
722320	Catering Services							S	A	A			
722330	Mobile Food Services (permanent facilities, such as Food Truck Courts)							S	A	A			
722511	Restaurants, Full-Service (excluding Brewpubs)		A	A	A			S	A	A			
722511	Brewpubs		A	A	A			S	A	A			
722513	Delicatessens		A	A	A			S	A	A			
722513	Restaurants, Limited-Service, including Fast Food and Take-Out, with drive-through windows									A			
722513	Restaurants, Limited-Service, including Fast Food and Take-Out, without drive-through windows							S	A	A			
722513	Restaurants, Drive-In									A			
722514	Cafeterias, Grill Buffets, and Buffets		A						A	A			
722213	Specialty Snack Shops and Non-Alcoholic Beverage Bars, including Coffee Shops, Donut Shops, Bagel Shops, and Ice Cream Parlors		A	A	A			S	A	A			
7224	Bars, Taverns and Other Drinking Places (Alcoholic Beverages)		A	A	A			S	A	A			*
8111	Automotive Repair & Maintenance Services		RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
811111	General Automotive Repair (includes Automotive Garages)		C							A			C= storage *
811112	Automotive Exhaust System Repair		C							A			C= storage *
811113	Automotive Transmission Repair		C							A			C= storage *
811118	Automotive Brake Repair		C							A			C= storage *

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811121	Automotive Body, Paint, and Interior Repair and Maintenance (includes Window Tinting)		C							A			C= storage *
811122	Automotive Glass Replacement Shops		C							A			C= storage *
811191	Automotive Oil Change and Lubrication Shops		C							A			C= storage *
811192	Car Washes and Detailing Services								A	A			
811198	Automotive Air-Conditioning Repair Shops, Tire Repair (except retreading; see under Manufacturing, Traditional) Shops, and Automotive Rustproofing and Undercoating Shops		C						C	A			C= storage *
8112	Electronic and Precision Equipment Repair and Maintenance Services (repair only; see under Retail Sales for equipment sales with or without repair and additional notes below)		RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
811211	Electronic and Precision Equipment Repair and Maintenance									A	A		
811212	Computer and Office Machine Repair and Maintenance									A	A		
811213	Communication Equipment Repair and Maintenance (excluding cell phone repair; see under Utilities: NAICS Ref. 517312, Wireless Telecommunications Carriers)									A	A		
8113	Commercial and Industrial Machinery and Equipment Repair and Maintenance Services (repair only; no manufacturing on site)		RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
811310	Commercial and Industrial Machinery and Equipment (except Automotive and Electronic) Repair and Maintenance Services										A	A	
8114	Personal and Household Good Repair and Maintenance Services (repair only; no manufacturing on site)		RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
811411	Home and Garden Equipment Repair and Maintenance		A							A	A		
811412	Appliance Repair and Maintenance									A	A		
811420	Reupholstery and Furniture Repair								A	A	A		
811430	Shoe and Leather Goods Repair		A	A	A			S	A	A			

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81149	Boat Repair and Maintenance		A	C	C					A	A		C= size
81149	Motorcycle Repair and Maintenance									A	A		
81149	Other Personal and Household Good Repair and Maintenance: Garments, Watches, Jewelry, Musical Instruments, and Bicycles		A					S	A	A	A		
8121	Personal Care Services		RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
812111	Barber Shops		A	A	A			S	A	A			
812112	Beauty Salons		A	A	A			S	A	A			
812113	Nail Salons		A	A	A			S	A	A			
812191	Diet and Weight Reducing Centers		A	A	A			S	A	A			
812199	Massage Therapy		A	A	A			S	A	A			
812119	Tattoo and Body Piercing Studios							S	A	A			
812119	Tanning Salon							S	A	A			
8123	Drycleaning and Laundry Services		RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
812310	Coin-Operated Laundries and Drycleaners							S	A	A			
812320	Dry-Cleaning and Laundry Services (except Coin-Operated)							C	C	A			C= size
812331	Linen and Uniform Supply									A	A		
812332	Industrial Launderers									A	A	A	
Other Personal Services, Animal Care			RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
541940	Animal Hospitals and Veterinary Clinics		A	A	A				A	A			
812910	Animal Shelters		A	A						A			
812910	Pet Grooming Shops		A	A					A	A			
812910	Pet Boarding		A	A	A				A	A			
812910	Kennels, enclosed		A	A	A				A	A			
812910	Kennels, unenclosed		A	A									
Other Personal Services			RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
315210	Tailors and Dressmakers		A					A	A	A			
541921	Photography Studios, Portrait (including still, video, digital, and passports)		A						A	A			

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81292	Photofinishing Services		A						A	A			
621610	Home Health Care Services, including In-Home Hospice Care and Skilled Nursing Services		A	A	A	C	C	C	A	A			C= residential design
621991	Blood and Organ Banks									A			
812210	Funeral Homes		A						A				
812220	Crematories		A						A				
812990	Bail Bonding or Bondsperson Services		A						A	A			
812990	Dating Services									A			
812990	Wedding Planning Services		A						A	A			
812990	Personal Shopping, Organizer, Fitness Training, and Chef Services		A					S	A	A			
812990	Astrology Services									A			
	PROFESSIONAL & ADMINISTRATIVE OFFICES		RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
51	Publishing Offices (For printing of materials, see under Manufacturing, Wholesaling and Warehousing)		RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
5111	Newspaper, Periodical, Book and Directory Publishers									A	A		
5112	Software Publishers (includes software design and development)									A	A		
512230	Music Publishers									A	A		
519130	Internet Publishing and Broadcasting and Web Search Portals									A	A		
52	Financial Offices		RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
5222	Credit Card Issuing and Sales Financing							S	A	A			
52231	Mortgage and Non-mortgage Loan Brokers							S	A	A			
52232	Financial Transactions Processing, Reserve and Clearinghouse Activities							S	A	A	A		
523	Financial Investments and Related Activities, such as: Portfolio Management and Investment Advice; Securities and Commodity Brokerages; and Trust, Fiduciary, and Custody Activities							S	A	A			
541	Professional Offices		RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	

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531	Real Estate Office		A	A	A	C	C	C	A	A			C= residential design
5411	Lawyers, Notaries and Other Legal Services		A					C	A	A			C= residential design
5412	Accounting, Tax Preparation, Bookkeeping and Payroll Services		A					C	A	A			C= residential design
5413	Architectural, Engineering, Surveying and Related Services (except Testing Laboratories; see under Commercial Services, Other Business Support Services, NAICS Ref. 541380)		A					C	A	A			C= residential design
5414	Interior Design, Graphic Design and other Specialized Design Services		A					C	A	A			C= residential design
5415	Computer Systems Design and Related Services								A	A			
5416	Management, Scientific and Technical Consulting Services, including Executive Search and Management Consulting								A	A			
5417	Scientific Research and Development Services									A	A	A	
541990	Business Incubator								A	A	A		
541990	Coworking Space								A	A	A		
541990	Maker Space								C	A	A		C= size
55	Corporate Management Offices								A	A	A		
621	Medical Offices		RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
6211	Offices of Physicians (including Physicians that are Mental Health Specialists)		A						A	A			
6212	Offices of Dentists		A						A	A			
6213	Offices of Optometrists, Chiropractors, Mental Health Practitioners (not Physicians), Therapists (Physical, Occupational and Speech), Podiatrists and Other Health Specialists		A						A	A			
6215	Medical and Diagnostic Laboratories		A						A	A			

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<i>A = Allowed S = Allowed if Approved as a Special Exception C = Allowed if Conditional Use Requirements are Met Blank = Prohibited</i>													
	ARTS, ENTERTAINMENT & RECREATION		RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
711	Performing Arts and Spectator Sports		RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
711	Agents, Managers, and Promoters (offices only)								A	A			
7111	Performing Arts Theater: Drama, Dance, Music, Comedy (excludes outdoor amphitheatres)		A	A	A			S	A	A			
7111	Outdoor Amphitheater / Music Park		S	S	S			S	S	S			
711212	Racetrack		S	S	S								
711310	Arena, Stadium, or Other Facility for Presenting Sporting Events		S							S			
711310	Fairgrounds		S							S			
711510	Taxidermists		A							A			
712	Museums, Historical Sites, and Similar Institutions		RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
7121	Museums and Commercial Historical Sites, including non-retail Art Galleries		A	A	A	S	S	S	A	A			
712130	Zoological Park		A							A			
712130	Botanical Gardens		A	A	A					C			C= size
713	Amusements and Recreation, Indoor		RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
713110	Amusement and Fun Parks, Indoor		S						S	S			
713120	Arcades and Game Rooms									A			
713940	Fitness Centers, Health Clubs, Gymnasiums, and Recreation Centers (includes Non-Profit facilities, e.g. YMCA)		A	A	A			C	C	A			C= size
713940	Skating Rink									A			
713950	Bowling Centers									A			
713990	Weapons Firing Range or Gun Club, Indoor		A	A	A					A			
713990	Billiard and Pool Halls							S	A	A			
713990	Night Clubs and Private Clubs									A			
713990	Cigar Lounges (with or without retail component)							S	A	A			
713990	Hookah Lounges							S	A	A			
713990	Sexually Oriented Business		S							S			

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713	Amusements and Recreation, Outdoor		RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
713110	Amusement and Theme Parks		S							S			
713110	Bungee Jumping Parks		S							S			
713910	Golf Courses, with or without a Country Club		A	A	A	A	A						
713940	Swimming Pools, Public		A	A	A		A	A	A	A			
713940	Recreational Courts, Public		A	A	A	A	A	A	A	A			
713990	Skateboard Park		A	A	A	S	S	S	A	A			
713990	Tennis Courts		A	A	A	S	S	S	A	A			
713990	Batting Cage Facilities, Outdoor		A	A	A	S				S			
713990	Recreational or Youth Sports Teams Fields		A	A	A	A	A	A	A	A			
713990	Miniature Golf Course		A	A	A					A			
713990	Golf Driving Range, not associated with a Golf Course		A	A	A	S	S			A			
713990	Paintball Competition Courses		A							A			
713990	Recreational Day Camps		A	A	A					A			
713990	Weapons Firing Range or Gun Club, Outdoor		A	A	A								
713990	Dirt Bike and ATV (All-Terrain Vehicle) Track		A							A			
713990	Zipline or Ropes Course		A	A	A					A			
713990	Trampoline Park		A							A			
721	Amusements and Recreation, with Lodging		RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
721211	RV (Recreational Vehicle) Parks		A							A			
721211	Campgrounds (tents and RVs)		A							A			
721214	Lodges and Retreats (with food service)		A							A			
Other Arts, Entertainment and Recreation Uses			RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
512131	Motion Picture Theaters (except Drive-Ins)									A			
512132	Motion Picture Theaters, Drive-In		A										
519120	Libraries		A	A	A			C	A	A			C= size
MANUFACTURING, WHOLESALING & WAREHOUSING			RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	

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	Manufacturing, Artisan (with or without retail sales)		RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
32711	Pottery and Ceramics Artisans/Craftsmen Studios		A	A	A			S	A	A			
32721	Blown Glass Artisans/Craftsmen Studios		A	A	A			S	A	A			
33232	Ornamental and Architectural Metal Work Artists/Craftsmen Studios		A	A	A			S	A	A			
331410	Tinsmith Shop		A	A	A			S	A	A			
337110	Custom Cabinet Shop		A	A	A			S	A	A			
337212	Custom Architectural Woodwork and Millwork Craftsmen Studios		A	A	A			S	A	A			
33991	Jewelry Artisan/Craftsmen Studios		A	A	A			S	A	A			
312	Manufacturing, Alcoholic Beverages (with or without tasting rooms and tours)		RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
312120	Brewery											A	
312120	Microbrewery							S	A	A	A	A	
312130	Winery		A	A				S	A	A	A	A	
312140	Distillery							S	A	A	A	A	
	Manufacturing, Industrial		RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
311	Food Manufacturing, excluding Animal Slaughtering and Processing; and Retail Bakeries (<i>Retail Bakeries are addressed under Retail Trade</i>)											A	
313	Textile Mills											A	
314	Textile Product Mills (such as carpet, rug, curtain and linen mills)											A	
315	Apparel Manufacturing, excluding Tailors and Dressmakers (<i>see under Commercial Services: Other Personal Services</i>)											A	
316	Leather and Allied Product Manufacturing											A	
321	Wood Product Manufacturing and Sawmills		S									A	
322	Paper and Pulp Manufacturing											A	
3231	Books Printing and Related Support Activities, including Book Binding											A	
3231	Commercial Printing, including Screen, Book and Newspaper											A	

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324	Petroleum and Coal Products Manufacturing											A	
325	Basic Chemical Manufacturing											A	
326	Plastics and Rubber Product Manufacturing (includes Tire Retreading)											A	
327	Non-Metallic Mineral Product Manufacturing											A	
331	Primary Metal Manufacturing											A	
332	Fabricated Metal Manufacturing										A	A	
334	Computer and Electronic Product Manufacturing											A	
335	Electrical Equipment, Appliance, and Component Manufacturing										A	A	
336	Transportation Equipment Manufacturing											A	
337	Furniture and Related Products Manufacturing										A	A	
3391	Medical Equipment and Supplies Manufacturing											A	
3399	Miscellaneous Manufacturing: Sporting Goods; Toys and Games; Non-Paper Office Supplies; Musical Instruments, Brooms, Brushes, and Mops; Fasteners, Buttons, Needles, and Pins; Gasket, Packing, and Sealing Devices, and Burial Caskets										A	A	
339950	Sign Manufacturing										A	A	
Wholesale Trade			RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
42	Wholesaler with a Retail Outlet or Customer Showrooms, no Outdoor Storage								A	A	C	C	C= industrial uses
42	Wholesale Trade, no Showrooms or Outdoor Storage								A	A	A	C	^ same
423140	Junk Yard	S										S	
423110	Medium- and Heavy-Duty Trucks, Bus, and Similar Motor Vehicle Dealer									A			
423820	Farm Machinery Sales	A	A							A			
423930	Scrap and Waste Material	S										S	
Warehousing and Storage			RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
493	Distribution Center	S									A	A	
49311	General Warehousing and Indoor Storage	S									A		

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493120	Refrigerated Warehousing (Cold Storage)		S								A	A	
493130	Farm Product Warehousing and Storage		A	A	A						A		
493190	Document Storage and Warehousing		S								A		
493190	Lumber Storage Terminals		A	A							A		
512240	Sound Recording Studios									A			
512110	Motion Picture and Video Production (including sound stages)										A	A	
51219	Motion Picture and Video Postproduction Services										A	A	
562920	Recycling Center, Collection		S									S	
	Warehousing and Storage, Solid Waste		RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
562920	Recycling Center, Processing		S									S	
562111	Transfer Station, Solid Waste		S										
562212	Landfill, Sanitary		S										
562212	Landfill, Construction and Demolition		S										
562	Incinerators		S									S	
	Mining and Quarrying		RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
212	Quarries		S									A	*
212	Surface Mines		S									A	*
212	Underground Mines		S									A	*
	TRANSPORTATION, COMMUNICATIONS & UTILITIES		RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
	Transportation		RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
4811	Airport		A	A	A	A	A	A	A	A	A	A	
4812	Private Airstrip or Heliport		A	A	A					A		A	
4853	Taxi and Limousine Service									A			
485510	Charter Bus Terminal									A			
485991	Special Needs Transportation		A	A						A	A	A	
485999	Shuttle Services, Vanpools and Other Ground Passenger Transportation		A	A						A	A	A	

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488410	Motor Vehicle Towing and Wrecker Services		A							A			
488490	Truck Terminal		A							A	A	A	
488999	Stockyards, Transportation		A									A	
492110	Courier and Express Delivery Services (FedEx, UPS), sorting and forwarding ("UPS Store" would be classified under Commercial Services, NAICS Ref. 56143 Business Service Centers)		A								A	A	
492210	Local Messengers and Local Delivery Services (includes grocery and restaurant meal services, independent of a grocery store or restaurant)		A								A	A	
621910	Ambulance Services		A							A			
812930	Parking Lots		A						C	A	A	A	C= size
812930	Parking Garages		A					C	C	A	A	A	C= size
Communications			RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
5151	Radio and Television Broadcasting Stations		A								A		
5152	Cable and Other Subscription Distribution		A							A			
51731	Wireless Telecommunication Carriers (excluding Retailing New Cellular Phone Telephones and Communication Service Plans; see under Retail Trade)		A							A	A		
5179	Lattice, Guyed and Monopole Towers		A	A	A	A	A	A	A	A	A	A	*
518210	Data Processing, Hosting, and Related Services		A								A	A	
Utilities			RA	RC	RE	RL	RS	RV	LSC	GSC	LIM	GIM	
221114	Solar Farms		A	A	A	A	A	A	A	A	A	A	*

Table 2-2 Accessory and Temporary Use Table

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CHAPTER 3 - SPECIAL DEVELOPMENT DISTRICTS

ARTICLE 3.1. - PURPOSE

This Article sets out the special standards and associated review processes that apply to the design of certain development for designated areas of the county. These standards are intended to provide mechanisms for the protection and enhancement of special areas or resources within Edgefield County, including designated special development districts and overlay districts.

ARTICLE 3.2. - SPECIAL DEVELOPMENT DISTRICTS AND OVERLAYS

For the purposes of the Edgefield County Land Management Ordinance regulations, Chapter 2 sets forth the special development districts and overlays established for the unincorporated areas of Edgefield County, South Carolina. The special development districts include the following special development districts and overlays:

Sec. 3.2.1. - Special Development Districts.

3.2.1.1 PUD – Planned Unit Development

3.2.1.2 CRD – Custom Residential Development

Sec. 3.2.2. - Overlays.

3.2.2.1 ACP – Airport Compatibility Protection Overlay

3.2.2.2 FHP – Flood Hazard Protection Overlay

3.2.2.3 CDP – Corridor and Area Design Protection Overlay

ARTICLE 3.3. - SPECIAL DEVELOPMENT DISTRICT AND OVERLAY CONFORMITY WITH ZONING DISTRICT REGULATIONS.

Sec. 3.3.1. – The special development districts shall provide regulations in lieu of the basic zoning districts.

Sec. 3.3.2. – The overlays shall provide additional regulations that are cumulative to the basic zoning districts.

Sec. 3.3.3. – Chapter 6 provides additional dimensional requirements by basic zoning district that are cumulative to the regulations provided by the special development districts and overlays.

ARTICLE 3.4. - OFFICIAL ZONING MAP.

3.4.1.1 The boundaries of the basic zoning districts and the special development districts are established by Chapter 2 and as shown on the Official Zoning Map of Edgefield County, South Carolina adopted by reference and certified by the Chairperson of the County Council and attested by the Clerk to Council. The boundaries of the overlays may be provided by reference or a certified overlay of the Official Zoning Map of Edgefield County provided by Edgefield County government. The Official Zoning Map and Overlay may be amended from time to time pursuant to the provisions of this Ordinance. Interpretations of boundaries shall be consistent with the provisions in Chapter 2 of this ordinance.

Commented [JF1]: Change to Special Development Districts

Commented [JF2]: Revise district name to Residential Cluster

Commented [JF3]: Pending decision from staff regarding including the FHP district going forward

ARTICLE 3.5. - PURPOSE OF SPECIAL DEVELOPMENT DISTRICTS.

The following purpose statements present objectives that are intended to advance the broader purpose of this Land Management Ordinance as presented in Chapter 1. In addition, these statements are intended to assist in interpretation of the district standards.

Sec. 3.5.1. - Planned Unit Development Zoning Districts.

3.5.1.1 Purpose. The PUD District is established to encourage flexibility in the development of land to promote the appropriate use of land; improve the design, character and quality of new development; facilitate the provision of streets and utilities; preserve the natural and scenic features of open space; and do so in a manner that will enhance public health, safety, morals, and general welfare, and allow residential, commercial, industrial, or institutional uses, or certain combinations thereof, to be developed as a unit.

3.5.1.2 Intent. The Planned Unit Development District provides a mechanism for the planning commission, county council and the applicant to agree on the scope of the proposed development for a specific location according to a specific development plan appropriate to that location. The unified planning and development regulations within the PUD are intended to accomplish the purpose of zoning and other applicable regulations to an equal or higher degree than where regulations are designed to control unscheduled development on individual lots or tracts, and to promote economical and efficient land use, provide an improved level of amenities, foster a harmonious variety of uses, encourage creative design, and produce an enhanced environment. The PUD should provide a district to accomplish the following:

3.5.1.2.1. Encourage flexibility in the larger scale development of land in order to promote its most appropriate use;

3.5.1.2.2. Improve the design, character and quality of new development;

3.5.1.2.3. Facilitate the provision of streets and utilities; and

3.5.1.2.4. Preserve the natural and scenic features of open areas.

3.5.1.3 Generally, an area may be eligible for Planned Unit Development District zoning if either of the following conditions exist:

3.5.1.3.1. Separate land uses not otherwise permitted to [be] locate[d] within the same zoning district are proposed for development on one or more adjacent parcels.

3.5.1.3.2. Exceptions or variations to the existing regulations are essential for the project in terms of site, design or dimensional requirements.

3.5.1.3.3. Minimum parcel size: Five (5) acres.

3.5.1.3.4. Minimum parcel depth: 300 feet.

3.5.1.3.5. Minimum parcel width: 200 feet.

3.5.1.3.6. Application property site shall adjoin or have direct access to at least one state or county approved paved road. Standards for interchanges and curb cuts on the paved road shall follow current county policy.

3.5.1.4 If the application property site consists of multiple ownerships, the application must be submitted by all property owners and/or agents for amendment to the zoning plan.

Sec. 3.5.2. - CRD – Custom Residential Development Districts.

3.5.2.1 Purpose. The CRD District is established to provide for a variety of planned residential uses including single family detached, single family attached, triplexes, quadraplexes and multi-family dwellings (apartments) with four or more units which are

Commented [JF4]: Currently this would allow up to 10% commercial in adjacent RR and RD Zones.

Commented [JF5]: Should this be "application area proposed for a PUD zoning"?

Commented [JF6]: We should assume need to provide for a multi-lot PUD.

Commented [JF7]: This attempts to address SC State Law re: PD requiring mix with non-residential uses

served by a DHEC approved sanitary sewer systems. Limited institutional or commercial uses are permissible within the principal building.

3.5.2.2 Intent. The Custom Residential Development district provides a mechanism for the planning commission, county council and the applicant to agree on the scope of the proposed development for a grouping of residential uses within a subdivision or development site that allows a reduction in the otherwise applicable lot size, while preserving substantial open space on the remainder of the parcel. CRD zoning gives flexibility to design a variety of neighborhoods with consideration of aesthetics, economy in construction of streets and utilities, parks and recreational uses, and a pattern which does not comply with lot area, setback or yard restrictions in traditional zoning regulations. The CRD should provide a district to accomplish the following:

3.5.2.2.1. Encourage flexibility in the larger scale development of land in order to promote its most appropriate use;

3.5.2.2.2. Improve the design, character and quality of new development;

3.5.2.2.3. Facilitate the provision of streets and utilities; and

3.5.2.2.4. Preserve the natural and scenic features of open areas.

3.5.2.3 Generally, an area may be eligible for a Custom Residential Development District zoning if the following exists:

3.5.2.3.1. Exceptions or variations to the existing regulations are essential for the project in terms of site, design or dimensional requirements.

3.5.2.3.2. Minimum parcel size: Five (5) acres.

3.5.2.3.3. Minimum parcel depth: 300 feet.

3.5.2.3.4. Minimum parcel width: 200 feet.

3.5.2.3.5. Application property site shall adjoin or have direct access to at least one state or county approved paved road. Standards for interchanges and curb cuts on the paved road shall follow current county policy.

3.5.2.4 If the application property site consists of multiple ownerships, the application must be submitted by all property owners and/or agents for amendment to the zoning plan.

ARTICLE 3.6. - REQUIREMENTS OF A SPECIAL DEVELOPMENT DISTRICT

The following uses are intended to advance the broader purpose of this Land Management Ordinance as presented in Chapter 1. In addition, these statements are intended to assist in interpretation of the district standards.

Sec. 3.6.1. - PUD – Planned Unit Development District

3.6.1.1 A planned unit development zoning district shall provide regulations regarding land use in lieu of the basic zoning districts identified in Chapter 2 – Zoning and Land Uses.

3.6.1.2 Parcels of land zoned PD prior to the effective date of this section and for which a General Development Plan has been approved may continue to be developed in accordance with the approved plan. A major modification to a previously approved PD General Development Plan will require compliance with the provisions of §3.5.1.

3.6.1.3 Area and Ownership – In order to qualify as a PUD District a project request shall meet the following requirements:

Commented [JF8]: Cluster zoning was considered but not supported by staff as a category or as a floating zone (A floating zone is described in the text, but it is not mapped). A property owner may petition for the zone to be applied to a particular parcel meeting the minimum zoning district area requirements and a floating zone could be used for a planned shopping center commercial district in an area where development has not proceeded to the point where a specific tract can be specified for commercial zoning. This is intended to make land regulations more flexible and is used to create cluster or planned developments. Standards for a floating zone must be set in the zoning ordinance or in the approved development plan when the map amendment ordinance is adopted.

Commented [JF9]: Currently this would allow up to 10% commercial in adjacent RR and RD Zones.

Commented [JF10]: Should this be the “application area proposed for CRD zoning”?

Commented [JF11]: Should we provide for a multi-lot CRD?

Commented [JF12]: Assume that we need to confirm specific language in Chapter 2 here and may need reference to Chapter 4 restrictions here as well.

Commented [JF13]: The original text said “mixed use provisions”

Commented [JF14]: The text in red was lifted from North Augusta to provide a comparative format for descriptions of these districts and needs editing

3.6.1.3.1. The application site shall be in single ownership or control, or if in several ownerships, the application for amendment to this Chapter shall be filed jointly by all of the owners.

3.6.1.3.2. The site shall contain not less than five (5) acres.

3.6.1.3.3. The proposed development shall be consistent with the Comprehensive Plan.

3.6.1.3.4. The applicant shall demonstrate that the proposed development accomplishes the objectives of §3.5.1. of this Chapter to a greater extent than land developed under any other zoning district, including a base zoning district.

3.6.1.4. **Procedures** – The creation of a PUD district designation is a process involving both a rezoning and General Development Plan approval.

3.6.1.4.1. A PUD district may be established on the Official Zoning Map in the manner prescribed in §3.4. at the same time as ~~only after~~ a General Development Plan that complies with the provisions of §3.5.1. of the Chapter has been reviewed by the Planning Commission, submitted to the County Council with a recommendation by the Planning Commission, and approved by the County Council. Approval by the County Council must be in the form of an ordinance that approves the General Development Plan and applies the PUD zoning designation to the property.

3.6.1.4.2. Parcels of land that were zoned PD prior to the effective date of this section and for which a General Development Plan has been approved may continue to be developed in accordance with the approved plan. A major modification to a previously approved PD General Development Plan will require compliance with the mixed-use provisions of §3.5.1.

3.6.1.4.3. The General Development Plan and administrative review requirements of this section are required at the same time as ~~after~~ a map amendment is approved. Such requirements and all additional requirements of this section and §3.5.1. shall be addressed prior to the issuance of a building or development permit. A properly approved detailed site plan or subdivision (preliminary and final) or both shall be required prior to a request for a building or development permit. The requirements are specified in Chapter 9, **Procedures and Permits**.

3.6.1.5. **Allowed Uses** – A PUD district is specifically intended for development projects of housing of different types and densities and of compatible commercial uses, or shopping centers, office parks, and mixed-use developments characterized by a unified site design for a mixed use development. **Uses** allowed within a PUD District are not subject to the restrictions of §2.7 or the Principal Use Table, Table 2-1. Any use included in the ordinance approving the General Development Plan and rezoning the site to the PUD District is allowed in such district.

3.6.1.5.1. A list of uses, hereinafter the “PUD Use List,” including the types of uses, type and number of residential dwelling units and planned square footage of nonresidential uses within a particular PUD District, shall be included in the ordinance approving the General Development Plan as part of the regulations applying to the district.

3.6.1.5.2. The definition of uses included in the Principal Use Table shall be used to interpret the PUD Use List unless a different definition is provided in the PUD Use List or application.

Commented [JF15]: Determine preference for 5 or 6 acres.

Commented [JF16]: This places pressure on fully establishing the objectives here

Commented [JF17]: 4th level elements are underlined for emphasis in this section.

Commented [JF18]: Insert procedures to establish a PUD above in 3.6.1.3, etc.

Commented [JF19]: Should this say at the same time as a map amendment is made?

Commented [JF20]: Insert specific reference when available

Commented [JF21]: Pending update of Chapter 9

Commented [JF22]: Relocate above to Uses discussion

3.6.1.6 **Prohibited Uses.** The following uses shall not be allowed in a PUD district:

3.6.1.6.1. Sexually oriented businesses.

3.6.1.6.2. Mobile or manufactured housing.

3.6.1.7 Design criteria and development standards.

3.6.1.7.1. Overall site design shall be harmonious in terms of landscaping, enclosure of principal and accessory uses, sizes of structures, street patterns and use relationships. Variety in building types, heights, facades, setbacks and size of open spaces shall be encouraged.

Commented [JF23]: **add or formula thing**

3.6.1.8 **Private Streets** – Private streets may be permitted in an approved PUD District provided such streets meet the design and construction standards of public streets (see Chapter 8, Article 8., Streets).

Commented [JF24]: Add specific reference

3.6.1.9 **Open Space** – Open space, parks, and recreation shall be identified in the general development plan for the PUD and shall comprise a minimum of twenty-five percent (25%) of the total site area, including portions of street rights of way that include street trees, sidewalks, and landscaped areas that may be counted toward meeting open space requirements.

3.6.1.10 Dimensional Standards – Standard dimensions for uses in the PUD shall not be subject to any of the dimensional or density provisions of § _____. Dimensional standards shall conform to the following, unless a different standard is included in the PUD District rezoning ordinance:

Commented [JF25]: Check max height County wide 60 feet?

3.6.1.10.1.1. Maximum height is sixty (60) feet, except where otherwise restricted by Edgefield County.

Commented [JF26]: Is there need to identify max density allowed here?his density appear too high

3.6.1.10.1.2. Maximum gross density is determined by the general development plan.

Commented [JF27]: Is there a need for set max. FAR number here?

3.6.1.10.1.3. The maximum floor area is determined by the general development plan.

Commented [JF28]: Revise as needed after discussion with county staff

3.6.1.10.1.4. The maximum Impervious Surface Ratio is determined by the general development plan or a maximum of sixty percent (60%) of the total site area, whichever is lesser.

Commented [JF29]: Please address guideline.

3.6.1.10.2. PUD District zoning is intended to permit flexibility in the design, construction, and processing of mixed-use developments of a quality that could not be achieved by complying with the design and development standards of another zoning district.

Commented [JF30]: Alternative: Reference a Table to identify design elements that shall be adhered to in the design of a PUD and shall be used in the county's review of a proposed PUD.

3.6.1.11 In addition to the requirements of Chapter 8, Article 8., Parking, areas designated for parking shall be physically separated from public streets and shall be designed in a manner conducive to safe ingress and egress. Access points to internal public streets or internal circulation drives should be no more than three hundred (300) feet apart.

Commented [JF31]: This should be access to the PUD (not within the PUD)

Commented [JF32]: Make sure to add clarity.

3.6.1.12 In addition to the requirements of Chapter 8, Article 8., Landscaping, buffer yards or landscaping may be required by the Planning Commission between uses within any PUD District or along the perimeter of a PUD district.

Commented [JF33]: Ensure narratives are stated to allow developers to see what they can do with the landscaping.

The design standards applicable to all of the structures to be developed in the PUD are required to be submitted by the applicant or developer in conjunction with the application for approval of a general development plan.

Commented [JF34]: The design elements specified in Table 3-1 shall be incorporated into the required urban design standards.

Commented [JF35]: **ADDITIONAL DEFINING TEXT COULD BE INSERTED HERE OR ABOVE! SEE THE ATTACHED EXAMPLE TEXT FROM NORTH AUGUSTA TO ENSURE APPROPRIATE ELEMENTS ARE INCLUDED.**

Sec. 3.6.2. - CRD – Custom Residential Development Zoning District.

3.6.2.1 A custom residential development zoning district shall provide regulations regarding land use in lieu of the basic zoning districts identified in Chapter 2 – Zoning and Land Uses.

3.6.2.2 Modification of a previously approved PD General Development Plan to revise into a CRD will require compliance with the provisions of § ____.

3.6.2.3 Area and Ownership – In order to qualify as a CRD District a project request shall meet the following requirements:

3.6.2.3.1. The application site shall be in single ownership or control, or if in several ownerships, the application for amendment to this Chapter shall be filed jointly by all of the owners.

3.6.2.3.2. The site shall contain not less than five (5) acres.

3.6.2.3.3. The proposed development shall be consistent with the Comprehensive Plan.

3.6.2.3.4. A CRD district may be established on the Official Zoning Map in the manner prescribed in § 3.4 only after a General Development Plan that complies with the provisions of § 3.5.2 of the Chapter has been reviewed by the Planning Commission, submitted to the County Council with a Planning Commission recommendation, and approved by the County Council. Approval by the County Council must be in the form of an ordinance that approves the General Development Plan and applies the CRD zoning designation to the property.

3.6.2.4 Procedures – The creation of a CRD district designation is a process involving both a rezoning and General Development Plan approval.

3.6.2.4.1. A CRD district may be established on the Official Zoning Map in the manner prescribed in § ____ only after a General Development Plan that complies with the provisions of § ____ of the Chapter has been reviewed by the Planning Commission, submitted to the County Council with a Planning Commission recommendation and approved by the County Council. Approval by the County Council must be in the form of an ordinance that approves the General Development Plan and applies the CRD zoning designation to the property.

3.6.2.4.2. The General Development Plan and administrative review requirements of this section are required after a map amendment is approved. Such requirements and all additional requirements of this section and § 3.6.1 shall be addressed prior to the issuance of a building or development permit. A properly approved detailed site plan or subdivision (preliminary and final) or both shall be required prior to a request for a building or development permit. The requirements are specified in Chapter 9., Procedures and Permits.

3.6.2.5 Allowed Uses – A CRD district is specifically intended for development projects of housing of different types and densities characterized by a unified site design for a mixed-density development. Uses allowed within a CRD District are not subject to the restrictions of § 2.7 or the Principal Use Table, Table 2-1. Any use included in the ordinance approving the General Development Plan and rezoning the site to the CRD District is allowed in such district.

Commented [JF36]: Need to address SC State Law re: PD requiring mix with non-residential uses

Commented [JF37]: THE ORIGINALLY PROPOSED PRD FOR RESIDENTIAL ONLY APPEARS TO BE PROHIBITED DUE TO STATE LAW AND SC SUPREME COURT CASES. THEREFORE, WE PROPOSE CRD AS A MIXED DENSITY RESIDENTIAL ZONING DISTRICT BASED ON A MASTER PLAN AS AN ALTERNATIVE

Commented [JF38]: Assume that we need reference to Chapter 4 restrictions here

Commented [JF39]: The text in red was lifted from North Augusta to provide a comparative format for descriptions of these districts and needs editing

Commented [JF40]: Insert procedures to establish a PUD above in 3.6.1.3, etc.

Commented [JF41]: Insert procedures to establish a PUD above in 3.6.1.3, etc.

Commented [JF42]: Insert relevant from Chapter 9

Commented [JF43]: Relocate above to Uses discussion

3.6.2.5.1. The types and number of residential dwelling units shall be included in the ordinance approving the General Development Plan as part of the regulations applying to the district.

3.6.2.5.2. A list of uses, hereinafter the "CRD Use List," including the types of uses, type and number of residential dwelling units and planned square footage of nonresidential uses within a particular CRD District, shall be included in the ordinance approving the General Development Plan as part of the regulations applying to the district.

3.6.2.5.3. The definition of uses included in the Principal Use Table shall be used to interpret the PUD Use List unless a different definition is provided in the CRD Use List or application.

3.6.2.6 Prohibited Uses. The following uses shall not be allowed in a CRD:

3.6.2.6.1. Mobile or manufactured housing.

3.6.2.6.2. Reserved

3.6.2.7 Design criteria and development standards

3.6.2.7.1. Overall site design shall be harmonious in terms of landscaping, enclosure of principal and accessory uses, sizes of structures, street patterns, and use relationships. A variety in building types, heights, facades, setbacks and size of open spaces shall be encouraged.

3.6.2.8 Private Streets – Private streets may be permitted in an approved CRD district provided such streets meet the design and construction standards of public streets (see Article, Streets).

3.6.2.9 Open Space - Open space, parks, and recreation shall comprise a minimum of twenty-five percent (25%) of the total site area. Portions of street rights of way that include street trees, sidewalks, and landscaped areas may be counted toward meeting open space requirements.

3.6.2.10 Dimensional Standards – Standard dimensions for uses in the CRD shall not be subject to any of the dimensional or density provisions of §____. Dimensional standards shall conform to the following, unless a different standard is included in the CRD District rezoning ordinance:

3.6.2.11 Maximum height is sixty (60) feet, except where otherwise restricted by Edgefield County.

3.6.2.11.1.1. Maximum gross density is determined by the general development plan.

3.6.2.11.1.2. The maximum floor area is determined by the general development plan.

3.6.2.11.1.3. The maximum Impervious Surface Ratio is determined by the general development plan or a maximum of sixty percent (60%) of the total site area, whichever is lesser.

3.6.2.11.1.4. The CRD District zoning is intended to permit flexibility in the design, construction, and processing of mixed-use developments of a quality that could not be achieved by complying with the design and development standards of another zoning district.

3.6.2.12 In addition to the requirements of Chapter 8, Article 8, Parking, areas designated for parking shall be physically separated from public streets and shall be designed in a manner conducive to safe ingress and egress. Access points to internal public streets or internal circulation drives should be no more than three hundred (300) feet apart.

Commented [JF44]: Non-residential uses that are not allowed in an corresponding RA, RC, RE, RL, RS, or RV district.

Commented [JF45]: Is there need to identify max density allowed here?his density appear too high

Commented [JF46]: Is there a need for set max. FAR number here?

Commented [JF47]: Revise as needed after discussion with county staff

Commented [JF48]: Revise as needed after discussion with county staff

Commented [JF49]: Please address guideline.

Commented [JF50]: Alternative: Reference a Table to identify design elements that shall be adhered to in the design of a PUD and shall be used in the county's review of a proposed PUD.

3.6.2.13 In addition to the requirements of **Chapter 8, Article 8. __, Landscaping**, buffer yards or landscaping may be required by the Planning Commission within common areas ~~between uses~~ within any CRD District or along the perimeter of a CRD district.

The design standards applicable to all of the structures to be developed in the PUD are required to be submitted by the applicant or developer in conjunction with the application for approval of a general development plan.

ARTICLE 3.7. - OVERLAY DISTRICTS

For the purposes of the Land Management Ordinance regulations, Chapter 2 sets forth the zoning districts and overlays including the special development districts and overlays established for the unincorporated areas of Edgefield County, South Carolina. The special development districts include the following overlays:

Sec. 3.7.1. - Zoning Overlay.

- 3.7.1.1 ACP – Airport Compatibility Protection Overlay
- 3.7.1.2 FHP – Flood Hazard Protection Overlay
- 3.7.1.3 CDP – Corridor Design Protection Overlay

Sec. 3.7.2. - ACP – Airport Compatibility Protection Overlay.

3.7.2.1 The purpose of the ACP Overlay District is to protect the dual interests of airports and neighboring land uses, and to:

- 3.7.2.1.1. Protect and promote the general health, safety, economy, and welfare of airport environs;
- 3.7.2.1.2. Prevent the impairment and promote the utility and safety of airports;
- 3.7.2.1.3. Promote land use compatibility between airports and surrounding development;
- 3.7.2.1.4. Protect the character and stability of existing land uses; and
- 3.7.2.1.5. Enhance environmental conditions in areas affected by airports and airport operations.

Sec. 3.7.3. - FHP – Flood Hazard Protection Overlay.

3.7.3.1 The purpose of the FHP Overlay District is to protect human life and health; minimize property damage; encourage appropriate construction practices; and minimize public and private losses due to flood conditions by requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction.

Sec. 3.7.4. - CDP – Corridor and Area Design Protection Overlay.

3.7.4.1 The purpose of the CDP Overlay District is to protect residents, enhance the appearance of developments, and improve the traffic and circulation in areas adjacent to the primary highway corridors in the unincorporated areas and along the main entrance roads into the municipalities of Edgefield County by identifying additional requirements for design and development. The requirements of the overlay zoning district are considered additional to the requirements of the underlying zoning district and are to be considered cumulative.

3.7.4.2 Additionally, the FHP Overlay District is intended to help maintain a stable tax base by providing for the sound use and development of flood-prone areas and to ensure that potential home buyers are notified that property is in a flood area. The provisions of this district are intended to minimize damage to public facilities and utilities such as water and

Commented [JF51]: The design elements specified in **Table 3-1** shall be incorporated into the required urban design standards.

Commented [JF52]: **ADDITIONAL DEFINING TEXT COULD BE INSERTED HERE OR ABOVE! SEE THE ATTACHED EXAMPLE TEXT FROM NORTH AUGUSTA TO ENSURE APPROPRIATE ELEMENTS ARE INCLUDED.**

Commented [JF53]: **ADDITIONAL DEFINING TEXT COULD BE ADDED HERE OR ABOVE! SEE THE ATTACHED EXAMPLE TEXT FROM NORTH AUGUSTA FOR A PUD TO ENSURE APPROPRIATE ELEMENTS ARE INCLUDED.**

Commented [JF54]: Pending decision to include the FHP District to be determined by Staff after consults wit COG and State

gas mains, electric, telephone, and sewer lines, street and bridges located in the floodplain, and prolonged business interruptions; and to minimize expenditures of public money for costly flood control projects and rescue and relief efforts associated with flooding.

ARTICLE 3.8. - USES ALLOWED IN AN OVERLAY.

Overlay districts provide additional requirements or restrictions on the portions of the zoning districts over which they are established. These additional requirements or restrictions generally address design and development but may identify uses that are incompatible with the overlay district.

Sec. 3.8.1. - Effect on Basic Uses by an Overlay – The overlay shall provide additional regulations that are cumulative to the basic zoning districts.

3.8.1.1 A use allowed by a base underlying zoning district may be affected by limits imposed by the requirements of the overlay that may modify or restrict the size, setbacks or unfettered use to meet the requirements established by the overlay to protect the public health, welfare, economy or safety of the public.

3.8.1.2 Reserved pending review.

Sec. 3.8.2. - Airport Compatibility Protection Overlay, Uses

3.8.2.1 This section applies to any lot or parcel within the Airport Compatibility Protection Overlay(s) that are designated on the Official Zoning Map, an Official Zoning Overlay Map, or by text reference in an adopted resolution to amend the Land Management Ordinance.

3.8.2.2 Allowed Uses. This overlay allows any or all uses allowed by the underlying basic zoning district or special development district with the specific exception of uses that may endanger the general health, safety, economy, and welfare of airport environs. These may include the following uses:

- a. Uses that impair or negatively affect the utility and safety of airports;
- c. Uses that negatively affect the compatibility between airports and surrounding development;
- d. Uses that do not protect the character and stability of existing land uses; and
- e. Uses that negatively affect environmental conditions in the airport environs.

3.8.2.3 Prohibited uses. This overlay prohibits any or all uses prohibited by the underlying basic zoning district or special development district

3.8.2.4 Reserved.

Sec. 3.8.3. - Flood Hazard Protection Overlay, Uses

3.8.3.1 This section applies to any lot or parcel within the Flood Hazard Protection Overlay(s) that are designated on the Official Zoning Map, an Official Zoning Overlay Map, or by text reference in an adopted resolution to amend the Land Management Ordinance.

3.8.3.2 Allowed Uses. This overlay allows any or all uses allowed by the underlying basic zoning district or special development district with the specific exception of uses that may endanger the general health, safety, economy, and welfare of floodways and floodplain environs. These may include the following uses:

- a. Uses that impair or negatively affect the utility and safety of floodways;
- c. Uses that negatively affect the compatibility between floodways and surrounding development;
- d. Uses that do not protect the character and stability of existing land uses; and
- e. Uses that negatively affect environmental conditions in the floodway environs.

Commented [JF55]: THE CDP OVERLAYS REQUIRE ADDED DETAIL FOM STAFF TO DEFINE DESIGN AND OTHER REQUIREMENTS REQUIRED FOR PROTECTION BY THE OVERLAY. STAFF IS WORKING ON DEFINING REQUIREMENTS NEEDED FOR SPECIFIC ADOPTION IN THE OVERLAY. EXAMPLE TEXT FROM NORTH AUGUSTA FOR GEORGIA AVENUE IS AVAILABLE AS AN EXAMPLE OF THE DETAIL NEEDED

Commented [JF56]: This section is needed to insert how the overlay may modify the uses allowed in the underlying basic zoning district through conditions of the specific overlay if predicated by the protective nature of the overlay.

3.8.3.3 Prohibited uses. This overlay prohibits any or all uses prohibited by the underlying basic zoning district or special development district

3.8.3.4 Reserved.

Commented [JF57]: Pending staff review with State of SC.

Sec. 3.8.4. - Corridor Design Protection Overlays, Uses

3.8.4.1 This section applies to any lot or parcel within the following Corridor Design and Protection Overlay districts that are designated on the Official Zoning Map and Overlays.

Commented [JF58]: Assumes that the new overlays will affect all properties including residential unless some uses are specifically excluded.

Sec. 3.8.5. - Establishment and Applicability of Corridor Design and Protection Overlays

3.8.5.1 Figure 3-1 identifies the Highway Corridors and Overlay Areas as they were defined in the Comprehensive Plan

FIGURE 3-1 HIGHWAY CORRIDOR AND OVERLAY AREAS

INSERT MAP FIGURE 3-1 to illustrate the areas affected by CDPs:
Tis will be a countywide map showing corridors and areas affected.

3.8.5.2 Establishment of Corridor Design and Protection Overlays - The following overlay districts are hereby established as stated in Table 3-1 below:

TABLE 3-1 CORRIDOR DESIGN AND PROTECTION OVERLAYS ESTABLISHED
 (Reference to Council actions)

	A	B
	Overlay District	Corridor Streets Generally
1.	Highway Corridor Overlay	1. US Highway 25 north of the Aiken County Line and the North Augusta City Limits to the intersection with Edgefield Road. 2. US Highway 25 northwest of the intersection with SC Highway 19 to Edgefield Town Limits 3. Sweetwater Road (SC S-19-34) from the North Augusta city limits to the intersection with Five Notch Road <i>[Alternatives: to Ten Governors Trail (RR corridor) or a point 200 feet south of te intersection with Big Oak Drive.]</i> 4. Five Notch Road from the North Augusta city limits to Sweetwater Road. 5. Murrah Road Extension from Five Notch Road to Sweetwater Road
2.	Martintown Road Corridor Overlay	1. Martintown Road (SC 230) north of the Aiken County line and the North Augusta City Limits to SC 23 Highway 2. Murrah Road from Martintown Road to Mealing Road 3. Murrah Road Extension from Mealing Road to Five Notch Road 4. Springhaven Drive from Martintown Road to Murrah Road
3.	Sweetwater Road Corridor Overlay	1. Sweetwater Road (SC S-19-34) north of intersection with Five Notch Road to Edgefield Town Limits <i>[Alternatives: North of Ten Governors Trail (RR corridor) or north of Currytown Road (SC S-19-174)]</i> 2. Mealing Road from Murrah Road to Sweetwater Road 3. Currytown Road (SC S-19-174) from Mealing Road to Sweetwater Road
4.	Edgefield Compatibility Area Overlay	1. Reserved. Specific area needs to be defined. Not applicable until the county adopts design standards for unincorporated areas adjacent to the Town of Edgefield.
5.	Johnston Compatibility Area Overlay	1. Reserved. Specific area needs to be defined. Not applicable until the county adopts design standards for unincorporated areas adjacent to the Town of Johnston.

Commented [JF59]: Add Reference to Council actions

Commented [JF60]: Dimensions to be edited based on staff input

Commented [JF61]: Current SC Highway 19. If the extension of the roadway is relocated off of the existing right of way

Commented [JF62]: Say unincorporated areas north of Aiken County line

Commented [JF63]: Need determination of end points

Commented [JF64]: Need determination of end points

3.8.5.3 In the event that the definite boundaries of the district cannot be ascertained, the Corridor Design and Protection Overlay district shall be deemed to encompass the depth of the lots fronting on both sides of the corridor street up to three hundred (300) feet and all property within three hundred (300) feet of the edge of the right of way which utilizes the corridor street for direct access, unless otherwise specified, along specific sections of the corridor streets designated in §3.8.5, Establishment of Corridor Design and Protection Overlay Districts.

Commented [JF65]: To be reviewed with staff to determine whether these standards should be applied

3.8.5.4 The streets designated in §3.8.5.2, Table 3-1, Column B, are referred to as Corridor Streets (see Figure 3-1).

Commented [JF66]: This term should be appropriately referenced

3.8.5.5 A street that intersects a designated Corridor Street is referred to as an Intersecting Street (see Figure 3-1).

Commented [JF67]: This term should be appropriately referenced

Sec. 3.8.6. - Overlay Purposes and Standards

The purposes, zoning standards, site design and access standards, and building form standards for each corridor and area design district are described in §3.8.5 for the Highway Corridor and Area Overlay, 3.8.5 for the Highway 25 Corridor and Area Overlay, 3.8.6 for the Martintown Road Corridor and Area Overlay, 3.8.7 for the Sweetwater Road Corridor and Area Overlay, 3.8.8 for the Edgefield Area Overlay, and §3.8.9 for the Johnston Area Overlay.

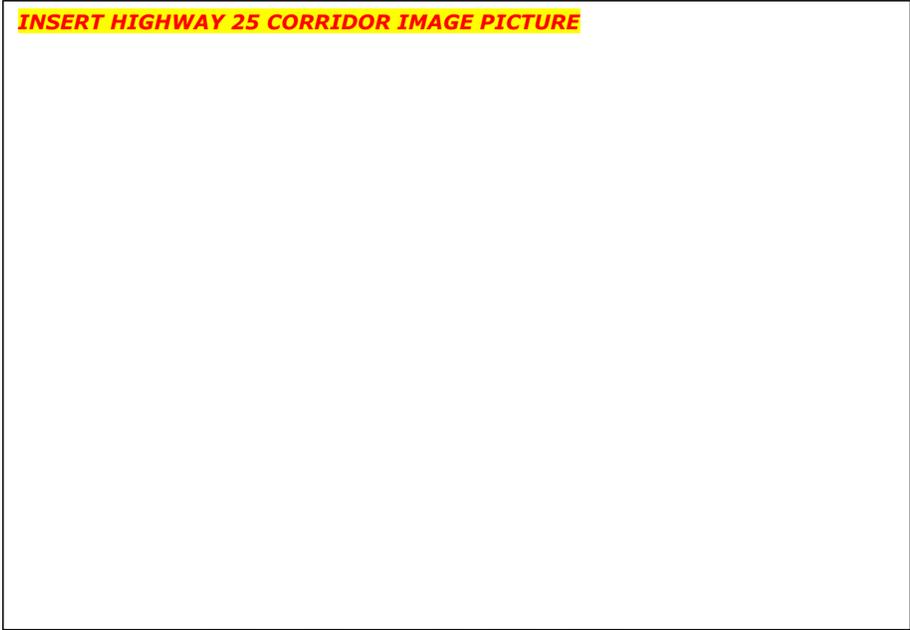
Sec. 3.8.7. - Highway 25 Corridor Overlay District

3.8.7.1 Purpose and Findings – The Highway 25 Corridor Overlay District is designed to support economic growth and development along the US 25 Highway Corridor and specific adjacent and intersecting streets as designated in Table 3-1 above through integrated design recommendations to enhance the quality and aesthetics of development along the corridor and support the economic well-being on property owners, residents, neighbors, and visitors.

3.8.7.1.1. This overlay is created with an emphasis on maintaining the integrity of the corridor to facilitate a mixture of uses, including residential, coordinating parking design and access, and encouraging greater pedestrian activity and use. However, the corridor is considered to be a major element in supporting economic development and access requiring a community design is required in order to preserve and to provide a unique, signature gateway into the County, facilitate the creation of a convenient, attractive and harmonious community, and encourage economic development activity.

3.8.7.1.2. The basic zoning districts and corresponding permitted uses that exist along the corridor are maintained and all requirements will continue to be applied except when specifically addressed and modified by this overlay.

FIGURE 3-2 Highway 25 Overlay Corridor



3.8.7.3 Applicability – This section applies to any lot or parcel within the Highway 25 Corridor Overlay as designated on the Official Zoning Maps and Overlays. No building permit shall be issued for development on a lot or parcel within the Highway 25 Corridor Overlay area unless the proposed use, establishment or building complies with the standards described in this section.

3.8.7.4 Permitted Uses – All uses permitted in the underlying zoning districts are permitted subject to the standards established in this section. This section supplements any other requirements of this Chapter.

3.8.7.4.1 Limits on Permitted Uses – Reserved

3.8.7.5 Development Standards – Reserved

3.8.7.6 Setbacks – Building facades shall comply with the following setback standards:

3.8.7.6.1 Front Setback – Reserved.

3.8.7.6.2 Side Setbacks – Reserved.

3.8.7.6.3 Rear Setbacks – Reserved. Frontage – Reserved.

3.8.7.6.4 Maximum and Minimum Height – Reserved.

3.8.7.7 Dimensional Standards Table – The dimensional standards for the Highway Corridor Overlay District are established in Table 3-1: DIMENSIONAL STANDARDS FOR THE HIGHWAY 25 CORRIDOR OVERLAY

TABLE 3-2: HIGHWAY 25 CORRIDOR OVERLAY DIMENSIONAL STANDARDS

	A	B	C
1.	Maximum Height	60 feet	
2.	Minimum Height	14 feet	
3.	Minimum Front Setback	5 feet or 30 feet	
4.	Maximum Front Setback	90 feet	
5.	Minimum Side Setback	Required buffer, 0 feet or 10 feet	
6.	Minimum Rear Setback	Required buffer, 20 feet or 10 feet from an alley	
7.	Maximum Floor Area Ratio	3.0	
8.	Minimum Frontage Buildout	30%	

Commented [JF68]: Table is a placeholder pending staff input

Commented [JF69]: The "C" column may be used for notes

3.8.7.7.1. Minimum frontage buildout means the portion of the corridor street frontage of the parcel or parcels included in the development that is occupied by a principal structure at the front setback line. (Example: A parcel that is 200 feet in length requires a building or combination of buildings that total no less than 60 (sixty) feet in length and is set back from the street the minimum setback, either 5 (five) feet or 30 (thirty) feet, but not more than the maximum set back of 90 (ninety) feet.)

3.8.7.7.2. Where an existing building is located on a parcel and the site development plan includes the utilization of the existing building as a principal structure, the existing setback may be provided. The front setback landscaping requirements specified in this section shall be applied for the provision that most closely matches the existing setback.

3.8.7.7.3. Where a parcel in the corridor overlay is a through lot that fronts on two Highway Corridor streets, the maximum front setback and minimum frontage buildout shall be applicable to only one frontage. Both the maximum front setback and minimum frontage build out criteria shall be applied to the same frontage.

3.8.7.8 Building Design

3.8.7.8.1. Orientation – Buildings shall be oriented to the street. A building is oriented to the street where:

Commented [JF70]: Design requirements to be determined by staff and decision-maker input

3.8.7.8.1.1. The setback standards established in §3.1.2.5. are met.

3.8.7.8.1.2. Entrances to buildings face a street or open to a square, plaza, or sidewalk.

3.8.7.8.1.3. At least one entrance shall be provided to each street frontage.

3.8.7.8.1.4. All street level uses with sidewalk frontage are furnished with an individual entrance and direct access to the sidewalk in addition to any other access that may be provided.

3.8.7.8.1.5. Off-street parking does not lie between the building's principal entrance and the street.

3.8.7.8.1.6. Pedestrian access from the public sidewalk, street right of way, or driveway to the principal structure is provided on a hard surface.

3.8.7.8.1.7. Grade – Buildings shall be aligned with the finished grade of the street except as otherwise provided herein. The principal entry for a civic use or a civic building may include a stoop, portico, colonnade or a portal.

3.8.7.8.1.8. Fenestration, Openings, and Storefronts – This section applies to all storefronts and any use other than those described in §3.1.2.6. This section does not apply to the conversion of a residential building to a commercial use. Fenestration is defined as the design, proportioning and disposition of windows and other exterior openings of a building.

3.8.7.8.1.9. Facades – Facades facing or visible from the US 25 Highway shall include at least four (4) of the following elements:

3.8.7.8.1.10. A pediment.

3.8.7.8.1.11. A cornice adjoining the top of the roof or top of the facade.

3.8.7.8.1.12. Windows in each story above the ground level. Rectangular, circular, semicircular and octagonal windows are permitted.

3.8.7.8.1.13. A recessed entryway consistent with the requirements of §3.8.4.4.3.4.

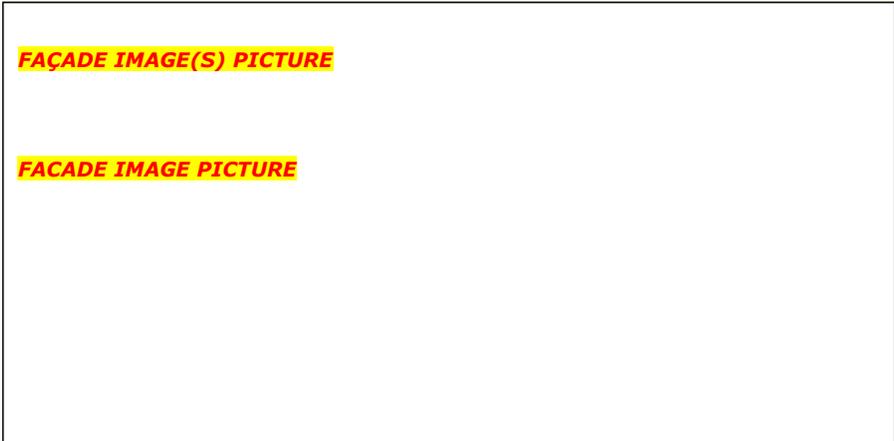
3.8.7.8.1.14. Transom windows

3.8.7.8.1.15. Moldings

3.8.7.8.1.16. Canopy

3.8.7.8.1.17. Sign Lighting and Sign Banding - See Chapter 7. Signs.

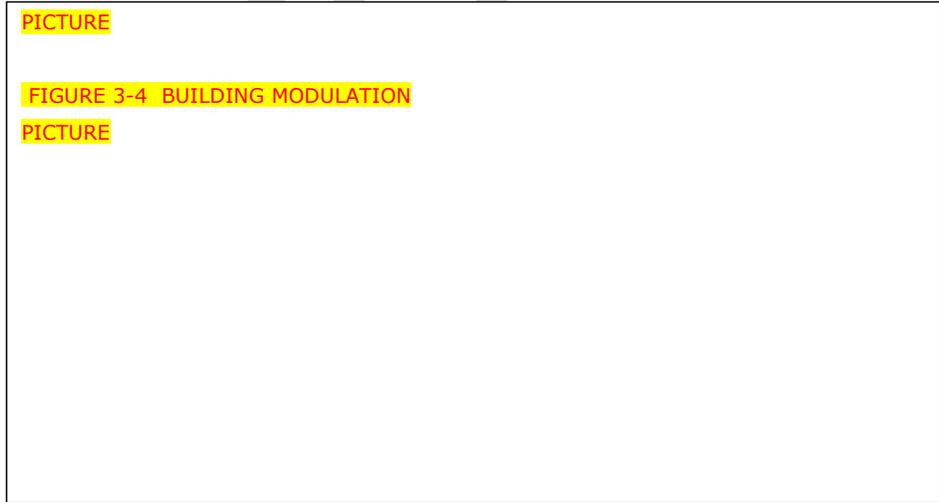
FIGURE 3-3: HIGHWAY 25 OVERLAY CORRIDOR FACADES



3.8.7.8.2. Windows – Windows shall be required on all stories in keeping with the design and use of the building but not less than thirty percent (30%) of the front facade.

3.8.7.8.3. Building Modulation – Building frontages that face public streets and exceed a width of twenty (20) feet must include modulation to break the plane of the building frontage. Such modulation must be spaced at uniform or near uniform intervals along the entire building frontage. Vertical visual elements may include entryways, windows, columns, colonnades, or other form of modular fenestration.

FIGURE 3-4: HIGHWAY 25 CORRIDOR OVERLAY BUILDING MODULATION



- 3.8.7.8.4. Entryways – Reserved.
- 3.8.7.8.5. Canopies – Reserved.
- 3.8.7.8.6. Roof Drainage – – Reserved.
- 3.8.7.8.7. Roofs – – Reserved.
- 3.8.7.8.8. Equipment – – Reserved.
- 3.8.7.8.9. Wall Materials – Reserved.
- 3.8.7.8.10. Window Frames – Reserved.
- 3.8.7.8.11. Doors – Reserved.
- 3.8.7.8.12. Canopies, Arcades and Awnings for Civic Buildings and Uses – Reserved.
- 3.8.7.8.13. Sign Design and Placement – See Chapter 7. Signs for general requirements.
- 3.8.7.8.13.1. Applicability – Reserved.
- 3.8.7.8.13.2. Freestanding Signs – Reserved.
- 3.8.7.8.13.3. Monument Signs – Reserved.
- 3.8.7.8.13.4. Wall Signs – Reserved.
- 3.8.7.8.13.5. Reserved.
- 3.8.7.8.13.6. Illumination – Reserved.
- 3.8.7.8.13.7. Plastic Signs – Reserved.
- 3.8.7.8.13.8. Window Signs – Reserved.
- 3.8.7.8.14. Outdoor Display and Sale – Reserved.
- 3.8.7.8.15. Utilities and Trash Receptacles –
- 3.8.7.8.15.1. Utility Structures – Reserved.
- 3.8.7.8.15.2. Dumpsters and Roll Carts Reserved.
- 3.8.7.8.16. Off-Street Parking –
- 3.8.7.8.16.1. Principal Use – Parking is not permitted as a principal use.
- 3.8.7.8.16.2. Amount Required – Reserved.
- 3.8.7.8.16.3. Location – Reserved.
- 3.8.7.8.16.4. Landscaping – Reserved.
- 3.8.7.8.16.5. Screening – Reserved.
- 3.8.7.8.16.6. Setbacks – Reserved.
- 3.8.7.8.16.7. Loading – Reserved.
- 3.8.7.8.16.8. Surface Treatment – Reserved.
- 3.8.7.8.16.9. Access – Driveways and access points to public and private parking lots, loading areas and service areas shall adhere to the following:
 - 3.8.7.8.16.9.1. The Building Official must approve all driveways, access points and curb cuts from any public right of way.

Draft Date: 6.16.20

3.8.7.8.16.9.2. Driveway ingress and egress onto side streets - Reserved.

3.8.7.8.16.9.3. Driveway width - Reserved.

3.8.7.8.16.9.4. Separation of driveways or access points - Reserved.

3.8.7.8.16.9.5. No driveway or access point from any public right of way that reduces on-street parking shall be permitted except for parking areas that are available for use by the general public.

3.8.7.8.17. Landscaping - Reserved.

3.8.7.8.17.1. Setbacks - Reserved.

3.8.7.8.17.2. Street Trees and Plantings - Reserved.

3.8.7.8.17.3. Parking Lot Landscaping - Reserved.

3.8.7.8.18. Lighting - Reserved.

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Sec. 3.8.8. - Martintown Road Corridor Overlay District

3.8.8.1 Purpose and Findings – The Martintown Corridor Overlay District is designed to promote development that is compatible with the function, capacity and design of major arterial roadways and remain sensitive to abutting properties. Another purpose of the Martintown Corridor Overlay District is to augment dimensional and access management standards and establish design standards for residential, commercial and mixed-use development within corridors that are primarily classified as arterial, but have an unique rural character that is desirable per the recommendations of the Comprehensive Plan.

3.8.8.2 Permitted Uses – The permitted uses, dimensional standards and site development standards for the Martintown Road Corridor Overlay District are the same as the underlying base zoning district unless a different standard is established in this section.

3.8.8.2.1. This overlay is created with an emphasis on maintaining the integrity of the corridor to facilitate a mixture of uses, including residential and non-residential uses through coordinated design and encouraging design to support the economic and aesthetic quality of life to preserve the unique, signature qualities of the corridor, facilitate the creation of a convenient, attractive and harmonious community, and encourage appropriate economic development activity.

3.8.8.2.2. The basic underlying zoning districts and corresponding permitted uses that exist along the corridor are maintained and all requirements will continue to be applied except when specifically addressed and modified by this overlay.

3.8.8.3 Permitted Uses – All uses permitted in the underlying zoning districts are permitted subject to the standards established in this section. This section supplements any other requirements of this Chapter.

3.8.8.3.1. Limits on Permitted Uses – Reserved

3.8.8.4 Development Standards – Reserved

3.8.8.5 Setbacks – Building facades shall comply with the following setback standards:

3.8.8.5.1. Front Setback – Reserved.

3.8.8.5.2. Side Setbacks – Reserved.

3.8.8.5.3. Rear Setbacks – Reserved. Frontage – Reserved.

3.8.8.5.4. Maximum and Minimum Height – Reserved.

3.8.8.5.5. Dimensional Standards Table – The dimensional standards for the Martintown Road Overlay are established in Table 3-2: MARTINTOWN ROAD CORRIDOR OVERLAY DIMENSIONAL STANDARDS:

TABLE 3-3: MARTINTOWN ROAD CORRIDOR OVERLAY DIMENSIONAL STANDARDS

	A	B
1.	Maximum Height	60 feet
2.	Minimum Height	14 feet
3.	Minimum Front Setback	5 feet or 30 feet
4.	Maximum Front Setback	90 feet
5.	Minimum Side Setback	Required buffer, 0 feet or 10 feet

Commented [JF71]: Table pending staff input

6.	Minimum Rear Setback	Required buffer, 20 feet or 10 feet from an alley
7.	Maximum Floor Area Ratio	3.0
8.	Minimum Frontage Buildout	30%

3.8.8.5.6. Minimum frontage buildout means the portion of the corridor street frontage of the parcel or parcels included in the development that is occupied by a principal structure at the front setback line. (Example: A parcel that is 200 feet in length requires a building or combination of buildings that total no less than 60 (sixty) feet in length and is set back from the street the minimum setback, either 5 (five) feet or 30 (thirty) feet, but not more than the maximum set back of 90 (ninety) feet.)

3.8.8.5.7. Where an existing building is located on a parcel and the site development plan includes the utilization of the existing building as a principal structure, the existing setback may be provided. The front setback landscaping requirements specified in this section shall be applied for the provision that most closely matches the existing setback.

3.8.8.5.8. Where a parcel in the corridor overlay is a through lot that fronts on two Highway Corridor streets, the maximum front setback and minimum frontage buildout shall be applicable to only one frontage. Both the maximum front setback and minimum frontage build out criteria shall be applied to the same frontage.

FIGURE 3-5: Martintown Road Corridor



3.8.8.6 Applicability – This section applies to any lot or parcel within the Highway 25 Corridor Overlay as designated on the Official Zoning Maps and Overlays. No building permit shall be issued for development on a lot or parcel within the Highway 25 Corridor Overlay area unless the proposed use, establishment or building complies with the standards described in this section.

3.8.8.7 Permitted Uses – All uses permitted in the underlying zoning districts are permitted subject to the standards established in this section. This section supplements any other requirements of this Chapter.

3.8.8.7.1 Limits on Permitted Uses – Reserved

3.8.8.8 Development Standards – Reserved

3.8.8.9 Setbacks – Building facades shall comply with the following setback standards:

3.8.8.9.1 Front Setback – Reserved.

3.8.8.9.2 Side Setbacks – Reserved.

3.8.8.9.3 Rear Setbacks – Reserved. Frontage – Reserved.

3.8.8.9.4 Maximum and Minimum Height – Reserved.

3.8.8.10 Building Design –

3.8.8.10.1 Orientation – Buildings shall be oriented to the street. A building is oriented to the street where:

3.8.8.10.1.1 The setback standards established in §3.1.2.5 are met.

3.8.8.10.2 Orientation – Buildings shall be oriented to the street. A building is oriented to the street where:

3.8.8.10.2.1 The setback standards established in §3.1.2.5 are met.

3.8.8.10.2.2 Entrances to buildings face a street or open to a square, plaza, or sidewalk.

3.8.8.10.2.3 At least one entrance shall be provided to each street frontage.

3.8.8.10.2.4 All street level uses with sidewalk frontage are furnished with an individual entrance and direct access to the sidewalk in addition to any other access that may be provided.

3.8.8.10.2.5 Off-street parking does not lie between the building's principal entrance and the street.

3.8.8.10.2.6 Pedestrian access from the public sidewalk, street right of way, or driveway to the principal structure is provided on a hard surface.

3.8.8.10.2.7 Grade – Buildings shall be aligned with the finished grade of the street except as otherwise provided herein. The principal entry for a civic use or a civic building may include a stoop, portico, colonnade or a portal.

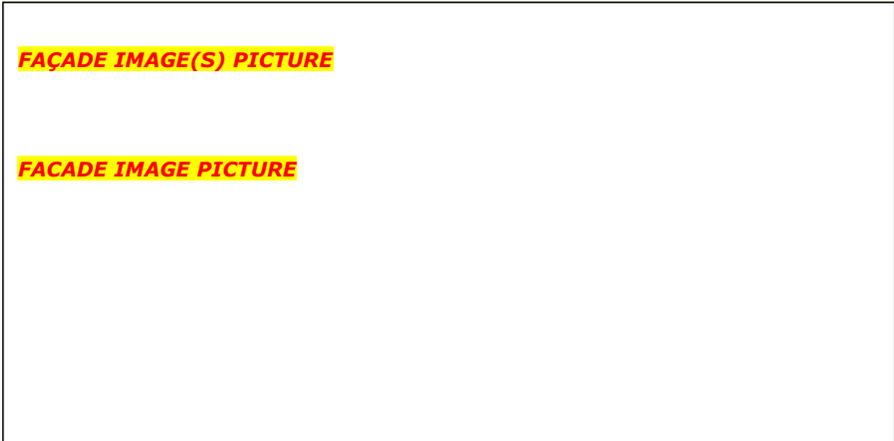
3.8.8.10.2.8 Fenestration, Openings, and Storefronts – This section applies to all storefronts and any use other than those described in § 3.1.2.6. This section does not apply to the conversion of a residential building to a commercial use. Fenestration is defined as the design, proportioning and disposition of windows and other exterior openings of a building.

3.8.8.10.2.9 Facades – Reserved.

Commented [JF72]: Design requirements need to be determined

FIGURE 3-6 MARTINTOWN ROAD FACADES

Commented [JF73]: Need to be determined

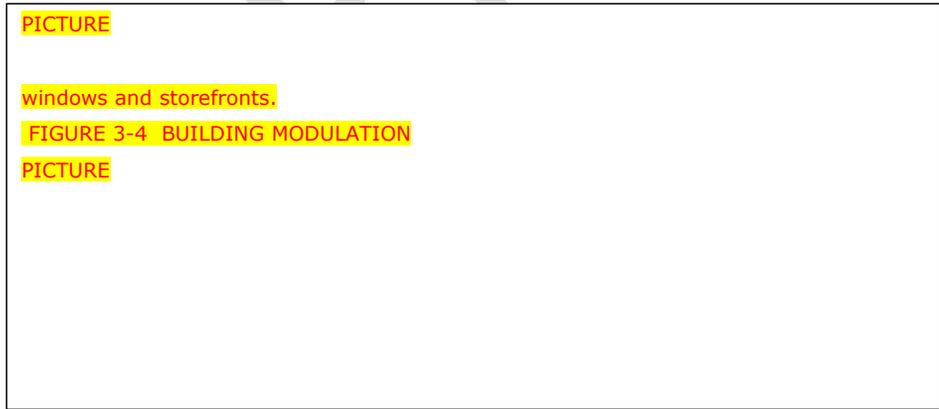


3.8.8.10.3. Windows – Windows shall be required on all stories in keeping with the design and use of the building but not less than thirty percent (30%) of the front facade.

3.8.8.10.4. Building Modulation – Building frontages that face public streets and exceed a width of twenty (20) feet must include modulation to break the plane of the building frontage. Such modulation must be spaced at uniform or near uniform intervals along the entire building frontage. Vertical visual elements may include entryways, windows, columns, colonnades, or other form of modular fenestration.

FIGURE 3-7: MARTINTOWN ROAD BUILDING MODULATION

Commented [JF74]: Need to be determined



- 3.8.8.10.5. Entryways – Reserved.
- 3.8.8.10.6. Canopies – Reserved.
- 3.8.8.10.7. Roof Drainage – – Reserved.
- 3.8.8.10.8. Roofs – – Reserved.
- 3.8.8.10.9. Equipment – – Reserved.
- 3.8.8.10.10. Wall Materials – Reserved.
- 3.8.8.10.11. Window Frames – Reserved.
- 3.8.8.10.12. Doors – Reserved.
- 3.8.8.10.13. Canopies, Arcades and Awnings for Civic Buildings and Uses – Reserved.
- 3.8.8.10.14. Sign Design and Placement – See Chapter 7. Signs for general requirements.
- 3.8.8.10.14.1. Applicability – Reserved.
- 3.8.8.10.14.2. Freestanding Signs – Reserved.
- 3.8.8.10.14.3. Monument Signs – Reserved.
- 3.8.8.10.14.4. Wall Signs – Reserved.
- 3.8.8.10.14.5. Illumination – Reserved.
- 3.8.8.10.14.6. Plastic Signs – Reserved.
- 3.8.8.10.14.7. Window Signs – Reserved.
- 3.8.8.10.15. Outdoor Display and Sales – Reserved.
- 3.8.8.10.16. Utilities and Trash Receptacles –
- 3.8.8.10.16.1. Utility Structures – Reserved.
- 3.8.8.10.16.2. Dumpsters and Roll Carts Reserved.
- 3.8.8.10.17. Off-Street Parking –
- 3.8.8.10.17.1. Principal Use – Parking is not permitted as a principal use.
- 3.8.8.10.17.2. Amount Required – Reserved.
- 3.8.8.10.17.3. Location – Reserved.
- 3.8.8.10.17.4. Landscaping – Reserved.
- 3.8.8.10.17.5. Screening – Reserved.
- 3.8.8.10.17.6. Setbacks – Reserved.
- 3.8.8.10.17.7. Loading – Reserved.
- 3.8.8.10.17.8. Surface Treatment – Reserved.
- 3.8.8.10.17.9. Access – Driveways and access points to public and private parking lots, loading areas and service areas shall adhere to the following:
 - 3.8.8.10.17.9.1. The Building Official must approve all driveways, access points and curb cuts from any public right of way.
 - 3.8.8.10.17.9.2. Driveway ingress and egress onto side streets - Reserved.
 - 3.8.8.10.17.9.3. Driveway width - Reserved.

Draft Date: 6.16.20

3.8.8.10.17.9.4. Separation of driveways or access points - Reserved.

3.8.8.10.17.9.5. No driveway or access point from any public right of way that reduces on-street parking shall be permitted except for parking areas that are available for use by the general public.

3.8.8.10.18. Landscaping - Reserved.

3.8.8.10.18.1. Setbacks - Reserved.

3.8.8.10.18.2. Street Trees and Plantings - Reserved.

3.8.8.10.18.3. Parking Lot Landscaping - Reserved.

3.8.8.10.19. Lighting - Reserved.

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Sec. 3.8.9. - Sweetwater Road Corridor Overlay District

3.8.9.1 Purpose – The purpose of the Sweetwater Road Corridor Overlay District is to promote development that is compatible with the function, capacity and design of major arterial roadways and remains sensitive to abutting properties. Another purpose of the Sweetwater Road Corridor Overlay is to augment dimensional and access management standards and establish design standards for commercial and mixed-use development within corridors that are predominantly classified as arterial. The permitted uses, dimensional standards and site development standards for the Sweetwater Road Corridor Overlay are the same as the underlying base district unless a different standard is established in this section.

3.8.8.11 Purpose and Findings – The Sweetwater Road Corridor Overlay District is designed to promote development that is compatible with the function, capacity and design of major arterial roadways and remain sensitive to abutting properties. Another purpose of the Sweetwater Road Corridor Overlay District is to augment dimensional and access management standards and establish design standards for residential, commercial and mixed-use development within corridors that are primarily classified as arterial, but have an unique rural character that is desirable per the recommendations of the Comprehensive Plan.

3.8.8.12 Permitted Uses – All uses permitted in the underlying zoning districts are permitted subject to the standards established in this section. This section supplements any other requirements of this Chapter.

3.8.8.12.1. Limits on Permitted Uses – Reserved

3.8.8.13 Development Standards – Reserved

Sec. 3.8.9. - Setbacks – Building facades shall comply with the following setback standards:

3.8.9.1.1. Front Setback – Reserved.

3.8.9.1.2. Side Setbacks – Reserved.

3.8.9.1.3. Rear Setbacks – Reserved. Frontage – Reserved.

3.8.9.1.4. Maximum and Minimum Height – Reserved.

3.8.9.2 Dimensional Standards Table – The dimensional standards for the Highway Corridor Overlay District are established in Table 3-6: SWEETWATER ROAD OVERLAY DIMENSIONAL STANDARDS:

TABLE 3-4: SWEETWATER ROAD OVERLAY DIMENSIONAL STANDARDS

	A	B
1.	Maximum Height	60 feet
2.	Minimum Height	14 feet
3.	Minimum Front Setback	5 feet or 30 feet
4.	Maximum Front Setback	90 feet
5.	Minimum Side Setback	Required buffer, 0 feet or 10 feet
6.	Minimum Rear Setback	Required buffer, 20 feet or 10 feet from an alley
7.	Maximum Floor Area Ratio	3.0
8.	Minimum Frontage Buildout	30%

Commented [JF75]: Table pending staff input

3.8.9.2.1. Minimum frontage buildout means the portion of the corridor street frontage of the parcel or parcels included in the development that is occupied by a principal structure at the front setback line. (Example: A parcel that is 200 feet in length requires a building or combination of buildings that total no less than 60 (sixty) feet in length and is set back from the street the minimum setback, either 5 (five) feet or 30 (thirty) feet, but not more than the maximum set back of 90 (ninety) feet.)

3.8.9.2.2. Where an existing building is located on a parcel and the site development plan includes the utilization of the existing building as a principal structure, the existing setback may be provided. The front setback landscaping requirements specified in this section shall be applied for the provision that most closely matches the existing setback.

3.8.9.2.3. Where a parcel in the corridor overlay is a through lot that fronts on two Highway Corridor streets, the maximum front setback and minimum frontage buildout shall be applicable to only one frontage. Both the maximum front setback and minimum frontage build out criteria shall be applied to the same frontage.

3.8.9.3 Building Design –

3.8.9.3.1. Orientation – Buildings shall be oriented to the street. A building is oriented to the street where:

3.8.9.3.1.1. The setback standards established in §3.1.2.5. are met.

3.8.9.3.1.2. Entrances to buildings face a street or open to a square, plaza, or sidewalk.

3.8.9.3.1.3. At least one entrance shall be provided to each street frontage.

3.8.9.3.1.4. All street level uses with sidewalk frontage are furnished with an individual entrance and direct the sidewalk in addition to any other access that may be provided.

3.8.9.3.1.5. Off-street parking does not lie between the building's principal entrance and the street.

3.8.9.3.1.6. Pedestrian access from the public sidewalk, street right of way, or driveway to the principal structure is provided on a hard surface.

3.8.9.3.1.7. Grade – Buildings shall be aligned with the finished grade of the street except as otherwise provided herein. The principal entry for a civic use or a civic building may include a stoop, portico, colonnade or a portal.

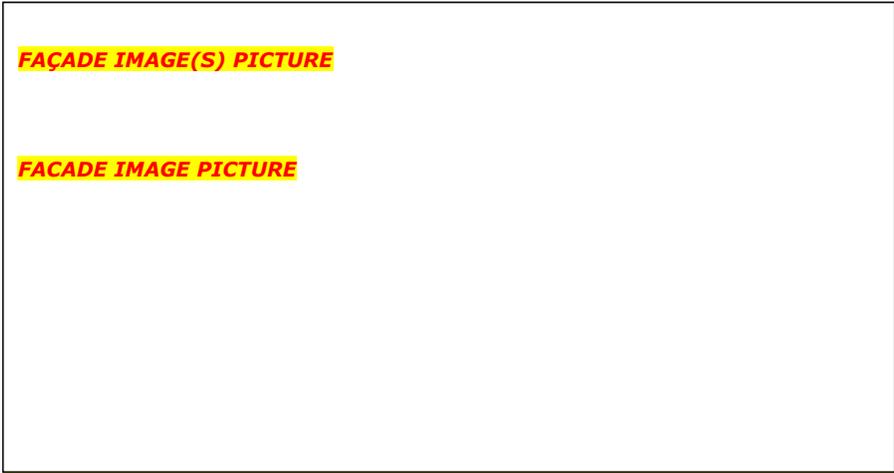
3.8.9.3.1.8. Fenestration, Openings, and Storefronts – This section applies to all storefronts and any use other than those described in §3.1.2.6. This section does not apply to the conversion of a residential building to a commercial use. Fenestration is defined as the design, proportioning and disposition of windows and other exterior openings of a building.

3.8.9.3.1.9. Facades – Reserved.

Commented [JF76]: Need input from staff and decision-makers to determine if needed?

FIGURE 3-8: SWEETWATER ROAD OVERLAY FACADES

Commented [JF77]: Need to be determined

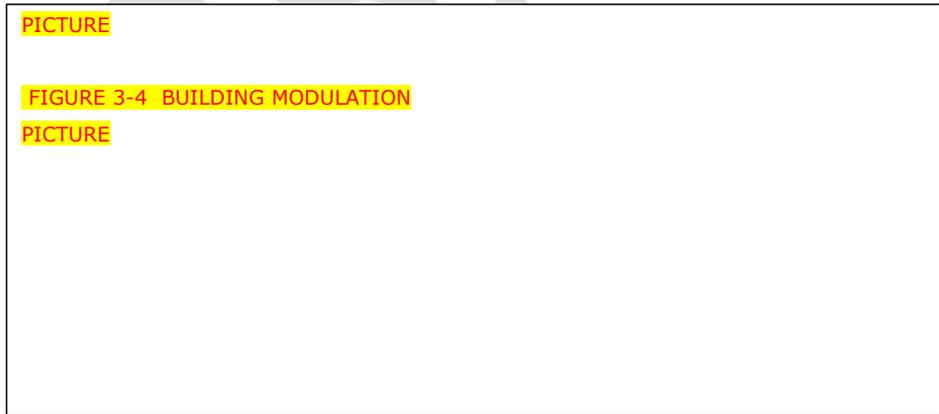


3.8.9.3.2. Windows – Windows shall be required on all stories in keeping with the design and use of the building but not less than thirty percent (30%) of the front facade.

3.8.9.3.3. Building Modulation – Building frontages that face public streets and exceed a width of twenty (20) feet must include modulation to break the plane of the building frontage. Such modulation must be spaced at uniform or near uniform intervals along the entire building frontage. Vertical visual elements may include entryways, windows, columns, colonnades, or other form of modular fenestration.

FIGURE 3-9: SWEETWATER ROAD CORRIDOR OVERLAY BUILDING MODULATION

Commented [JF78]: Need to be determined



- 3.8.9.3.4. Entryways – Reserved.
- 3.8.9.3.5. Canopies – Reserved.
- 3.8.9.3.6. Roof Drainage – – Reserved.
- 3.8.9.3.7. Roofs – – Reserved.
- 3.8.9.3.8. Equipment – – Reserved.
- 3.8.9.3.9. Wall Materials – Reserved.
- 3.8.9.3.10. Window Frames – Reserved.
- 3.8.9.3.11. Doors – Reserved.
- 3.8.9.3.12. Canopies, Arcades and Awnings for Civic Buildings and Uses – Reserved.
- 3.8.9.3.13. Sign Design and Placement – See Chapter 7. Signs for general requirements.
- 3.8.9.3.13.1. Applicability – Reserved.
- 3.8.9.3.13.2. Freestanding Signs – Reserved.
- 3.8.9.3.13.3. Monument Signs – Reserved.
- 3.8.9.3.13.4. Wall Signs – Reserved.
- 3.8.9.3.13.5. Reserved.
- 3.8.9.3.13.6. Illumination – Reserved.
- 3.8.9.3.13.7. Plastic Signs – Reserved.
- 3.8.9.3.13.8. Window Signs – Reserved.
- 3.8.9.3.14. Outdoor Display and Sale – Reserved.
- 3.8.9.3.15. Utilities and Trash Receptacles –
- 3.8.9.3.15.1. Utility Structures – Reserved.
- 3.8.9.3.15.2. Dumpsters and Roll Carts Reserved.
- 3.8.9.3.16. Off-Street Parking –
- 3.8.9.3.16.1. Principal Use – Parking is not permitted as a principal use.
- 3.8.9.3.16.2. Amount Required – Reserved.
- 3.8.9.3.16.3. Location – Reserved.
- 3.8.9.3.16.4. Landscaping – Reserved.
- 3.8.9.3.16.5. Screening – Reserved.
- 3.8.9.3.16.6. Setbacks – Reserved.
- 3.8.9.3.16.7. Loading – Reserved.
- 3.8.9.3.16.8. Surface Treatment – Reserved.
- 3.8.9.3.16.9. Access – Driveways and access points to public and private parking lots, loading areas and service areas shall adhere to the following:
 - 3.8.9.3.16.9.1. The Building Official must approve all driveways, access points and curb cuts from any public right of way.
 - 3.8.9.3.16.9.2. Driveway ingress and egress onto side streets - Reserved.

Draft Date: 6.16.20

3.8.9.3.16.9.3. Driveway width - Reserved.

3.8.9.3.16.9.4. Separation of driveways or access points - Reserved.

3.8.9.3.16.9.5. No driveway or access point from any public right of way that reduces on-street parking shall be permitted except for parking areas that are available for use by the general public.

3.8.9.3.17. Landscaping - Reserved.

3.8.9.3.17.1. Setbacks - Reserved.

3.8.9.3.17.2. Street Trees and Plantings - Reserved.

3.8.9.3.17.3. Parking Lot Landscaping - Reserved.

3.8.9.3.18. Lighting - Reserved.

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Sec. 3.8.10. - Edgefield Unincorporated Area Overlay

3.8.9.2 Purpose – The purpose of the Edgefield Unincorporated Area Overlay is to promote development in the unincorporated area in the proximity of the incorporated limits for the Town of Edgefield that is compatible with the function, capacity and design of arterial roadways providing access to the Town and remains sensitive to abutting properties. Another purpose of the Edgefield Area Overlay is to augment dimensional and access management standards and establish design standards for commercial and mixed-use development within corridors that are predominantly classified as arterial. The permitted uses, dimensional standards and site development standards for the Sweetwater Road Corridor Overlay are the same as the underlying base district unless a different standard is established in this section.

3.8.10.1 Findings – The Edgefield Area Overlay is designed to promote development that is compatible with the function, capacity and design of major arterial roadways and remain sensitive to abutting properties. Another purpose of the Edgefield Area Overlay is to augment dimensional and access management standards and establish design standards for residential, commercial and mixed-use development within corridors that are primarily classified as arterial, but have an unique rural character that is desirable per the recommendations of the Comprehensive Plan.

3.8.10.2 Permitted Uses – All uses permitted in the underlying zoning districts are permitted subject to the standards established in this section. This section supplements any other requirements of this Chapter.

3.8.10.2.1. Limits on Permitted Uses – Reserved

3.8.10.3 Development Standards – Reserved

3.8.10.4 Setbacks – Building facades shall comply with the following setback standards:

3.8.10.4.1. Front Setback – Reserved.

3.8.10.4.2. Side Setbacks – Reserved.

3.8.10.4.3. Rear Setbacks – Reserved. Frontage – Reserved.

3.8.10.4.4. Maximum and Minimum Height – Reserved.

3.8.10.5 Dimensional Standards Table – The dimensional standards for the Highway Corridor Overlay District are established in Table 3-5: EDGEFIELD UNINCORPORATED COMPATIBILITY AREA DIMENSIONAL STANDARDS:

TABLE 3-5: EDGEFIELD UNINCORPORATED AREA DIMENSIONAL STANDARDS

Commented [JF79]: Table pending staff input

	A	B
1.	Maximum Height	60 feet
2.	Minimum Height	14 feet
3.	Minimum Front Setback	5 feet or 30 feet
4.	Maximum Front Setback	90 feet
5.	Minimum Side Setback	Required buffer, 0 feet or 10 feet
6.	Minimum Rear Setback	Required buffer, 20 feet or 10 feet from an alley
7.	Maximum Floor Area Ratio	3.0
8.	Minimum Frontage Buildout	30%

3.8.10.5.1. Minimum frontage buildout means the portion of the corridor street frontage of the parcel or parcels included in the development that is occupied by a principal structure at the front setback line. (Example: A parcel that is 200 feet in length requires a building or combination of buildings that total no less than 60 (sixty) feet in length and is set back from the street the minimum setback, either 5 (five) feet or 30 (thirty) feet, but not more than the maximum set back of 90 (ninety) feet.)

3.8.10.5.2. Where an existing building is located on a parcel and the site development plan includes the utilization of the existing building as a principal structure, the existing setback may be provided. The front setback landscaping requirements specified in this section shall be applied for the provision that most closely matches the existing setback.

3.8.10.5.3. Where a parcel in the corridor overlay is a through lot that fronts on two Highway Corridor streets, the maximum front setback and minimum frontage buildout shall be applicable to only one frontage. Both the maximum front setback and minimum frontage build out criteria shall be applied to the same frontage.

3.8.10.6 Building Design –

3.8.10.6.1. Orientation – Buildings shall be oriented to the street. A building is oriented to the street where:

3.8.10.6.1.1. The setback standards established in §3.1.2.5. are met.

3.8.10.6.1.2. Entrances to buildings face a street or open to a square, plaza, or sidewalk.

3.8.10.6.1.3. At least one entrance shall be provided to each street frontage.

3.8.10.6.1.4. All street level uses with sidewalk frontage are furnished with an individual entrance and direct access to the sidewalk in addition to any other access that may be provided.

3.8.10.6.1.5. Off-street parking does not lie between the building's principal entrance and the street.

3.8.10.6.1.6. Pedestrian access from the public sidewalk, street right of way, or driveway to the principal structure is provided on a hard surface.

3.8.10.6.1.7. Grade – Buildings shall be aligned with the finished grade of the street except as otherwise provided herein. The principal entry for a civic use or a civic building may include a stoop, portico, colonnade or a portal.

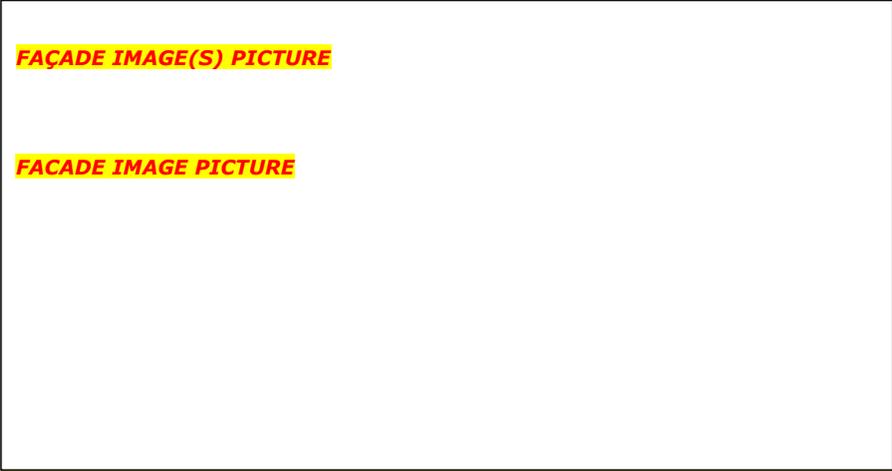
3.8.10.6.1.8. Fenestration, Openings, and Storefronts – This section applies to all storefronts and any use other than those described in §3.1.2.6. This section does not apply to the conversion of a residential building to a commercial use. Fenestration is defined as the design, proportioning and disposition of windows and other exterior openings of a building.

3.8.10.6.1.9. **Facades – Reserved.**

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FIGURE 3-10: EDGEFIELD UNINCORPORATED AREA ROAD FACADES

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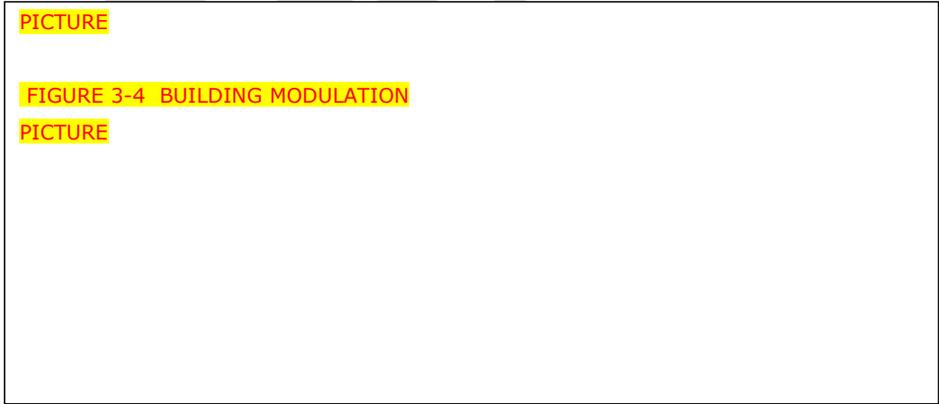


3.8.10.6.2. Windows – Windows shall be required on all stories in keeping with the design and use of the building but not less than thirty percent (30%) of the front facade.

3.8.10.6.3. Building Modulation – Building frontages that face public streets and exceed a width of twenty (20) feet must include modulation to break the plane of the building frontage. Such modulation must be spaced at uniform or near uniform intervals along the entire building frontage. Vertical visual elements may include entryways, windows, columns, colonnades, or other form of modular fenestration.

FIGURE 3-11: EDGEFIELD UNINCORPORATED AREA BUILDING MODULATION

Commented [JF82]: Need to be determined



- 3.8.10.6.4. Entryways – Reserved.
- 3.8.10.6.5. Canopies – Reserved.
- 3.8.10.6.6. Roof Drainage – – Reserved.
- 3.8.10.6.7. Roofs – – Reserved.
- 3.8.10.6.8. Equipment – – Reserved.
- 3.8.10.6.9. Wall Materials – Reserved.
- 3.8.10.6.10. Window Frames – Reserved.
- 3.8.10.6.11. Doors – Reserved.
- 3.8.10.6.12. Canopies, Arcades and Awnings for Civic Buildings and Uses – Reserved.
- 3.8.10.6.13. Sign Design and Placement – See Chapter 7. Signs for general requirements.
- 3.8.10.6.13.1. Applicability – Reserved.
- 3.8.10.6.13.2. Freestanding Signs – Reserved.
- 3.8.10.6.13.3. Monument Signs – Reserved.
- 3.8.10.6.13.4. Wall Signs – Reserved.
- 3.8.10.6.13.5. Reserved.
- 3.8.10.6.13.6. Illumination – Reserved.
- 3.8.10.6.13.7. Plastic Signs – Reserved.
- 3.8.10.6.13.8. Window Signs – Reserved.
- 3.8.10.6.14. Outdoor Display and Sale – Reserved.
- 3.8.10.6.15. Utilities and Trash Receptacles –
- 3.8.10.6.15.1. Utility Structures – Reserved.
- 3.8.10.6.15.2. Dumpsters and Roll Carts Reserved.
- 3.8.10.6.16. Off-Street Parking –
- 3.8.10.6.16.1. Principal Use – Parking is not permitted as a principal use.
- 3.8.10.6.16.2. Amount Required – Reserved.
- 3.8.10.6.16.3. Location – Reserved.
- 3.8.10.6.16.4. Landscaping – Reserved.
- 3.8.10.6.16.5. Screening – Reserved.
- 3.8.10.6.16.6. Setbacks – Reserved.
- 3.8.10.6.16.7. Loading – Reserved.
- 3.8.10.6.16.8. Surface Treatment – Reserved.
- 3.8.10.6.16.9. Access – Driveways and access points to public and private parking lots, loading areas and service areas shall adhere to the following:
 - 3.8.10.6.16.9.1. The Building Official must approve all driveways, access points and curb cuts from any public right of way.
 - 3.8.10.6.16.9.2. Driveway ingress and egress onto side streets - Reserved.

Draft Date: 6.16.20

3.8.10.6.16.9.3. Driveway width - Reserved.

3.8.10.6.16.9.4. Separation of driveways or access points - Reserved.

3.8.10.6.16.9.5. No driveway or access point from any public right of way that reduces on-street parking shall be permitted except for parking areas that are available for use by the general public.

3.8.10.6.17. Landscaping - Reserved.

3.8.10.6.17.1. Setbacks - Reserved.

3.8.10.6.17.2. Street Trees and Plantings - Reserved.

3.8.10.6.17.3. Parking Lot Landscaping - Reserved.

3.8.10.6.18. Lighting - Reserved.

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Sec. 3.8.11. - Johnston Unincorporated Area Compatibility Overlay

3.8.11.1 Purpose – The purpose of the Johnston Area Overlay District is to promote development in the unincorporated area in the proximity of the incorporated limits for the Town of Johnston that is compatible with the function, capacity and design of arterial roadways providing access to the Town and remains sensitive to abutting properties. Another purpose of the Johnston Area Overlay is to augment dimensional and access management standards and establish design standards for commercial and mixed-use development within corridors that are predominantly classified as arterial. The permitted uses, dimensional standards and site development standards for the Johnston Area Overlay are the same as the underlying base district unless a different standard is established in this section.

3.8.11.2 Findings – The Johnston Area Overlay is designed to promote development that is compatible with the function, capacity and design of major arterial roadways and remain sensitive to abutting properties. Another purpose of the Johnston Area Overlay is to augment dimensional and access management standards and establish design standards for residential, commercial and mixed-use development within corridors that are primarily classified as arterial, but have an unique rural character that is desirable per the recommendations of the Comprehensive Plan.

3.8.11.3 Permitted Uses – All uses permitted in the underlying zoning districts are permitted subject to the standards established in this section. This section supplements any other requirements of this Chapter.

3.8.11.3.1. Limits on Permitted Uses – Reserved

3.8.11.4 Development Standards – Reserved

Sec. 3.8.12. - Setbacks – Building facades shall comply with the following setback standards:

3.8.12.1.1. Front Setback – Reserved.

3.8.12.1.2. Side Setbacks – Reserved.

3.8.12.1.3. Rear Setbacks – Reserved. Frontage – Reserved.

3.8.12.1.4. Maximum and Minimum Height – Reserved.

3.8.12.2 Dimensional Standards Table – The dimensional standards for the Highway Corridor Overlay District are established in Table 3-6: JOHNSTON UNINCORPORATED COMPATIBILITY AREA DIMENSIONAL STANDARDS:

TABLE 3-6: JOHNSTON UNINCORPORATED AREA OVERLAY DIMENSIONAL STANDARDS

	A	B
1.	Maximum Height	60 feet
2.	Minimum Height	14 feet
3.	Minimum Front Setback	5 feet or 30 feet
4.	Maximum Front Setback	90 feet
5.	Minimum Side Setback	Required buffer, 0 feet or 10 feet
6.	Minimum Rear Setback	Required buffer, 20 feet or 10 feet from an alley
7.	Maximum Floor Area Ratio	3.0
8.	Minimum Frontage Buildout	30%

Commented [JF83]: Table pending staff input

3.8.12.2.1. Minimum frontage buildout means the portion of the corridor street frontage of the parcel or parcels included in the development that is occupied by a principal structure at the front setback line. (Example: A parcel that is 200 feet in length requires a building or combination of buildings that total no less than 60 (sixty) feet in length and is set back from the street the minimum setback, either 5 (five) feet or 30 (thirty) feet, but not more than the maximum set back of 90 (ninety) feet.)

3.8.12.2.2. Where an existing building is located on a parcel and the site development plan includes the utilization of the existing building as a principal structure, the existing setback may be provided. The front setback landscaping requirements specified in this section shall be applied for the provision that most closely matches the existing setback.

3.8.12.2.3. Where a parcel in the corridor overlay is a through lot that fronts on two Highway Corridor streets, the maximum front setback and minimum frontage buildout shall be applicable to only one frontage. Both the maximum front setback and minimum frontage build out criteria shall be applied to the same frontage.

3.8.12.3 Building Design –

3.8.12.3.1. Orientation – Buildings shall be oriented to the street. A building is oriented to the street where:

3.8.12.3.1.1. The setback standards established in §3.1.2.5. are met.

3.8.12.3.1.2. Entrances to buildings face a street or open to a square, plaza, or sidewalk.

3.8.12.3.1.3. At least one entrance shall be provided to each street frontage.

3.8.12.3.1.4. All street level uses with sidewalk frontage are furnished with an individual entrance and direct access to the sidewalk in addition to any other access that may be provided.

3.8.12.3.1.5. Off-street parking does not lie between the building's principal entrance and the street.

3.8.12.3.1.6. Pedestrian access from the public sidewalk, street right of way, or driveway to the principal structure is provided on a hard surface.

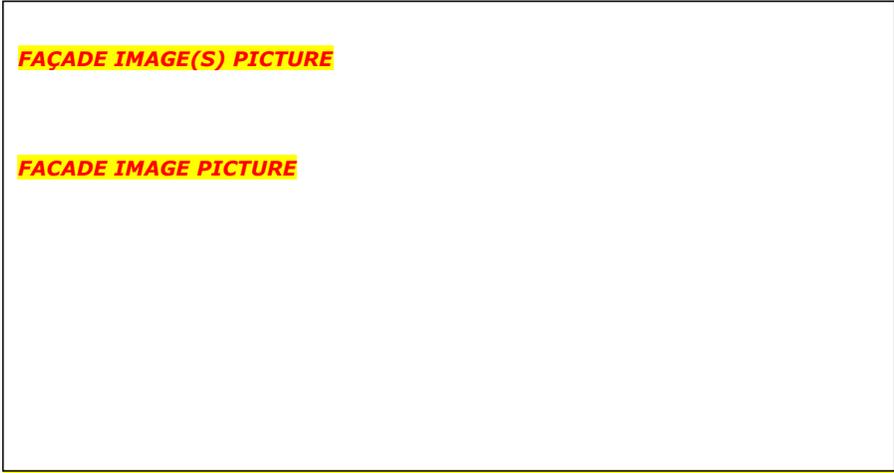
3.8.12.3.1.7. Grade – Buildings shall be aligned with the finished grade of the street except as otherwise provided herein. The principal entry for a civic use or a civic building may include a stoop, portico, colonnade or a portal.

3.8.12.3.1.8. Fenestration, Openings, and Storefronts – This section applies to all storefronts and any use other than those described in §3.1.2.6. This section does not apply to the conversion of a residential building to a commercial use. Fenestration is defined as the design, proportioning and disposition of windows and other exterior openings of a building.

3.8.12.3.1.9. Facades – Reserved.

FIGURE 3-12: JOHNSTON AREA FACADES

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3.8.12.3.2. Windows – Windows shall be required on all stories in keeping with the design and use of the building but not less than thirty percent (30%) of the front facade.

3.8.12.3.3. Building Modulation – Building frontages that face public streets and exceed a width of twenty (20) feet must include modulation to break the plane of the building frontage. Such modulation must be spaced at uniform or near uniform intervals along the entire building frontage. Vertical visual elements may include entryways, windows, columns, colonnades, or other form of modular fenestration.

FIGURE 3-13: JOHNSTON AREA BUILDING MODULATION

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PICTURE

FIGURE 3-4 BUILDING MODULATION

PICTURE

- 3.8.12.3.4. Entryways – Reserved.
- 3.8.12.3.5. Canopies – Reserved.
- 3.8.12.3.6. Roof Drainage – – Reserved.
- 3.8.12.3.7. Roofs – – Reserved.
- 3.8.12.3.8. Equipment – – Reserved.
- 3.8.12.3.9. Wall Materials – Reserved.
- 3.8.12.3.10. Window Frames – Reserved.
- 3.8.12.3.11. Doors – Reserved.
- 3.8.12.3.12. Canopies, Arcades and Awnings for Civic Buildings and Uses – Reserved.
- 3.8.12.3.13. Sign Design and Placement – See Chapter 7. Signs for general requirements.
- 3.8.12.3.13.1. Applicability – Reserved.
- 3.8.12.3.13.2. Freestanding Signs – Reserved.
- 3.8.12.3.13.3. Monument Signs – Reserved.
- 3.8.12.3.13.4. Wall Signs – Reserved.
- 3.8.12.3.13.5. Reserved.
- 3.8.12.3.13.6. Illumination – Reserved.
- 3.8.12.3.13.7. Plastic Signs – Reserved.

3.8.12.3.13.8. Window Signs – Reserved.

3.8.12.3.14. Outdoor Display and Sale – Reserved.

3.8.12.3.15. Utilities and Trash Receptacles –

3.8.12.3.15.1. Utility Structures – Reserved.

3.8.12.3.15.2. Dumpsters and Roll Carts Reserved.

3.8.12.3.16. Off-Street Parking –

3.8.12.3.16.1. Principal Use – Parking is not permitted as a principal use.

3.8.12.3.16.2. Amount Required – Reserved.

3.8.12.3.16.3. Location – Reserved.

3.8.12.3.16.4. Landscaping – Reserved.

3.8.12.3.16.5. Screening – Reserved.

3.8.12.3.16.6. Setbacks – Reserved.

3.8.12.3.16.7. Loading – Reserved.

3.8.12.3.16.8. Surface Treatment – Reserved.

3.8.12.3.16.9. Access – Driveways and access points to public and private parking lots, loading areas and service areas shall adhere to the following:

3.8.12.3.16.9.1. The Building Official must approve all driveways, access points and curb cuts from any public right of way.

3.8.12.3.16.9.2. Driveway ingress and egress onto side streets - Reserved.

3.8.12.3.16.9.3. Driveway width - Reserved.

3.8.12.3.16.9.4. Separation of driveways or access points - Reserved.

3.8.12.3.16.9.5. No driveway or access point from any public right of way that reduces on-street parking shall be permitted except for parking areas that are available for use by the general public.

3.8.12.3.17. Landscaping – Reserved.

3.8.12.3.17.1. Setbacks – Reserved.

3.8.12.3.17.2. Street Trees and Plantings – Reserved.

3.8.12.3.17.3. Parking Lot Landscaping – Reserved.

3.8.12.3.18. Lighting – Reserved.

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CHAPTER 4 - Restrictions on Particular Uses.

ARTICLE 4.1. - PURPOSE.

The purpose of this Chapter is to provide land use and development regulations for specific uses that are applicable to sites throughout Edgefield County. Unless otherwise noted, these standards are intended to be applied within all zoning districts where the particular uses are allowed, whether by right, as a conditional use, or through special exception approval. In addition to regulation of specific principal uses, this Chapter also addresses requirements for accessory uses and temporary uses.

ARTICLE 4.2. - DEFINITIONS REFERENCED.

The definitions of certain terms referenced in this Chapter are set forth in Chapter 12 Interpretation and Definitions.

ARTICLE 4.3. - RESTRICTIONS ON PRINCIPAL USES.

Sec. 4.3.1. - Generally.

4.3.1.1 This Article identifies restrictions and requirements that apply to specific principal uses.

4.3.1.2 In some instances, the requirements apply to uses in all zoning districts where the uses are allowed. In other cases, the requirements only apply to the use within a particular zoning district; these are classified as Conditional Uses and are so noted in Table 2-1 Principal Use Table in Chapter 2 and throughout this Chapter, where applicable.

4.3.1.3 See also Chapter 6 for development standards that apply to all lots and structures by zoning district. Where this a conflict between Chapter 4 and Chapter 6, the requirements in this Chapter shall apply.

4.3.1.4 See also Chapter 3 for development standards that apply within special development districts and overlay districts. Where this a conflict between Chapter 3 and this Chapter, the requirements in Chapter 3 shall apply.

Sec. 4.3.2. - Bed and Breakfast Inn.

Bed and breakfast inns are intended to provide a unique transit lodging experience in predominantly residential environs. As a result, care should be taken to protect the environs that contribute to the experience of such lodging while promoting their use.

4.3.2.1 Requirements that apply in each zoning district that allows bed and breakfast inns. Bed and breakfast inns shall:

4.3.2.1.1. Serve no regularly scheduled meal other than breakfast.

4.3.2.1.2. Be allowed one externally illuminated sign not to exceed six (6) square feet in area.

4.3.2.1.3. Be occupied as a residence by the owner.

4.3.2.1.4. Maintain the interior architectural integrity and arrangement of the structure and shall not increase the number of guestrooms above the number of bedrooms in the original structure.

Commented [JF1]: Should we change this to a time period (i.e., 6 am to 11 am? Since "breakfast" could be considered vague?

4.3.2.1.5. Provide off-street parking for one space per guest room, plus two spaces for the resident innkeeper.

4.3.2.2 Additional requirements that apply to the GSC zoning district.

In addition to the requirements of Sec. 4.3.2.1 above, the following shall apply to bed and breakfast inns in the GSC zoning district.

4.3.2.2.1. A bed and breakfast inn shall only be allowed in residential structures that are architecturally, historically, or culturally significant and built prior to 1950.

4.3.2.2.2. Sufficient off-street parking space shall be available on site to accommodate private gatherings, where proposed by the applicant, and to meet the requirements of requirements of ANSI 117 Handicapped Parking.

Commented [JF2]: Do we need to identify a designation as a special event facility?

Sec. 4.3.3. - Campgrounds and Recreational Vehicle (RV) Parks.

Campgrounds and and recreational vehicle (RV) parks shall comply with the following site and design standards:

Commented [JF3]: This is assumed for references ICC ANSI A117.1-2009, Section 502 Parking Spaces, so do we need to be more specific tat it would include later editions?

4.3.3.1 The campground or RV park shall be at least 5 acres.

4.3.3.2 The campground or RV park shall be developed in a manner that preserves natural features and landscape.

4.3.3.3 Maximum impervious surface ratio shall not exceed 15% of the entire project site.

4.3.3.4 Minimum setbacks for all structures and recreational vehicles shall be:

4.3.3.4.1. Street frontage: 100 feet.

4.3.3.4.2. All other property lines: 50 feet.

4.3.3.5 Maximum density shall not exceed 10 vehicles per acre.

4.3.3.6 Buffer yards shall be as specified by Chapter 6.

4.3.3.7 Areas designated for parking and loading or for trafficways shall be physically separated from public streets by suitable barriers against unchanneled motor vehicle ingress and egress.

4.3.3.8 All drives shall be located at least 150 feet from any street intersection and shall be designated in a manner conducive to safe ingress and egress.

4.3.3.9 All streets within RV parks shall be private and not public.

4.3.3.10 Each campground or RV park shall be serviced by public water and sewer or other systems approved by DHEC.

Sec. 4.3.4. - Manufactured Homes.

4.3.4.1 Applicability and intent.

4.3.4.1.1. All manufactured homes for which a permit is issued to obtain electrical service in the county must first comply with the requirements listed in this Section. This includes manufactured homes sited for the first time, or for which there is a change in ownership, or when moved from one site to another.

4.3.4.1.2. It shall be unlawful for any person to place a manufactured home on an individual lot until a permit authorizing such action has been properly issued.

4.3.4.1.3. It is the intent of this Section to ensure compliance with South Carolina law, with the Manufactured Housing Board Regulations promulgated by the State Manufactured Housing Board, and applicable regulations of the U.S. Department of Housing and Urban Development.

4.3.4.2 Requirements for all manufactured homes.

The following requirements shall apply to all manufactured homes, whether they are residential design- or standard design manufactured homes, as defined in Chapter 12.

4.3.4.2.1. HUD code requirements.

4.3.4.2.1.1. All manufactured homes shall bear a seal showing compliance with the Federal Manufactured Home Construction and Safety Act of 2001, 42 U.S.C. § 5401 et seq. (24 CFR §§ 3280, 3284, 3285, 3286, 3288 and 3800 and as may be amended from time to time).

4.3.4.2.1.2. If the manufactured home does not bear the seal showing compliance, the homeowner shall provide a letter from a manufactured home repair contractor licensed by the state certifying that the unit is retrofitted to these standards.

4.3.4.2.1.3. No permit for electrical service or sanitary sewage disposal connection will be issued in cases where the unit is not certified as being in compliance with HUD standards for manufactured homes, except for a temporary use permit.

4.3.4.2.2. Minimum habitability standards.

All manufactured homes brought into the county must provide a safe and sanitary living environment. Accordingly, this Section requires compliance with regulations of the Manufactured Housing Board.

4.3.4.2.3. Foundations.

4.3.4.2.3.1. Foundations shall be in accordance with regulations adopted by the State Manufactured Housing Board.

4.3.4.2.3.2. Foundations shall be installed by personnel licensed in accordance with S.C. Code Reg. 79-21.

4.3.4.2.4. Tie-down anchors.

4.3.4.2.4.1. Ground anchors shall be installed in accordance with S.C. Code Reg. 79-42.

4.3.4.2.4.2. Anchors shall be installed by personnel licensed in accordance with S.C. Code Reg. 79-24.

4.3.4.2.5. Curtain walls and final installation.

4.3.4.2.5.1. Curtain walls (commonly referred to as skirting or underpinning) shall be installed in accordance with manufacturer's installation instructions, and regulations promulgated by the state manufactured housing board under S.C. Code 1976, tit. 40, ch. 29.

4.3.4.2.5.2. Curtain walls shall be secured, as necessary, to assure stability, to minimize vibrations, minimize susceptibility to wind damage, and to compensate for possible frost heave.

4.3.4.2.5.3. Access openings not less than 24 inches in any dimension and not less than 3 square feet in area shall be provided and shall be located so that any water supply and sewer drain connections located under the manufactured home are accessible for inspection.

4.3.4.2.5.4. Such access panels or doors shall be fastened in a manner that does not require the use of a special tool to remove or open same.

4.3.4.2.5.5. Before installation of curtain walls, all debris and grass shall be removed from beneath the manufactured home.

4.3.4.2.6. Steps and landings.

4.3.4.2.6.1. Each exterior door shall have a landing or porch area with minimum measurements of 36 inches by 36 inches.

4.3.4.2.6.2. The minimum width of stairway treads shall be 36 inches.

4.3.4.2.6.3. If the exterior door is 30 inches or more above the ground, handrails must be installed.

4.3.4.2.6.4. Metal or wood stairs shall be securely anchored to the ground.

4.3.4.2.6.5. Concrete masonry unit (cmu) steps must be constructed with standard masonry joints consisting of masonry cement.

4.3.4.2.7. Water supply and waste disposal.

4.3.4.2.7.1. The water supply and waste disposal systems of all manufactured homes shall be inspected and approved by the South Carolina Department of Health and Environmental Control before occupancy.

4.3.4.2.7.2. A cleanout is required for the sanitary waste line.

4.3.4.3 Additional requirements for residential design manufactured homes.

In addition to the requirements in Sec. 4.3.4.2 above, the following requirements shall apply to residential design manufactured homes, as defined in Chapter 12 of this Ordinance:

4.3.4.3.1. Skirting materials shall consist of brick or split face block.

4.3.4.3.2. Tongues, drawbars and running gear must be removed from the unit.

4.3.4.3.3. The unit shall have a permanent landing and steps.

4.3.4.4 Additional requirements for standard design manufactured homes.

In addition to the requirements in Sec. 4.3.4.2 above, the following requirements shall apply to standard design manufactured homes, as defined in Chapter 12 of this Ordinance:

4.3.4.4.1. Skirting materials may consist of vinyl, wood, metal or masonry.

4.3.4.4.2. Tongues, drawbars and running gear must be removed from the unit. In lieu of removing any or all of these devices, manufactured homeowners shall pay a fee to the Edgefield County treasurer in accordance with an adopted fee schedule.

Sec. 4.3.5. - Manufactured Home Parks.

It shall be unlawful for any person to commence the excavation for or construction of a manufactured home until a building permit authorizing such action has been properly issued.

4.3.5.1 Area and density requirements.

4.3.5.1.1. The minimum area for a manufactured home park shall be 5 acres.

4.3.5.1.2. Each manufactured home lot shall have a minimum area of 7,000 square feet and be a minimum of 50 feet wide. Additional space may be required to meet applicable health regulations where waste disposal systems are to be installed.

4.3.5.1.3. The maximum number of manufactured homes shall be 6 per acre.

4.3.5.2 Setback requirements.

4.3.5.2.1. All manufactured homes and all buildings or structures within a manufactured home park shall have a minimum setback of 25 feet or the requirements of the zoning district from the park's property lines whichever is greater.

4.3.5.2.2. No manufactured home shall be located closer than 25 feet to the right-of-way of a street or the requirements of the zoning district, whichever is greater.

4.3.5.2.3. No accessory structure shall be erected within 5 feet of any manufactured home or within 20 feet of any common building.

4.3.5.3 Site design.

4.3.5.3.1. A manufactured home park or additions to a manufactured home park shall be located on a well-drained site that is properly graded to ensure rapid drainage and freedom from stagnant pools of water.

4.3.5.3.2. Not less than 20% of the park site shall be set aside and developed for common open space and recreation usage.

4.3.5.4 Lighting.

All on-site roadway intersections shall be provided with a streetlight.

4.3.5.4.1. Permanent space numbers as assigned by Edgefield County E-911 shall be provided on each manufactured home space and shall be located so as to be visible from the street or driveway. Signs identifying space locations shall be provided at each street or driveway intersection.

4.3.5.5 Parking.

4.3.5.5.1. A minimum of two off-street parking spaces shall be provided for each manufactured home.

4.3.5.5.2. Parking spaces shall be a minimum of 10 feet from adjoining parking spaces for each manufactured home lot.

4.3.5.6 Roadways.

Access shall be provided by interior roadways as described below:

4.3.5.6.1. Interior roadways shall have a minimum travel surface width of 20 feet.

4.3.5.6.2. All manufactured home park interior roadways shall be surfaced with a pre-approved base course of 6 inches and 1½ inches of asphalt.

4.3.5.6.3. All interior roadways shall remain private and shall be maintained privately.

4.3.5.6.4. No manufactured home shall have direct access to a public street or highway. All manufactured home lots shall have access to an interior roadway.

4.3.5.6.5. All interior roadways shall be completed before occupancy of any units.

4.3.5.7 Water and sewer systems.

The parks shall be served by public water and sewer systems or other systems approved by the South Carolina Department of Health and Environmental Control.

4.3.5.8 Refuse disposal.

4.3.5.8.1. Each manufactured home park shall be provided with a sanitary method of solid waste collection and disposal. This shall include providing each manufactured home with two watertight refuse containers having a capacity of 30 gallons each.

4.3.5.8.2. Refuse shall be legally disposed of at least once weekly.

4.3.5.9 Supervision and maintenance of manufactured home park.

4.3.5.9.1. The person to whom a building permit is issued for a manufactured home park shall be responsible for providing adequate supervision of the park to maintain it in full compliance with these regulations, and keep the park's facilities and equipment in good repair and in a clean and sanitary condition.

Sec. 4.3.6. - Multi-Family Housing.

Multi-family housing or two or more residential care facilities, rooming houses or group-occupied dwellings designed to accommodate 20 or more individuals shall meet the following design standards:

4.3.6.1 The project shall have a minimum of 1 acre.

4.3.6.2 At least 20% of the project shall consist of landscaped open and common space.

4.3.6.3 The minimum building setback line will be 50 feet in the front and 30 feet for side and rear yards.

4.3.6.4 The project shall consist of a maximum of 8 units per acre.

Commented [JF4]: Revisit after dimensional requirements for zoning districts are finalized

Sec. 4.3.7. - Patio and Zero Lot Line Homes.

The following design requirements shall apply to patio and zero lot line housing developments:

4.3.7.1 Such projects shall have a minimum of 1 acre.

4.3.7.2 Minimum lot area shall be 3,000 square feet per unit.

4.3.7.3 Minimum lot width shall be 40 feet.

4.3.7.4 Where a unit is to be constructed at or on the property line, a 5-foot private maintenance easement shall be provided on the adjoining lot.

4.3.7.5 At least one side yard extending not less than 5 feet from the property line shall be provided. Where a second side yard is provided, though not required, it too shall have a minimum width of 5 feet.

4.3.7.6 The side yard of the exterior units shall be as prescribed in Chapter 6.

4.3.7.7 Not less than 20% of the project shall be devoted to open space.

Sec. 4.3.8. - Sexually Oriented Business.

Reserved. **DRAFT SECTION UNDER REVIEW BY COUNTY ATTORNEY**

Commented [JF5]: This section along with some additional elements for discussion is being sent to the County Attorney for review.

Sec. 4.3.9. - Solar Farms.

Where a series of ground mounted solar collectors (minimum of three) are placed in an area for generating photovoltaic power for resale purposes, the following conditions must be met:

4.3.9.1 The site shall adhere to the applicable sections of the International Building Code at time of construction and throughout their operation.

4.3.9.2 A letter from a registered South Carolina engineer shall be provided stating that the panels are placed in such a way as to not be offensive to traffic or residences.

4.3.9.3 No structure shall achieve a height greater than 20 feet.

4.3.9.4 A fence of at least six (6) feet in height must control access to the site with a vegetative landscape buffer meeting the requirements of Chapter 6 provided between the fencing and the property line.

4.3.9.5 Solar farms, which have not been in active and continuous service for a period of 1 year, shall be removed at the owner or operators expense, and the site shall be restored to as natural condition as possible within six (6) months of removal.

4.3.9.6 The manufacturers' or installers' identification, the contact information for the responsible party, and appropriate warning signage shall be posted at the site in a clearly visible manner.

4.3.9.7 On-site power lines shall, to the maximum extent practicable, shall be placed underground.

Sec. 4.3.10. - Scrap and Waste Material.

4.3.10.1 No such use shall be located closer than 500 feet to any residential use, church, school, historical place or public park.

4.3.10.2 No material because it is discharged and incapable of being reused in some form shall be placed in open storage.

4.3.10.3 No material shall be placed in open storage in such a manner that it is capable of being transferred out by wind, water or other causes.

4.3.10.4 All paper, rags, cloth and other fibers, and activities involving the same other than loading and unloading shall be within fully closed buildings.

4.3.10.5 All materials and activities not within fully enclosed buildings shall be enclosed by an opaque fence or wall or vegetative material, excluding points of ingress or egress, at least 8 feet in height.

Sec. 4.3.11. - Solid Waste Landfills.

Solid waste landfills are divided by this Section into two categories, sanitary landfills and construction and demolition landfills, and are regulated as follows:

4.3.11.1 Sanitary landfills.

4.3.11.1.1. Sanitary landfills shall be located no closer than 2,500 feet to any existing residential, recreational, religious, educational, medical, or public use (measured in a straight line.)

4.3.11.1.2. A geotechnical engineering firm approved by the Building Official shall render a written opinion that, to the best professional judgment, the formations being used to contain the waste are impermeable and that surrounding groundwater sources will not be contaminated.

4.3.11.1.3. The facility shall be enclosed by an opaque fence or wall structure illustrated by section 24-108(d), on all sides visible from the street serving the facility and an opaque cyclone fence on the remaining unexposed boundaries.

4.3.11.1.4. A plan showing restoration of the site on completion of use as a landfill shall accompany the request.

4.3.11.2 Construction and demolition landfills.

Commented [JF6]: Reference pending NEW location to be determined. **Replace reference after graphic inserted**

4.3.11.2.1. A construction and demolition landfill may be located up to, but not closer than 300 feet from any property line or 500 feet from any residential building.

4.3.11.2.2. No material shall be placed in open storage or in areas such as those capable of being transferred out by wind, water, or other causes.

4.3.11.2.3. All materials and activities shall be screened in such fashion as not to be visible from off-site. The provisions of this section may be waived by the Building Official where such facility will be utilized for a period not to exceed 90 days.

4.3.11.2.4. The site shall be restored and re-vegetated on completion of use as a landfill.

Sec. 4.3.12. - Wireless Telecommunication Tower

Reserved. SECTION PENDING NEW STANDARDS BASED ON STATE REQUIREMENTS. NEW TEXT TO BE PREPARED AFTER REVIEW FOR COMPLIANCE WITH STATE AND FEDERAL REQUIREMENTS

Commented [JF7]: The draft text will be submitted to the County Attorney for review prior to being inserted, and pending review against state law and FCC requirements, which will affect Chapter 9's procedures for reviewing applications for new towers, collocations, and modifications); there is a pending law that would address small cells in the ROW, but looks like the Governor has not signed it at the time is text was being prepared.

Sec. 4.3.13. - Townhouses.

The design requirements shall apply to townhouse developments:

4.3.13.1 Such projects shall have a minimum of 1 acre.

4.3.13.2 Not fewer than three townhouses may be joined together, with approximately the same (but staggered) front line.

4.3.13.3 Minimum distance between rows of buildings shall be not less than 20 feet.

4.3.13.4 Minimum lot width shall be 18 feet.

4.3.13.5 Sidewalks not less than 4 feet in width shall be provided along road and street infrastructure and between structures and amenities.

Sec. 4.3.14. - Weapons Firing Ranges and Gun Clubs.

In order to minimize any adverse impact on the surrounding environment, all weapons firing ranges shall be designed and constructed according to the requirements listed in The NRA Range Source Book: *A Guide to Planning and Construction* (latest edition). Notwithstanding the advisory intent of the range manual, the design guidelines shall be considered minimum standards for the construction of weapons firing ranges in the county and part of this Code.

Commented [JF8]: These requirements are controlled by the State of South Carolina

ARTICLE 4.4. - RESTRICTIONS ON ACCESSORY USES AND STRUCTURES

4.4.1.1 This Article identifies restrictions that apply to specific accessory uses and structures.

4.4.1.2 Except as specifically regulated under this Article, Chapter 6 establishes setback and height restrictions for accessory buildings and structures.

Commented [JF9]: Accessory and Temporary Use table to be inserted at the end of new Chapter 2 to list allowed uses.

Sec. 4.4.2. - Home Occupations.

4.4.2.1 A home occupation shall be carried on wholly within the principal building.

4.4.2.2 The floor area dedicated to such use shall not exceed 25% of the floor area of the principal building, up to 400 square feet.

4.4.2.3 No activity shall be conducted outside, nor shall there be any outdoor storage, display, or refuse area in the yard.

4.4.2.4 See Chapter 7 regarding signs.

4.4.2.5 No merchandise or articles shall be displayed so as to be visible from outside the building.

4.4.2.6 Not more than two persons not residing in the residence shall be employed in the home occupation.

4.4.2.7 No traffic shall be generated in an amount above that normally expected in a residential neighborhood.

4.4.2.8 No parking is needed above that required by the principal residential use.

4.4.2.9 There shall be no alteration whatsoever of the residential character of the building and/or premises.

4.4.2.10 The occupation, profession, or trade generates no noise, glare, heat, vibration, smoke, dust, or odor perceptible to adjacent uses.

Sec. 4.4.3. - Open Storage Areas.

Open storage as an accessory use may be allowed where indicated by table 1, section 24-31, provided such storage area does not occupy over 20% of the buildable area, is not located in any required setback area, and is screened from public view.

Commented [JF10]: Reference pending location to be determined.

Commented [JF11]: Need to replace this with specific zoning districts

Sec. 4.4.4. - Solar Panels.

4.4.4.1 General requirements.

4.4.4.1.1. Solar energy system components must have a UL listing and must be designed with anti-reflective glare coatings to minimize solar glare.

4.4.4.1.2. The site shall adhere to the applicable sections of the International Building Code at time of construction and throughout the operation of the accessory use.

4.4.4.2 Application requirements.

4.4.4.2.1. A plan shall be submitted showing the proposed location of solar panel(s), the arrangement of the panels, distance from the roof, pitch of the finished roof, and distance from the proposed site improvements to all property lines.

4.4.4.2.2. Written authorization shall be provided from the local public utility company acknowledging that it has been informed of the applicant's intent to install an interconnected customer-owned generator and that it also approves of such connections.

4.4.4.3 Roof-mounted systems.

4.4.4.3.1. Roof-mounted solar collector systems shall meet the following standards:

4.4.4.3.1.1. Roof-mounted accessory collector systems shall not extend above the ridge-cap or exceed the height restriction of the zoning district.

4.4.4.3.1.2. The collector surface and mounting devices for roof-mounted systems shall not extend beyond the exterior perimeter of the building on which the system is mounted or built.

4.4.4.3.1.3. Mounting hardware and framing shall be non-reflective or matte black in color.

4.4.4.3.1.4. Roof mounted systems shall provide, as a part of the permit application a design review and structural certification from a South Carolina registered engineer.

ARTICLE 4.5. - RESTRICTIONS ON TEMPORARY USES AND STRUCTURES

Sec. 4.5.1. - Type, location, and duration.

4.5.1.1 Except in the residential zoning districts (RL, RS, and RV zoning districts), tents, travel trailers, or other temporary structures are allowed for a period not to exceed 45 days, at intervals of not less than 60 days.

4.5.1.2 Contractor's office and equipment shed are allowed for a period covering construction phase of a project not to exceed 1 year unless re-permitted; provided that such mobile office be placed on the property to which it is appurtenant.

Sec. 4.5.2. - Permit required.

4.5.2.1 The Building Official is authorized to issue a permit for temporary structures and temporary occupancy/uses.

4.5.2.2 No temporary use or structure may be established without receiving such permit.

4.5.2.3 Such permits shall be limited as to time of service but shall not be permitted for more than 180 days. The Building Official is authorized to grant extensions for demonstrated cause.

Sec. 4.5.3. - Conformance with building codes.

Temporary structures and uses shall conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary requirements of applicable building codes as necessary to ensure public health, safety and general welfare.

Sec. 4.5.4. - Temporary power.

The Building Official is authorized to give permission to temporarily supply and use power in part of an electric installation before such installation has been fully completed and the final certificate of completion has been issued. The part covered by the temporary certificate shall comply with the requirements specified for temporary lighting, heat or power in the ICC Electrical Code.

Sec. 4.5.5. - Termination of approval.

4.5.5.1 Any temporary use or structure that is determined to be creating a nuisance or disruption may have its temporary permit revoked by the Building Official.

4.5.5.2 The Building Official is authorized to terminate a permit for a temporary structure or use and to order the temporary structure or use to be discontinued.

Sec. 4.5.6. - Removal.

Temporary uses and structures from which temporary uses are operated shall be removed from the site after the temporary permit has expired.

CHAPTER 5 - Environmental Protection

ARTICLE 5.1. - PURPOSE.

This Article sets out the minimum requirements and standards for the protection of the natural environment within the county, including restrictions to protect lands and waters from the effects of excessive soil erosion and sedimentation and to prevent the alteration of natural floodplains and stream channels.

ARTICLE 5.2. - EROSION AND SEDIMENT CONTROL.

Sec. 5.2.1. - Purpose

In order to protect the general health, safety, and welfare of the people of the county and to protect the natural assets and resources of the county for posterity, this erosion and sediment control and stormwater management ordinance is enacted to protect the lands and waters from the effects of excessive soil erosion and sedimentation, to prevent siltation of streams and lakes, to prevent clogging of drainage channels, to reduce excessive flood damage, and to prevent damages to the property of adjacent landowners. (State Law reference— Stormwater management and sediment reduction act, S.C. Code 1976, § 48-14-10 et seq.; delegation of control to local governments, S.C. Code 1976, § 48-14-60.)

Sec. 5.2.2. - Authority for provisions.

Sec. 5.2.3. - This chapter is adopted under the authority and powers granted by the General Assembly of South Carolina in S.C. Code 1976, title 48, ch. 13 and by other powers granted to counties by the General Assembly of the state. (Code 1999, § 154.02; Ord. No. 88-268, 4-12-1988)

Sec. 5.2.4. - Jurisdiction.

5.2.4.1 The provisions of this chapter shall apply to all unincorporated lands within the jurisdiction of the county.

5.2.4.2 By mutual consent and action of the county and any municipality within the county, this chapter may be adopted by any municipality in the county and enforcement assigned to the county in accordance with the provisions contained herein. (Code 1999, § 154.03; Ord. No. 88-268, 4-12-1988)

5.2.4.3

Sec. 5.2.5. - Definitions.

5.2.5.1 The words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in Chapter 12, Interpretations and Definitions, except where the context clearly indicates a different meaning. (Code 1999, § 154.04; Ord. No. 88-268, 4-12-1988; Ord. No. 04-05-561, 6-22-2005)

5.2.5.1.1. Interpretation.

Commented [JF1]: The definitions section to be adopted here should just refer definitions to Chapter 12 or the appendix

5.2.5.1.1.1. As used in this chapter, the term "shall" indicates mandatory compliance, and the term "may" is to be construed as permissive.

5.2.5.1.1.2. The term "county" shall refer to both the area encompassed by the geographical boundaries of the county, and the governmental organization thereof.

5.2.5.1.1.3. The terms "soil and water conservation district" and "district" refer to both the Edgefield Soil and Water Conservation District board of directors and the Edgefield Soil and Water Conservation District staff.

5.2.5.2 Definitions

5.2.5.2.1. See Chapter 12 for definitions.

Sec. 5.2.6. - Relationship with other laws, regulations, and ordinances.

Whenever the provisions of this chapter impose more restrictive standards than are required in or under any other law, regulation, or ordinance, the requirements herein contained shall prevail. Whenever the provisions of any other law, regulation, or ordinance require more restrictive standards than are required herein, the requirements of such law, regulation, or ordinance shall prevail. (Code 1999, § 154.05; Ord. No. 88-268, 4-12-1988)

Sec. 5.2.7. - Incorporation into other ordinances.

This chapter may be incorporated, either in part or in its entirety, into other county ordinances in a manner prescribed by law. (Code 1999, § 154.06; Ord. No. 88-268, 4-12-1988)

Sec. 5.2.8. - Agreements with municipalities.

The county may, by mutual agreement and the binding action of both governing bodies, assume responsibility for the administration and enforcement of an erosion and sediment control ordinance with identical or substantially identical provisions for any incorporated municipality within the county. (Code 1999, § 154.07; Ord. No. 88-268, 4-12-1988)

ARTICLE 5.3. - EROSION AND SEDIMENTATION CONTROL; PERMITS

Sec. 5.3.1. - Required - Unless otherwise provided within this chapter, the surface of land in the county shall not be disturbed or altered for any purpose whatsoever, except in accordance with an erosion and sediment control and stormwater management plan approved by the soil and water conservation district board and the county department of public works and a grading permit issued by the county. Waiver of chapter requirements may be granted by the county upon determination that the integrity of this chapter will not be violated by such action. (Code 1999, § 154.20; Ord. No. 88-268, 4-12-1988)

Sec. 5.3.2. - Exemptions. (Code 1999, § 154.21; Ord. No. 88-268, 4-12-1988)

5.3.2.1 The provisions of this chapter shall not apply to:

5.3.2.2 Agricultural and silvicultural land management and cultural practices, or to the construction of on-farm buildings and structures used in a farming operation to include drainage and irrigation structures and ponds necessary for agriculture and silviculture;

5.3.2.3 Construction or land improvement of single-family residences or their accessory buildings. A single-family residence property owner may make land improvements on his single lot without an approved erosion and sediment control plan and without obtaining a grading permit. The initial development of residential subdivisions is not exempt from the provisions of this chapter. All construction work (roads, sewer, lot grading, etc.) done to establish a residential subdivision for the construction of single-family residences on individual lots shall comply with the provisions of this chapter;

5.3.2.4 Mining and mineral resource extraction operations conducted in accordance with a mining permit issued by the Mining and Reclamation Division of the South Carolina Land Resources Commission;

5.3.2.5 Emergency repairs or maintenance of existing structures and facilities which require ground to be broken;

5.3.2.6 Construction or land improvement by a state or federal agency;

5.3.2.7 Construction of transmission lines for electricity, water, telephone, gas, sanitary sewers, and storm sewers and other utility construction which will require disturbing the natural ground surface of less than one acre. The width of the right-of-way shall be considered as the area to be disturbed;

5.3.2.8 Any site, not otherwise exempted, being one acre or less involving the movement of less than 500 cubic yards of soil unless the grading takes place within 200 feet of the banks of a stream or river;

5.3.2.9 Any water impoundment to be used for private recreation purposes that has been designed by (or whose plans have been approved by) the soil and water conservation district.

Sec. 5.3.3. - Application.

5.3.3.1 *Type 1 plan (applicable land disturbance of greater than two acres).* The developer shall apply in writing to the county for a grading permit to disturb or change land in the county excluding land in incorporated municipalities that have not adopted this chapter. Such application shall be accompanied by three copies of an erosion and sediment control and stormwater management plan prepared in accordance with section 18-57. The plan shall be certified by the applicant and by a registered professional engineer or a professional landscape architect or a registered land surveyor.

5.3.3.2 *Type 2 plan (applicable land disturbance of two acres or less).* A landowner may develop and certify his erosion and sediment control and stormwater management plan for a tract of land containing two acres or less, provided that:

5.1.1.1.1. The area to be disturbed will not flow water in any one direction for over 200 feet without a reduction in velocity.

5.1.1.1.2. The cuts and fills established will not exceed a height or depth of over five feet; and

5.1.1.1.3. There will be no concentrated off-site water to be controlled on the site.

5.1.1.1.4. A Type 2 plan must meet the objectives of Section 5.3.4.4 below and be submitted to the Soil and Water Conservation District. The district may assist in the development of a Type 2 plan.

5.3.3.3 *Type 3 plan (any land disturbance related to utility installation).* A Type 3 plan may be used only by a public utilities provider in the installation of utility services and shall be prepared in accordance with section 18-57. (Code 1999, § 154.22; Ord. No. 88-268, 4-12-1988)

Sec. 5.3.4. - Application and plan requirements and contents.

5.3.4.1 *Standards and requirements for preparation of erosion and sediment control and stormwater management plans.* Erosion and sediment control and stormwater management plans shall be prepared according to the following. Plans shall include appropriate measures and practices for erosion and sediment control and stormwater management, installed in a timely sequence during the development process, and maintained to ensure their proper functioning.

5.1.1.1.5. Select land where the drainage pattern, topography, and soils are favorable for the intended use. Tracts of land vary in suitability for different uses. Consider the major characteristics of the land area and the kinds of soil in identifying and evaluating potential erosion, sediment, and stormwater problems, and in selecting appropriate control measures.

5.1.1.1.6. Expose the smallest practical area of land for the least possible time during development.

5.1.1.1.7. When feasible, retain and protect natural vegetation. Save topsoil, where practical, for replacing on graded areas.

5.1.1.1.8. Use temporary plant cover, mulching, sediment basins, silt traps, or other structures to control runoff, protect areas subject to erosion, and remove heavy sediment loads from runoff.

5.1.1.1.9. Provide for handling the increased runoff caused by changes in topography, soil, and surface conditions. Emphasis should be placed on the conservation of existing on-site soil. Effective means include the use of diversion ditches, grassed or surfaced waterways and outlets, enlarged and protected drainage channels, grade control structures, and effective use of street gutters and storm sewers.

5.1.1.1.10. Install permanent vegetative cover and other long-term measures as soon as practical in the construction process.

5.1.1.1.11. Design stormwater management systems according to the following:

5.3.4.1.1.1. All roadway drainage systems should accommodate a ten-year, 24-hour design storm.

5.3.4.1.1.2. All other systems and easements designed to handle the internal drainage created by the development should be designed to accommodate a 25-year, 24-hour design storm.

5.3.4.1.1.3. The design criteria for improvements will be as follows:

5.3.4.1.1.3.1. *Open channels.* Open channels shall be provided with an improved section that will carry the runoff from the appropriate design rainfall and preclude the creation of backwater inundating any areas outside of dedicated stormwater runoff easements. The channel shall be protected against erosion.

5.3.4.1.1.3.2. *Closed storm sewers and culverts.* Closed storm sewers and culverts shall be constructed of precast or prefabricated pipe or box design, in conformance with county specifications. They shall be sized to carry the runoff from the appropriate design rainfall and to preclude the backup of headwater inundating any areas outside of dedicated drainage easements.

5.3.4.1.1.3.3. *Bridges.* Bridge design and construction shall be in accordance with standards adopted by the county.

5.3.4.2 *Contents of plan and application.* The erosion and sediment control and stormwater management plan (Types 1, 2, and 3, unless otherwise specified) and application for grading permit shall include, but not be limited to, the following data as applicable:

- 5.1.1.1.12. A vicinity map sufficient to locate the site and to show the relationship of the site to its general surroundings at a scale of not less than one mile to one inch;
- 5.1.1.1.13. The site drawn to a scale of not less than one inch to 200 feet, showing:
 - 5.3.4.2.1.1. The boundary lines of the site on which the work is to be performed, including the approximate acreage of the site;
 - 5.3.4.2.1.2. Existing contours with intervals of not more than five feet, extending 100 feet outside of the site boundary lines, and proposed finished contours with intervals of not more than five feet. The district and the county shall have the authority to alter this requirement as it deems necessary;
 - 5.3.4.2.1.3. A time schedule and sequence of operations indicating the anticipated starting and completion dates of each development operation;
 - 5.3.4.2.1.4. Proposed physical improvements on the site, including present development and future utilization if future development plans are unknown;
 - 5.3.4.2.1.5. All stormwater management provisions, erosions, and sediment control measures, vegetative practices, or other protective devices to be constructed in connection with, or as a part of, the proposed work;
 - 5.3.4.2.1.6. Provisions for erosion control and stormwater management during construction (temporary) and during the life of the facility (permanent). Such provisions shall include a timing schedule and sequence of operations indicating the anticipated starting and completion dates of a particular development sequence, and the estimated time of exposure of each disturbed area prior to completion of measures;
 - 5.3.4.2.1.7. A plan for providing temporary and permanent vegetation, including, as appropriate, seeding mixes and application rates, type of sod, seedbed preparation, lime and fertilizer application, mulching, and other related data;
 - 5.3.4.2.1.8. A grading plan for borrow pits and material processing facilities where applicable, showing the stormwater management system serving such areas;
 - 5.3.4.2.1.9. A general description of the predominant soil types on the site.
- 5.1.1.1.14. The name and address of the property owner and developer;
- 5.1.1.1.15. A title, scale, North arrow, date, and the name of the individual or organization preparing plat, with seal;
- 5.1.1.1.16. Such supplemental reports, data, and additional information supporting the plan and specifications as the conservation district may reasonably require, including but not limited to any of the following (applies to Type 1 plan only):
 - 5.3.4.2.1.10. Storm drainage computations and studies including the estimated runoff from the area served by drains, adequacy of outlets, ditch and pipe computations, and a map showing the drainage area of land tributary to the site. Future development within the watershed should be projected and planned for accordingly and noted on the vicinity map referred to in subsection (b)(1) of this section;
 - 5.3.4.2.1.11. Field investigation reports indicating the nature, condition, and characteristics of existing drainage and flooding conditions;
 - 5.3.4.2.1.12. Results from actual soils investigations, reports, or test borings;
- 5.1.1.1.17. Applicant's certification statement:

Draft Date: 6.16.20

I (We) hereby certify that all clearing, grading, construction, and/or development will be done pursuant to this plan and will indemnify any person damaged by failure to comply therewith.

Permit Applicant _____

Date _____

5.1.1.1.18. Design certification statement (applies to Type 1 plan only):

I hereby certify that this plan is designed to contain soil on the property concerned to the maximum extent, and to provide for the control of the runoff from the property, and that all the provisions are in accordance with the Erosion and Sediment Control and Stormwater Management Ordinance for Edgefield County, South Carolina.

Registered Professional Engineer; or

Professional Soil Conservationist; or

Registered Landscape Architect; or

Registered Land Surveyor _____

Date _____

5.1.1.1.19. Soil and Water Conservation District Board certification statement:

I hereby certify that I have checked this plan and that the provisions for erosion, sediment control, and stormwater management are in accordance with the Erosion and Sediment Control and Stormwater Management Ordinance for Edgefield County, South Carolina.

S&WCD Representative _____

Date _____

5.1.1.1.20. Edgefield County certification statement:

[same as Soil and Water Conservation District certification statement]

Edgefield Co. Representative _____

Date _____

5.3.4.3 *Assistance in development of plan.* Assistance in the development of the plan required under this chapter may be found in the following publications and any other publications with accepted technical standards for erosion and sediment control and stormwater management (Code 1999, § 154.23; Ord. No. 88-268, 4-12-1988):

5.1.1.1.21. Erosion and Sediment Control ... in Developing Areas, issued by the U.S. Department of Agriculture, Soil Conservation Service, Strom Thurmond Building, 1835 Assembly Street, Columbia, South Carolina 29201, dated July 1974;

5.1.1.1.22. Urban Hydrology for Small Watersheds, Technical Release No. 55 issued by the U.S. Department of Agriculture, Soil Conservation Service, Strom Thurmond Building, 1835 Assembly Street, Columbia, South Carolina 29201, dated January 1975;

5.1.1.1.23. Erosion and Sediment Control Practices for Developing Areas, S.C. Land Resources Commission, 2221 Devine Street, Columbia, South Carolina 292035, dated June 1985.

Sec. 5.3.5. - Fees.

5.3.5.1 The application for plan approval in the county shall be accompanied by a non-refundable fee in accordance with a fee schedule as adopted from time to time by the county. (Code 1999, § 154.24; Ord. No. 88-268, 4-12-1988)

5.3.5.2 All fees are payable to Edgefield County.

Sec. 5.3.6. - Approval.

5.3.6.1 Erosion and sediment control and stormwater management plans shall be reviewed within 30 days from the date of submittal. If a plan conforms with the requirements of this chapter, the district and county shall approve the plan and the county shall issue a grading permit to the applicant with a copy of the approved plan. (Code 1999, § 154.25; Ord. No. 88-268, 4-12-1988)

5.3.6.2 If the erosion and sediment control stormwater management plan does not conform with the requirements of this chapter, the plan shall be disapproved, and written notification indicating the reason for plan disapproval shall be forwarded to the applicant by the county.

5.3.6.3 If an erosion and sediment control plan is disapproved, the applicant may elect to correct the indicated deficiencies in conformance with the provisions of this chapter and resubmit the plan to the county.

Sec. 5.3.7. - Variances and exceptions.

5.3.7.1 The county may, upon application to it and showing of undue hardship, grant variances and exceptions to any of the provisions of this chapter provided such variance or exception is in harmony with the general purpose and intent of this chapter. (Code 1999, § 154.26; Ord. No. 88-268, 4-12-1988)

Sec. 5.3.8. - Appeals.

5.3.8.1 Any person aggrieved by a decision of the district or county may appeal the decision in writing within 15 working days. The applicant shall be notified within 30 days as to the affirmation or denial of the appeal. The appeal shall be directed to the Edgefield County Board of Zoning Appeals.

5.3.8.2 Any person aggrieved by the decision of an appeal to the district or the county may appeal to a court of competent jurisdiction. Such appeal shall be filed within 30 days after the decision of the district or county.

(Code 1999, § 154.27; Ord. No. 88-268, 4-12-1988)

Sec. 5.3.9. - Extension of time.

5.3.9.1 If the applicant is unable to complete the work within the time specified in the approved plan and grading permit, he may, prior to the expiration of such time, present in writing a request to the district for an extension of time, setting forth the reason for the requested extension. (Code 1999, § 154.28; Ord. No. 88-268, 4-12-1988)

Sec. 5.3.10. - Responsibility of permittee.

5.3.10.1 The applicant shall be responsible for carrying out the proposed work in accordance with the approved erosion and sediment control and stormwater management plan and grading permit, and in compliance with the requirements of this chapter. (Code 1999, § 154.29; Ord. No. 88-268, 4-12-1988)

Sec. 5.3.11. - Vested rights.

5.3.11.1 A vested right, as defined herein, is established for two years upon final approval of a site-specific development plan or phased development plan.

Commented [JF2]: Is this where vested rights should be located?

5.3.11.2 A landowner of a property with a vested right may, for five consecutive years immediately subsequent to the initial two-year vested right term apply annually for a one-year extension of said vested right; provided that, such applications must be made prior to the expiration of any initial two-year term or extensions thereof. If no application for annual extension is made timely, the vested right shall be considered as having expired with the present term, whether it be an initial term or an extension term thereof.

5.3.11.3 The county planning commission may, but is not required to, allow the establishment of a two-year vested right for a conditionally approved site-specific development plan or phased development plan. Such vested right must be approved by a majority vote of the planning commission, duly assembled, and must be communicated to the landowner in writing.

5.3.11.4 No vested right shall attach until, in accordance with the Edgefield County Code of Ordinances, all plans are received, required approvals granted, applicable fees paid, and administrative appeals resolved in the applicant's favor.

5.3.11.5 The county board of zoning appeals is not authorized to grant or otherwise approve a vested right, and no vested right shall be established or accrue as the result of any decision by the board of zoning appeals.

(Code 1999, § 154.30; Ord. No. 04-05-561, 6-22-2005; Ord. No. 12-13-654, § 2, 10-2-2012)

Sec. 5.3.12. - Conditions and limitation of vested rights.

5.3.12.1 The form and content of any submitted plan must comply with state laws and regulations, as well as county ordinances and regulations, regarding building and land development, including but not limited to the following: land use, zoning, planning, stormwater management, sediment control, electrical service, plumbing, mechanical, life safety and fire codes.

5.3.12.2 For any phased development plan, an approved site-specific development plan shall be required with respect to each phase. Such site-specific plans must be in accordance with all applicable laws, regulations, and codes then in effect.

5.3.12.3 A vested right established under conditional approval may be terminated by the county planning commission, following notice and a public hearing concerning the landowner's failure to meet the terms of conditional approval.

5.3.12.4 No developer or landowner shall proceed with any investment in grading, installation of street or other infrastructure, or other significant expenditures prior to the planning commission issuing the proper permit. Such expenditures and investments made prior to permit issuance shall not give rise to a vested right.

5.3.12.5 An issued building permit does not expire and will not be revoked, based upon expiration of a vested right. However, nothing in this language prevents the revocation of a building permit for other, lawful reasons.

5.3.12.6 A vested right may be revoked by the county planning commission upon the commissions; determination, after notice and public hearing, that there was material misrepresentation by the landowner, or that the landowner has failed substantially to comply with the terms and conditions of approval.

5.3.12.7 A vested plan is subject to later enacted federal, state, and local laws, ordinances and regulations adopted to protect the public health, safety, and welfare. The issuance of any

building permit vests a construction project only under building and construction codes in force at the time of the permit's issuance.

(Code 1999, § 154.31; Ord. No. 04-05-561, 6-22-2005)

5.3.12.8 Reserved.

ARTICLE 5.4. - EROSION AND SEDIMENTATION CONTROL; REGULATIONS

Sec. 5.4.1. - Maintenance during construction.

The person engaged in or conducting the land disturbing activity shall be responsible for maintaining all temporary and permanent erosion, sedimentation, and stormwater management measures and facilities during the development of the site. (Code 1999, § 154.40; Ord. No. 88-268, 4-12-1988)

5.4.1.1 Maintenance following installation.

Once installed and a final inspection completed as provided in section 18-111, the temporary and permanent erosion, sedimentation, and stormwater management facilities shall be maintained in one of the following manners:

5.1.1.1.24. Facilities maintained by owner.

5.4.1.1.1.1. The owner of the property on which work has been done pursuant to this chapter, or any other person or agent in control of such property, shall maintain in good condition and promptly repair and restore all grade surfaces, walls, drains, dams and structures, vegetation, erosion and sediment control measures, and other protective devices. Such repairs or restorations and maintenance shall be in accordance with the approved plan.

5.4.1.1.1.2. The facilities to be maintained by the owner shall provide adequate access to permit the county to inspect and, if necessary, to take corrective action. Should the owner fail to properly maintain the facilities under his responsibility, the county shall give such owner written notice of the nature of the corrective action necessary. Should the owner fail, within 15 days from the date of the notice, to take, or commence taking, corrective action to the satisfaction of the county, the county may enter upon lands and take corrective action to place the facilities in working condition. The owner of the facility shall be assessed the cost of the work and any penalties and there shall be placed a lien on the property to cover such costs and penalties. This lien may be placed on the tax bill and collected as ordinary taxes by the county.

5.4.1.1.1.3. In cases where the owner is a homeowner's association or other collective/member organization, failure to maintain common facilities will be the basis for corrective action by the county council to be funded by the imposition of a special taxing unit or other arrangement designed to provide funds for such corrective actions.

5.1.1.1.25. *Facilities maintained by the county.* All facilities to be maintained by the county must be designed and constructed consistent with the requirements of this chapter and dedicated to the county by deed with attached record drawings and accepted by the county council. These deeds shall include sufficient easements to allow the county to properly maintain these facilities. The owner shall maintain and be responsible for the facilities for one year after the facilities have been accepted by the county council. (Code 1999, § 154.41; Ord. No. 88-268, 4-12-1988)

5.1.1.1.26. Reserved.

ARTICLE 5.5. - EROSION AND SEDIMENTATION CONTROL; ADMINISTRATION AND ENFORCEMENT

Sec. 5.5.1. - Procedural guidelines.

The county shall publish and make available to the public guidelines outlining the application and plan review procedure and identifying the county representative for administration and enforcement, and may, from time to time, revise those guidelines in accordance with this chapter and the Stormwater Management and Sediment Reduction Act, S.C. Code 1976, § 48-14-10 et seq. (Code 1999, § 154.50; Ord. No. 88-268, 4-12-1988)

Sec. 5.5.2. - Notice of provisions; copies.

The county and the county soil and water conservation district shall provide proper notification of this chapter to those persons applying for building, grading, or other construction permits. A copy of this chapter shall also be made available upon request. (Code 1999, § 154.51; Ord. No. 88-268, 4-12-1988)

Sec. 5.5.3. - Inspections.

A legally authorized representative of the county shall periodically inspect the work done under the approved plan and grading permit. Upon completion of such work, he shall make a final inspection and, if the work has been completed in accordance with the plan and permit, the county shall issue to the applicant a letter of satisfactory completion. (Code 1999, § 154.52; Ord. No. 88-268, 4-12-1988)

Sec. 5.5.4. - Noncompliance.

5.5.4.1 When the county finds that the work done or not done under any grading permit issued under the provision of this chapter fails to conform to the approved plan, it may, by written order, direct conformance, direct suspension of other work until conformance is achieved (stop-work order), or direct such other measures that it deems necessary for erosion and sediment control and stormwater management.

5.5.4.2 In the event the county issues a notice of noncompliance, the landowner, developer, or utilities company will have no more than ten days to comply with the approved plan. Emergency control measures to ensure interim protection must be initiated upon receipt of the notice of noncompliance.

5.5.4.3 A second notice of noncompliance on the same project constitutes an immediate stop-work order and shall serve to initiate appropriate legal actions against the violator.

5.5.4.4 If land disturbing activities which are not exempted in this chapter are initiated without an approved plan, any landowner, developer, or utilities company shall have no more than five days after notification to submit a plan and request for grading permit. If a plan is not received and approved within the allotted time, a stop-work order will be issued until the landowner, developer, or utilities company is in full compliance with this chapter. Approved emergency control measures to ensure interim protection must be initiated immediately upon receipt of the notice of noncompliance.

5.5.4.5 Deadlines falling on weekends, holidays, or other days when the offices of the district or the county are closed will be automatically extended until the next workday unless otherwise specified in the notice.

(Code 1999, § 154.53; Ord. No. 88-268, 4-12-1988)

Sec. 5.5.5. - Civil penalties for violations.

5.5.5.1 Any person who violates any provision of this chapter, or who initiates or continues a land disturbing activity for which a stormwater management and sediment control plan is

required except in accordance with the terms, conditions, and provisions of an approved plan, is subject to a civil penalty of not more than \$1,000.00. No penalty may be assessed until the person alleged to be in violation has been notified of the violation. Each day of a violation constitutes a separate violation.

5.5.5.2 The county shall make written demand for payment upon the person responsible for the violation and set forth in detail the violation for which the penalty has been invoked. If payment is not received or equitable settlement reached within 30 days after demand for payment is made, a civil action may be filed by the county attorney in the circuit court of the county to recover the amount of the penalty.

Sec. 5.5.6. - Injunctive Relief.

5.5.6.1 When the county has reasonable cause to believe that any person is violating or is threatening to violate the requirements of this chapter, it may, either before or after the institution of any other action or proceeding authorized by this chapter, institute a civil action for injunctive relief to restrain the violation or threatened violation. The action must be brought in the circuit court of the county.

5.5.6.2 Upon determination by the court that an alleged violation is occurring or is threatened, it shall enter the order necessary to abate the violation or to prevent the threatened violation. The institution of an action for injunctive relief under subsection (a) of this section does not relieve any party to the proceeding from any civil penalty prescribed for violations of this chapter.

5.1.1.1.27. Reserved.

ARTICLE 5.6. - FLOOD DAMAGE PREVENTION

Sec. 5.6.1. - Objectives.

5.6.1.1 The objectives of this article are to:

5.1.1.1.28. Protect human life and health;

5.1.1.1.29. Maintain a stable tax base by providing for the sound use and development of flood-prone areas in such a manner as to minimize flood blight areas; and

5.1.1.1.30. Ensure that potential homebuyers are notified that property is in a flood area.

5.6.1.2 The provisions of the article are intended to minimize damage to public facilities and utilities such as water and gas mains, electric, telephone, and sewer lines, streets and bridges located in the floodplain, and prolonged business interruptions. In addition, an important floodplain management objective of this article is to minimize expenditure of public money for costly flood control projects and rescue and relief efforts associated with flooding. (Ord. No. 10-11-635, § 156.10, 2-25-2011)

Sec. 5.6.2. - Definitions.

5.6.2.1 Unless specifically defined below, words or phrases used in this article shall be interpreted so as to give them the meaning they have in common usage and to give this article its most reasonable application.

5.6.2.2 *Accessory structure* means a structure that is located on the same parcel of property as the principal structure and the use of which is incidental to the use of the principal structure. Garages, carports and storage sheds are common urban accessory structures. Pole barns, hay sheds and the like qualify as accessory structures on farms and may or may not be located on the same parcel as the farm dwelling or shop building.

5.6.2.3 *Addition to an existing building* means an extension or increase in the floor area or height of a building or structure. Additions to existing buildings shall comply with the requirements for new construction regardless as to whether the addition is a substantial improvement or not. Where a firewall or loadbearing wall is provided between the addition and the existing building, the addition shall be considered a separate building and must comply with the standards for new construction.

5.6.2.4 *Agricultural structure* means a structure used solely for agricultural purposes in which the use is exclusively in connection with the production, harvesting, storage, drying, or raising of agricultural commodities, including the raising of livestock. Agricultural structures are not exempt from the provisions of this article.

5.6.2.5 *Appeal* means a request for a review of the local administrator's interpretation of any provision of this article.

5.6.2.6 *Area of shallow flooding* means a designated AO or VO zone on a community's flood insurance rate map (FIRM) with base flood depths of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident.

5.6.2.7 *Area of special flood hazard* means the land in the floodplain within a community subject to a one percent or greater chance of being equaled or exceeded in any given year.

5.6.2.8 *Base flood* means the flood having a one percent chance of being equaled or exceeded in any given year.

5.6.2.9 *Basement* means any enclosed area of a building, which is below grade on all sides.

5.6.2.10 *Building* means any structure built for support, shelter or enclosure for any occupancy or storage.

5.6.2.11 *Costal high hazard area* means an area of special flood hazard extending from offshore to the inland limit of the primary frontal dune along an open coast and any other area subject to velocity wave action from storms or seismic sources.

5.6.2.12 *Critical development*. Development that is critical to the community's public health and safety is essential to the orderly functioning of a community, store, or produce highly volatile, toxic, or water-reactive materials, or house occupants that may be insufficiently mobile to avoid loss of life or injury. Examples of critical development include jails, hospitals, schools, fire stations, nursing homes, wastewater treatment facilities, water plants, and gas/oil/propane storage facilities.

5.6.2.13 *Development* means any manmade change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials.

5.6.2.14 *Elevated building* means a non-basement building built to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, columns, piers, or shear walls parallel to the flow of water.

5.6.2.15 *Executive Order 11988 (Floodplain Management)*. Issued by President Carter in 1977, this order requires that no federally assisted activities be conducted in or have the potential to affect identified special flood hazard areas, unless there is no practicable alternative.

5.6.2.16 *Existing construction* means, for the purposes of determining rates, structures for which the start of construction commenced before the effective date of the FIRM, or before January 1, 1075, for FIRMs effective before that date.

5.6.2.17 *Existing manufactured home park or manufactured home subdivision* means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before May 19, 1982.

5.6.2.18 *Expansion to an existing manufactured home park or manufactured home subdivision* means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete slabs).

5.6.2.19 *Flood or flooding* means a general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters, or the unusual and rapid accumulation of runoff of surface waters from any source.

5.6.2.20 *Flood Hazard Boundary Map (FHBM)* means an official map of a community, issued by the Federal Emergency Management Agency, where the boundaries of the areas of special flood hazard have been defined as zone A.

5.6.2.21 *Flood Insurance Rate Map (FIRM)* means an official map of a community, on which the Federal Emergency Management Agency has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

5.6.2.22 *Flood Insurance Study (FIS)* means the official report (dated February 1, 1984) provided by the Federal Emergency Management Agency. The report contains flood profiles, as well as the Flood Boundary Floodway Map and the water surface elevation of the base flood.

5.6.2.23 *Floodproofing* means any combination of structural or nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents.

5.6.2.24 *Flood-resistant material* means any building material capable of withstanding direct and prolonged contact (minimum 72 hours) with floodwaters without sustaining damage that requires more than low-cost cosmetic repair. Any material that is water soluble or is not resistant to alkali or acid in water, including normal adhesives for above-grade use, is not flood-resistant. Pressure-treated lumber or naturally decay-resistant lumbers are acceptable flooring materials. Sheet-type flooring coverings that restrict evaporation from below and materials that are impervious, but dimensionally unstable are not acceptable. Materials that absorb or retain water excessively after submergence are not flood-resistant. Please refer to Technical Bulletin 2-93, *Flood-Resistant Materials for Buildings Located in Special Flood Hazard Areas in Accordance with the National Flood Insurance Program*, document number FIA-TB2, dated 4/93, and available from the Federal Emergency Management Agency. Class 4 and 5 materials, referenced therein, are acceptable flood-resistant materials.

5.6.2.25 *Floodway* means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

5.6.2.26 *Freeboard* means a factor of safety usually expressed in feet above a flood level for purposes of floodplain management. The term "freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.

5.6.2.27 *Functionally dependent facility* means a facility which cannot be used for its intended purpose unless it is located or carried out in close proximity to water, such as a

docking or port facility necessary for the loading and unloading of cargo or passengers, shipbuilding, ship repair, or seafood processing facilities. The term does not include long-term storage, manufacture, sales, or service facilities.

5.6.2.28 *Highest adjacent grade* means the highest natural elevation of the ground surface, prior to construction, next to the proposed walls of the structure.

5.6.2.29 *Historic structure* means any structure that is:

5.1.1.1.31. Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of the Interior (DOI)) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

5.1.1.1.32. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;

5.1.1.1.33. Individually listed on a state inventory of historic places; or

5.1.1.1.34. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified:

5.6.2.29.1.1. By an approved state program as determined by the Secretary of the Interior; or

5.6.2.29.1.2. Directly by the Secretary of the Interior in states without approved programs.

5.6.2.30 Some structures or districts listed on the state or local inventories may not be "historic" as cited in this definition, but have been included on the inventories because it was believed that the structures or districts have the potential for meeting the "historic" structure criteria of the DOI. In order for these structures to meet NFIP historic structure criteria, it must be demonstrated and evidenced that the South Carolina Department of Archives and History has individually determined that the structure or district meets DOI historic structure criteria.

5.6.2.31 *Increased cost of compliance (ICC)* applies to all new and renewed flood insurance policies effective on and after June 1, 1997. The NFIP shall enable the purchase of insurance to cover the cost of compliance with land use and control measures established under section 1361. It provides coverage for the payment of a claim to help pay for the cost to comply with state or community floodplain management laws or ordinances after a flood event in which a building has been declared substantially or repetitively damaged.

5.6.2.32 *Limited storage* means an area used for storage and intended to be limited to incidental items, which can withstand exposure to the elements and have low flood damage potential. Such an area must be of flood-resistant or breakaway material, void of utilities except for essential lighting and cannot be temperature controlled. If the area is located below the base flood elevation in an A, AE and A1-A30 zone, it must meet the requirements of section 18-182(5).

5.6.2.33 *Lowest adjacent grade (LAG)* means an elevation of the lowest ground surface that touches any of the exterior walls of a building or proposed building walls.

5.6.2.34 *Lowest floor* means the lowest floor of the lowest enclosed area. Any unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access, or storage in an area other than a basement area is not considered a building's lowest floor provided that such an enclosure is not built so as to render the structure in violation of other provisions of this article.

5.6.2.35 *Manufactured home* means a structure, transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent

foundation when connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle."

5.6.2.36 *Manufactured home park or subdivision* means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

5.6.2.37 *Mean sea level* means the average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the floodplain. For purposes of this article, the term is synonymous with National Geodetic Vertical Datum (NGVD).

5.6.2.38 *National Geodetic Vertical Datum (NGVD)* , as corrected in 1929, means the elevation reference points set by National Geodetic Survey based on mean sea level.

5.6.2.39 *New construction* means a structure for which the start of construction commenced after the effective date of the first floodplain management code, chapter or standard (August 1, 1984) based upon specific technical base flood elevation data which establishes the area of special flood hazard. The term also includes any subsequent improvements to such structure.

5.6.2.40 *New manufactured home park or subdivision* means a manufactured home park or subdivision for which the construction of facilities for servicing lots on which manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets and either final site grading or the pouring of concrete slabs) is completed on or after February 1, 2011.

5.6.2.41 *North American Vertical Datum (NAVD)* means the datum point established at Pointe-au-Père on the St. Lawrence River, Québec Province, Canada, based on the mass or density of the earth. The datum listed as the reference datum on flood insurance rate maps should be used for elevation certificate and floodproofing certificate completion.

5.6.2.42 *Recreational vehicle* means a vehicle that is:

5.1.1.1.35. Built on a single chassis;

5.1.1.1.36. 400 square feet or less when measured at the largest horizontal projection;

5.1.1.1.37. Designed to be self-propelled or permanently towable by a light-duty truck; and

5.1.1.1.38. Designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel or seasonal use.

5.6.2.43 *Repetitive loss* means a building covered by a contract for flood insurance that has incurred flood-related damages on two occasions during a ten-year period ending on the date of the event for which a second claim is made, in which the cost of repairing the flood damage, on the average, equaled or exceeded 25 percent of the market value of the building at the time of each such flood event.

5.6.2.44 *Section 1316 of the National Flood Insurance Act of 1968*. The act provides that no new flood insurance shall be provided for any property found by the Federal Emergency Management Agency to have been declared by a state or local authority to be in violation of state or local ordinances.

5.6.2.45 *Start of construction* , for other than new construction or substantial improvements under the Coastal Barrier Resources Act (P.L. 97-348), includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, or improvement was within 180 days of the permit date. The actual start means the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation or the placement of a manufactured home on a foundation. Permanent construction does not

include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for footings, piers or foundations, or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor or other structural part of the building, whether or not that alteration affects the external dimensions of the building.

5.6.2.46 *Structure* means a walled and roofed building, a manufactured home, including a gas or liquid storage tank, or other manmade facility or infrastructure that is principally above ground.

5.6.2.47 *Substantial damage* means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. Such repairs may be undertaken successively and their costs counted cumulatively. Please refer to the definition of "substantial improvement."

Commented [JF3]: Successively or successfully?

5.6.2.48 *Substantial improvement* means any repair, reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the start of construction of the improvement. This term includes structures, which have incurred substantial damage, regardless of the actual repair work performed. However, the term does not include either:

5.1.1.1.39. Any project of improvement to a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions (does not include American with Disabilities Act compliance standards); or

5.1.1.1.40. Any alteration of a historic structure provided that the alteration would not preclude the structure's continued designation as a historic structure.

5.6.2.49 Permits shall be cumulative for a period of five years. If the improvement project is conducted in phases, the total of all costs associated with each phase, beginning with the issuance of the first permit, shall be utilized to determine whether substantial improvement will occur.

5.6.2.50 *Substantially improved existing manufactured home park or subdivision* means where the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds 50 percent of the value of the streets, utilities and pads before the repair, reconstruction, or improvement commenced.

5.6.2.51 *Variance* means the grant of relief from the terms of this article.

5.6.2.52 *Violation* means the failure of a structure or other development to be fully compliant with these regulations.

(Ord. No. 10-11-635, §§ 156.20, 156.21, 2-25-2011; Ord. No. 10-11-636, § 1(156.21), 4-5-2011)

Sec. 5.6.3. - Floodplains are an Important Asset to the Community.

5.6.3.1 Floodplains perform vital natural functions such as temporary storage of floodwaters, moderation of peak flood flows, maintenance of water quality, groundwater recharge, prevention of erosion, habitat for diverse natural wildlife populations, recreational opportunities and aesthetic quality. These functions are best served if floodplains are kept in their natural state. Wherever possible, the natural characteristics of floodplains and their associated wetlands and water bodies should be preserved and enhanced. Decisions to alter floodplains, especially floodways and stream channels, should be the result of careful planning

processes, which evaluate resource conditions and human needs. (Ord. No. 10-11-635, § 156.11, 2-25-2011)

Sec. 5.6.4. - Lands to which this article applies.

5.6.4.1 This article shall apply to all areas of special flood hazard within the jurisdiction of the unincorporated county as identified by the Federal Emergency Management Agency in its flood insurance study dated September 14, 2018 with accompanying maps and other supporting data, which are hereby adopted by reference and declared a part of this article. (Ord. No. 10-11-635, § 156.12, 2-25-2011; Ord. No. 18-19-745, § 1, 9-4-2018)

Sec. 5.6.5. - Development permit requirement.

5.6.5.1 A flood development permit shall be required in conformance with the provisions of this article prior to the commencement of any development activities. (Ord. No. 10-11-635, § 156.13, 2-25-2011)

Sec. 5.6.6. - Compliance.

5.6.6.1 No structure or land shall hereafter be located, extended, converted or structurally altered without full compliance with the terms of this article and other applicable regulations. (Ord. No. 10-11-635, § 156.14, 2-25-2011)

Sec. 5.6.7. - Interpretations; abrogation and greater restrictions.

5.6.7.1 In the interpretation and application of this article, all provisions shall be:

- 5.1.1.1.41. Considered as minimum requirements;
- 5.1.1.1.42. Construed in favor of the county council; and
- 5.1.1.1.43. Deemed neither to limit nor repeal any other powers granted under state law.

5.6.7.2 This article is not intended to repeal, abrogate or impair any existing easements, covenants or deed restrictions. However, where this article and another conflict or overlap, whichever imposes the more stringent restrictions shall prevail. (Ord. No. 10-11-635, § 156.15, 2-25-2011)

5.6.7.3 Sec. 18-138. - Warning and disclaimer of liability.

5.6.7.4 The degree of flood protection required by this article is considered reasonable for regulatory purposes and is based on scientific and engineering consideration. Larger floods can and will occur on rare occasions. Flood heights may be increased by manmade or natural causes. This article does not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damages. This article shall not create liability on the part of the county or by any officer or employee thereof for any flood damages that result from reliance on this article or any administrative decision lawfully made hereunder. (Ord. No. 10-11-635, § 156.17, 2-25-2011)

5.6.7.5 Reserved.

ARTICLE 5.7. - FLOOD DAMAGE PREVENTION; ADMINISTRATION

Sec. 5.7.1. - Local administrator—Designated.

5.7.1.1 The county administrator or his designee is hereby appointed to administer and implement the provisions of this article. (Ord. No. 10-11-635, § 156.30, 2-25-2011)

Sec. 5.7.2. - Local administrator-Duties and responsibilities.

5.7.2.1 Duties of the local administrator shall include, but not be limited to, the following:

5.7.2.2 Implement a review system to assure all development permits meet the requirements of this article.

5.7.2.3 Ensure that the proposed development has received permits from those governmental agencies from which approval is required by federal or state law, including section 400 of the Federal Water Pollution Control Act Amendments of 1972, 33 USC 1334.

5.7.2.4 Notify adjacent communities and the state department of natural resources, land, water and conservation division, state coordinator for the National Flood Insurance Program, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.

5.7.2.5 Prevent encroachments within floodways unless the certification and flood hazard reduction provisions of **Article 5.8 Provisions for Flood Hazard Reduction** are met. Obtain and review actual elevation, in relation to mean sea level, of the lowest floor of all new or substantially improved structures.

5.7.2.6 Obtain the actual elevation, in relation to mean sea level, to which the new or substantially improved structures have been floodproofed, in accordance with section 18-160(7).

5.7.2.7 When floodproofing is utilized for a particular structure, obtain certifications from a registered professional engineer or architect in accordance with section 18-182(2).

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5.7.2.8 Make the necessary interpretation where interpretation is needed as to the exact location of boundaries of the areas of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this article.

5.7.2.9 When base flood elevation data or floodway data has not been provided in accordance with section 18-134, obtain, review and reasonably utilize the best available base flood elevation data and floodway data available from a federal, state or other source in order to administer the provisions of this article. Data from preliminary, draft, and final flood insurance studies constitutes the best available data from a federal, state or other source. If an appeal is pending on the study in accordance with 44 CFR 67.5 and 67.6, the data does not have to be used.

5.7.2.10 Make on-site inspections of projects in accordance with section 18-161.

5.7.2.11 Serve notices of violations, issue stop work orders, revoke permits and take corrective actions in accordance with section 18-161.

Commented [JF5]: References to be revised

5.7.2.12 Maintain all records pertaining to the administration of this article and make these records available for public inspection.

5.7.2.13 In addition to the notifications required in subsection **5.7.2.1.3** of this section, written reports of maintenance records must be maintained to show that maintenance has been provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is not diminished. This maintenance must consist of a comprehensive program of periodic inspections, and routine channel clearing and dredging, or other related functions. The assurance shall consist of a description of maintenance activities, frequency of performance and the local official responsible for maintenance performance. Records shall be kept on file for FEMA inspection.

5.7.2.14 When the exact location of boundaries of the areas of special flood hazard conflict with the current, natural topography information at the site, the property owner may apply and be approved for a Letter of Map Amendment (LOMA) by FEMA. A copy of the Letter of Map Amendment issued from FEMA will be maintained by the local administrator in the permit file. (Ord. No. 10-11-635, § 156.34, 2-25-2011; Ord. No. 10-11-636, § 1(156.34), 4-5-2011)

Sec. 5.7.3. - Sec. 18-158. - Adoption of letter of map revisions (LOMR).

5.7.3.1 All letter of map revisions (LOMRs) that are issued in the areas identified in section 18-134 are hereby adopted. (Ord. No. 10-11-635, § 156.31, 2-25-2011)

Commented [JF6]: Reference to be revised

Sec. 5.7.4. - Sec. 18-159. - Designation of party responsible for biennial report.

5.7.4.1 The county administrator or his designee is hereby designated as the party responsible to submit the biennial report to FEMA. (Ord. No. 10-11-635, § 156.32, 2-25-2011)

Sec. 5.7.5. - Sec. 18-160. - Development permit and certification requirements.

5.7.5.1 Application for a development permit within a 100-year floodplain located within the unincorporated areas of the county shall be made to the county administrator or his designee on forms furnished by him prior to any development activities. The development permit may include, but not be limited to, plans in duplicate drawn to scale showing: the nature, location, dimensions and elevations of the area in question; existing or proposed structures; and the location of fill materials, storage areas and drainage facilities. Specifically, the following information is required:

5.7.5.2 A plot plan that shows the 100-year floodplain contour or a statement that the entire lot is within the floodplain must be provided by the development permit applicant when the lot is within or appears to be within the floodplain as mapped by the Federal Emergency Management Agency or the floodplain identified pursuant to either section 18-157(1) or sections 18-183 and 18-184. The plot plan must be prepared by or under the direct supervision of a registered land surveyor or professional engineer and certified by the same.

5.7.5.3 The plot plan required by section 18-157(1) must show the floodway, if any, as identified by the Federal Emergency Management Agency or the floodway identified pursuant to either section 18-157(1) or sections 18-183 and 18-184.

5.7.5.4 Where base flood elevation data is provided as set forth in section 18-134 or section 18-157(1), the application for a development permit within the flood hazard area shall show:

5.7.5.4.1. The elevation, in relation to mean sea level, of the lowest floor of all new and substantially improved structures; and

5.7.5.4.2. If the structure will be floodproofed in accordance with section 18-182(2), the elevation (in relation to mean sea level) to which the structure will be floodproofed.

5.7.5.5 If no base flood elevation data is provided as set forth in section 18-132 or 18-134, the application for a development permit must show construction of the lowest floor at least three feet above the highest adjacent grade.

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5.7.5.6 Where any watercourse will be altered or relocated as a result of proposed development, the application for a development permit shall include:

5.7.5.6.1. A description of the extent of watercourse alteration or relocation;

5.7.5.6.2. An engineering report on the effects of the proposed project on the flood-carrying capacity of the watercourse and the effects to properties located both upstream and downstream; and

5.7.5.6.3. A map showing the location of the proposed watercourse alteration or relocation.

5.7.5.7 When a structure is floodproofed, the applicant shall provide certification from a registered, professional engineer or architect that the nonresidential, floodproofed structure meets the floodproofing criteria in section 18-182(2).

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5.7.5.8 A floor elevation or floodproofing certification is required after the lowest floor is completed. As soon as possible after completion of the lowest floor and before any further vertical construction commences, or floodproofing by whatever construction means, whichever is applicable, it shall be the duty of the permit holder to submit to the county engineer a certification of the elevation of the lowest floor or floodproofed elevation, whichever is applicable, as built, in relation to mean sea level. Said certification shall be prepared by or under the direct supervision of a registered land surveyor or professional engineer and certified by same. Any work done prior to submission of the certification shall be at the permit holder's risk. The local administrator shall review the floor elevation survey data submitted. The permit holder immediately and prior to further progressive work being permitted to proceed shall correct deficiencies detected by such review. Failure to submit the survey or failure to make said corrections required hereby shall be cause to issue a stop-work order for the project.

5.7.5.9 Upon completion of the development, a registered professional engineer, land surveyor or architect shall certify that section 18-160(6), (7) and (8) are built in accordance with the submitted plans and previous predevelopment certifications.

Commented [JF9]: References to be revised

5.7.5.10 If the proposed project will affect the configuration of the watercourse, floodway, or base flood elevation for which a detailed flood insurance study has been developed, the applicant shall apply for and must receive approval for a conditional letter of map revision (CLOMR) with the Federal Emergency Management Agency prior to actual construction.

5.7.5.11 Within 60 days of completion of an alteration of a watercourse, referenced in section 18-160(5), the applicant shall submit as-built certification, by a registered professional engineer, to the Federal Emergency Management Agency.

Commented [JF10]: Reference to be revised

(Ord. No. 10-11-635, § 156.33, 2-25-2011)

Sec. 5.7.6. - Sec. 18-161. - Administrative procedures.

5.7.6.1 *Inspections of work in progress.* As the work pursuant to a permit progresses, the county administrator or his designee shall make as many inspections of the work as may be necessary to ensure that the work is being done according to the provisions of the local chapter and the terms of the permit. In exercising this power, the county administrator or his designee has a right, upon presentation of proper credentials, to enter on any premises within the territorial jurisdiction at any reasonable hour for the purposes of inspection or other enforcement action.

5.7.6.2 *Stop work orders.* Whenever a building or part thereof is being constructed, reconstructed, altered, or repaired in violation of this article, the county administrator or his designee may order the work to be immediately stopped. The stop work order shall be in writing and directed to the person doing the work. The stop work order shall state the specific work to be stopped, the specific reasons for the stoppage, and the conditions under which the work may be resumed. Violation of a stop work order constitutes a misdemeanor.

5.7.6.3 *Revocation of permits.* The county administrator or his designee may revoke and require the return of the development permit by notifying the permit holder in writing, stating the reason for the revocation. Permits shall be revoked for:

- 5.7.6.3.1. Any substantial departure from the approved application, plans or specifications;
- 5.7.6.3.2. Refusal or failure to comply with the requirements of state or local laws; or
- 5.7.6.3.3. False statements or misrepresentations made in securing the permit.
- 5.7.6.3.4. Any permit mistakenly issued in violation of an applicable state or local law may also be revoked.

5.7.6.4 *Periodic inspections.* The county administrator or his designee and each member of his inspections department shall have a right, upon presentation of proper credentials, to enter on any premises within the territorial jurisdiction of the department at any reasonable hour for the purposes of inspection or other enforcement action.

5.7.6.5 *Violations to be corrected.* When the county administrator or his designee finds violations of applicable state and local laws, it shall be his duty to notify the owner or occupant of the building of the violation. The owner or occupant shall immediately remedy each of the violations of law on the property he owns.

5.7.6.6 *Actions in event of failure to take corrective action.* If the owner of a building or property shall fail to take prompt corrective action, the county administrator or his designee shall give him written notice, by certified or registered mail to his last known address or by personal service, that:

- 5.7.6.6.1. The building or property is in violation of the Flood Damage Prevention Code;
- 5.7.6.6.2. A hearing will be held before the county administrator or his designee at a designated place and time, not later than ten days after the date of the notice, at which time the owner shall be entitled to be heard in person or by counsel and to present arguments and evidence pertaining to the matter; and
- 5.7.6.6.3. Following the hearing, the county administrator or his designee may issue such order to alter, vacate, or demolish the building; or to remove fill as appears appropriate.
- 5.7.6.6.4. *Order to take corrective action.* Upon a hearing, if the county administrator or his designee finds the building or development in violation of the Flood Damage Prevention Code, he shall make an order in writing to the owner requiring the owner to remedy the violation within a period of not less than 60 days. However, if the county administrator or his designee finds that there is imminent danger to life or other property, he may order that corrective action be taken in such lesser period as may be feasible.
- 5.7.6.6.5. *Appeal.* Any owner who has received an order to take corrective action may appeal from the order to the local board of appeals by giving notice of appeal in writing to the county administrator or his designee and the clerk within ten days following issuance of the final order. In the absence of an appeal, the order of the engineer shall be final. The board of appeals shall hear an appeal within a reasonable time and may affirm, modify and affirm, or revoke the order.
- 5.7.6.6.6. *Failure to comply with order.* If the owner of a building or property fails to comply with an order to take corrective action from which no appeal has been taken or fails to comply with an order of the board of appeals following an appeal action, he shall be guilty of a misdemeanor and shall be punished in the discretion of the court.

(Ord. No. 10-11-635, § 156.35, 2-25-2011)

- 5.7.6.6.7. Reserved.

ARTICLE 5.8. - FLOOD DAMAGE PREVENTION; PROVISIONS FOR FLOOD HAZARD REDUCTION

Sec. 5.8.1. - General standards.

Development may not occur in the floodplain where alternative locations exist due to the inherent hazards and risks involved. Before a permit is issued, the applicant shall demonstrate that new structures cannot be located out of the floodplain and that encroachments onto the floodplain are minimized. In all areas of special flood hazard, the following provisions are required:

5.8.1.1 All new construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure;

5.8.1.2 All new construction and substantial improvements shall be constructed with flood-resistant materials and utility equipment resistant to flood damage;

5.8.1.3 All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damages;

5.8.1.4 Electrical, ventilation, plumbing, heating and air conditioning equipment (including ductwork), and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding. This requirement does not preclude the installation of outdoor faucets for showerheads, sinks, hoses, etc., as long as cut off devices and back flow devices are installed to prevent contamination to the service components and thereby minimize any flood damages to the building;

5.8.1.5 All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system;

5.8.1.6 New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into floodwaters;

5.8.1.7 On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding;

5.8.1.8 Any alteration, repair, reconstruction or improvement to a structure, which complies with the provisions of this article, shall meet the requirements of "new construction" as contained in this article. This includes post-FIRM development and structures;

5.8.1.9 Nonconforming buildings or uses. Nonconforming buildings or uses may not be enlarged, replaced or rebuilt unless such enlargement or reconstruction is in conformance with the provisions of this article. However, this article shall not prevent the repair, reconstruction or replacement of an existing building or structure located totally or partially within the floodway, provided the bulk of the building or structure below base flood elevation in the floodway is not increased and provided that such repair, reconstruction or replacement meets all of the other requirements of this article; and

5.8.1.10 Americans with Disabilities Act (ADA). A building must meet the specific standards for floodplain construction outlined in [section 5.8.3](#), as well as any applicable ADA requirements. The ADA is not justification for issuing a variance or otherwise waiving these requirements. In addition, the cost of improvements required to meet the ADA provisions shall be included in the costs of the improvements for calculating substantial improvement. (Ord. No. 10-11-635, § 156.40, 2-25-2011)

Sec. 5.8.2. - Specific standards.

5.8.2.1 In all areas of special flood hazard where base flood elevation data has been provided, as set forth in **section 18-134 or 18-157(1)**, the following provisions are required:

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5.8.2.1.1. *Residential construction.* New construction or substantial improvement of any residential structure, including manufactured homes, shall have the lowest floor elevated no lower than two feet above the base flood elevation. No basements are permitted. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate the unimpeded movements of floodwaters shall be provided in accordance with **subsection 5.8.3.5** of this section.

5.8.2.1.2. *Nonresidential construction.* New construction or substantial improvement of any commercial, industrial or nonresidential structure, including manufactured homes, shall have the lowest floor elevated no lower than two feet above the level of the base flood elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate the unimpeded movements of floodwaters shall be provided in accordance with **subsection (5) of this section**. No basements are permitted. Structures located in A-zones may be floodproofed in lieu of elevation if all areas of the structure below the required elevation are watertight with walls impermeable to the passage of water, using structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered, professional engineer or architect shall certify that the standards of this subsection are satisfied. Such certifications shall be provided to the official as set forth in **section 18-160(7) and (9)**. A variance may be considered for wet-floodproofing agricultural structures in accordance with the criteria outlined in section 18-204. Agricultural structures not meeting the criteria of section 18-204 must meet the nonresidential construction standards and all other applicable provisions of this article. Structures, which are floodproofed, are required to have an approved maintenance plan with an annual exercise. The maintenance plan must be approved by the county administrator or his designee and notification of the annual exercise shall be provided to the same.

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5.8.2.1.3. *Manufactured homes.*

5.8.2.1.3.1. Manufactured homes that are placed or substantially improved on sites in an existing, an expansion to an existing, a new or outside of a manufactured home park or subdivision in which manufactured homes incurred "substantial damage" as the result of a flood shall be elevated on a permanent foundation. The lowest floor of the manufactured home shall be elevated no lower than two feet above the base flood elevation and securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement.

5.8.2.1.3.2. Manufactured homes that are to be placed or substantially improved on sites in existing manufactured home parks or subdivisions that are not subject to the provisions of subsection (3)a. of this section must be elevated so that the lowest floor is elevated no lower than two feet above the base flood elevation. The home shall be securely anchored to an adequate foundation to resist flotation, collapse and lateral movement.

5.8.2.1.3.3. Manufactured homes shall be anchored to prevent flotation, collapse or lateral movement. Therefore, manufactured homes must be anchored to resist flotation, collapse or lateral movement in accordance with S.C. Code 1976, § 40-29-10, South Carolina Manufactured Housing Board Regulations. Additionally, when the elevation requirement would be met by an elevation of the chassis at least 36 inches or less above the grade at the sight, the chassis shall be supported by reinforced piers or other foundation elements of at least equivalent strength. When the elevation of the chassis is above 36 inches in height, an engineering certification is required.

5.8.2.1.3.4. An evacuation plan must be developed for evacuation of all residents of all new, substantially improved or substantially damaged manufactured home parks or subdivisions located within flood-prone areas. This plan shall be filed with and approved by the county administrator or his designee and the emergency preparedness director.

5.8.2.1.4. *Recreational vehicles.* A recreational vehicle is ready for highway use if it is on wheels or jacking system, is attached to the site only by quick-disconnect type utilities and security devices and has no permanently attached additions. Recreational vehicles placed on sites shall either:

5.8.2.1.4.1. Be on site for fewer than 180 consecutive days;

5.8.2.1.4.2. Designs for complying with this requirement must either be certified by a professional engineer or architect or meet the following minimum criteria:

5.8.2.1.4.3. Be on site for fewer than 180 consecutive days;

5.8.2.1.4.4. Designs for complying with this requirement must either be certified by a professional engineer or architect or meet the following minimum criteria:

5.8.2.1.4.5. Designs for complying with this requirement must either be certified by a professional engineer or architect or meet the following minimum criteria:

5.8.2.1.4.5.1. Provide a minimum of two openings on different walls having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding. If there are multiple enclosed areas, each area must have openings in its exterior walls;

5.8.2.1.4.5.2. The bottom of each opening must be no more than one foot above the higher of the interior or exterior grade immediately under the opening. Only the portions of openings that are below the base flood elevation (BFE) can be counted towards the required net open area;

5.8.2.1.4.5.3. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided they permit the automatic flow of floodwaters in both directions; and

5.8.2.1.4.5.4. Fill placed around foundation walls must be graded so that the grade inside the enclosed area is equal to or higher than the adjacent grade outside the building on at least one side of the building.

5.8.2.1.4.6. Hazardous velocities. Hydrodynamic pressure must be considered in the design of any foundation system where velocity waters or the potential for debris flow exists. If flood velocities are excessive (greater than five feet per second), foundation systems other than solid foundation walls should be considered so that obstructions to damaging flood flows are minimized.

5.8.2.1.4.7. Access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the living area (stairway or elevator).

5.8.2.1.4.8. The interior portion of such enclosed area shall not be partitioned or finished into separate rooms, except to enclose a single storage area and must be void of utilities except for essential lighting as required and cannot be temperature controlled. One wet location switch and/or outlet connected to a ground fault interrupt breaker may be installed below the required lowest floor elevation specified in subsections (1), (2) and (3) of this section.

5.8.2.1.4.9. All construction materials below the required lowest floor elevation specified in subsections (1), (2) and (3) of this section shall be of flood-resistant materials.

5.8.2.1.5. *Temporary development.* Certain types of structures (e.g., fruit stands, construction site offices, portable toilets, etc.) may be situated temporarily on flood-prone property without having to comply with the elevation or floodproofing criteria of subsections (1) and (2) of this section respectively, provided that the following criteria are met:

5.8.2.1.5.1. All applicants must submit to the county administrator or his designee, prior to the issuance of the development permit, a written plan for the removal of any temporary structures or development in the event of a hurricane or flash flood warning notification. The plan shall be reviewed and approved in writing, and must include the following information:

5.8.2.1.5.1.1. A specified time for which the temporary use will be permitted;

5.8.2.1.5.1.2. The name, address and phone number of the individual responsible for the removal of temporary structures or development;

5.8.2.1.5.1.3. The period prior to the event at which any structures will be removed (i.e., a minimum of 72 hours before landfall of a hurricane or immediately upon flood warning notification);

5.8.2.1.5.1.4. A copy of the contract or other suitable instrument with a trucking company to ensure the availability of removal equipment when needed;

5.8.2.1.5.1.5. Designation, accompanied by documentation, of a location outside the floodplain to which any temporary structure will be moved;

5.8.2.1.5.1.6. A determination of permanent structures which would be adversely affected by increased flooding upstream or downstream, and a method for covering this liability, such as a performance bond; and

5.8.2.1.5.1.7. A plan to restore the area to its natural condition once the temporary permit expires or the temporary use is terminated, whichever is first.

5.8.2.1.5.2. The structure is mobile or can be made so and is capable of being removed from the site with a maximum of four hours warning.

5.8.2.1.5.3. The structure will not remain on the property for more than 180 days.

5.8.2.1.6. *Accessory structures.* An accessory structure or garage, the cost of which is greater than \$3,000.00, must comply with the elevated structure requirements of subsections (2) and (5) of this section. When accessory structures of \$3,000.00 or less are to be placed in the floodplain, the following criteria shall be met:

5.8.2.1.6.1. Accessory structures shall not be used for human habitation (including work, sleeping, living, cooking or restroom areas);

5.8.2.1.6.2. Accessory structures shall be designed to have low flood damage potential;

5.8.2.1.6.3. Accessory structures shall be constructed and placed on the building site to offer the minimum resistance to the flow of floodwaters;

5.8.2.1.6.4. Accessory structures shall be firmly anchored to prevent flotation, collapse or lateral movement of the structure;

5.8.2.1.6.5. Service facilities such as electrical and heating equipment shall be installed in accordance with section 18-181(4); and

5.8.2.1.6.6. Openings to relieve hydrostatic pressure during a flood shall be provided below base flood elevation in conformance with subsection (5) of this section.

5.8.2.1.7. *Floodways.* Located within areas of special flood hazard established in section 18-134 are areas designated as floodways. The floodway is an extremely hazardous area due to the velocity of floodwaters, which carry debris and potential projectiles, and has erosion potential. The following provisions shall apply within such areas:

5.8.2.1.7.1. No encroachments, including fill, new construction, substantial improvements, additions, and other developments shall be permitted unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in the flood levels during the occurrence of the base flood. Such certification and technical data shall be presented to the county administrator or his designee.

5.8.2.1.7.2. If subsection (8)a. of this section is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of this division.

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5.8.2.1.7.3. Stream crossings for any purpose (i.e., timber harvesting operations), if temporary, shall be permitted in accordance with section 18-182(6). Otherwise, the development shall comply with all applicable flood hazard reduction provisions of division 3 of this article.

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5.8.2.1.7.4. No manufactured homes shall be permitted, except in an existing manufactured home park or subdivision. A replacement manufactured home may be placed on a lot in an existing manufactured home park or subdivision provided the anchoring and the elevation standards of subsection (3) of this section are met.

5.8.2.1.7.5. Permissible uses within floodways may include general farming, pasture, outdoor plant nurseries, horticulture, forestry, wildlife sanctuary, game farm, and other similar agricultural, wildlife, and related uses. In addition, lawns, gardens, play areas, picnic grounds and hiking and horseback riding trails are acceptable uses, if they do not employ structures or fill. Substantial development of a permissible use may require a no-impact certification. The uses listed in this subsection are permissible only if and to the extent that they do not cause any increase in base flood elevations.

5.8.2.1.8. *Fill.* Fill is discouraged because storage capacity is removed from floodplains. Elevating buildings by other methods must be considered. An applicant shall demonstrate that fill is the only alternative to raising the building to at least one foot above the base flood elevation, and that the amount of fill used will not affect the flood storage capacity or adversely affect adjacent properties. The following provisions shall apply to all fill placed in the special flood hazard area:

5.8.2.1.8.1. Fill may not be placed in the floodway unless it is in accordance with section 18-183(1);

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5.8.2.1.8.2. Fill may not be placed in tidal or nontidal wetlands without the required state and federal permits;

5.8.2.1.8.3. Fill must consist of soil and rock materials only. A registered professional geotechnical engineer may use dredged material as fill only upon certification of suitability. Landfills, rubble fills, dumps and sanitary fills are not permitted in the floodplain;

5.8.2.1.8.4. Fill used to support structures must comply with ASTM Standard D-698, and its suitability to support structures certified by a registered professional engineer;

5.8.2.1.8.5. Fill slopes shall be no greater than two horizontal measure to one vertical measure. Flatter slopes may be required where velocities may result in erosion; and

5.8.2.1.8.6. The use of fill shall not increase flooding or cause drainage problems on neighboring properties. (Ord. No. 10-11-635, § 156.41, 2-25-2011)

Sec. 5.8.3. - Standards for streams without established base flood elevations and/or floodways.

5.8.3.1 Located within the areas of special flood hazard established in section 18-134 are small streams where no base flood data has been provided or where no floodways have been identified. The following provisions apply within such areas:

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5.8.3.1.1. No encroachments, including fill, new construction, substantial improvements or new development shall be permitted within 100 feet of the stream bank unless certification with supporting technical data by a registered, professional engineer is provided demonstrating that such encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.

5.8.3.1.2. If subsection 5.8.3.1.1 of this section is satisfied and base flood elevation data is available from other sources, all new construction and substantial improvements within

such areas shall comply with all applicable flood hazard provisions of this division and shall be elevated or floodproofed in accordance with elevations established in accordance with section 18-157(10). Data from preliminary, draft, and final flood insurance studies constitutes best available data. If an appeal is pending on the study in accordance with 44 CFR 67.5 and 67.6, the data does not have to be used.

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5.8.3.1.3. When base flood elevation data is not available from a federal, state, or other source, one of the following methods for determining BFE's listed below refer to FEMA's manual *Managing Floodplain Development in Approximate Zone A Areas* .

5.8.3.1.3.1. Contour interpolation.

5.8.3.1.3.1.1. Superimpose approximate zone A boundaries onto a topographic map and estimate a BFE.

5.8.3.1.3.1.2. Add one-half of the contour intervals of the topographic map that is used to the BFE.

5.8.3.1.3.2. Data extrapolation. A BFE can be determined if a site within 500 feet upstream of a reach of a stream reach for which a 100-year profile has been computed by detailed methods, and the floodplain and channel bottom slope characteristics are relatively similar to the downstream reaches.

5.8.3.1.3.3. Hydrologic and hydraulic calculations. Perform hydrologic and hydraulic calculations to determine BFE's using FEMA-approved methods and software. The methods include, but are not limited to, the following:

5.8.3.1.3.3.1. HEC-RAS 3.1.1 and up

5.8.3.1.3.3.2. HEC-1 4.0.1 and up

5.8.3.1.3.3.3. HEC-2 4.6.2

5.8.3.1.3.3.4. HEC-HMS 1.1 and up

5.8.3.1.3.3.5. FLO-2D

5.8.3.1.3.3.6. QUICK-2

5.8.3.1.3.3.7. SFD

5.8.3.1.3.3.8. WSPRO

5.8.3.1.3.3.9. (Ord. No. 10-11-635, § 156.42, 2-25-2011)

Sec. 5.8.4. - Standards for subdivision proposals.

5.8.4.1 All subdivision proposals shall be consistent with the need to minimize flood damage and are subject to all applicable standards in these regulations.

5.8.4.1.1. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage. An access road at or above the base flood elevation shall be provided to allow emergency access during flood conditions;

5.8.4.1.2. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards; and

5.8.4.1.3. Base flood elevation data shall be provided for subdivision proposals and other proposed development, which is greater than the lesser of five lots or five acres. Development of detailed floodway data will be required should the applicant wish to appeal the setback requirements of section 18-183(1). (Ord. No. 10-11-635, § 156.53, 2-25-2011)

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Sec. 5.8.5. - Standards for areas of shallow flooding (AO zones).

5.8.5.1 Located within the areas of special flood hazard established in section 18-134 are areas designated as shallow flooding. The following provisions shall apply within such areas:

5.8.5.1.1. All new construction and substantial improvements of residential structures shall have the lowest floor elevated to the depth number specified on the flood insurance rate map, in feet, above the highest adjacent grade. If no depth number is specified, the lowest floor shall be elevated at least three feet above the highest adjacent grade.

5.8.5.1.2. All new construction and substantial improvements of nonresidential structures shall:

5.8.5.1.2.1. Have the lowest floor elevated to the depth number specified on the flood insurance rate map, in feet, above the highest adjacent grade. If no depth number is specified, the lowest floor shall be elevated at least three feet above the highest adjacent grade; or

5.8.5.1.2.2. Be completely floodproofed together with attendant utility and sanitary facilities to or above that level so that any space below that level is watertight with walls impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. (Ord. No. 10-11-635, § 156.54, 2-25-2011)

5.8.5.1.3. Reserved.

ARTICLE 5.9. - FLOOD DAMAGE PREVENTION; APPEALS AND VARIANCES

Sec. 5.9.1. - Sec. 18-201. - Establishment of appeal board.

The county building code board of adjustments and appeals as established by county council shall hear and decide requests for variances from the requirements of this article. (Ord. No. 10-11-635, § 156.50, 2-25-2011)

Sec. 5.9.2. - Right to appeal.

Any person aggrieved by the decision of the appeal board or any party of interest may appeal such decision to the circuit court. (Ord. No. 10-11-635, § 156.51, 2-25-2011)

5.9.2.1 Historic structures.

Variations may be issued for the repair or rehabilitation of historic structures upon the determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure. (Ord. No. 10-11-635, § 156.52, 2-25-2011)

5.9.2.2 Agricultural structures.

Variations may be issued to wet floodproof an agricultural structure in accordance with Technical Bulletin 7-93, Wet Floodproofing Requirements for Structures Located in Special Flood Hazard Areas in accordance with the National Flood Insurance Program, document number FIA-TB-7, dated 12/93, and available from the Federal Emergency Management Agency. In order to minimize flood damages during the base flood and the threat to public health and safety, the structure must meet all of the conditions and considerations of section 18-208(4), this section and the following standards:

5.9.2.2.1. Use of the structure must be limited to agricultural purposes as listed below:

- 5.9.2.2.1.1. Pole frame buildings with open or closed sides used exclusively for the storage of farm machinery and equipment;
- 5.9.2.2.1.2. Steel grain bins and steel frame corn cribs;
- 5.9.2.2.1.3. General-purpose barns for the temporary feeding of livestock, which are open on at least one side;
- 5.9.2.2.1.4. For livestock confinement buildings, poultry houses, dairy operations and similar livestock operations, variances may not be issued for structures, which were substantially damaged. New construction or substantial improvement of such structures must meet the elevation requirements of section 18-182(2); and
- 5.9.2.2.1.5. Detached garages and storage sheds solely used for parking and limited storage in connection with agricultural uses only, which are no greater than 400 square feet in area.
- 5.9.2.2.2. The agricultural structure must be built or rebuilt, in the case of an existing building, which is substantially damaged, with flood-resistant materials for the exterior and interior building components and elements below the base flood elevation;
- 5.9.2.2.3. The agricultural structure must be adequately anchored to prevent flotation, collapse or lateral movement. All of the structure's components must be capable of resisting specific flood-related forces including hydrostatic, buoyancy, hydrodynamic, and debris impact forces. Where flood velocities exceed five feet per second, fast-flowing floodwaters can exert considerable pressure on the building's enclosure walls or foundation walls;
- 5.9.2.2.4. The agricultural structure must meet the venting requirement of section 18-182(5)a;
- 5.9.2.2.5. Any mechanical, electrical or other utility equipment must be located above the base flood elevation so that they are contained within a watertight, floodproofed enclosure, which is capable of resisting damage during flood conditions. The structure must comply with sections 18-181(4) and 18-182(1), (2);
- 5.9.2.2.6. The agricultural structure must comply with the floodway encroachment provisions of section 18-182(8); and
- 5.9.2.2.7. Major equipment, machinery, or other contents must be protected. Such protection may include protective watertight floodproofed areas within the building, the use of equipment hoists for readily elevating contents, permanently elevating contents on pedestals or shelves above the base flood elevation or determining that property owners can safely remove contents without risk to lives and that the contents will be located to a specified site out of the floodplain in accordance with the temporary development provisions of section 18-182(6). (Ord. No. 10-11-635, § 156.53, 2-25-2011)

Sec. 5.9.3. - Sec. 18-205. - Considerations.

In passing upon such applications, the board of appeals shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this article, and:

- 5.9.3.1 The danger that materials may be swept onto other lands to the injury of others;
- 5.9.3.2 The danger to life and property due to flooding or erosion damage, and the safety of access to the property in times of flood for ordinary and emergency vehicles;
- 5.9.3.3 The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
- 5.9.3.4 The importance of the services provided by the proposed facility to the community;

- 5.9.3.5 The necessity to the facility of a waterfront location, where applicable;
- 5.9.3.6 The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
- 5.9.3.7 The compatibility of the proposed use with existing and anticipated development, and the relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
- 5.9.3.8 The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site;
- 5.9.3.9 The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, and streets and bridges; and
- 5.9.3.10 Where no other alternative location for an agricultural structure exists, and an agricultural structures must be located in a wide, expansive floodplain areas, the applicant must demonstrate that the entire farm acreage, consisting of a contiguous parcel of land on which the structure is to be located, must be in the special flood hazard area and no other alternative locations for the structure are available. (Ord. No. 10-11-635, § 156.54, 2-25-2011)

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Sec. 5.9.4. - Findings.

Findings listed in section 18-205 shall be submitted to the appeal board, in writing, and included in the application for a variance. Additionally, comments from the department of natural resources, land, water and conservation division state coordinator's office must be taken into account and included in the permit file. (Ord. No. 10-11-635, § 156.55, 2-25-2011)

Sec. 5.9.5. - Designated floodways.

Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result. (Ord. No. 10-11-635, § 156.56, 2-25-2011)

Sec. 5.9.6. - Conditions.

Upon consideration of the factors listed in this division and the purposes of this article, the appeal board may attach such conditions to the granting of variances as it deems necessary to further the purposes of this article. The following conditions shall apply to all variances:

5.9.6.1 The appeal board shall not issue a variance that will enable a structure to remain in violation of other federal, state, or local laws, regulations or codes.

5.9.6.2 The appeal board shall only issue a variance upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

5.9.6.3 The appeal board shall issue a variance only upon:

5.9.6.3.1. A showing of good and sufficient cause.

5.9.6.3.2. A determination that failure to grant the variance would result in an exceptional hardship.

5.9.6.3.3. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or codes.

5.9.6.4 Any applicant to whom a variance is granted shall be given written notice specifying the difference between the base flood elevation and the elevation to which the structure is to be built and a written statement that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation. Such notification shall be maintained with a record of all variance actions.

5.9.6.5 The county administrator or his designee shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency upon request.

5.9.6.6 The appeal board shall not issue a variance for unpermitted development or other development that does not comply with the provisions of this article. Violations shall be corrected in accordance with section 18-161(e). (Ord. No. 10-11-635, § 156.57, 2-25-2011)

5.9.6.7 Reserved.

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ARTICLE 5.10. - FLOOD DAMAGE PREVENTION; LEGAL STATUS PROVISIONS

Sec. 5.10.1. - Effect upon outstanding building permits.

5.10.1.1 Nothing herein contained shall require any change in the plans, construction, size or designated use of any building, structure or part thereof for which the chief building inspector or his authorized agents has granted a building permit before the date this article is adopted. However, that when construction is not begun under such outstanding permit within a period of 60 days subsequent to the adoption of the ordinance from which this article is derived, construction or use shall be in conformity with the provisions of this article. (Ord. No. 10-11-635, § 156.61, 2-25-2011; Ord. No. 10-11-636, § 1(156.60), 4-5-2011)

Sec. 5.10.2. - Enforcement.

5.10.2.1 All enforcement procedures, remedies, legal and equitable, processes and penalties provided in the enabling statutes for local government code violations including summons, injunctions, mandamus, stop orders and warrants and other applicable provisions of S.C. Code 1976, §§ 56-7-80 et seq. and 6-29-950(a) et seq. are hereby adopted and incorporated by reference as if fully set forth in this section. In addition to any applicable civil penalties, any person who violates any provision of this Code shall be guilty of a misdemeanor and, upon

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conviction, shall be sentenced to the penalties within the jurisdiction of the magistrate court. Each day a violation exists shall constitute a new and separate offense.

5.10.2.2 The county administrator or his designee is authorized to prescribe and approve such administrative policies and procedures, including forms, as he may deem appropriate for the proper administration and enforcement of this article. (Ord. No. 10-11-635, § 156.63, 2-25-2011; Ord. No. 10-11-636, § 1(156.61), 4-5-2011

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CHAPTER 6 - Building and Site Design.

ARTICLE 6.1. - PURPOSE.

Chapter 6 provides standards applicable to all development activity in unincorporated Edgefield County. These standards address the size of lots, the placement of buildings and structures on a lot, buffers between uses, site landscaping, and off-street parking and loading requirements. In addition, this Chapter provides design strategies for residential subdivisions that are intended to preserve tracts of land as conservation lands and communal open space.

ARTICLE 6.2. - DEFINITIONS REFERENCED.

The definitions of certain terms referenced in this Chapter are set forth in Chapter 12 Interpretation and Definitions.

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ARTICLE 6.3. - GENERAL REQUIREMENTS

Sec. 6.3.1. - Application of regulations.

6.3.1.1 The regulations established herein are declared to be the minimum requirements necessary to carry out the purpose of this Chapter. These regulations apply to each class or kind of structure or land, and are the minimum standards for all site clearing, development, buildings, structures, or alterations to land or structures.

6.3.1.2 No part of a yard, open space, or off-street parking required in connection with any building for the purpose of complying with the regulations of this Chapter shall be included as part or all of the required yard, open space, or off-street parking for another building or structure, except as hereinafter provided.

6.3.1.3 Where there is a conflict between requirements for specific uses in Chapter 4 and this Chapter, Chapter 4 shall apply. Where there is a conflict between requirements for special development districts and overlays in Chapter 3 and this Chapter, the requirements of Chapter 3 shall apply.

Sec. 6.3.2. - Visibility at intersections.

On any corner lot and driveway entrance, no planting shall be placed or maintained and no fence, building, wall, or other structure shall be constructed at any point between a height of 2 ½ feet and 10 feet above the upper face of the nearest curb (or street centerline if no curb exists) and within the triangular area bounded on two sides by the street right-of-way lines and on the third side by a straight line connecting points on the two street right-of-way lines as required by the site triangular and vertical vision clearance illustration. However, poles and support structures less than 12 inches in diameter may be permitted in such areas.

ARTICLE 6.4. - DIMENSIONAL REQUIREMENTS.

Sec. 6.4.1. - Measurements.

6.4.1.1 Yards, setbacks, buildable area.

The required front, side, and rear yards for individual lots, as set forth by Table 6-2 in this Chapter shall be measured inward toward the center of the lot from all points along the respective front, side, and rear property lines of the lot. Once the yard areas of a given lot have been established, the remaining area of the lot which is not included in any required front, side, or rear lot shall be known as the "buildable" area within which the approved structures shall be placed.

Commented [JF2]: Why should we defer the area requirements table to a later section or more that information here?

6.4.1.2 Height.

The height of a building or structure shall be measured from the average grade elevation within 20 feet of the structure or from the base of a tree when computing height in the airport compatibility zone, to the highest point of the building, structure, or tree.

Sec. 6.4.2. - Setbacks and yards.

6.4.2.1 Exceptions and modifications.

Where required by this Ordinance, building setback may be modified as follows:

6.4.2.1.1. Setbacks, corner lots.

6.4.2.1.1.1. The setback from the street upon which the principal building will face shall be the minimum required front yard.

6.4.2.1.1.2. The setback from the street upon which the side of the building will face shall be the minimum required front yard setback for the street upon which it is contiguous.

6.4.2.1.1.3. Corner lots having frontage on paved roads shall be of sufficient size to permit required front yard setbacks on both roads.

6.4.2.1.2. Setbacks, through or double frontage lots.

Front yard setbacks for double frontage lots shall be provided for both streets upon which the lot has frontage.

6.4.2.1.3. Setbacks, partially developed areas.

Where the majority of lots in a block fronting on the same side of a street between two intersecting streets are lawfully occupied with buildings having greater or lesser front yard depth than required by these regulations, no building hereafter erected or altered shall vary in the front yard setback by more than 5 feet from the average depth of the existing front yard setbacks without written approval of contiguous property owners. However, in no case shall setbacks be less than 15 feet.

6.4.2.1.4. Setbacks, multiple buildings on lot.

Whenever more than one main building is to be located on a lot, the required yards shall be maintained around the group of buildings and buildings shall be separated by a horizontal distance that is at least equal to the height of the highest adjacent building.

6.4.2.2 Projections in required yard.

6.4.2.2.1. The space in any required yard shall be open and unobstructed except for the ordinary projections of window sills, cornices, eaves, window air conditioning units, and other architectural features, provided that such features shall project no more than two feet into any required yard.

6.4.2.2.2. Steps and heating and cooling units may project into a required yard a distance not to exceed 5 feet but no closer than 3 feet of a property line.

Sec. 6.4.3. - Lots; general requirements.

6.4.3.1 Accessibility.

Each lot/dwelling shall be served by a separate driveway access adequate for emergency vehicle traffic and extending directly to a county-approved street or road.

6.4.3.2 Design.

6.4.3.2.1. Lot size, width, depth, shape, grade, and orientation shall be in proper relation to street and block design, to existing and proposed topographical conditions, and for the type of development and use contemplated.

6.4.3.2.2. Maximum width to depth ratios shall be 1:5 for residential subdivisions.

6.4.3.2.3. Side lot lines shall be at right angles to straight street lines and radial to curved street lines.

Sec. 6.4.4. - Double frontage lots.

6.4.4.1.1. Residential double frontage lots shall have a minimum rear yard of 50 feet, next to the arterial street, measured from the shortest distance of the proposed back building line to the street right-of-way and shall within such rear yard and immediately adjacent to the right-of-way, have a non-access planting screen easement of at least 20 feet in depth.

6.4.4.1.2. Residential subdivisions involving new streets, where proposed for areas adjacent to primary state and U.S. highways, shall be denied direct access to and separated from such highways by double or reverse frontage lots.

Sec. 6.4.5. - Flag lots.

Lots of 20 acres or more and lots not being subdivided shall be exempt from the following regulations.

6.4.5.1.1. Creation from existing lot of record.

A flag lot may be created from an existing lot of record to allow full and complete development thereof, provided:

6.4.5.1.1.1. The flag lot shall be occupied only for a single-family dwelling.

6.4.5.1.1.2. The original lot must meet all zoning requirements specified for the respective zoning district in which it is located, both before and after subdivision.

6.4.5.1.1.3. The "flag" section of the flag-shaped lot shall meet or exceed the minimum lot area requirements specified for the respective zoning district. The area of the access driveway of the flag lot shall not be included in computing minimum lot area requirements but title to which must be conveyed by general warranty deed in the same manner as title to the "flag" portion of the lot is conveyed.

6.4.5.1.1.4. The front setback shall be measured from the front of the proposed new residence on the flag lot to the new rear property line of the original lot, which was created by the subdivision and shall meet or exceed the distance specified for the respective zoning district.

6.4.5.1.1.5. Rear and side setbacks of a flag lot shall be as prescribed by Table 6-2 in this Chapter.

6.4.5.1.1.6. The driveway section shall be limited to use only by the original lot and the flag-shaped lot and shall be a minimum of 30 feet.

6.4.5.1.2. Creation in new subdivision.

Flag lots may be created in new subdivisions where natural features or surrounding development patterns create access problems, provided:

6.4.5.1.2.1. Access easements or the "flagpole" parts of flag lots shall be not less than 30 feet wide for their entire length and shall front for at least 30 feet on a public street. In order to facilitate possible future development, for a parcel of 50 acres or more in size, the flagpole section of a flag lot or of an access easement shall not be less than 50 feet in width for its entire length and shall have a minimum road frontage of 50 feet.

Commented [JF3]: Coordinate reference with frontage requirements in Table 6-2 and check requirements in Table 8-6

6.4.5.1.2.2. Flag lot access driveways shall be separated by the required minimum lot width for the zoning district in which the flag lot is to be created, measured from the front property line, but not less than 100 feet.

6.4.5.1.2.3. Use of flag lot driveways by adjoining lots on either side of the driveway is encouraged as a means of limiting curb cuts, but a flag lot driveway may not be used to access a second flag lot.

6.4.5.1.2.4. The area of an access driveway shall not be counted when computing the minimum area of a lot as required by Table 6-2 in this Chapter.

6.4.5.1.2.5. No more than 25% of the total number of lots in subdivision shall be flag lots.

6.4.5.1.2.6. A driveway shall provide access to no more than two parcels of land.

Sec. 6.4.6. - Number of dwellings per lot.

6.4.6.1 Lot density on unpaved roads.

6.4.6.1.1.1. Where the placement of a dwelling unit is proposed for an unpaved road, the number of dwelling units shall not exceed one per lot, except as provided for under Sec. 6.4.6.2 below.

6.4.6.1.1.2. The minimum lot sizes given below shall apply, commensurate with existing minimum right-of-way width extending to the lot from the nearest county-approved road. For purposes of verifying existing right-of-way, the Building and Planning Department shall refer to plats and deeds recorded in the County courthouse.

Minimum Road Right-of-Way	Minimum Lot Size
For roadways with at least 50 feet right-of-way	1 acre
For roadways with less than 50 feet right-of-way	2½ acres*

* For lots located on roadways with less than 50 feet right-of-way, which lots are located more than ½ mile from another roadway with at least 50 feet right-of-way, minimum lot sizes shall be 5 acres.

6.4.6.1.1.3. Lots on unpaved roads in the zoned areas shall meet the density/lot size standards in this subsection, notwithstanding Table 6-2 in this Chapter.

6.4.6.2 Permits for additional dwelling units on lots on unpaved roads.

The Building Official shall grant permits for additional dwelling units on lots on unpaved roads where such lots exceed the minimum size requirement specified in Sec. 6.4.6.1 above, after review of the following criteria and determination that the following standards are met:

6.4.6.2.1. Not more than one additional dwelling may be permitted for each 100% by which the lot exceeds the specified minimum size in Sec. 6.4.6.1 above;

6.4.6.2.2. No dwelling unit on the lot will be closer than 25 feet to any other dwelling unit on the lot;

6.4.6.2.3. Each dwelling shall be accessed as provided for in Sec 6.4.3.1.

6.4.6.3 Lot density on paved roads.

Where more than one dwelling is proposed for a lot on a paved road, each dwelling shall be so located as to ensure that all applicable lot area and setbacks will be met for each structure as if it were established on a single lot and so arranged as to ensure required public access in the event the property is subsequently subdivided for sale or transfer. Accessibility standards shall be the same as those set forth in Sec 6.4.3.1.

Sec. 6.4.7. - Height limits.

6.4.7.1 The height limitations of this Chapter shall not apply to the following (except in the AC, Airport Compatibility District): belfries, flag poles, chimneys, ornamental towers and spires, church spires, public monuments, conveyors, public utility poles, cooling towers, silos, cupolas, skylights, domes, smoke stacks, elevator bulkheads, stage towers or scenery lofts, and fire towers. Such features shall be erected only to such height as is necessary to accomplish the purpose they are intended to serve and no height extension shall serve as a place for human habitation.

6.4.7.2 The height of communication towers and antennas, and water tanks also shall be exempt from the height requirements of this Chapter; provided such structures meet any height requirements in Chapter 4.

Sec. 6.4.8. - Accessory structures.

6.4.8.1 General requirements.

6.4.8.1.1. No accessory use shall occupy any part of a zoning buffer.

6.4.8.1.2. If located within the buildable area, accessory buildings shall observe the height limits for the district within which they are located. If located in a required setback area, the buildings shall not exceed 12 feet in height.

6.4.8.1.3. No manufactured home shall be used as an accessory building.

6.4.8.2 Setback requirements.

All accessory uses and structures shall observe the required setbacks applicable to the principal building, as set forth in Table 6-2 unless specifically modified in Table 6-1 below.

Table 6-1 Setback Modifications, Accessory Uses

Accessory Use ↓	Required Setback Area			
	Front	Side	Corner Lot	Rear
Residential				
Bathhouses, cabanas, decks	BL	BL	BL	10'
Noncommercial greenhouses	BL	BL	BL	3'
Private garage and carport	BL	BL	BL	3'
Fences and walls	[B]	[B]	[B]	[B]
Swimming pool, tennis courts, and the like	BL	BL	BL	BL
Auxiliary shed, workshop, storage building	BL	BL	BL	3'
Off-street parking	10'	0'	10'	0'
Horticulture, gardening	0'	0'	0'	0'
Family day care home	BL	BL	BL	BL

Table 6-1 Setback Modifications, Accessory Uses

Accessory Use ↓	Required Setback Area			
	Front	Side	Corner Lot	Rear
Satellite dishes, and the like	BL	BL	BL	3'
Domestic animal shelters	BL	BL	BL	3'
Freestanding signs	5'	5'	5'	5'
Non-residential				
Building, structures	BL	[A]	[A]	[A]
Open storage	BL	BL	BL	[A]
Off-street parking area	0'	[A]	[A]	[A]
Off-street loading area	0'	[A]	[A]	[A]
Freestanding signs	5'	5'	5'	5'

Table 6-1 Legend:

[A] Minimum setbacks:

From property line in residential zoning districts:

Side yard: 10 feet

Rear yard: 10 feet

From property line in rural zoning districts:

Side yard: 15 feet

Rear yard: 15 feet

From all other property lines: 0 feet

Note: If zoning buffer is required, the minimum setback shall not be less than those required by Table 6-3.

[B] Fences and walls may be located in all required yards along any property line provided the structure shall meet the visibility requirements of Sec. 6.3.2. -

BL = Required building line for principal use.

Sec. 6.4.9. - Area regulations for lots and principal buildings.

Provisions relating to the minimum area, width and frontage, the maximum height of a building, minimum setbacks for front, side and rear yards, and other dimensional requirements as they relate to a principal building are included in Table 6-2.

Table 6-2 Area Regulations for Lots and Principal Buildings

Zoning District ↓	Lot Area ¹ (minimum acres or square feet)	Setbacks (minimum feet)			Lot Width (minimum feet)	Lot Frontage (minimum feet)	Height (maximum feet)	Density (maximum dwelling units per gross acre)
		Side	Front	Rear				
RA	5 acres (major subdivision) 1 acre (minor subdivision)	15	50 (multilane major street) 50 (major street) 25 (minor street)	20	100	100	60	0.2 du/ac (major) 1 du/ac (minor)
RC	5 acres	15	50 (multilane major street) 50 (major street) 25 (minor street)	20	100	100	60	0.2 du/acre
RE	2 acres	15	50 (multilane major street) 50 (major street) 25 (minor street)	20	100	100	60	0.5 du/acre
RL	1 acre	10	45 (multilane major street) 45 (major street) 25 (minor street)	20	100	100	60	1 du/acre
RS	9,000 sq.ft., public sewer 11,500 sq. ft., septic system	10	45 (multilane major street) 35 (major street) 25 (minor street)	20	80	80	60	4.84 du/ac
RV	9,000 sq.ft., public sewer	10	45 (multilane major street) 35 (major street) 25 (minor street)	15	80	80	60	8 du/ac
LSC	9,000 sq.ft., public sewer 11,500 sq.ft., septic system	40 (rural) 30 (residential) 10 (nonresidential)	45 (multilane major street) 35 (major street) 25 (minor street)	40 (rural) 30 (residential) 10 (nonresidential)	100	100	60	8 du/ac
GSC	9,000 sq.ft., public sewer 11,500 sq.ft., septic system	40 (rural) 30 (residential) 10 (nonresidential)	45 (multilane major street) 35 (major street) 25 (minor street)	40 (rural) 30 (residential) 10 (nonresidential)	100	100	60	8 du/ac
LIM	9,000 sq.ft., public sewer 11,500 sq.ft., septic system	40 (rural) 30 (residential) 10 (nonresidential)	45 (multilane major street) 35 (major street) 25 (minor street)	40 (rural) 30 (residential) 10 (nonresidential)	90	90	60	N/A
GIM	9,000 sq.ft., public sewer 11,500 sq.ft., septic system	50	45 (multilane major street) 35 (major street) 25 (minor street)	40 (rural) 30 (residential) 10 (nonresidential)	90	90	60	N/A

¹ The Department of Health and Environmental Control may require larger minimum lot sizes when lots are served by septic systems.

ARTICLE 6.5. - ZONING BUFFER, LANDSCAPING, AND SCREENING REQUIREMENTS.

Sec. 6.5.1. - Purpose.

The regulations contained in this Article are intended to minimize any potential adverse impact between adjacent land uses and streets, promote land use compatibility, and improve aesthetics within the county.

Sec. 6.5.2. - Zoning buffers, minimum requirements.

6.5.2.1 When required.

6.5.2.1.1. Zoning buffers, as defined in Chapter 12, shall be required for proposed new uses or substantially expanded uses (over 50% gross floor area) in accordance with Table 6-3.

6.5.2.1.2. It shall be the responsibility of the owner of the proposed new use to provide the zoning buffer where required by this Article, except that no new detached single-family dwelling or duplex shall be required to provide such buffer.

6.5.2.2 Use of zoning buffer.

6.5.2.2.1. A required buffer may be used for passive recreation and may be interrupted by access driveways not exceeding 16 feet in width (exceptions for uses requiring wide curb cuts may be approved by the zoning administrator).

6.5.2.2.2. All other uses are prohibited, including off-street parking.

6.5.2.3 Sight clearance.

Buffers may not obscure a clear line of sight for vehicular traffic. Therefore, buffers should be placed no closer than 20 feet from street/road right-of-way lines.

6.5.2.4 Required maintenance.

6.5.2.4.1. The maintenance of required buffers shall be the responsibility of the property owner.

6.5.2.4.2. All such areas shall be properly maintained so as to ensure continued buffering. All planted areas shall be provided with an irrigation system or a readily available water supply to ensure continuous healthy growth and development.

6.5.2.4.3. Dead trees and shrubs shall be removed; debris and litter shall be cleaned; and berms, fences, and walls shall be maintained at all times.

6.5.2.4.4. Failure to comply with this Section is a violation of this Land Management Ordinance, and may be remedied in the manner prescribed for other violations and shall contain at all time the number, variety and location of plants and trees required thereby.

6.5.2.5 Minimum buffer requirements.

6.5.2.5.1. Zoning buffers shall be required for proposed new uses or substantially expanded uses (over 50% gross floor area) in accordance with Table 6-3.

6.5.2.6 From Table 6-3, match the abutting use with the proposed new or expanded use to determine the width of buffer required. Should a question arise as to the land use classification of a proposed or abutting use, the Building and Planning Director shall determine the classification.

Table 6-3 Minimum Buffer Requirements

Proposed abutting use ↓	Existing Adjacent Use							
	↓ Agricultural (RA, RC, or RE district)	↓ Single-Family Dwelling (RL district)	↓ Single-Family Dwelling (RS district)	↓ All Other Residential, (RV district) or nonconforming	↓ Office/ Institutional (RV or LSC district)	↓ Commercial/ Non-Effluent Producing Industry (GSC or LIM district)	↓ Effluent Producing Industry (GIM district)	↓ Street
Office/ Institutional (RV or LSC district)	0	15 feet	10 feet	5 feet	0	0	0	5 feet
Multi-family/ Manufactured Home & RV Parks (RS district)	0	15 feet	10 feet	0	5 feet	10 feet	15 feet	5 feet
Commercial (RV or LSC district)	0	15 feet	10 feet	5 feet	0	0	0	5 feet
Commercial (GSC district)	5 feet	25 feet *	15 feet	10 feet	0	0	0	5 feet
Non-Effluent Producing Industry (LIM district)	10 feet	50 feet *	25 feet *	15 feet	10 feet	0	0	5 feet
Effluent Producing Industry (GIM Zoning)	15 feet	50 feet *	50 feet *	50 feet *	15 feet	10 feet	0	15 feet

* When approved by the Planning Commission, an 8-foot high wooden fence or masonry wall with appropriate plants can be substituted for the buffer.

Sec. 6.5.3. - Zoning buffers, planting requirements.

6.5.3.1 Planting requirements.

6.5.3.1.1. Refer to Table 6-4 to determine the minimum planting requirements for a zoning buffer. The requirements are given in 100-foot units as measured along the property line.

6.5.3.1.2. The length of the required buffer shall extend the length of the property line separating two uses, except for property lines in excess of 200 feet, where the buffer need only extend 100 feet beyond either end of the existing use to be buffered.

6.5.3.1.3. Several options of landscaping are available under each buffer per the approved tree list.

6.5.3.1.4. Whenever a wall or fence is allowed, the location of the structure may be on either side of the required buffer.

Table 6-4 Buffer Planting Requirements

Buffer Width (from Table 6-3)	Plantings per 100 Feet
5 feet	2 large trees 2 small trees 6 shrubs
10 feet	3 large trees 4 small trees 12 shrubs
15 feet	4 large trees 6 small trees 24 shrubs
25 feet	6 large trees 8 small trees 36 shrubs
50 feet	8 large trees 12 small trees 54 shrubs

6.5.3.2 Use of existing vegetation.

6.5.3.2.1. Existing vegetation, including all trees of any dimension, shall be retained to the extent practical and feasible, and will count towards meeting the requirements in this Article. They will be complemented with appropriate shrubs and other vegetation to meet the requirements of this Article.

6.5.3.2.2. In no event shall a developer clear-cut the site of a required buffer.

6.5.3.3 Materials.

To achieve the desired results, only coniferous (evergreen) plants, suitable for local conditions, shall be used. When structures are used, the materials shall be durable and suitable for screening.

6.5.3.4 Plant size and caliper.

6.5.3.4.1. The minimum tree at planting shall be 6 to 7 feet in height and 1½ inches in diameter at a height of 18 inches above the ground.

6.5.3.4.2. The minimum shrub shall be 2 to 3 feet in height.

6.5.3.4.3. Both trees and shrubs shall be nursery stock with well-developed root systems unless plants found in place can be used.

6.5.3.4.4. If the existing vegetation provides a screen equal to or greater than that which would be planted, no other plant material shall be required.

6.5.3.4.5. In case of open woods, an additional planting of eye shrubs such as hemlock or pines may be needed to improve screening.

6.5.3.4.6. Fencing requirements are not changed by a wooded site.

6.5.3.5 Substitutions.

The following substitutions for opaque walls, fences, and plant materials may be made:

6.5.3.5.1. Berms may be used to compensate for fences. An 8-foot high opaque structure can be a combination of berm and fence to total 8 feet.

6.5.3.5.2. Chain link fences with evergreen hedge on the outbound side may be substituted for wooden fences of the same height. All plants must be sized and spaced to obscure the chain link fence within 5 years of planting.

6.5.3.5.3. Any existing plant material that otherwise satisfies the requirements of this Section may be substituted and counted toward satisfying the requirements of this Section.

6.5.3.6 Fence and wall specifications.

6.5.3.6.1. All fences and walls used as part of the buffer requirement must have the finished side facing outward.

6.5.3.6.2. Fences shall be wooden or other durable or opaque material approved by the Building and Planning Director.

6.5.3.6.3. Wooden fences shall be made of rot resistant material such as locust, cedar or redwood. If made of pine, the post shall be rated for soil contact and the boards rated for outside use.

6.5.3.6.4. Chain link fences with wood, plastic, or metal strips are expressly prohibited. However, a chain link fence with evergreen hedge is acceptable.

6.5.3.6.5. Walls must be made of masonry materials including poured concrete, concrete block covered with stucco, and brick.

Sec. 6.5.4. - Screening.

6.5.4.1 Purpose.

The purpose of screening, as defined in Chapter 12, is to minimize if not eliminate entirely the visual impact of potentially unsightly open storage areas and refuse disposal facilities.

6.5.4.2 Where required.

Screening specified by this Section shall be required of all open storage areas not devoted to retail sales visible from any public street, including open storage areas for shipping containers, building materials, appliances, trash containers of 4 or more cubic yards, salvage materials, refuse disposal areas, and similar unenclosed uses.

6.5.4.3 Type of screening required.

6.5.4.3.1. Screening shall be accomplished by an opaque divide not less than 6 feet in high or the height of the object to be screened, whichever is greater.

6.5.4.3.2. Screening may be accomplished by the use of sight obscuring plant materials (generally evergreens), earth berms, walls, fences, proper siting of disruptive elements, building placement or other design techniques approved by the Building and Planning Director.

Sec. 6.5.5. - Landscaping.

6.5.5.1 Purpose.

The purpose of landscaping, as defined in Chapter 12, is to improve the appearance of vehicular use areas and development abutting public rights-of-way; to enhance environmental and visual characteristics and the reduction of noise pollution, stormwater

runoff, air pollution, and artificial light glare, and to safeguard property values, protect public and private investments, and promote high-quality development.

6.5.5.2 Where required.

6.5.5.2.1. No proposed commercial, institutional, industrial or other nonresidential use, or multifamily project or manufactured home park, shall hereafter be established or reestablished in an existing building or structure, and subsequently used unless landscaping is provided in accordance with the provisions of this Section.

6.5.5.2.2. No existing building, structure, or vehicular use area shall be enlarged by 50% or more unless the minimum landscaping required by the provisions of this section is provided throughout the building site.

6.5.5.3 Landscaping plan.

6.5.5.3.1. A landscaping plan shall be submitted as part of the application for a building permit.

6.5.5.3.2. The landscaping plan shall:

6.5.5.3.2.1. Designate areas to be reserved for landscaping. The specific design of landscaping shall be sensitive to the physical and design characteristics of the site; and

6.5.5.3.2.2. Indicate the location and dimensions of landscaped areas, plant materials, decorative features, and the like.

6.5.5.3.3. Once the landscaping plan is approved, all landscaping shall be installed in accordance with the plan unless substitutions are subsequently approved by the Building and Planning Director and noted in writing on the plan.

6.5.5.3.4. A certificate of occupancy for any business or use on a site with such an approved plan shall not be granted until the required landscaping is installed and approved. If the landscaping is not completed, the property owner can provide cash or equivalent performance guarantee with the County in the amount of 110% of the total cost required to complete the landscaping, including the labor, as determined by the planning administrator.

6.5.5.3.5. The landscaping shall be installed within 3 months of the posting of the performance guarantee with the County. However, the Building and Planning Director may extend the time period for installation of landscaping for a maximum of an additional 3 months if weather conditions are not suitable for such installation or trees are not available during the initial 3-month period. If the landscaping is not installed within the required period, the guarantee shall be forfeited and used by the County to complete the appropriate landscaping.

6.5.5.4 Landscaping requirements.

6.5.5.4.1. Required landscaping shall be provided as follows:

6.5.5.4.1.1. Along the outer perimeter of a lot or parcel, where required by and in the amount prescribed by the buffer area provisions of this Article.

6.5.5.4.1.2. Within the interior, peninsula or island type landscaped areas shall be provided for any open vehicular use area containing 20 or more parking spaces. Landscaped areas shall be located in such a manner as to divide and break up the expanse of paving and at strategic points to guide travel flow and direction. Elsewhere, landscaped areas shall be designed to soften and complement the building site and separate the building from the vehicular surface area.

6.5.5.4.2. At a minimum, interior lot landscaping shall be provided in the following amounts, as shown in Table 6-5:

Table 6-5 Interior Lot Landscaping Requirements

Use	Percent of Lot
Institutional	15%
Industrial/wholesale/storage	10%
Office	10%
Commercial-retail-service	5%
Multifamily projects	25%
Manufactured home parks	20%

6.5.5.4.3. Landscaping along exterior building walls and structures is suggested to separate with greenery the building from the vehicular surface area.

6.5.5.4.4. Within vehicular use areas no more than 10 parking spaces are allowed in a row without a landscaped area. Each island shall have at least one large tree. A tree island should also be provided at the end of each row of parking.

6.5.5.5 Landscaped areas.

6.5.5.5.1. All landscaped areas in or adjacent to parking areas shall be protected from vehicular damage by a raised concrete curb or an equivalent barrier of 6 inches in height. The barrier need not be continuous.

6.5.5.5.2. Landscaped areas must be at least 50 square feet in size, with a minimum width of 5 feet.

6.5.5.6 Required maintenance.

6.5.5.6.1. The maintenance of required landscaped areas shall be the responsibility of the property owner.

6.5.5.6.2. All such areas shall be properly maintained so as to ensure their survival and aesthetic value, and shall be provided with an irrigation system or a readily available water supply.

6.5.5.6.3. The landscaped areas shall contain at all times the approved number, variety and location of all plants and trees.

6.5.5.6.4. Failure to monitor such areas is a violation of this Ordinance, and may be remedied in the manner prescribed for other violations in Chapter 10.

ARTICLE 6.6. - OFF-STREET PARKING AND LOADING REQUIREMENTS.

Sec. 6.6.1. - General requirements.

6.6.1.1 Wherever a building or use is constructed or established after the effective date of these regulations, or is changed or enlarged in floor area, number of dwelling units, seating capacity or otherwise to create a need for an increase of 10% or more in the number of existing parking spaces, such spaces shall be provided on the basis of the enlargement or change only.

6.6.1.2 Off-street parking areas provided to comply with the provisions of this Article shall not be reduced below the requirements of this Article unless approved by the Planning Commission.

6.6.1.3 Off-street parking areas shall be designed, developed, and maintained in accordance with the requirements of this Article. Where parking decks or garages are proposed to meet off-street parking requirements, such structures shall meet the minimum requirements of Table 6-2 Area Regulations for Lots and Principal Buildings.

Sec. 6.6.2. - Land to provide parking.

Required off-street parking must be provided on the same lot or parcel as the principal use or within 200 feet of the site.

Sec. 6.6.3. - Off-street parking.

6.6.3.1 General design standards. New or changed parking areas shall be developed in accordance with the following design standards:

6.6.3.2 Any parking facilities containing ten (10) or more parking spaces shall be paved with concrete or asphalt. Any parking facilities containing fewer than ten (10) parking spaces

Sec. 6.6.4. - Off-street Parking Spaces to be Provided.

6.6.4.1 Spaces required for off-street parking for structures and uses of land shall conform to the requirements shown in Table 6-6. Minimum Off-Street Parking Space Requirements.

6.6.4.2 Where application of the requirements of Table 6-6 result in a fractional space requirement, the next larger requirement shall apply.

6.6.4.3 The zoning administrator may accept a different number of parking spaces in accordance with parking data submitted by the developer or applicant if approved by the Planning Commission.

Table 6-6. Minimum Off-Street Parking Space Requirements

		Rural (RA, RC, RE)	Residential (RL, RS, RV)	Commercial (LSC, GSC)	Industrial (LIM, GIM)
NAICS CODE		Parking spaces* / Dwelling unit	Parking spaces* / Dwelling unit	Parking spaces* / 1000 feet of Gross Floor Area	Parking spaces* / 1000 feet of Gross Floor Area
	AGRICULTURAL USES				
111	Crop Production, including Greenhouses, Nurseries (non-retail), and Floriculture Production	N/A	N/A	N/A	N/A
112111	Beef Cattle Ranching and Farming	N/A	N/A	N/A	N/A
112112	Cattle Feedlots, not including Concentrated Animal Feeding Operations (CAFOs)	N/A	N/A	N/A	N/A
112112	Cattle CAFO	N/A	N/A	N/A	N/A
112120	Dairy Cattle and Milk Production	N/A	N/A	N/A	N/A
112130	Dual-Purpose Cattle Ranching and Farming	N/A	N/A	N/A	N/A
1122	Hog and Pig Farming, not including Feedlots or CAFOs	N/A	N/A	N/A	N/A
1122	Hog Feedlots, not including CAFOs	N/A	N/A	N/A	N/A
1122	Hog CAFOs	N/A	N/A	N/A	N/A
1123	Poultry and Egg Production, not including CAFOs	N/A	N/A	N/A	N/A
1123	Poultry CAFOs	N/A	N/A	N/A	N/A
1124	Sheep and Goat Farming, not including CAFOs	N/A	N/A	N/A	N/A
1124	Lamb CAFOs	N/A	N/A	N/A	N/A
1125	Aquaculture	N/A	N/A	N/A	N/A
112910	Apiculture	N/A	N/A	N/A	N/A
112920	Horses and Other Equine Production	N/A	N/A	N/A	N/A
112930	Fur-Bearing Animal and Rabbit Production	N/A	N/A	N/A	N/A
1131	Timber Tract Operations	N/A	N/A	N/A	N/A
1132	Forest Nurseries and Gathering of Forest Products	N/A	N/A	N/A	N/A
1133	Logging	N/A	N/A	N/A	N/A
114	Fishing, Hunting and Trapping	N/A	N/A	N/A	N/A
114210	Hunting Preserve	N/A	N/A	N/A	N/A
713990	Fee Fishing	2+1/guest unit	N/A	1+1/guest unit	1+1/guest unit

Commented [JF4]: This table is in the same order as the Primary Uses Table, but may be revised to place the order in numerical order by NAICS code.

713990	Riding Stables	2+1/guest unit	N/A	1+1/guest unit	1+1/guest unit
721214	Hunting or Fishing Camp, with accommodations	2+1/guest unit	N/A	1+1/guest unit	1+1/guest unit
	RESIDENTIAL USES				
	Dwellings				
	Single-Family Detached: Site-Built or Modular Home, excluding Patio and Zero Lot Line Homes	2	2	N/A	N/A
	Single-Family Detached: Patio and Zero Lot Line Homes	2	2	N/A	N/A
	Single-Family Detached: Residential Designed Manufactured Home [1]	2	2	N/A	N/A
	Single-Family Detached: Standard Designed Manufactured Home [2]	2	2	N/A	N/A
	Two-Family Dwelling: Duplex	2	2	N/A	N/A
	Three-Family Dwelling: Triplex	2	2	N/A	N/A
	Four-Family Dwelling: Quadruplex	2	2	N/A	N/A
	Townhouses	2	2	N/A	N/A
	Multi-Family Dwelling: Apartments	2	2	N/A	N/A
	Manufactured Home Park	2	2	N/A	N/A
	Apartment Units in Mixed-Use Building	2	2	N/A	N/A
721310	Boarding House and Rooming House	2	2	N/A	N/A
721310	Dormitories and Residence Halls	2	2	N/A	N/A
623	Residential Care and Nursing Facilities				
623110	Hospice, Inpatient Facility	N/A	N/A	0.4/bed	0.4/bed
623110	Nursing Home	N/A	N/A	0.4/bed	0.4/bed
623210	Residential Treatment Facilities	N/A	N/A	0.4/bed	0.4/bed
623311	Continuing Care Retirement Community	N/A	N/A	0.4/bed	0.4/bed
623990	Community Residential Care Facility / Assisted Living Facility	N/A	N/A	0.35	0.35
623990	Group Home, fewer than 10 children	N/A	N/A	0.35	0.35
623990	Child Caring Institution, 10 or more children	N/A	N/A	0.2	0.2
	INSTITUTIONAL USES				

611	Academic Schools				
611110	Private Schools Elementary or Middle Schools	5+2.0/classroom	5+2.0/classroom	5+2.0/classroom	5+2.0/classroom
611110	Secondary or High Schools	5+5.0/classroom	5+5.0/classroom	5+5.0/classroom	5+5.0/classroom
611210	Private Schools: Junior Colleges	5+2.0/classroom	5+2.0/classroom	5+2.0/classroom	5+2.0/classroom
611310	Private Schools: Colleges and Universities	5+2.0/classroom	5+2.0/classroom	5+2.0/classroom	5+2.0/classroom
62	Outpatient Medical Care and Hospitals				
6214	Clinics, including Urgent Care Facilities	N/A	N/A	6.5	6.5
622	Hospitals	N/A	N/A	6.5	6.5
624	Social Assistance				
6241	Individual and Family Services, <i>non- residential</i> (Child and Youth Services, Services for the Elderly and Persons and Disabilities, and Counseling Services for Individuals and Families), excluding Day Care Center for Adults	N/A	N/A	2.8	2.8
624210	Food Banks and Meal Delivery Programs	N/A	N/A	2.8	2.8
62422	Community Housing Services: Construction or Repair of Low-cost Housing	N/A	N/A	2.8	2.8
62423	Emergency or Relief Shelters	N/A	N/A	2.8	2.8
624310	Job Counseling and Job Training Services	N/A	N/A	2.8	2.8
624	Child Day Care				
624410	Child Care Center, 13 or more children	N/A	N/A	5	5
624410	Group Child Care Home, 7 to 12 children	N/A	N/A	5	5
623310	Family Child Care Home, up to 6 children	N/A	N/A	5	5
81	Religious Facilities				
8131	Churches and Other Facilities for Religious Organizations Worship	N/A	N/A	2.8	2.8
812220	Cemeteries and Mausoleums (human or pet)	N/A	N/A	2	2
812220	Crematory (not combined with a Funeral Home)	N/A	N/A	2	2
813	Civic, Professional, & Similar Organizations				

8132	Grantmaking and Giving Services, including Charitable Organization Offices	N/A	N/A	3	3
8133	Social Advocacy Organizations	N/A	N/A	3	3
8134	Clubs: Fraternal Lodges, Veterans Membership Organizations, and Other Private Civic and Social Organizations	N/A	N/A	3	3
8139	Business, Professional, Labor, Political and Similar Organizations	N/A	N/A	3	3
922	Correctional Institutions				
922140	Private Correctional Facility/Prison	N/A	N/A	N/A	4
	RETAIL TRADE				
441	Motor Vehicle and Parts Dealers				
441110	New Car Dealers (for automobiles and light trucks)	N/A	N/A	2	2
441110	Auto Broker (no vehicles stored or for sale on site)	N/A	N/A	1	1
441120	Used Car Dealers (for automobiles and light trucks)	N/A	N/A	2	2
441210	RV (Recreational Vehicle) Dealers	N/A	N/A	2	2
441222	Boat Dealers	N/A	N/A	2	2
441228	Motorcycle, ATV, and All Other Motor Vehicle Dealers (excludes medium- and heavy-duty trucks, buses and other motor vehicles; see under Manufacturing, Wholesaling and Warehousing: NAICS Ref. 423110, Automobile and Other Motor Vehicle Merchant Wholesalers)	N/A	N/A	2	2
441310	Automotive Parts and Accessories Stores	N/A	N/A	2	2
441320	Tire Dealers	N/A	N/A	2	2
442	Furniture and Home Furnishings Stores				
442	Furniture and Home Furnishing Stores, except Wood or Ceramic Tile Flooring Stores & Antique and Used Furniture Stores;	N/A	N/A	3	3

	see under NAICS Ref. 444				
443	Electronics and Appliance Stores				
44314	Household Appliance Stores	N/A	N/A	3	3
51731	Retailing New Cellular Phone Telephones and Communication Service Plans (with or without repair) services	N/A	N/A	3	3
443142	Music Stores (e.g. new records and compact discs)	N/A	N/A	3	3
443142	Electronics Stores	N/A	N/A	3	3
444	Building Material and Garden Equipment and Supplies Dealers				
444110	Home Centers	N/A	N/A	3	3
444120	Paint and Wallpaper Stores	N/A	N/A	3	3
444130	Hardware Stores	N/A	N/A	3	3
444190	Wood or Ceramic Tile Flooring Stores	N/A	N/A	3	3
444190	Plumbing Supply Stores	N/A	N/A	3	3
444190	Lumber Yards, retail	N/A	N/A	3	3
444210	Outdoor Power Equipment Stores	N/A	N/A	3	3
444220	Plant Nurseries and Garden Centers	N/A	N/A	3	3
444220	Farm Supply Store (e.g. Feed and Seed Store)	N/A	N/A	3	3
445	Food and Beverage Stores				
445110	Supermarkets and Other Grocery (except Convenience) Stores	N/A	N/A	3	3
445230	Farmers Market, Permanent	N/A	N/A	3	3
4452	Specialty Food Stores, not for immediate consumption and not made on the premises (including Vegetable and Fruit Markets, Meat Markets, Fish and Seafood Markets, Confectionary and Nut Stores, and Miscellaneous Specialty Foods)	N/A	N/A	3	3
445310	Beer, Wine and Liquor Stores	N/A	N/A	3	3

311811	Retail Bakeries	N/A	N/A	3	3
	<i>For Convenience Stores, see under Gas Stations</i>	N/A	N/A		
446	Health and Personal Care Stores				
446110	Pharmacies and Drug Stores	N/A	N/A	3	3
446120	Cosmetics, Beauty Supplies and Perfume Stores	N/A	N/A	3	3
446130	Optical Goods Stores	N/A	N/A	3	3
446191	Food (Health) Supplement Stores	N/A	N/A	3	3
446199	All Other Health and Personal Care Stores (such as hearing aids and convalescent supplies)	N/A	N/A	3	3
447	Gas Stations				
447110	Gasoline Stations with Convenience Stores (no repair or service of vehicles on site and no display of cars for sale)	N/A	N/A	3	3
447110	Gasoline Stations with Convenience Stores (with light repair or service of vehicles on site; no display of cars for sale)	N/A	N/A	3	3
447190	Gasoline Station without Convenience Stores (no repair or service of vehicles on site or display of cars for sale)	N/A	N/A	2	2
447190	Gasoline Station without Convenience Stores (with light repair and service of vehicles on site; no display of cars for sale)	N/A	N/A	2	2
447190	Truck Stops	N/A	N/A	2	2
448	Clothing and Clothing Accessories Stores <i>(for used merchandise stores, see under NAICS Ref. 453)</i>				
4481	Clothing Stores	N/A	N/A	3	3
448310	Jewelry Stores	N/A	N/A	3	3
448320	Luggage and Leather Goods Stores	N/A	N/A	3	3
451	Sports, Hobby, Music Instrument & Book Stores <i>(for used merchandise stores, see under NAICS Ref. 453)</i>				
451110	Sporting Goods Stores	N/A	N/A	3	3

451120	Hobby, Toy, and Game Stores	N/A	N/A	3	3
451130	Sewing, Needlework and Piece Goods Stores	N/A	N/A	3	3
451140	Musical Instrument and Supply Stores	N/A	N/A	3	3
451211	Book Stores	N/A	N/A	3	3
452	General Merchandise Stores				
	<i>(for used merchandise stores, see under NAICS Ref. 453)</i>				
452210	Department Stores	N/A	N/A	3	3
452311	Warehouse Clubs and Supercenters	N/A	N/A	3	3
452319	Dollar Store	N/A	N/A	3	3
453	Miscellaneous Store Retailers				
453110	Florists	N/A	N/A	3	3
453210	Office Supplies and Stationary Stores	N/A	N/A	3	3
453220	Gift, Novelty, and Souvenir Stores	N/A	N/A	3	3
453310	Used Merchandise Stores (including Antiques, Used Books, Second-Hand Clothing, and Thrift Shops), not including Pawnshops and Flea Markets	N/A	N/A	3	3
453310	Flea Market, Indoor	N/A	N/A	1.5/stall	1.5/stall
453310	Pawnshops	N/A	N/A	3	3
453910	Pet and Pet Supply Stores	N/A	N/A	3	3
453920	Art Dealers (includes commercial studios and galleries); see also under Manufacturing, Artisan for Artisans and Craftsmen	N/A	N/A	3	3
453930	Manufactured Home Dealers	N/A	N/A	2	2
453991	Cigar and Tobacco Shops (excludes lounges; see under Arts, Entertainment and Recreation: NAICS Ref. 713990)	N/A	N/A	3	3
453998	Art Supply Stores	N/A	N/A	3	3
453998	Swimming Pool and Pool Supply Stores	N/A	N/A	3	3
453998	Auction House	N/A	N/A	4	4
454	Nonstore Retailers <i>(excluding portable stalls and mobile vendors)</i>				

454210	Vending Machine Operators	N/A	N/A	3	3
454310	Fuel Dealers	N/A	N/A	3	3
454390	Other Direct Selling Establishments (except food for immediate consumption and fuel)	N/A	N/A	3	3
	COMMERCIAL SERVICES				
236	Building Construction Services				
2361	Residential Construction & Remodeling Contractors, Builders and Developers, office only	N/A	N/A	1	1
2361	Residential Construction & Remodeling Contractors, Builders and Developers, with outdoor storage	N/A	N/A	1	1
2362	Non-Residential Construction Contractors, Builders and Developers, office only	N/A	N/A	1	1
2362	Non-Residential Construction & Remodeling Contractors, Builders and Developers, with outdoor storage	N/A	N/A	1	1
238	Building Services: Specialty Trade Contractors				
238	Specialty Trade Contractors (including: Foundation, Structure, and Building Exterior Contractors; Building Equipment Contractors; and, Building Finishing Contractors)	N/A	N/A	1	1
52	Financial and Insurance Services				
5221	Banks, Credit Unions and Savings Institutions	N/A	N/A	3	3
522291	Consumer Lending Services	N/A	N/A	3	3
522390	Check Cashing Services	N/A	N/A	3	3
5242	Insurance Agencies, Brokerages, Actuarial Services, and Claims Adjusting	N/A	N/A	3	3
532	Rental and Leasing Services				
531120	Conference and Training Center	N/A	N/A	6.5	6.5
531120	Assembly / Banquet Hall or Event Center, no onsite catering	N/A	N/A	6.5	6.5

722320	Assembly / Banquet Hall or Event Center, with onsite catering	N/A	N/A	6,5	6.5
531130	Self-Storage, Mini Warehouses	N/A	N/A	1+(0.2/unit)	1+(0.2/unit)
532111	Passenger Car Rental	N/A	N/A	2	2
532120	Truck, Utility Trailer, and RV Rental and Leasing	N/A	N/A	2	2
532210	Consumer Electronics and Appliances Rental	N/A	N/A	3	3
532281	Formal Wear and Costume Rental	N/A	N/A	3	3
532283	Home Health Equipment Rental	N/A	N/A	2	2
532284	Recreational Goods Rental	N/A	N/A	2	2
532289	Furniture Rental Center	N/A	N/A	2	2
532289	Party Rental Supply Centers	N/A	N/A	2	2
532310	General Rental Centers	N/A	N/A	2	2
532411	Construction Equipment Rental and Leasing	N/A	N/A	2	2
532420	Office Equipment and Machinery Rental and Leasing	N/A	N/A	2	2
532490	Farm Implement Rental	N/A	N/A	2	2
5613	Employment Support Services				
56131	Employment Placement Agencies & Executive Search Services	N/A	N/A	1.5	1.5
561320	Temporary Help Services	N/A	N/A	1.5	1.5
561330	Professional Employer Organizations	N/A	N/A	1.5	1.5
5614	Business Support Services				
561410	Document Preparation Services	N/A	N/A	2	2
56142	Telephone Call Centers (including Telephone Answering Services and Telemarketing Bureaus)	N/A	N/A	4	4
56143	Business Service Centers (including Copy Shops)	N/A	N/A	3	3
561440	Collection Agencies	N/A	N/A	2	2
561450	Credit Bureaus	N/A	N/A	2	2
561491	Repossession Services	N/A	N/A	2	2
561492	Court Reporting and Stenotype Services	N/A	N/A	2	2
Other Business Support Services					

561910	Packaging and Labeling Services	N/A	N/A	3	3
561110	Office Administrative Services	N/A	N/A	3	3
541380	Testing Laboratories (includes physical, chemical, and other analytical testing; excludes medical and veterinary testing)	N/A	N/A	3	3
5418	Advertising Agencies and Public Relations Agencies	N/A	N/A	3	3
541910	Marketing Research and Public Opinion Polling	N/A	N/A	3	3
541922	Commercial Photography	N/A	N/A	2	2
541930	Translation and Interpretation Services	N/A	N/A	2	2
5615	Travel Services				
561510	Travel Agencies	N/A	N/A	1.5	1.5
561520	Tour Operators	N/A	N/A	1.5	1.5
561591	Convention and Visitors Bureaus	N/A	N/A	1.5	1.5
5616	Investigation and Security Services				
56161	Investigation, Guard, and Armored Car Services	N/A	N/A	1	1
561621	Security System Services	N/A	N/A	1	1
561622	Locksmiths	N/A	N/A	1	1
5617	Services to Buildings and Dwellings				
561710	Exterminating and Pest Control Services	N/A	N/A	1	1
561720	Janitorial Services	N/A	N/A	1	1
561730	Landscaping and Lawn Services	N/A	N/A	2	2
561740	Carpet and Upholstery Cleaning Services	N/A	N/A	2	2
6114	Job Training: Business Schools and Computer and Management Training				
611410	Business and Secretarial Schools	N/A	N/A	2+5/classroom	2+5/classroom
611420	Computer Training	N/A	N/A	2+5/classroom	2+5/classroom
611430	Professional and Management Development Training	N/A	N/A	2+5/classroom	2+5/classroom
6115	Job Training: Technical and Trade Schools				
611511	Cosmetology and Barber Schools	N/A	N/A	2+5/classroom	2+5/classroom
611512	Flight Training	N/A	N/A	2+5/classroom	2+5/classroom

611513	Apprenticeship Training	N/A	N/A	2+5/classroom	2+5/classroom
611519	Truck and Bus Driving Instruction	N/A	N/A	2+5/classroom	2+5/classroom
611519	Other Technical and Trade Schools (Bartending Schools, Modeling Schools, Broadcasting Schools, Real Estate Schools, and Computer Repair Training)	N/A	N/A	2+5/classroom	2+5/classroom
6116	Other Non-Academic Schools & Instruction				
611610	Fine Arts Schools	N/A	N/A	2+5/classroom	2+5/classroom
611620	Sports and Recreation Instruction	N/A	N/A	2+5/classroom	2+5/classroom
611630	Language Schools	N/A	N/A	2+5/classroom	2+5/classroom
611691	Exam Preparation and Tutoring	N/A	N/A	2+5/classroom	2+5/classroom
611692	Automobile Driving Schools	N/A	N/A	2+5/classroom	2+5/classroom
6117	Educational Support Services				
6117	Educational Counseling, Testing and Other Non-Instructional Support Services	N/A	N/A	5	5
721	Accommodation Services (Temporary Lodging)				
721110	Hotels	N/A	N/A	1+1.5/unit	1+1.5/unit
721110	Extended Stay Hotels	N/A	N/A	1+1.5/unit	1+1.5/unit
721110	Motels	N/A	N/A	1+1.5/unit	1+1.5/unit
721191	Bed and Breakfast Inn	2+1.5/unit	2+1.5/unit	2+1.5/unit	2+1.5/unit
722	Food Services and Drinking Places				
722320	Catering Services	N/A	N/A	6.5	6.5
722330	Mobile Food Services (permanent facilities, such as Food Truck Courts)	N/A	N/A	6.5	6.5
722511	Restaurants, Full-Service (excluding Brewpubs)	N/A	N/A	6.5	6.5
722511	Brewpubs	N/A	N/A	6.5	6.5
722513	Delicatessens	N/A	N/A	6.5	6.5
722513	Restaurants, Limited-Service, including Fast Food and Take-Out, with drive-through windows	N/A	N/A	6.5	6.5
722513	Restaurants, Limited-Service, including Fast Food and Take-Out, without drive-through windows	N/A	N/A	6.5	6.5
722513	Restaurants, Drive-In	N/A	N/A	6.5	6.5

722514	Cafeterias, Grill Buffets, and Buffets	N/A	N/A	6.5	6.5
722213	Specialty Snack Shops and Non-Alcoholic Beverage Bars, including Coffee Shops, Donut Shops, Bagel Shops, and Ice Cream Parlors	N/A	N/A	6.5	6.5
7224	Bars, Taverns and Other Drinking Places (Alcoholic Beverages)	N/A	N/A	6.5	6.5
8111	Automotive Repair & Maintenance Services				
811111	General Automotive Repair (includes Automotive Garages)	N/A	N/A	2	2
811112	Automotive Exhaust System Repair	N/A	N/A	2	2
811113	Automotive Transmission Repair	N/A	N/A	2	2
811118	Automotive Brake Repair	N/A	N/A	2	2
811121	Automotive Body, Paint, and Interior Repair and Maintenance (includes Window Tinting)	N/A	N/A	2	2
811122	Automotive Glass Replacement Shops	N/A	N/A	2	2
811191	Automotive Oil Change and Lubrication Shops	N/A	N/A	3	3
811192	Car Washes and Detailing Services	N/A	N/A	3	3
811198	Automotive Air-Conditioning Repair Shops, Tire Repair (except retreading; see under Manufacturing, Traditional) Shops, and Automotive Rustproofing and Undercoating Shops	N/A	N/A	3	3
8112	Electronic and Precision Equipment Repair and Maintenance Services <i>(repair only; see under Retail Sales for equipment sales with or without repair and additional notes below)</i>				
811211	Electronic and Precision Equipment Repair and Maintenance	N/A	N/A	3	3
811212	Computer and Office Machine Repair and Maintenance	N/A	N/A	3	3

811213	Communication Equipment Repair and Maintenance (excluding cell phone repair; see under Utilities: NAICS Ref. 517312, Wireless Telecommunications Carriers)	N/A	N/A	3	3
8113	Commercial and Industrial Machinery and Equipment Repair and Maintenance Services <i>(repair only; no manufacturing on site)</i>				
811310	Commercial and Industrial Machinery and Equipment (except Automotive and Electronic) Repair and Maintenance Services	N/A	N/A	3	3
8114	Personal and Household Good Repair and Maintenance Services <i>(repair only; no manufacturing on site)</i>				
811411	Home and Garden Equipment Repair and Maintenance	N/A	N/A	3	3
811412	Appliance Repair and Maintenance	N/A	N/A	3	3
811420	Reupholstery and Furniture Repair	N/A	N/A	3	3
811430	Shoe and Leather Goods Repair	N/A	N/A	3	3
81149	Boat Repair and Maintenance	N/A	N/A	3	3
81149	Motorcycle Repair and Maintenance	N/A	N/A	3	3
81149	Other Personal and Household Good Repair and Maintenance: Garments, Watches, Jewelry, Musical Instruments, and Bicycles	N/A	N/A	3	3
8121	Personal Care Services				
812111	Barber Shops	N/A	N/A	5	5
812112	Beauty Salons	N/A	N/A	5	5
812113	Nail Salons	N/A	N/A	5	5
812191	Diet and Weight Reducing Centers	N/A	N/A	5	5
812199	Massage Therapy	N/A	N/A	5	5
812119	Tattoo and Body Piercing Studios	N/A	N/A	5	5
812119	Tanning Salon	N/A	N/A	5	5

8123	Drycleaning and Laundry Services				
812310	Coin-Operated Laundries and Drycleaners	N/A	N/A	4	4
812320	Dry-Cleaning and Laundry Services (except Coin-Operated)	N/A	N/A	2	2
812331	Linen and Uniform Supply	N/A	N/A	2	2
812332	Industrial Launderers	N/A	N/A	2	2
Other Personal Services, Animal Care					
541940	Animal Hospitals and Veterinary Clinics	N/A	N/A	3	3
812910	Animal Shelters	N/A	N/A	3	3
812910	Pet Grooming Shops	N/A	N/A	3	3
812910	Pet Boarding	N/A	N/A	3	3
812910	Kennels, enclosed	N/A	N/A	3	3
812910	Kennels, unenclosed	N/A	N/A	2	2
Other Personal Services					
315210	Tailors and Dressmakers	N/A	N/A	3	3
541921	Photography Studios, Portrait (including still, video, digital, and passports)	N/A	N/A	3	3
81292	Photofinishing Services	N/A	N/A	3	3
621610	Home Health Care Services, including In-Home Hospice Care and Skilled Nursing Services	N/A	N/A	6.5	6.5
621991	Blood and Organ Banks	N/A	N/A	2	2
812210	Funeral Homes	N/A	N/A	2.8+5 additional	2.8+5 additional
812220	Crematories	N/A	N/A	2	2
812990	Bail Bonding or Bondsperson Services	N/A	N/A	3.3	3.3
812990	Dating Services	N/A	N/A	3.3	3.3
812990	Wedding Planning Services	N/A	N/A	3.3	3.3
812990	Personal Shopping, Organizer, Fitness Training, and Chef Services	N/A	N/A	3.3	3.3
812990	Astrology Services	N/A	N/A	3.3	3.3
PROFESSIONAL & ADMINISTRATIVE OFFICES					
511	Publishing Offices (For printing of materials, see under Manufacturing, Wholesaling and Warehousing)				
5111	Newspaper, Periodical, Book and Directory Publishers	N/A	N/A	2	2

5112	Software Publishers (includes software design and development)	N/A	N/A	2	2
512230	Music Publishers	N/A	N/A	2	2
519130	Internet Publishing and Broadcasting and Web Search Portals	N/A	N/A	2	2
52	Financial Offices				
5222	Credit Card Issuing and Sales Financing	N/A	N/A	3	3
52231	Mortgage and Non-mortgage Loan Brokers	N/A	N/A	3	3
52232	Financial Transactions Processing, Reserve and Clearinghouse Activities	N/A	N/A	3	3
523	Financial Investments and Related Activities, such as: Portfolio Management and Investment Advice; Securities and Commodity Brokerages; and Trust, Fiduciary, and Custody Activities	N/A	N/A	3	3
541	Professional Offices				
531	Real Estate Office	N/A	N/A	3	3
5411	Lawyers, Notaries and Other Legal Services	N/A	N/A	3	
5412	Accounting, Tax Preparation, Bookkeeping and Payroll Services	N/A	N/A	3	3
5413	Architectural, Engineering, Surveying and Related Services (except Testing Laboratories; see under Commercial Services, Other Business Support Services, NAICS Ref. 541380)	N/A	N/A	3	3
5414	Interior Design, Graphic Design and other Specialized Design Services	N/A	N/A	3	3
5415	Computer Systems Design and Related Services	N/A	N/A	3	3
5416	Management, Scientific and Technical Consulting Services, including Executive Search and Management Consulting	N/A	N/A	3	3
5417	Scientific Research and Development Services	N/A	N/A	3	3
541990	Business Incubator	N/A	N/A	3	3

541990	Coworking Space	N/A	N/A	3	3
541990	Maker Space	N/A	N/A	3	3
55	Corporate Management Offices	N/A	N/A	3	3
621	Medical Offices				
6211	Offices of Physicians (including Physicians that are Mental Health Specialists)	N/A	N/A	3	3
6212	Offices of Dentists	N/A	N/A	3	3
6213	Offices of Optometrists, Chiropractors, Mental Health Practitioners (not Physicians), Therapists (Physical, Occupational and Speech), Podiatrists and Other Health Specialists	N/A	N/A	3	3
6215	Medical and Diagnostic Laboratories	N/A	N/A	3	3
	ARTS, ENTERTAINMENT & RECREATION				
711	Performing Arts and Spectator Sports				
711	Agents, Managers, and Promoters (offices only)	N/A	N/A	3	3
7111	Performing Arts Theater: Drama, Dance, Music, Comedy (excludes outdoor amphitheaters)	N/A	N/A	3	3
7111	Outdoor Amphitheater / Music Park	N/A	N/A	3	3
711212	Racetrack	N/A	N/A	3	3
711310	Arena, Stadium, or Other Facility for Presenting Sporting Events	N/A	N/A	3	3
711310	Fairgrounds	N/A	N/A	3	3
711510	Taxidermists	N/A	N/A	2	2
712	Museums, Historical Sites, and Similar Institutions				
7121	Museums and Commercial Historical Sites, including non-retail Art Galleries	N/A	N/A	3	3
712130	Zoological Park	N/A	N/A	1	1
712130	Botanical Gardens	N/A	N/A	1	1
713	Amusements and Recreation, Indoor				
713110	Amusement and Fun Parks, Indoor	N/A	N/A	5	5
713120	Arcades and Game Rooms	N/A	N/A	5	5

713940	Fitness Centers, Health Clubs, Gymnasiums, and Recreation Centers (includes Non-Profit facilities, e.g. YMCA)	N/A	N/A	3	3
713940	Skating Rink	N/A	N/A	3	3
713950	Bowling Centers	N/A	N/A	3	3
713990	Weapons Firing Range or Gun Club, Indoor	N/A	N/A	2	2
713990	Billiard and Pool Halls	N/A	N/A	3	3
713990	Night Clubs and Private Clubs	N/A	N/A	3	3
713990	Cigar Lounges (with or without retail component)	N/A	N/A	3	3
713990	Hookah Lounges	N/A	N/A	3	3
713990	Sexually Oriented Business	N/A	N/A	3	3
713	Amusements and Recreation, Outdoor				
713110	Amusement and Theme Parks	N/A	N/A	2	2
713110	Bungee Jumping Parks	N/A	N/A	3	3
713910	Golf Courses, without a Country Club	N/A	N/A	1+(5/hole)	1+(5/hole)
713910	Golf Courses, with a Country Club	N/A	N/A	3+(5/hole)	3+(5/hole)
713940	Swimming Pools, Public	N/A	N/A	3.5	3.5
713940	Recreational Courts, Public	N/A	N/A	3.5	3.5
713990	Skateboard Park	N/A	N/A	3.5	3.5
713990	Tennis Courts	N/A	N/A	3.5	3.5
713990	Batting Cage Facilities, Outdoor	N/A	N/A	3.5	3.5
713990	Recreational or Youth Sports Teams Fields	N/A	N/A	3.5	3.5
713990	Miniature Golf Course	N/A	N/A	3.5	3.5
713990	Golf Driving Range, not associated with a Golf Course	N/A	N/A	1+(1/pad)	1+(1/pad)
713990	Paintball Competition Courses	N/A	N/A	3.5	3.5
713990	Recreational Day Camps	N/A	N/A	3.5	3.5
713990	Weapons Firing Range or Gun Club, Outdoor	N/A	N/A	2	2
713990	Dirt Bike and ATV (All-Terrain Vehicle) Track	N/A	N/A	3.5	3.5
713990	Zipline or Ropes Course	N/A	N/A	3.5	3.5
713990	Trampoline Park	N/A	N/A	3.5	3.5
721	Amusements and Recreation, with Lodging				
721211	RV (Recreational Vehicle) Parks	N/A	N/A	N/A	N/A

721211	Campgrounds (tents and RVs)	N/A	N/A	N/A	N/A
721214	Lodges and Retreats (with food service)	N/A	N/A	N/A	N/A
512	Other Arts, Entertainment, and Recreation Uses				
512131	Motion Picture Theaters (except Drive-Ins)	N/A	N/A	3	3
512132	Motion Picture Theaters, Drive-In	N/A	N/A	3+(1/auto space)	3+(1/auto space)
519120	Libraries	N/A	N/A	3	3
	MANUFACTURING, WHOLESALING & WAREHOUSING				
	Manufacturing, Artisan (with or without retail sales)				
32711	Pottery and Ceramics Artisans/Craftsmen Studios	N/A	N/A	0.5	0.5
32721	Blown Glass Artisans/Craftsmen Studios	N/A	N/A	0.5	0.5
33232	Ornamental and Architectural Metal Work Artists/Craftsmen Studios	N/A	N/A	0.5	0.5
331410	Tinsmith Shop	N/A	N/A	0.5	0.5
337110	Custom Cabinet Shop	N/A	N/A	0.5	0.5
337212	Custom Architectural Woodwork and Millwork Craftsmen Studios	N/A	N/A	0.5	0.5
33991	Jewelry Artisan/Craftsmen Studios	N/A	N/A	0.5	0.5
312	Manufacturing, Alcoholic Beverages (with or without tasting rooms and tours)				
312120	Brewery	N/A	N/A	0.5	0.5
312120	Microbrewery	N/A	N/A	0.5	0.5
312130	Winery	N/A	N/A	0.5	0.5
312140	Distillery	N/A	N/A	0.5	0.5
	Manufacturing, Industrial				
311	Food Manufacturing, excluding Animal Slaughtering and Processing; and Retail Bakeries (<i>Retail Bakeries are addressed under Retail Trade</i>)	N/A	N/A	0.5	0.5
313	Textile Mills	N/A	N/A	0.5	0.5

314	Textile Product Mills (such as carpet, rug, curtain and linen mills)	N/A	N/A	0.5	0.5
315	Apparel Manufacturing, excluding Tailors and Dressmakers (see under Commercial Services: Other Personal Services)	N/A	N/A	0.5	0.5
316	Leather and Allied Product Manufacturing	N/A	N/A	0.5	0.5
321	Wood Product Manufacturing and Sawmills	N/A	N/A	0.5	0.5
322	Paper and Pulp Manufacturing	N/A	N/A	0.5	0.5
3231	Books Printing and Related Support Activities, including Book Binding	N/A	N/A	0.5	0.5
3231	Commercial Printing, including Screen, Book and Newspaper	N/A	N/A	0.5	0.5
324	Petroleum and Coal Products Manufacturing	N/A	N/A	0.5	0.5
325	Basic Chemical Manufacturing	N/A	N/A	0.5	0.5
326	Plastics and Rubber Product Manufacturing (includes Tire Retreading)	N/A	N/A	0.5	0.5
327	Non-Metallic Mineral Product Manufacturing	N/A	N/A	0.5	0.5
331	Primary Metal Manufacturing	N/A	N/A	0.5	0.5
332	Fabricated Metal Manufacturing	N/A	N/A	0.5	0.5
334	Computer and Electronic Product Manufacturing	N/A	N/A	0.5	0.5
335	Electrical Equipment, Appliance, and Component Manufacturing	N/A	N/A	0.5	0.5
336	Transportation Equipment Manufacturing	N/A	N/A	0.5	0.5
337	Furniture and Related Products Manufacturing	N/A	N/A	0.5	0.5
3391	Medical Equipment and Supplies Manufacturing	N/A	N/A	0.5	0.5

3399	Miscellaneous Manufacturing: Sporting Goods; Toys and Games; Non-Paper Office Supplies; Musical Instruments, Brooms, Brushes, and Mops; Fasteners, Buttons, Needles, and Pins; Gasket, Packing, and Sealing Devices, and Burial Caskets	N/A	N/A	0.5	0.5
339950	Sign Manufacturing	N/A	N/A	0.5	0.5
	Wholesale Trade				
42	Wholesaler with a Retail Outlet or Customer Showrooms, no Outdoor Storage	N/A	N/A	0.2 (+1)	0.2 (+1)
42	Wholesale Trade, no Showrooms or Outdoor Storage	N/A	N/A	0.2	0.2
423140	Junk Yard	N/A	N/A	0.2	0.2
423110	Medium- and Heavy-Duty Trucks, Bus, and Similar Motor Vehicle Dealer	N/A	N/A	0.2 (+1)	0.2 (+1)
423820	Farm Machinery Sales	N/A	N/A	0.2 (+1)	0.2 (+1)
423930	Scrap and Waste Material	N/A	N/A	0.2	0.2
	Warehousing and Storage				
493	Distribution Center	N/A	N/A	0.65	0.65
49311	General Warehousing and Indoor Storage	N/A	N/A	0.65	0.65
493120	Refrigerated Warehousing (Cold Storage)	N/A	N/A	0.65	0.65
493130	Farm Product Warehousing and Storage	N/A	N/A	0.65	0.65
493190	Document Storage and Warehousing	N/A	N/A	0.65	0.65
493190	Lumber Storage Terminals	N/A	N/A	0.65	0.65
512240	Sound Recording Studios	N/A	N/A	0.65	0.65
512110	Motion Picture and Video Production (including sound stages)	N/A	N/A	1	1
51219	Motion Picture and Video Postproduction Services	N/A	N/A	1	1
562920	Recycling Center, Collection	N/A	N/A	1	1
	Warehousing and Storage, Solid Waste				
562920	Recycling Center, Processing	N/A	N/A	1	1
562111	Transfer Station, Solid Waste	N/A	N/A	1	1

562212	Landfill, Sanitary	N/A	N/A	1	1
562212	Landfill, Construction and Demolition	N/A	N/A	1	1
562	Incinerators	N/A	N/A	1	1
	Mining and Quarrying				
212	Quarries	N/A	N/A	N/A	0.2
212	Surface Mines	N/A	N/A	N/A	0.2
212	Underground Mines	N/A	N/A	N/A	0.2
	TRANSPORTATION, COMMUNICATIONS & UTILITIES				
	Transportation				
4811	Airport	N/A	N/A	4	4
4812	Private Airstrip or Heliport	N/A	N/A	4	4
4853	Taxi and Limousine Service	N/A	N/A	2	2
485510	Charter Bus Terminal	N/A	N/A	2	2
485991	Special Needs Transportation	N/A	N/A	2	2
485999	Shuttle Services, Vanpools and Other Ground Passenger Transportation	N/A	N/A	2	2
488410	Motor Vehicle Towing and Wrecker Services	N/A	N/A	2	2
488490	Truck Terminal	N/A	N/A	2	2
488999	Stockyards, Transportation	N/A	N/A	2	2
492110	Courier and Express Delivery Services (FedEx, UPS), sorting and forwarding ("UPS Store" would be classified under Commercial Services, NAICS Ref. 56143 Business Service Centers)	N/A	N/A	2	2
492210	Local Messengers and Local Delivery Services (includes grocery and restaurant meal services, independent of a grocery store or restaurant)	N/A	N/A	2	2
621910	Ambulance Services	N/A	N/A	2	2
812930	Parking Lots	N/A	N/A	# rentable spaces+1	# rentable spaces+1
812930	Parking Garages	N/A	N/A	# rentable spaces+1	# rentable spaces+1
	Communications				
5151	Radio and Television Broadcasting Stations	N/A	N/A	3	3

5152	Cable and Other Subscription Distribution	N/A	N/A	3	3
51731	Wireless Telecommunication Carriers (excluding Retailing New Cellular Phone Telephones and Communication Service Plans; see under Retail Trade)	N/A	N/A	1	1
5179	Lattice, Guyed and Monopole Towers	N/A	N/A	N/A	N/A
518210	Data Processing, Hosting, and Related Services	N/A	N/A	3	3
Utilities					
22111	Commercial Electric Generation	N/A	N/A	N/A	0.5
221114	Solar Farms	0.5	0.5	0.5	0.5
22112	Electric Transmission	0.5	0.5	0.5	0.5
2212	Solar Farms	0.5	0.5	0.5	0.5
22131	Water Supply Systems	0.5	0.5	0.5	0.5
22132	Wastewater Systems	0.5	0.5	0.5	0.5
22` 33	Steam and Air Conditioning Supply	N/A	N/A	0.5	0.5

TABLE FOOTNOTES:

Any fraction is rounded up to the next higher whole number

All Conditional non-residential uses in a Rural or Residential zoning district shall require the same number of parking spaces as required by a commercial or industrial district whichever is higher.

An accessory use in a Rural or Residential zoning district shall require the same number of parking spaces as required by a commercial or industrial district whichever is lower.

[\[1\] To be specified in definitions: Tongue removed, brick or block underpinning, and permanently placed steps and landings.](#)

[\[2\] To be specified in definitions: Mobile home as approved by HUD.](#)

Sec. 6.6.5. - Accessible parking spaces for the physically handicapped.

6.6.5.1 When off-street parking is required for any building or use, **except for residential dwellings with fewer than 20 units, parking for the handicapped shall be included when calculating the overall parking requirements for such building or use, based on the following formula:**

Commented [JF5]: Is this still a valid minimum?

Table 6-7. Off-Street Accessible Parking Spaces

Number of Required Spaces	Minimum Number of Accessible Spaces Required	Minimum Number of Van Accessible Spaces Required
1-25	1	1
26-50	2	1
51-75	3	1
76-100	4	1
101-150	5	1
151-200	6	1
201-300	7	2
301-400	8	2
401-500	9	2
501 or more	2% of total number of parking spaces	One (1) for every six (6) accessible parking spaces

Commented [JF6]: The table adds van-accessible requirements based on the 2010 standards

6.6.5.2 An accessible handicapped parking space shall be located as close as possible to ramps, walkways and entrances. Parking spaces should be located so that physically handicapped persons are not compelled to wheel or walk behind parked cars to reach an entrance, ramp, or walkway.

6.6.5.3 The minimum size for an accessible parking space for the physically handicapped shall measure 12 feet wide by 20 feet deep with an adjacent accessway five (5) feet in width, or as an alternative, the accessible parking space may be eight (8) feet in width with an adjacent accessway eight (8) feet in width.

Commented [JF7]: National standards allow 5 foot wide aisle for the aisle.

6.6.5.4 Adjacent access aisles must be marked (e.g., painted with hatch marks) to discourage parking in them, and the surface of accessible spaces and access aisles must be smooth, stable, and virtually level in all directions to ensure safe use for people with disabilities, including those who must load, unload, and use wheeled mobility devices.

Commented [JF8]: Would the county prefer "should" ?

6.6.5.5 A van-accessible parking space, the associated access aisles, and the vehicular routes serving the van-accessible parking space must provide vertical clearance of at least 98 inches to allow for the height of typical wheelchair lift-equipped vehicles.

Sec. 6.6.6. - Mixed uses; shared parking.

6.6.6.1 Where more than one principal use, whether with the same or different parking requirements occupy the same building or premises or in the case of joint use of a building or premises by more than one use having the same parking requirements, the parking spaces required shall equal the sum of the requirements of the various uses computed separately.

6.6.6.2 However, up to 50% of the parking spaces required for: (1) theaters, public auditoriums, bowling alleys, dance halls, clubs, churches and religious institutions may be provided and used jointly by (2) financial institutions, offices, retail stores, repair shops, service establishments, and similar uses not normally open, used, or operated during the same hours as those listed in under (1) in this paragraph; provided however, that written agreement thereto is properly executed and filed with the County.

6.6.6.3 Accessible Parking Signs

6.6.6.3.1. Accessible parking spaces should be identified by signs that include the International Symbol of Accessibility. Signs at van-accessible spaces should include the additional phrase "van-accessible."

6.6.6.3.2. Signs should be mounted so that the lower edge of the sign is at least five (5) feet above the ground to help ensure visibility for motorists and local enforcement officials.

6.6.6.3.3. Exceptions

6.6.6.3.3.1. Small parking lots of four or fewer spaces must have accessible spaces, but those spaces do not need a sign and anyone, with or without a disability, can park in the accessible space.

6.6.6.3.3.2. Residential facilities where parking spaces are assigned to specific dwelling units are also not required to post signs at accessible spaces.

Sec. 6.6.7. - General Parking Design standards.

6.6.7.1 Parking dimensions.

6.6.7.1.1. Parking spaces shall be not less than nine feet by 19 feet, except that a maximum of 20% of the total number of spaces may be 8½ feet by 18 feet if clearly marked as compact spaces. However, the dimensions of all parallel parking spaces shall be not less than 9 feet by 24 feet.

6.6.7.1.2. Minimum aisle width shall be as follows:

Type of Parking Spaces	Required Aisle Width
90-degree parking	24 feet
60-degree parking	18 feet
45-degree parking	15 feet
30-degree parking	11 feet
Parallel parking	12 feet

6.6.7.2 Construction, paving.

6.6.7.2.1. Expansive impervious surface parking lots shall be avoided. Instead, parking lots shall be broken down into sections as appropriate for the type and size of development, and shall be separated by landscaped divider strips, berms, and similar devices.

6.6.7.2.2. Parking lot construction shall be designed to minimize off-site stormwater runoff.

6.6.7.2.3. If parking facilities containing fewer than 10 parking spaces are not paved with concrete or asphalt, the parking spaces reserved for handicapped parking and the pathway leading from the handicapped parking spaces shall be paved with concrete or asphalt.

6.6.7.3 Drainage.

6.6.7.3.1. Parking lots shall be designed so as not to drain into or across public sidewalks or on to adjacent property, except into a natural watercourse or a drainage easement.

6.6.7.3.2. The stormwater detention system for parking facilities must be designed to accept runoff based on the facility being impervious regardless of whether or not they are paved at the time of construction.

6.6.7.3.3. The stormwater detention system of a parking facility must be built with the assumption that the driveways, streets and parking areas will be paved so to be impervious.

6.6.7.4 Separation from walkways and streets.

Commented [JF9]: 6.1.1.1 This is intended to apply to very small entities that do not have to reserve 25% to 100% of their available parking for individuals with disabilities.

6.6.7.4.1. Off-street parking spaces shall be separated from walkways, sidewalks, streets, or alleys, and required yards and buffer areas by a wall, fence, curbing, or other protective device.

6.6.7.5 Entrances and exits.

6.6.7.5.1. Landscaping, curbing, or other approved barriers shall be provided along boundaries to control entrance and exit of vehicles or pedestrians.

6.6.7.5.2. All off-street parking areas shall be designed so that all movement onto a public street is in a forward motion.

6.6.7.5.3. Entrance and exit driveways to public streets in the vicinity of street intersections must be located at least 50 feet, measured along the curb-line, from the intersection of the nearest curb-line and must be approved by SC DOT.

6.6.7.6 Marking.

Parking lots containing 10 or more spaces shall be marked by painted lines, curbs, or other means to indicate individual spaces.

Signs or markers may be used as necessary to ensure efficient traffic operation of the lot, in accordance with the requirements for miscellaneous freestanding signs in Chapter 7.

6.6.7.7 Lighting.

6.6.7.7.1. Adequate lighting shall be provided if off-street parking spaces are to be used at night.

6.6.7.7.2. Equipment for lighting parking facilities shall be arranged so that light does not interfere with traffic or adjoining residential areas, if any.

6.6.7.8 Landscaping.

Off-street parking areas shall be landscaped in accordance with the provisions of Sec. 6.5.5. - above.

6.6.7.9 Maintenance.

All off-street parking areas shall be maintained in a clean, orderly, dust-free, and weed-free condition at the expense of the owner or lessee and not used for the sale, repair, or dismantling or servicing of any vehicles or equipment, except for service and auto repair stations/garages.

Sec. 6.6.8. - Off-street loading.

6.6.8.1 All uses shall provide off-street loading space sufficient for their requirements. Such space shall be arranged so that no vehicle being loaded or unloaded in connection with normal operations shall stand in or project into a public street or sidewalk.

6.6.8.2 Off-street loading and unloading space shall in all cases be located on the same lot or parcel of land as the structures they are intended to serve

ARTICLE 6.7. - CONSERVATION SUBDIVISION DESIGN.

Sec. 6.7.1. - Purpose and Intent.

The purpose of these regulations is to preserve open space for future generations, maintain value for adjacent properties, and generally serve to enhance the public health, safety and welfare of Edgefield County citizens and visitors through the preservation of increased greenspace.

Sec. 6.7.2. - Application and Requirements

6.7.2.1 Districts Allowed

6.7.2.1.1. A conservation subdivision is permissible in the following zoning districts: RA, RC, RE, RL, RS, CRD, PUD.

6.7.2.2 Application Process

6.7.2.3 Application requirements for a conservation subdivision shall include the following steps:

6.7.2.3.1. Meet with the Building and Planning official and provide a survey of the entire tract prior to placement of lots and roads.

6.7.2.3.2. Prepare a plan for greenspace and trails that identifies the conserved areas to be set aside for greenspace.

6.7.2.3.2.1. Where possible conserved areas shall connect with other adjacent or nearby greenspace tracts or trails

6.7.2.3.2.2. Alternative greenspace agreements may be identified and agreed upon at the discretion of County Council.

Sec. 6.7.3. - Design Standards

6.7.3.1 Lots.

6.7.3.1.1. Overall density of lots shall not exceed the number of lots that would be permissible under normal development standards. The gross density of the overall subdivision shall not be increased above what would be permitted under normal development standards.

6.7.3.1.2. If sewer services are available and to be implemented, the minimum lot size may be reduced by 50% of the existing minimum lot size that would normally be permitted for a lot that does not have sewer services. The standard for interpreting minimum standards would be those identified by the county or the State DHEC whichever is greater. However, no lot for a single-family detached dwelling in a conservation subdivision shall be less than 7,500 square feet in size.

6.7.3.2 Setbacks

6.7.3.2.1.1. In applicable districts, the front setbacks in a conservation subdivision may be reduced to 15 feet and rear setbacks may be reduced to 20 feet.

6.7.3.2.1.2. The minimum width at the building line in a conservation subdivision may be reduced to 75 feet.

6.7.3.3 Greenspace Areas.

6.7.3.3.1. Shall include wetlands, river buffer zones, woodlands, wildlife corridors, pastures, meadows, and similar natural property where possible.

6.7.3.3.2. Shall be contiguous to the parcel on which the subdivision is located where possible.

6.7.3.3.3. Shall be contiguous to other adjacent greenspace parcels, county open space, national forest and similar preserved natural areas where possible.

6.7.3.3.4. Shall be undisturbed and undeveloped where possible.

6.7.3.3.5. Shall be accessible by a county or state road or easement

Sec. 6.7.4. - Approval Procedures

6.7.4.1 Approval of an application for a Conservation Subdivision shall be by the Planning Commission.

6.7.4.2 The Planning Commission shall consider the following factors:

6.7.4.3 Did applicant designate and offer to dedicate appropriate amounts and locations of greenspace.

6.7.4.3.1. Is the property desirable as a conservation subdivision?

6.7.4.3.2. Would the conservation subdivision be detrimental to the uses surrounding the property on which the conservation subdivision is located?

6.7.4.3.3. Is the terrain suitable for a conservation subdivision?

6.7.4.3.4. Is the area remaining after dedication of greenspace suitable for development at the proposed density?

6.7.4.4 On recommendation of approval by the Planning Commission, the following requirements would apply:

6.7.4.5 Applicant shall prepare a survey and legal description of the greenspace to be conserved and clearly identify the greenspace on all preliminary plats and all development plans.

6.7.4.6 Greenspace shall be dedicated to the county or to such trust as the county may designate prior to approval of the final plat, by fee simple deed.

6.7.4.7 If an appeal is initiated, the applicant may withhold dedication until the appeal is completed.

Commented [JF10]: Let us know if this is how you want to establish approval or if you want different specifics

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Chapter 7 - SIGNS

NOTE: The table of contents is provided herein the draft as a courtesy during review and will be relocated to a preface section as the document is completed.

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CHAPTER 7 - SIGNS

ARTICLE 7.1. - FINDINGS, PURPOSE AND INTENT.

Sec. 7.1.1. - Findings.

The Edgefield County Council finds that the number, size, design characteristics, and locations of signs within the county directly affect the public health, safety and general welfare. The county finds that the signs need to be regulated in order to protect the public health, safety, and general welfare of residents and nonresidents alike. The Council has determined that signs can detract from the historical and aesthetic beauty of Edgefield County.

7.1.1.1 The County Council recognize that signs provide an important medium through which individuals, businesses, and government may convey a variety of messages. However, left unregulated, signs can become a threat to the public health and safety as a traffic hazard, as a detriment to property values, and as an aesthetic nuisance affecting the overall economic growth of Edgefield County. Numerous professional studies have been prepared that examine and establish the effect of signs on traffic safety, aesthetics, and economic prosperity, including the following:

- a. Klauer, S.G., T.A. Dingus, V.L. Neale, J.D. Sudweeks, D.J. Ramsey. "The Impact of Driver Inattention on Near-Crash/Crash Risk: An Analysis Using the 100-Car Naturalistic Driving Study Data." National Highway Traffic Safety Administration. DOT HS 810 594. April 2006.
- b. Snyder, Jonathan, Samuel S. Fels Fund. "Beyond Aesthetics: How Billboards Affect Economic Prosperity." December 2011.
- c. Wachtel, J., 2009. "Safety Impacts of the Emerging Digital Display Technologies for Outdoor Advertising Signs." Prepared for AASHTO and the Standing Committee on Research of the National Cooperative Highway Research Program (NCHRP), April 2009. The Veridian Group, Inc., Berkeley, California.
- d. Weitz, Jerry, Ph.D, AICP. "The Public Purpose of Roswell's Sign Ordinance and the Implications of Doing Without It: A Position Paper." December 7, 1999.

7.1.1.2 Based on a review of the cited materials and the studies referenced therein as well as other related studies, the County Council finds that unregulated signs:

- a. Can be a safety hazard to drivers and pedestrians;
- b. Can be a detriment to the public health;
- c. Can hamper economic growth;
- d. Can lower property values;
- e. Can adversely impact public investments;
- f. Can degrade the utility of public safety signs; and
- g. Can adversely impact the aesthetic quality of the community and surrounding environment.

Sec. 7.1.2. - Purpose and intent.

7.1.2.1 The purpose and intent of this chapter is to establish standards to protect the public health, safety and general welfare of the citizens of Edgefield County for the fabrication, erection, use, maintenance, and alteration of signs, symbols, billboards, and markings within the county. These standards will provide an avenue for communication needs and allow and encourage creativity, effectiveness, and flexibility in the design and use of signs, symbols,

billboards, and markings within the county while promoting health and safety and avoiding an environment that encourages visual blight.

7.1.2.2 It is the further purpose of this chapter to prohibit the future erection, placement, or location of portable and certain other types of signs determined to be detrimental to the aesthetic sense, historic character, and public health, safety and general welfare of the citizens of the county both generally and as it affects commerce.

7.1.2.3 The County Council has determined that the regulations contained in this chapter are the minimum amount necessary to achieve the purposes of the County and intent of these regulations.

ARTICLE 7.2. - DEFINITIONS.

Sec. 7.2.1. - Definitions of the words, terms, and phrases used in this Chapter shall have the meanings ascribed to them in Chapter 12 – Interpretations and Definitions, except where the context clearly indicates a different meaning.

ARTICLE 7.3. - PERMIT REQUIRED, PROCEDURES.

Except as specifically excluded from the provision of this chapter, it shall be unlawful for any person to post, construct, enlarge, replace, display, substantially change, or erect a sign in the county without having first obtained a sign permit.

Sec. 7.3.1. - Sign permits; when required.

Except for signs that are listed under Sec. 7.3.2. - Exemptions from permit requirements., below, or are listed under Sec. 7.4.2. - Signs that are exempt from regulation., a sign permit must be issued by the county before a permanent sign may be:

7.3.1.1 Erected or relocated;

7.3.1.2 Attached to, suspended from, or supported on a building or structure; or

7.3.1.3 Altered, enlarged, or materially improved (including the replacement of a sign face with an electronic changeable copy sign).

7.3.1.4 Any sign using electrical wiring and connection shall require a sign permit and an electrical permit. Such a sign permit shall become null and void if an electrical permit is not secured, if required, or if the sign for which the permit was issued has not been completed within a period of 6 months after the date of issuance.

Sec. 7.3.2. - Exemptions from permit requirements.

7.3.2.1 The following types of signs shall be exempt from the permit requirements of this chapter, provided that each is located and maintained in accordance with the provisions of this chapter and all other applicable codes and regulations:

7.3.2.1.1. Nonilluminated signs, having a sign area of less than 15 square feet, provided they are not located in the public right-of-way.

7.3.2.1.2. Window signs installed for purposes of viewing from outside the premises. However, such signs shall not exceed 30 % of the space available in the window where the sign is placed.

7.3.2.1.3. Numerals displayed for purposes of identifying property location and not exceeding four inches in height in residential districts and ten inches in height in nonresidential districts.

7.3.2.1.4. Seasonal displays located outside of the public right-of-way that are erected for a maximum period of 30 days no more than twice a year.

7.3.2.1.5. Signs allowed under Sec. 7.9.1. - Miscellaneous freestanding signs., unless such signs require issuance of a building or electrical permit.

7.3.2.1.6. Signs allowed under Sec. 7.9.2. - Miscellaneous building signs, unless such signs require issuance of a building or electrical permit.

7.3.2.1.7. Incidental signs which do not exceed 1½ square feet in area.

7.3.2.2 A flagpole associated with a single-family residence that complies with Sec. 7.9.3. - Flags. shall not require a sign permit.

Sec. 7.3.3. - Procedures for obtaining a sign permit.

7.3.3.1 Sign Permit Applications.

7.3.3.1.1. Applications for permits shall be made upon forms provided by the county and shall contain or have attached thereto the following information:

7.3.3.1.2. The name, address and telephone number of the applicant;

7.3.3.1.3. The tax parcel ID and physical address of the building, structure or lot to which or upon which the sign is to be attached or erected;

7.3.3.1.4. Two accurate drawings and a digital file copy showing the position of the sign in relation to nearby buildings or structures, including other signs, driveways, parking areas, and any other limiting site features;

7.3.3.1.5. One accurate drawing to scale and a digital file copy of the plans, specifications and method of construction and attachment of the building or ground. The drawing shall specifically include the size of the sign face area, overall height and width of the sign structure, sign installation and its relation to existing rights-of-way and all driveways, a sight distance diagram, and any devices or landscaping around the base of the sign. For all signs over 35 square feet in sign area, the drawn engineered structural drawing designed to the International Building Code;

7.3.3.1.6. Name, address, telephone number and business license number of the number of the person erecting the sign;

7.3.3.1.7. Written consent of the owner of the lot to which or upon which the sign is to be erected with respect to freestanding signs and written consent of the owner of the lot and tenant of the improved space upon which a wall sign is to be erected;

7.3.3.1.8. The location and size of all other permanently installed freestanding signs on the lot upon which the sign is to be erected;

7.3.3.1.9. The distance in feet to the nearest existing freestanding sign;

7.3.3.1.10. The distance in feet from the location of the proposed sign to the nearest residentially zoned lot;

7.3.3.1.11. The distance in feet from the location of the proposed sign to the edge of the nearest registered historic district, such distance to be measured as the crow flies from the site of the proposed installation to the nearest border of the historic district;

7.3.3.1.12. The size of the lot upon which the sign is to be erected and the length of the street frontage for the street to which the sign is oriented;

7.3.3.1.13. If the sign is to be lighted, an application for electrical permit meeting all standards of the county's electrical code;

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7.3.3.1.14. Such other information as the county shall require to show full compliance with this and other ordinances of the county;

7.3.3.1.15. All applications for sign permits must be signed by the owner of the property upon which the sign is to be erected or by an agent designated by the owner.

7.3.3.2 Use of Foreign Languages.

7.3.3.2.1. For any sign for which a Sign Permit is required that uses words in a language other than English, the English translation of the sign shall be provided on the Sign Permit Application.

7.3.3.2.2. Nothing herein shall be construed to prohibit the use of foreign words or characters on a sign as long as they do not contain obscene language or advertise an illegal activity.

7.3.3.3 No review of the specific content of any proposed sign shall be made or required.

Sec. 7.3.4. - Time for Consideration

7.3.4.1 The county shall process all sign permit applications within 30 business days of the building official's actual receipt of a fully completed application and such sign permit fee as may be established from time to time by vote of the county commission.

7.3.4.2 Application review process.

7.3.4.2.1. The building official shall give notice to the applicant/owner of the decision of the county by hand delivery, by email, or by mailing a copy of the notice to the address of the applicant/proposed permittee on the permit application on or before the 30th business day after the department's receipt of the application.

7.3.4.2.2. If mailed, notice shall be deemed to have been given upon the date of mailing in conformity with this section.

7.3.4.2.3. If the county fails to respond in writing within the 30-day period, the permit shall be deemed to have been granted.

7.3.4.2.4. If the building official finds that conditions or stipulations are required to make the sign legally acceptable, the permit shall only be approved subject to the applicant's written agreement to such conditions.

Sec. 7.3.5. - Denial and revocation.

7.3.5.1 Procedure.

7.3.5.1.1. The county shall deny permits to applicants who submit applications for signs that do not comply with the provisions of this chapter, or which fail to comply with applicable building codes (including, but not limited to, any wind or hurricane resistance requirements) or other applicable local, state, or federal laws; or any applicants who submit incomplete applications or applications containing any false material statements.

7.3.5.1.2. Violations of any provisions of this chapter will be grounds for terminating a permit granted by the county for the erection of a sign.

7.3.5.1.3. Should it be determined that a sign permit was issued pursuant to an incomplete application or an application containing a false material statement, or that a permit has been erroneously issued in violation of this chapter, or that a sign has been erected contrary to the terms of the permit, the building official shall revoke the permit.

7.3.5.1.4. Should the county deny a permit application, the reasons for denial shall be stated in the notice provided for by Section 7.3.5.1.1 above.

7.3.5.1.5. Any application denied and later re-submitted shall be deemed to have been submitted on the resubmittal date, instead of on the initial submission date.

7.3.5.1.6. No permit shall be revoked or denied except for due cause which is defined as any of the following:

- a. Violation of the provision of this chapter or any other county ordinance or any state or federal law; or,
- b. Erroneous issuance of a permit which should not have been issued under the terms of this chapter; or,
- c. Erecting or building a sign which does not conform to the information contained in the application; or,
- d. Failure to maintain the sign as required by this chapter; or,
- e. Submission of an incomplete application or an application containing false material statements.

Sec. 7.3.6. - Appeal.

An individual whose permit application has been denied or whose permit has been revoked may appeal the decision to the Building Code Board of Appeals in accordance with the procedures and requirements of the Appeals Chapter of this Land Management Ordinance.

ARTICLE 7.4. - APPLICABILITY.

Sec. 7.4.1. - Signs that are regulated.

The regulations and requirements of this Chapter apply to all signs that are or are intended to be viewed from a public right-of-way or adjacent property, or that are intended to be viewed from outdoor areas of private property, except as otherwise exempt under this Section.

Sec. 7.4.2. - Signs that are exempt from regulation.

The following signs are exempt from the provisions of this Chapter.

7.4.2.1 Signs erected by or at the direction of the county or any government entity in the right-of-way or on any government owned parcel are exempt from provisions of this Chapter.

7.4.2.2 Historic markers authorized by the county are exempt.

7.4.2.3 Property address numbers as required by the county are considered "official governmental signs" and are exempt.

7.4.2.4 Incidental signs (as defined in this chapter) that are located in conjunction with a multi-family or nonresidential use are exempt, provided such signs are not illuminated and that the aggregate of all such signs on a property may not exceed 9 square feet (unless a larger aggregate area is required by law or government regulation).

7.4.2.5 Displays or decorations related to a holiday or seasonal event (as defined in this chapter) that are placed on a property by the owner or with the owner's permission as personal (noncommercial) speech (also as defined in this chapter) are exempt.

7.4.2.6 Window displays of goods available on a site are not considered to be signs and are exempt from these sign regulations.

7.4.2.7 A building design or color that is associated with a particular establishment or organization but which conveys no message is not considered to be a sign and is exempt from these sign regulations.

Sec. 7.4.3. - Prohibited signs.

The following types of signs are prohibited throughout the county. Prohibited signs shall be removed within 48 hours of notice of violation of this section provided that where permanent signs are installed, the 48-hour period may be extended for up to two weeks by the building official where removal requires engagement of a specialized contractor.

7.4.3.1 All signs, other than legal non-conforming signs, which are not in compliance with this Chapter are prohibited and illegal and shall not be erected or maintained.

7.4.3.2 Privately owned signs erected on or above public property.

7.4.3.2.1. No person shall erect a sign on or projecting over public property other than the governmental entity responsible for such property, or a public utility company or contractor occupying or working on public property pursuant to government contract or franchise.

7.4.3.2.2. For the purpose of this Chapter the public right-of-way shall be measured and determined by the utility poles, unless otherwise indicated or more detailed information is available.

7.4.3.3 Any sign placed or erected on a property without the permission of the property owner.

7.4.3.4 Roof signs.

7.4.3.5 Vehicular signs, as defined in this Chapter, are not allowed to be placed or parked in such a manner as to be viewed or intended to be viewed from a public right-of-way, except that this prohibition shall not apply in the following circumstances:

7.4.3.5.1. When such conveyances are actively being used to transport persons, goods or services in the normal course of business;

7.4.3.5.2. When such conveyances are parked in an inconspicuous area; or

7.4.3.5.3. When such conveyances are actively being used for storage of construction materials for, and on the same lot with, a bona fide construction project for which building and other applicable permits have been issued and where construction is underway.

7.4.3.6 Animated signs, except electronic changeable copy signs, banners and flags as may be regulated by this Chapter, are not allowed.

7.4.3.7 Signs that pose a threat to public safety are not allowed, such as:

7.4.3.7.1. Signs containing or imitating an official traffic sign or signal or contain the words "stop", "go", "danger", "caution", "warning", or similar words, except for construction signs and barricades and except when the words are incorporated in the permanent name of a business.

7.4.3.7.2. Signs that display intermittent or blinking lights resembling the flashing lights customarily used in traffic signals or on law enforcement, fire, ambulance or rescue vehicles.

7.4.3.7.3. Signs located so as to obscure, or otherwise interfere with the effectiveness of any official traffic sign, signal or device.

7.4.3.7.4. Signs located so as to obscure, or otherwise interfere with a motor vehicle operator's view of approaching, merging, or intersecting traffic.

7.4.3.7.5. Signs that obstruct any fire escape; any means of ingress, egress, or ventilation; or prevent free passage from one part of a roof to any other part thereto; and signs attached in any manner to a fire escape.

7.4.3.7.6. Signs which interfere with road or highway visibility or obstruct or otherwise interfere with the safe and orderly movement of traffic.

7.4.3.7.7. Signs which obstruct the orderly flow of pedestrian traffic on any sidewalk or public walkway.

7.4.3.7.8. Signs which simulate an official traffic control or warning sign or hide from view any traffic sign, signal or public service sign.

7.4.3.7.9. Signs on publicly owned rights-of-way other than publicly owned or maintained signs.

7.4.3.8 Hand written, hand painted, handmade or other unprofessionally fabricated signs other than temporary signs allowed under Article 7.10. A "professionally" hand-painted sign is one that has been prepared or created by a person engaged in the paid occupation of sign-painting and generally reproduces font sets created by such foundries as Adobe, Microsoft, BitStream, Apple, etc.

7.4.3.9 Window signs which exceed 30% of the window area.

7.4.3.10 Signs which contain words, pictures, or statements which are obscene, or displaying nudity, as defined by the State of South Carolina at Code Section 16-15-305.

7.4.3.11 Signs that advertise or encourage illegal activity as defined by local, state or federal laws.

7.4.3.12 Unshielded illuminated devices that produce glare or create a hazard or nuisance to motorists or occupants of adjacent properties.

7.4.3.13 Signs with lighting or control mechanisms that cause radio, television or other communications interference.

7.4.3.14 Motion picture mechanisms or video displays used in such a manner as to permit or allow moving or animated images to be visible from a public right-of-way or sidewalk.

7.4.3.15 Certain illuminated signs, as follows:

7.4.3.15.1. Signs containing, including, or illuminated by any flashing, intermittent, or moving lights, scrolling lights, and/or utilizing changes in the intensity of lighting are prohibited.

7.4.3.15.2. Any illumination of a sign that interferes with the effectiveness of, or obscures, an official traffic sign, device, or signal is prohibited.

7.4.3.15.3. Any illumination of a sign that is not effectively shielded so as to prevent beams or rays of light from being directed at any portion of the traveled way of a street and which are of such intensity or brilliance as to cause glare or to impair the vision of the driver of any motor vehicle, or which otherwise interfere with the operation of any motor vehicle, is prohibited.

7.4.3.15.4. No red, green or yellow illuminated sign shall be placed within 300 feet of any traffic light.

7.4.3.15.5. Search lights or spotlights, except for special business promotions or a new business "grand opening". For each event, such devices shall receive prior written approval by the County. Such lights shall not create a nuisance or interfere with vehicular traffic, and shall adhere to all applicable regulations of the Federal Aviation Administration (FAA).

7.4.3.16 Banners are prohibited except as allowed by this Chapter for specific types of signs, including temporary event signage for a grand opening or special business promotion event under ARTICLE 7.10. - TEMPORARY EVENT SIGNS.

7.4.3.17 Portable signs are prohibited, except A-frame signs as may be allowed under this Chapter for a nonresidential use, or as provided for temporary signage for a grand opening or special business promotion event under ARTICLE 7.10. - TEMPORARY EVENT SIGNS.

7.4.3.18 Festoons, as defined in this Development Code, are prohibited except as provided for temporary signage for a grand opening or special business promotion event under ARTICLE 7.10. - TEMPORARY EVENT SIGNS.

7.4.3.19 Inflatable signs, including air or gas filled balloons or other inflatable devices, are prohibited in all nonresidential zoning districts except as exempted as seasonal and holiday decorations under this Chapter or for temporary signage for a grand opening or special business promotion event under ARTICLE 7.10. - TEMPORARY EVENT SIGNS.

7.4.3.20 Signs which emit or utilize in any manner any sound capable of being detected on any traveled road or highway by a person with ordinary hearing.

7.4.3.21 Signs erected by nailing, fastening or affixing the sign in any manner to any tree, post, curb, utility pole, or other structure located on any public right-of-way except as may otherwise be provided herein.

7.4.3.22 Signs which emit any visible smoke, steam, vapor, particles, or odor into the air.

7.4.3.23 Signs which emit any sound which can be heard at any place outside of the parcel on which the sign is erected.

7.4.3.24 Signs which have been attached to or painted on any telephone pole, light pole, telegraph pole, or any tree, rock or other natural object.

ARTICLE 7.5. - REQUIREMENTS THAT APPLY TO SIGNS IN GENERAL.

Sec. 7.5.1. - Compliance with Other Codes and Provisions.

7.5.1.1 Any sign that will be erected, replaced, reconstructed, repaired, altered, relocated or maintained within the county shall conform to the requirements of the International Building Code, Appendix H, and to the requirements of the National Electrical Code, Chapter 600, "Electrical Signs and Outdoor Lighting," as adopted by the State of South Carolina. Where the provisions of the building or electrical code and this Chapter conflict or overlap, the most stringent requirement shall prevail and be controlling.

7.5.1.2 In accordance with the National Electrical Code specifications, all signs shall be located in such a way that they maintain horizontal and vertical clearance from all overhead utilities. In no case shall any sign be installed within 3 feet horizontally or vertically from any overhead utility line or utility guy wire.

7.5.1.3 Any sign that will be erected, replaced, reconstructed, repaired, altered or relocated within the county shall conform to all other provisions of this Code and other ordinances of the County Council.

Sec. 7.5.2. - Computation of sign area.

7.5.2.1 Generally.

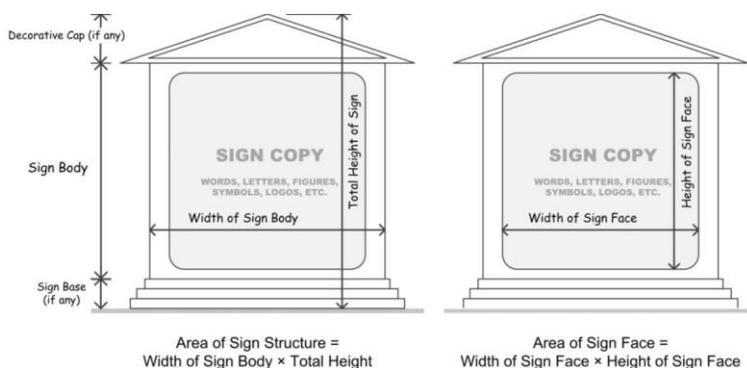
7.5.2.1.1. The area of a sign face or module shall be computed by means of the smallest rectangle that will encompass the extreme limits of the writing, representation, emblem, color, or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework, bracing, or decorative fence or wall when such fence or wall otherwise meets other regulations of the County and is clearly incidental to the display itself.

7.5.2.1.2. If a sign face is composed of two or more sign modules, the sign face area shall be the area of each module, measured in accordance with the preceding paragraph 7.5.2.1.1, totaled together.

7.5.2.1.3. The area of a sign structure shall be computed by means of the smallest rectangle that will encompass the extreme limits of the sign, by multiplying:

7.5.2.1.3.1. The width of the body of the sign (exclusive of the sign's base or decorative cap, if any) measured at the widest portion of the sign body; times the total height of the sign as defined in this Chapter under "sign height."

7.5.2.1.4. The following are examples of how sign structure and sign face area measurements are made; the signs shown are illustrative and only provided for clarity.



7.5.2.2 Area of Multi-Faced Signs.

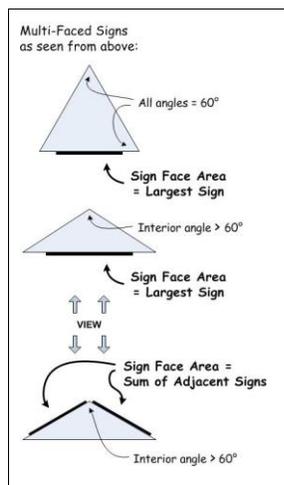
The sign face area of a sign structure with more than one side, and such sides are not more than 12 inches apart at their closest point, shall be computed as follows:

7.5.2.2.1. Double-faced signs.

For double-faced signs, when the sign face surfaces are parallel (back-to-back), or where the smallest angle formed between the two faces is 60 degrees or less, the area of the sign shall be taken as the area of the largest side. For double-faced signs where the interior angle formed by the faces is more than 60 degrees, the sign face area shall be the total area of both sides.

7.5.2.2.2. Signs with three or more faces.

- a. For sign structures having only three sides and the interior angle formed between each of the sides is 60 degrees, the sign face area shall be taken as the area of the largest of the three sides.
- b. For all other multi-faced signs with three or more sides, the sign face area shall be either the largest sign on any one side, or the largest total of all sign



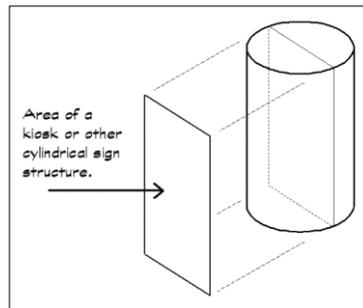
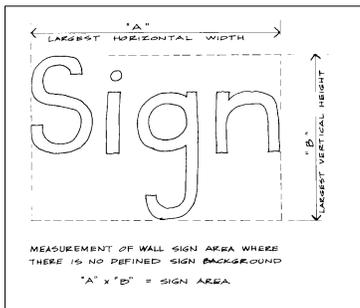
Sign Face Area
Three-sided Sign Structures

faces that are joined by an interior angle of more than 60 degrees, whichever can be viewed from an adjoining street.

7.5.2.3 Free-Form Signs.

For signs that have no identifiable frame or border, the smallest rectangle that includes all of the sign's words, letters, figures, symbols, logos, fixtures, colors or other design elements intended to convey the sign's message shall establish the area of the sign face.

Free-Form Sign



Kiosk Sign

7.5.2.4 Kiosks.

For a kiosk or other cylindrical sign structure, the area of the sign face shall be the largest measurement achieved from any view of the sign structure. Measurements shall be made as a flat plane rectangle projected on or bisecting the sign structure.

Sec. 7.5.3. - Number of signs.

7.5.3.1 For the purpose of determining number of signs, a single sign shall be considered to be a single sign structure, display surface or display device containing the sign copy (as defined in this Land Development Code) or other elements organized, related, and composed to form a unit.

7.5.3.2 Refer to the definition of "sign face" and "sign copy" for additional information.

Sec. 7.5.4. - Height measurements.

7.5.4.1 For a freestanding sign structure located within 100 feet of an adjacent street right-of-way (as measured perpendicular to the street), the following applies:

7.5.4.1.1. For a sign located on land at or above the back of curb or edge of pavement of the roadway in the adjacent street, the height of a sign shall be equal to the vertical distance from the average grade at the base of the sign to the highest point of any portion of the sign. Any earthen berms or other site improvements that raise the sign above the pre-construction natural grade of the land upon which the sign is placed shall not be included in the height measurement of the sign.

7.5.4.1.2. For a sign located on land below the back of curb or edge of pavement of the roadway in the adjacent street, the height of a sign shall be equal to the vertical distance from the back of curb or edge of pavement of the roadway to the highest point of any portion of the sign. Any earthen berms, elevated foundations or other site improvements that raise

the sign up to the level of the crown of the roadway shall not be included in the height measurement of the sign.

7.5.4.2 For a freestanding sign structure located 100 feet or more from an adjacent street right-of-way (as measured perpendicular to the street), the height of a sign shall be equal to the vertical distance from the average grade at the base of the sign to the highest point of any portion of the sign. Any earthen berms or other site improvements that raise the sign above the pre-construction natural grade of the land upon which the sign is placed shall be included in the height measurement of the sign.

Sec. 7.5.5. - Illumination.

Illumination for signs shall not cast light on adjoining property or shine in such a manner as to cause traffic interference. Illumination shall be constant and shall not change, flash, scroll, or simulate movement.

Sec. 7.5.6. - Lighting restrictions.

In addition to illuminated signs that are prohibited under Sec. 7.4.3. - Prohibited signs., the following applies to all illumination of signs:

7.5.6.1 Only permanent signs shall be illuminated, either directly or indirectly.

7.5.6.2 A permit will not be issued for an illuminated sign on a nonresidential property within 100 feet from any property line of a residentially zoned parcel.

7.5.6.3 In a residential zoning district only project entrance signs may be illuminated, and such signs may only be illuminated indirectly by an external light source, such as floodlights or shielded neon tubes.

7.5.6.4 Any signage with internal lighting composed of light bulbs or neon tubing shall be covered so that the light sources are not directly visible from the outside.

Sec. 7.5.7. - Language and legibility.

7.5.7.1 Every principal freestanding sign shall contain the street number and the official street name in English letters and Arabic numbers of a size equivalent to the predominant size of the letters and numbers on the sign.

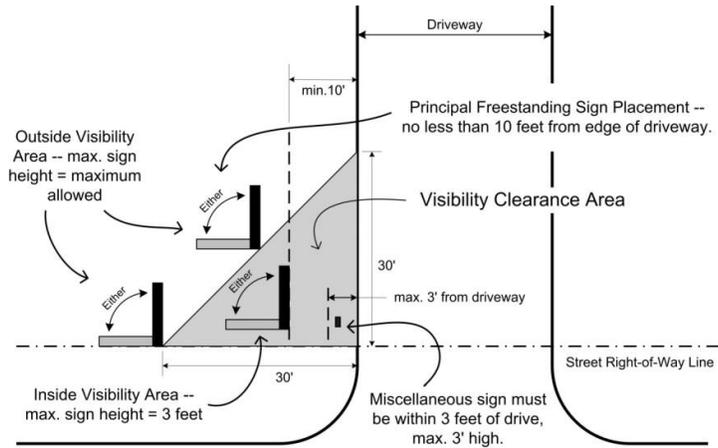
7.5.7.2 To aid in proper and timely response in an emergency, the name of the business or the type of business on the premises must also be indicated in English.

7.5.7.3 Nothing in this section shall prohibit the same and/or additional information on the sign from being written in a language other than English, provided that an English translation of the sign is included with the application for a sign permit.

Sec. 7.5.8. - Visibility clearance area.

7.5.8.1 No sign more than 3 feet in height shall be erected within 30 feet of an intersection with a public or private street, private drive or other access point, or otherwise interfere with traffic movement and visibility.

7.5.8.2 Such visibility clearance area shall be established as the triangular area formed by the street right-of-way lines (or such lines extended to their intersection) and a line connecting such right-of-way lines at points 30 feet from the intersection of the right-of-way lines, or within 30 feet of the intersection of a street right-of-way line and the edge of a driveway.



Visibility Clearance Area and Sign Height Restrictions at a Driveway Entrance

Sec. 7.5.9. - Electronic changeable copy signs.

Electronic changeable copy signs, as defined in this Development Code, regardless of the technology employed, must conform to the following standards:

7.5.9.1 All electronic changeable copy signs viewable from a public street or sidewalk shall present only static displays (still pictures and printing). Such signs not viewable from a public street or sidewalk may display movies, animation, or video containing motion.

7.5.9.2 Each static image shall be maintained for a duration of at least 8 seconds. The change time between each static image shall be perceived as instantaneous within the capability of the technology employed (generally about 1/10th of a second).

7.5.9.3 For signs viewable from a public street or sidewalk, no flashing, scrolling, or other variation in the static image that gives an illusion of movement or variation in light intensity during the display of a single image is allowed.

7.5.9.4 LED signs.

In addition to all other requirements of this Section and this Chapter, LED signs (as defined in this Land Development Code) must comply with the following:

7.5.9.4.1. All such signs shall be "tri-color" signs or better, in which each pixel consists of a group of at least one red, green and blue LED or similar light emitting device.

7.5.9.4.2. Maximum distances between pixels shall be as follows:

- a. For building signs, no more than 5 mm between pixels, measured center-to-center both horizontally and vertically.
- b. For freestanding signs (including billboards as defined in this Development Code), no more than 16 mm between pixels, measured center-to-center both horizontally and vertically.

7.5.9.4.3. All such signs shall be certified by a Nationally Recognized Testing Laboratory (NRTL) recognized by the US Occupational Safety & Health Administration (OSHA) in accordance with 29 C.F.R. 1910.7.

7.5.9.4.4. Maximum brightness.

- a. The sign must employ a light sensing device that adjusts the brightness as ambient light conditions change.
- b. The sign shall not operate at a brightness level of more than 0.30 foot candles above ambient light levels measured at 100 feet from the sign (150 feet for sign faces greater than 100 square feet in area), as certified under Section 7.5.9.6 below.

7.5.9.4.5. A fail-safe device shall be installed that, in the event of a failure of the light sensing device, drops the brightness level to the lowest night-time level allowed, regardless of the time of day.

7.5.9.5 Other electronic changeable copy signs.

7.5.9.5.1. Electronic changeable copy signs utilizing TV-type displays (LCD or Plasma, for instance) must comply with the following in addition to all other applicable requirements of this Section and this Chapter:

- a. Such signs shall be installed only as building signs.
- b. Such signs shall have a minimum resolution of 1080p (High Definition) or equivalent.
- c. At any time of the day or night, such signs shall not operate at a brightness level of more than 0.30 foot candles above ambient light levels measured at 100 feet from the sign (150 feet for sign faces greater than 100 square feet in area), as certified under paragraph 7.5.9.6 below.

7.5.9.5.2. Electronic changeable copy signs utilizing incandescent bulbs are not allowed.

7.5.9.6 As part of an application for a sign permit, the sign owner must provide the County with a written statement from the installer that the sign will comply with the County's brightness requirements and all other requirements of this Section, and shall certify to such compliance within 30 days after installation of the sign.

7.5.9.7 Operation of an electronic changeable copy sign in violation of any provision of this Section, including overriding the sign's light-sensing or fail-safe devices, may result in the disconnection of the electrical power supply to the sign at the owner's expense.

Sec. 7.5.10. - Construction and maintenance standards.

7.5.10.1 All signs for which a permit is required under this chapter shall be constructed and maintained in accordance with all applicable building codes.

7.5.10.2 Signs for which a permit is not required under this chapter and which are constructed of degradable material may be posted for a maximum of 60 days unless replaced with another sign of the same material. Any such replacement signs may be posted for a maximum of 60 days beyond the original 60-day period.

7.5.10.3 All freestanding signs with a display area greater than 100 square feet must be constructed to withstand winds of at least 120 miles per hour; in the event any other applicable code or regulation calls for wind tolerance in a greater amount, then such greater amount shall apply as the standard under this chapter as well.

7.5.10.4 All signs, together with their supports, braces, guys and anchors, shall be kept in good repair and unless constructed of galvanized or non-corroding metal, shall be given a protective coating as necessary to maintain a clean appearance and safe condition.

ARTICLE 7.6. - SIGN RESTRICTIONS ON AGRICULTURAL LAND USES.

This Article applies to all land uses as specifically detailed on the Principal Uses Table in Chapter 2 under the Agricultural Uses category regardless of the zoning district in which they are located. The following are in addition to signage allowed under ARTICLE 7.9. - ADDITIONAL REGULATIONS FOR SPECIFIC TYPES OF SIGNS. and ARTICLE 7.10. - TEMPORARY EVENT SIGNS.

Sec. 7.6.1. - Farmlands.

7.6.1.1 For farmland operations not generally open to the public, such as lands under cultivation, horse and cattle pastures, poultry and egg production, animal feed lot operations, tree farms, and other similar agricultural uses, one freestanding sign may be located on each of the property's public street or road frontage.

7.6.1.1.1. Such signs shall be no larger than 32 square feet in sign face area and no more than 8 feet in height.

7.6.1.1.2. One additional sign may be located at each designated entrance to the property, being no larger than 6 square feet in sign face area, and no more than 6 feet in height.

Sec. 7.6.2. - Other uses located in agricultural and rural areas.

7.6.2.1 All uses listed under the Agricultural Uses category that are open to the public, such as fee fishing, hunting preserves, riding stables, and hunting or fishing camps, shall comply with the provisions of ARTICLE 7.8. - SIGN RESTRICTIONS ON NONRESIDENTIAL LAND USES.

7.6.2.2 All residential uses shall comply with the provisions of ARTICLE 7.7. - SIGN RESTRICTIONS ON RESIDENTIAL LAND USES., without regard to the zoning district where the residential use is located.

7.6.2.3 All other uses allowed in agricultural areas of a commercial, industrial, or other nonresidential nature shall comply with the provisions of ARTICLE 7.8. - SIGN RESTRICTIONS ON NONRESIDENTIAL LAND USES.

7.6.2.4 Billboards are allowed only in commercial or industrial zoning districts in accordance with Subsection 7.8.2.3.

ARTICLE 7.7. - SIGN RESTRICTIONS ON RESIDENTIAL LAND USES.

This Article applies to all residential land uses as specifically detailed on the Principal Uses Table in Chapter 2 under the Residential Uses category. The following are in addition to signage allowed under ARTICLE 7.9. - ADDITIONAL REGULATIONS FOR SPECIFIC TYPES OF SIGNS. and ARTICLE 7.10. - TEMPORARY EVENT SIGNS.

Sec. 7.7.1. - Individual residential uses.

The following provisions apply to:

- a. Single-family detached residences,
- b. Patio and zero lot line homes,
- c. Manufactured homes on individual lots, and
- d. Two-, three- and four-family dwellings on individual lots.

7.7.1.1 Other than subdivision entrance signs allowed under Sec. 7.7.2. - Residential subdivision entrance signs., below, parcel containing an individual residential use shall not contain signs having an aggregate sign area greater than 15 square feet.

7.7.1.2 No individual sign of any type shall exceed six square feet in sign area on a residential lot.

7.7.1.3 Freestanding signs having a sign height of greater than five feet shall not be located on an individual residential lot.

7.7.1.4 Signs meeting the standards of this Sec. 7.7.1. - Individual residential uses., are exempt from the permit requirements of ARTICLE 7.3. - PERMIT REQUIRED, PROCEDURES..

Sec. 7.7.2. - Residential subdivision entrance signs.

7.7.2.1 Platted residential subdivisions consisting of more than two parcels may erect one monument sign at each entrance to the subdivision.

7.7.2.2 Such sign shall not be greater than five feet in height and shall not have a sign area greater than 25 square feet, except signs located within the visibility clearance area (see 7.5.8) shall not exceed 3 feet in height. Such entrance signs shall not count toward the maximum allowable signage on a residential parcel.

7.7.2.3 A project entrance sign may be lighted by external illumination. If floodlights or other incandescent bulbs are used, they may not be directed onto the street or toward vehicular traffic. If neon tubes are used, they must be shielded from view.

7.7.2.4 Project entrance signs shall not be located within the right-of-way of a public street giving access into the subdivision. Project entrance signs shall be located on private property on each side of the right-of-way, or within a street median around which the street right-of-way splits into one-way lanes that is therefore excluded from the street right-of-way. Project signs located within the visibility clearance area (see 7.5.8) shall not exceed 3 feet in height.

Sec. 7.7.3. - Multifamily projects.

This Section applies to townhouse and apartment complexes consisting of two or more units in a single development, whether in multi-family buildings or condominium ownership.

7.7.3.1 Project entrance signs.

7.7.3.1.1. Townhouse and apartment complexes may erect two monument signs at each entrance to the development.

- a. If stand-alone structures, such signs shall not exceed a height of five feet above the grade level of the center line of the adjacent street and shall not have a sign area greater than 25 square feet.
- b. If mounted on a fence or wall, such signs shall not have a sign area greater than 25 square feet.

7.7.3.1.2. A project entrance sign may be lighted by external illumination. If floodlights or other incandescent bulbs are used, they may not be directed onto the street or toward vehicular traffic. If neon tubes are used, they must be shielded from view.

7.7.3.1.3. Project entrance signs shall not be located within the right-of-way of a public street giving access into the development.

7.7.3.2 Building signs.

7.7.3.2.1. Signs on multi-family residential buildings shall be limited to one sign placed on each wall of the building, having a sign face area no greater than 18 square feet.

7.7.3.2.2. For individual townhouse units, signage for each unit shall be limited as follows:

- a. The total for all signs shall be limited to an aggregate sign area of no more than 15 square feet.

- b. Of the aggregate area of 15 square feet, one freestanding sign of no more than 3 square feet is allowed.

7.7.3.3 On-site project signs.

7.7.3.3.1. Project rental offices, project administrative or sales offices, and community centers shall be limited to an aggregate sign area of no more than 15 square feet, which may include one freestanding sign of no more than 3 square feet.

7.7.3.3.2. Up to 4 signs may be placed at each intersection of streets or access driveways. Each such sign shall not exceed 6 square feet in area nor more than 4 feet in height.

ARTICLE 7.8. - SIGN RESTRICTIONS ON NONRESIDENTIAL LAND USES.

In addition to signage allowed under ARTICLE 7.9. - ADDITIONAL REGULATIONS FOR SPECIFIC TYPES OF SIGNS., and ARTICLE 7.10. - TEMPORARY EVENT SIGNS. this Article applies to all nonresidential land uses as detailed on the Principal Uses Table in Chapter 2 under the following categories:

- a. Retail trade,
- b. Commercial services,
- c. Professional and administrative offices,
- d. Arts, entertainment & recreation,
- e. Manufacturing, wholesaling & warehousing, and
- f. Transportation, communications & utilities.

The following are in addition to signage allowed under ARTICLE 7.9. - ADDITIONAL REGULATIONS FOR SPECIFIC TYPES OF SIGNS. and ARTICLE 7.10. - TEMPORARY EVENT SIGNS.

Sec. 7.8.1. - Height requirements.

7.8.1.1 No stanchion or column sign shall exceed 24 feet in height at the highest point on the sign.

7.8.1.2 Monument signs shall not exceed six feet in height.

7.8.1.3 All sign heights shall be measured in accordance with Sec. 7.5.4. -Height measurements. The level of the ground shall not be altered in such a way as to provide additional sign height.

Sec. 7.8.2. - General size and location requirements.

7.8.2.1 No freestanding sign may be located within 30 feet of the intersection of street right-of-way lines extended.

7.8.2.2 No sign shall be located on any building, fence, or other property belonging to another person without the consent of the owner, and as permitted under the provisions of this chapter.

7.8.2.3 Billboards.

7.8.2.3.1. Billboards shall only be located in commercial or industrial zoning districts on parcels adjacent to designated federal aid primary highways (including US 25 and US 378), and shall be oriented only towards those highways.

7.8.2.3.2. Billboards are only allowed as freestanding stanchion or column signs.

7.8.2.3.3. Billboards shall not exceed 300 square feet per sign face. Such signs must not be more than thirty feet in length, or 24 feet in height. All dimensions include border and trim but exclude decorative bases and supports. Cutouts and extensions are allowed but may not increase the height of a sign beyond 24 feet and may not increase the size of a sign face area by more than 30 square feet. No more than two sign panels facing in the same direction may be erected on the same sign structure but the maximum size limitation applies to each sign face and the maximum height and width limitations apply to the entire sign structure.

7.8.2.3.4. Billboards shall be located at least 750 feet away from any residential zoned parcel, as measured along a straight line in every direction.

7.8.2.3.5. No billboard sign shall be located within 1,000 feet of another billboard sign, measured along a straight line in every direction.

7.8.2.3.6. No billboard shall be located within 750 feet in any direction of a public park, public playground, public recreation area, public forest, scenic area, or cemetery; provided, however, that such sign may be located within 500 feet of a public park, public playground, public recreation area, public forest, scenic area, or cemetery when the sign is separated by buildings or other obstructions so that the sign located within the 750-foot zone is not visible from the public park, public playground, public recreation area, public forest, scenic area, or cemetery.

7.8.2.3.7. All billboards must comply with the provisions of this Subsection and the State of South Carolina's Highway Advertising Control Act, Article 3 of Section 57-25, whichever is the most restrictive. A permit issued by the State of South Carolina for a billboard is required as a prerequisite for issuance of a sign permit (and a building permit if required) by the County.

7.8.2.3.8. Provisions for types of signs in the State's Highway Advertising Control Act that are not regulated under this Subsection shall comply with and be regulated by the requirements of said State Act, subject to permit requirements of the County.

7.8.2.4 Stanchion and column signs.

The following shall apply to such signs other than billboards:

7.8.2.4.1. Stanchion and column signs for parcels exceeding three acres shall not exceed a sign face area of 150 square feet.

7.8.2.4.2. Stanchion and column signs for parcels less than three acres, but equal to or greater than 30,000 square feet shall not exceed a sign face area of 90 square feet.

7.8.2.4.3. Stanchion and column signs for parcels less than 30,000 square feet in size shall not exceed a sign face area of 70 square feet.

7.8.2.4.4. Stanchion and column signs shall be limited to one such sign per parcel per street frontage.

7.8.2.5 Monument signs. Monument signs and hybrid monument signs shall not exceed 60 square feet of total sign face area, which shall include signage and structure, and shall be limited to one such sign per parcel per street frontage.

7.8.2.6 Wall and awning signs.

7.8.2.6.1. Wall and awning signs shall not project above a parapet wall, regardless of the type of roof on the building.

7.8.2.6.2. Wall signs shall not project beyond the building face. Awning signs shall not project beyond the building face by more than four feet.

7.8.2.6.3. Wall and awning signs shall not exceed a sign face area of 300 square feet or ten percent of the wall face of the premises to which the sign relates, whichever is less, on each street facing wall.

7.8.2.6.4. The maximum wall or awning sign height shall be ten feet.

7.8.2.6.5. Each building tenant shall be limited to one wall or awning sign on each street facing wall.

7.8.2.7. Maximum aggregate sign area. Parcels may contain more than one freestanding sign, provided that the aggregate sign face area of all freestanding signs on the parcel does not exceed the following:

7.8.2.7.1. Parcels exceeding three acres shall be allowed a maximum aggregate sign face area of 300 square feet for the entire parcel.

7.8.2.7.2. Parcels less than three acres but greater than 30,000 square feet shall be allowed a maximum aggregate sign face area of 180 square feet for the entire parcel.

7.8.2.7.3. Parcels less than 30,000 square feet in size shall be allowed a maximum aggregate sign face area of 140 square feet for the entire parcel.

7.8.2.7.4. These limits shall not include the area of any wall signs, window signs, or billboard signs located on the parcel.

Sec. 7.8.3. - Project entrance signs.

7.8.3.1. Signs located at the entrances to a planned center (such as a shopping center or condominium office center) or nonresidential subdivision (such as an office park or industrial park) shall consist of no more than two monument signs, one located on each side of the entrance drive or street.

7.8.3.2. Each such project entrance sign shall not be greater than five feet in height and shall not have a sign face area greater than 25 square feet.

7.8.3.3. A project entrance sign may be lighted by external illumination. If floodlights or other incandescent bulbs are used, they may not be directed onto the street or toward vehicular traffic. If neon tubes are used, they must be shielded from view.

Sec. 7.8.4. - Landscaping requirements for nonresidential signs.

All stanchion, column, monument, and hybrid monument signs regulated under this Chapter shall meet or exceed the following standards of this Section.

7.8.4.1. Landscaping required.

There shall be established a landscaping area along the long side of each principal freestanding sign and each project entrance sign that extends no less than 2 feet out from the sign face. The sign landscaping area may be at ground level or accommodated within planters created as an integral part of the sign base. Within this sign landscaping area, the following standards shall apply:

7.8.4.1.1. All portions of the sign landscaping area shall be covered by landscape materials, as defined in this Code. A minimum of 80% of the required landscape area shall be covered with living plant materials, which may include any combination of ground covers and shrubs.

7.8.4.1.2. Shrubs that are provided within the sign landscaping area must be at least 12 inches tall at the time of planting, and be of a species that will not normally exceed 4 feet in height at maturity.

7.8.4.1.3. Plant materials may be clustered for decorative effect following professional landscaping standards for spacing, location and design.

7.8.4.2 Maintenance of required plant materials.

The owner, tenant and their agent, if any, and their successors and assigns shall be jointly and severally responsible for the maintenance in good condition of the plant materials used to meet the minimum landscaping requirements of this Section.

ARTICLE 7.9. - ADDITIONAL REGULATIONS FOR SPECIFIC TYPES OF SIGNS.

Sec. 7.9.1. - Miscellaneous freestanding signs.

7.9.1.1 Freestanding signs in addition to those regulated under this Chapter are allowed as accessory uses on a property occupied by an agricultural, residential, or nonresidential use if each sign complies with all of the following:

7.9.1.1.1. Within the area between a street right-of-way line and the minimum building setback required from that street right-of-way line for the zoning of the property, the following applies:

7.9.1.1.2. Permanent signs.

Permanently installed miscellaneous freestanding signs may be located only within 3 feet of driveways that provide access into or from the property. There shall be no more than 2 such signs per driveway and each such sign shall not exceed 6 square feet in sign face area nor be more than 3 feet in height.

7.9.1.1.3. Small temporary signs.

One temporary sign per parcel per street frontage shall be permitted at any given time without a sign permit or fee. Said sign may be a double-faced sign, shall not exceed 6 feet in height and 6 square feet per side, and shall not be located within any visibility clearance area required under Sec. 7.5.8. -Visibility clearance area. No balloons, streamers or other animated devices may be attached to or otherwise placed so as to draw attention to the sign and such a sign must be made of colors other than fluorescent type.

7.9.1.2 Miscellaneous freestanding signs located farther from the street than the minimum building setback from that street right-of-way line required by the zoning of the property, shall be allowed as follows:

7.9.1.2.1. On a property occupied by a multi-family or nonresidential use, one miscellaneous sign not to exceed 32 square feet in sign face area or more than 8 feet in height may be located on the property for each principal building on the lot, or for each drive-through service window on the building.

7.9.1.2.2. Other miscellaneous freestanding signs are allowed beyond the minimum building setback, provided that such signs are no more than 6 square feet in sign face area nor more than 3 feet in height (except signs that are required by law to be higher than 3 feet, such as those marking a handicapped parking space).

7.9.1.3 Portable signs are not allowed as miscellaneous freestanding signs except for an A-Frame sign for a nonresidential use (also known as a "sandwich board" sign). Such A-Frame signs must be located no farther from an entrance to the owner's business than 6 feet, and may be no larger than 6 square feet in sign face area nor be more than 3 feet in height. Such A-Frame signs must be stored indoors when the owner's establishment is not open for business.



A-Frame Sign

Sec. 7.9.2. - Miscellaneous building signs.

Miscellaneous building signs (as defined in this Chapter) not otherwise prohibited under Sec. 7.4.3. - Prohibited signs., are allowed on nonresidential use properties in addition to the principal building signs allowed under this Chapter, as follows:

7.9.2.1 General miscellaneous building signs.

Miscellaneous building signs are allowed, provided that such signs shall be placed only on a tenant space façade fronting on a dedicated public street. Such signs are limited as follows:

7.9.2.1.1. For single-occupant buildings, the maximum aggregate area for all miscellaneous building signs shall be 1 square foot of sign face area per linear foot of the length of the tenant frontage (as defined in this Chapter) on which the signs are affixed, or 10% of the area of the façade, whichever is greater. No single such sign shall be larger than 6 square feet in sign face area.

7.9.2.1.2. For planned centers, the maximum aggregate area for all miscellaneous building signs for each tenant space shall be 1 square foot of sign face area per linear foot of the tenant frontage (as defined in this Chapter), or 10% of the area of the tenant’s façade, whichever is greater. No single such sign shall be larger than 6 square feet in sign face area.

7.9.2.1.3. Such miscellaneous building signs placed in a window may not result in the obstruction of more than 50% of the window area in combination with all other signs in the window.

7.9.2.2 Subtenant signs.

7.9.2.2.1. Each business that occupies space within a principal business as a subtenant is allowed one wall sign in addition to the principal building sign allowed for the principal business. Each subtenant wall sign shall not exceed 20 square feet in sign face area, nor shall the total for all such subtenant signs collectively exceed the sign face area allowed for the principal business.

7.9.2.2.2. The following are examples of subtenant wall signs allowed by this Subsection:



7.9.2.3 Sidewalk pedestrian signs.

Each tenant (other than a subtenant) located within a planned center is allowed to have one sidewalk pedestrian sign in lieu of an under-canopy sign allowed by this Chapter, as follows:

7.9.2.3.1. The sidewalk pedestrian sign must be post mounted in a sidewalk planter.

7.9.2.3.2. Each such sign is allowed to have a maximum sign face area of 6 square feet.

7.9.2.3.3. An example of sidewalk pedestrian signs allowed by this Subsection is shown on the right.



7.9.2.4 Convenience stores and service stations with pump islands.

Additional signage is permitted as follows:

7.9.2.4.1. One sign per freestanding or building canopy face per public street frontage with a maximum of 16 square feet each is allowed. The canopy sign shall not extend above or below the edge of the canopy.

7.9.2.4.2. Spreader bars (signs located under canopy over pump islands) shall be limited to no more than two signs per spreader bar, not to exceed 4 square feet per sign. However, total square footage for all spreader bars shall not exceed 24 square feet.

7.9.2.4.3. On-site separate drive-through car wash building(s), shall be allowed one permanent wall sign, not to exceed 8 square feet with an approved sign permit. This sign shall be for incidental purposes only.

7.9.2.5 Service entrance signs.

For any tenant space that has a service entrance at the rear of the building, at least one service entrance sign is required.

7.9.2.5.1. Service entrance signs shall be located directly on or adjacent to the service entrance door.

7.9.2.5.2. The combined area of signs at a single service entrance shall not exceed 6 square feet and must be clearly legible for public safety personnel.

Sec. 7.9.3. - Flags.

7.9.3.1 All flags mounted on a flagpole must have a minimum vertical clearance of 8 feet above the ground, sidewalk, private drive or parking area, as applicable. Flags mounted on a pole projecting from a building must provide a minimum vertical clearance of 8 feet above a sidewalk or other area of pedestrian movement.

7.9.3.2 No flagpole on the property of a residential use shall exceed 25 feet in height. Such flagpoles shall be limited to no more than one on the property.

Commented [JF1]: Why not allow more than one flagpole? May consider variance for added poles? Kevin and Doc to discuss.

7.9.3.3 Nonresidential uses are limited to three flags, each of which must be mounted on a flagpole, resulting in no more than three flagpoles on a nonresidential property. Such flagpoles shall be no greater than 60 feet in height.

7.9.3.4 The dimensions of any flag shall be proportional to the flagpole height such that the hoist side of the flag shall not exceed 25% of the vertical height of the pole.

Commented [JF2]:

7.9.3.5 The display of the Flag of the United States of America shall be guided by the U.S. Flag Code (Title 4, Chapter 1, Section 3 of the US Code), which prohibits the use of the American Flag for commercial purposes.

Sec. 7.9.4. - Changeable copy signs.

7.9.4.1 Manually activated changeable copy signs.

Manually activated changeable copy signs are permitted in conjunction with freestanding signs and wall signs so long as the changeable copy portion of the sign face does not exceed 60% of the overall sign face of the freestanding or wall sign; and provided that the total sign face does not exceed the size limitations imposed elsewhere by this Chapter.

7.9.4.2 Electronic changeable copy signs.

Electronic changeable copy signs may be installed on any freestanding principal sign or principal building on a property occupied by a nonresidential use in accordance with the provisions of Sec. 7.5.9. - Electronic changeable copy signs.

ARTICLE 7.10. - TEMPORARY EVENT SIGNS.

Sec. 7.10.1. - Temporary event signs; allowed.

7.10.1.1 Signs in addition to those allowed under this Chapter are allowed on a property for the duration of a temporary event (as defined below). Such additional signs shall not be restricted as to the message displayed on the sign.

7.10.1.2 Temporary event signs must comply with all requirements of this Chapter, including the prohibitions of Sec. 7.4.3. - Prohibited signs., and general requirements applying to all signs, except as modified by the provisions of this Article.

7.10.1.3 Fixed location: All temporary event signs must be installed at a fixed location, either attached to the ground as a freestanding sign or attached to a building. Temporary event signs shall not be attached to a vehicle or other movable, animated or portable device, or attached to, held by or displayed upon a person.

Sec. 7.10.2. - Temporary event; defined.

A temporary event is an activity having a specific duration or the end of which is related to a specific action, usually lasting for only a few days or months at a time. Temporary events include but are not limited to such activities as:

7.10.2.1 The offering of a property or premises for sale or rent.

7.10.2.2 The construction of a building, subdivision or development project, or the rehabilitation, remodeling or renovation of a building.

7.10.2.3 Establishment of a new business or multi-family project, including temporary "pre-permanent" signage while awaiting installation of permanent signs, or for a "grand opening" of a new business.

7.10.2.4 A special business promotion other than a "grand opening," such as but not limited to a "close-out sale" and a holiday or seasonal sales event.

7.10.2.5 A yard sale.

7.10.2.6 An election, political campaign, referendum or ballot proposition put to the voters as part of county, county, state or federal governance.

7.10.2.7 A public announcement of a special event or seasonal activity by an individual or a nonprofit organization.

Sec. 7.10.3. - Duration of temporary event sign placement.

Temporary event signs may be placed on any property upon initiation of a temporary event, and must be removed upon the termination of the event. Initiation and termination of particular events shall be interpreted as follows:

7.10.3.1 Sale or lease of a building or premises.

Initiation upon the availability of the building or premises for sale or lease, and termination within 7 days after the closing of the sale or execution of the rental agreement.

7.10.3.2 Building construction or remodeling.

Initiation upon issuance of a building permit authorizing the construction, interior finish or remodeling, and termination within 7 days after issuance of the Certificate of Occupancy.

7.10.3.3 Residential or nonresidential subdivision or condominium under development.

Initiation upon preliminary plat or site plan approval by the County. Termination upon the sale of 95% of the lots, dwelling units or buildings in the final phase, or at the end of 12 continuous months during which no building permits have been issued for new construction within the development, whichever occurs first.

7.10.3.4 Pre-permanent signage for a new business or multifamily project.

Initiation upon issuance of a Certificate of Occupancy for the first multi-family building in the project or for the new business' premises, and termination upon the installation of the permanent signage for the project or business or 6 months from the date of issuance of the Certificate of Occupancy, whichever occurs first.

7.10.3.5 Grand opening for a new business.

7.10.3.5.1. Initiation upon announcement of the grand opening event, which must occur within 6 months of issuance of the Certificate of Occupancy, and termination upon its completion or 30 days after initiation, whichever occurs first.

7.10.3.5.2. A grand opening event may occur only once for a business that has newly occupied the property.

7.10.3.5.3. Banners, portable signs, festoons and inflatable signs are allowed for a grand opening event.

7.10.3.6 Special business promotion.

7.10.3.6.1. Initiation upon announcement of the special sale or sales event, and termination upon its completion.

7.10.3.6.2. A special business promotion event on the same property for each business or tenant may be held for any duration of time during October, November and December, and for one 30-day period in each of the other quarters of the year.

7.10.3.6.3. Additional provisions apply to various types of signs placed during a special business promotion event (see Sec. 7.10.8. - Temporary banners, portable signs, festoons and inflatable signs.)

7.10.3.7 Yard sale.

Initiation 2 days prior to the announced date of the sale, and termination at the end of the announced date.

7.10.3.8 Election or political campaign.

7.10.3.8.1. For a local or state election: Initiation upon the opening day of qualification of candidates, and termination within 10 days after the election of all candidates to office or resolution of all ballot questions put to the voters in the election.

7.10.3.8.2. For a national election: Initiation upon the nomination of candidates, and termination within 10 days after the election of all candidates to office or resolution of all ballot questions put to the voters in the election.

7.10.3.9 Public announcement.

Initiation upon the placement of the sign and termination within 14 days after such placement.

7.10.3.10 Other temporary events.

The initiation and termination dates for any temporary event not listed above shall be determined by the building official for each temporary event, based on considerations such as: normal beginning and ending dates for such an event, the scheduled occurrence of the event, or similarities to other temporary events listed above or having previously occurred.

Sec. 7.10.4. - Number of temporary event signs.

Only one temporary sign related to each temporary event per business or tenant may be located on a property at any one time, except for the following:

7.10.4.1 Sale or lease of a building or premises.

7.10.4.1.1. One freestanding sign per street frontage may be placed on a property that is available for sale or lease. For a planned center, one additional building sign may be placed on each tenant space that is available for sale or lease.

7.10.4.1.2. For a commercial, industrial or institutional use building containing 50,000 square feet of gross floor area or more, the following shall apply:

- a. During construction or remodeling of the building, no more than two temporary freestanding or wall signs shall be allowed.
- b. During the start-up period while the building is initially for sale or lease, no more than two freestanding signs shall be allowed.

7.10.4.2 Residential or nonresidential subdivision or condominium under development.

During construction of a residential or nonresidential subdivision or condominium development: one sign per entrance into the subdivision or development per builder.

7.10.4.3 Pre-permanent signage for a new business or multifamily project shall not exceed the number of permanent signs allowed for the project or business.

7.10.4.4 Grand opening for a new business.

Up to 5 signs having a maximum aggregate area of 300 square feet are allowed, including any signs approved under Sec. 7.10.8. -Temporary banners, portable signs, festoons and inflatable signs.

Table 7-A: Temporary Event Sign Examples ¹

Type of Temporary Event	Event		Number Allowed on the Property
	Event Starts	Event Ends	
Sale or Lease of a Building or Premises	When put on the market	Within 7 days of closing of sale or execution of lease	1 freestanding per property, 1 building sign per tenant space, 1 per subdivision entrance
Building Construction or Remodeling	Issuance of building permit	Within 7 days of issuance of Certificate of Occupancy	1 on the construction site
Subdivision or Condominium Project Under Development	Preliminary plat or Site Plan approval	Sale of 95% of lots or buildings, or 12 months of no building permits	1 per entrance into the subdivision or development, or 1 per 300 feet of frontage
Pre-Permanent Signage	Issuance of Certificate of Occupancy	When permanent signage installed or 6 months, whichever occurs first	Same as number of permanent signs
Grand Opening	Placement of grand opening event signs (within 6 months of issuance of Certificate of Occupancy)	End of sale or 30 days, whichever occurs first	5 including banners, portable signs, festoons and inflatable signs
Special Business Promotion	Announcement of special sale or sale event	End of sale ²	5 including banners, portable signs, festoons and inflatable signs
Yard Sale	2 days prior to announced date of sale	At the end of the sale	1 on yard sale site
Election or Political Campaigns	Opening day of qualification of candidates	Within 10 days after election complete	No limit
Public Announcement	Upon placement of the sign	Sign removed within 30 days of placement	1
Other Temporary Events	As determined by Building Official	As determined by Building Official	1

¹ Examples only. All provisions of ARTICLE 7.10. - TEMPORARY EVENT SIGNS. apply in all cases.

² See Section 7.10.3.6 for limitations on frequency of special business promotion events.

7.10.4.5 Special business promotion.

Under a Temporary Sign Permit, a maximum of 5 signs may be displayed having a maximum aggregate area not to exceed 300 square feet, including any signs approved under Sec. 7.10.8. -Temporary banners, portable signs, festoons and inflatable signs.

7.10.4.6 Election or political campaign.

No limit on the number of signs.

Sec. 7.10.5. - Size of temporary event signs.

Temporary event signs are restricted to the following sign areas and sign heights:

7.10.5.1 Single-family residential, townhouse condominium or manufactured home lot.

Temporary event signs located on such subdivided lots shall not exceed 6 square feet in sign face area and 5 feet in height.

7.10.5.2 Residential or nonresidential subdivision or condominium development under construction.

Signage during construction of a residential or nonresidential subdivision or condominium development shall not exceed 32 square feet in sign face area and 8 feet in height.

7.10.5.3 Multi-family, manufactured home park or nonresidential use property (as defined in this Code).

Temporary event signs located on a multi-family, manufactured home park, or nonresidential use property shall not exceed 32 square feet in sign face area and 8 feet in height.

7.10.5.4 For a commercial, industrial or institutional use building containing 50,000 square feet of gross floor area or more, the following shall apply:

7.10.5.4.1. During construction or remodeling, temporary event signs shall not exceed 64 square feet in area or more than 10 feet in height.

7.10.5.4.2. During the start-up period while the building is initially for sale or lease, temporary event signs shall not exceed 64 square feet in area or more than 10 feet in height.

Sec. 7.10.6. - Location of temporary event signs.

7.10.6.1 All temporary event signs shall be located as follows:

7.10.6.1.1. At least 10 feet from any street right-of-way line, back of street curb or edge of street pavement, whichever is farthest from the street.

7.10.6.1.2. At least 10 feet from any side or rear property line and the pavement edge of a driveway.

7.10.6.1.3. Temporary signs located within 30 feet of an intersection of two streets or a driveway and a street shall be no more than 3 feet in height.

7.10.6.2 Temporary event signs are not allowed to be placed within or over a public street right-of-way or private street easement.

7.10.6.3 A temporary event sign must be a freestanding sign or a building sign (as defined in this Chapter), and shall not be affixed to any tree, utility pole or official traffic sign or structure.

7.10.6.4 A temporary event sign shall be erected and maintained only with the permission of the owner of the property upon which the sign is located.

Sec. 7.10.7. - Construction and lighting standards of temporary event signs.

7.10.7.1 Construction standards for signs requiring building permits.

A temporary sign for which issuance of a building permit is required by the Building Code shall meet the same engineering design and materials standards as for permanent signs as required by the Building Code.

7.10.7.2 Construction standards for signs not requiring building permits.

7.10.7.2.1. Nonpermanent but water-resistant construction materials may be used, such as but not limited to poster board, foam core board or illustration board.

7.10.7.2.2. The words, letters, figures, symbols, logos, fixtures, colors or other design elements that convey the sign's message shall be permanently applied to the sign's face.

7.10.7.3 Electronic and manual changeable copy signs shall not be allowed.

7.10.7.4 Lighting.

Temporary signs shall not be illuminated.

Sec. 7.10.8. - Temporary banners, portable signs, festoons and inflatable signs.

All of the following types of signs are allowed as temporary signage during a "grand opening" or a "special business promotion" event through issuance of a temporary sign permit, and in accordance with the duration, number, size, location and lighting limitations of this Section. For holiday or seasonal decorations (in contrast to commercial signs), see Sec. 7.10.9. - Holiday or seasonal decorations..

7.10.8.1 Banners.

Banners are allowed with the following additional provisions:

7.10.8.1.1. For a banner that is no more than 12 square feet in sign face area, such banner shall be placed on the site or on a building in such a manner as not to create a safety hazard as determined by the building official. They shall meet the same setback requirements as all other temporary signs. Such a banner shall not be hung as an under-canopy sign, flown as a flag, attached to or hung from an existing freestanding sign, or used as any other form of sign.

7.10.8.1.2. A banner that is more than 12 square feet in sign face area but no more than 24 square feet in size shall be allowed only as a wall or window sign and shall be placed flush upon the wall or window to which it is attached. Such a banner shall not be hung as an under-canopy sign, flown as a flag, or used as any other form of sign.

7.10.8.1.3. A banner that is larger than 24 square feet in size is not allowed.

7.10.8.2 Portable signs.

No more than one portable sign is allowed on a property developed for commercial, industrial or institutional use, subject to the following restrictions:

7.10.8.2.1. Maximum size: The maximum size of a portable sign shall not exceed 32 square feet. Said sign shall not have flashing lights or animated devices, but may be internally illuminated and may be a manually activated changeable copy sign.

7.10.8.2.2. Placement: The sign must be placed on the site in compliance with Sec. 7.10.6. -Location of temporary event signs.

7.10.8.2.3. Securely anchored: To prevent wind damage to the sign or other property, the sign must be securely anchored to the site in a manner acceptable to the building official.

7.10.8.2.4. Electrical connections: All electrical connections to the sign must be in compliance with the Electrical Code as adopted by the County, and must be inspected prior to use.

7.10.8.3 Festoons.

Festoons such as strings of light bulbs and other illuminated devices, and strings of ribbons, tinsel, pennants, streamers, pinwheels or other similar devices designed to move in the wind are allowed, provided that no part of any such festoon shall be located in or over a public right-of-way and no hazard to traffic safety shall be created.

7.10.8.4 Inflatable Signs.

Inflatable signs, such as air or gas filled devices and other inflatable devices, are allowed for a "grand opening" or a "special business promotion" event on parcels greater than 2.5 acres in land area. These devices shall be in the number and area of all "grand opening" or "special business promotion" signs allowed on the property. Inflatable devices must be de-inflated and properly disposed of or stored at the expiration of the permit period.

Sec. 7.10.9. - Holiday or seasonal decorations.

7.10.9.1 This Section does not apply to any holiday or seasonal displays or decorations exempted from regulation under Sec. 7.4.2. - Signs that are exempt from regulation., of this Chapter.

7.10.9.2 Holiday or seasonal displays or decorations not otherwise exempt and that are intended as commercial speech or convey a commercial message are regulated as "special business promotions" under Sec. 7.10.8. - Temporary banners, portable signs, festoons and inflatable signs..

ARTICLE 7.11. - NONCONFORMING SIGNS.

Sec. 7.11.1. - Registration.

7.11.1.1 Existing signs which are legal immediately prior to adoption of this Chapter and which would be required to obtain a permit under this Chapter if they had been newly erected after enactment of this chapter must register with the building official within 90 days of the effective date of this Chapter. The information provided for registration will be the same information required in a permit application under the provisions of ARTICLE 7.3. - PERMIT REQUIRED, PROCEDURES., but no fee shall be required.

7.11.1.2 Nonconforming signs, which met all legal requirements when erected, may stay in place, provided that within 90 days of the effective date of this Chapter the owner of the nonconforming sign or the owner's agent registers the sign with the county.

7.11.1.2.1. Such registration shall contain the same information required for issuance of a sign permit, which is found in the Procedures and Permits chapter of this Code.

7.11.1.2.2. In addition, the registration shall specify the sign being registered as nonconforming and shall state that the sign was completely installed before the effective date of this chapter.

7.11.1.2.3. The burden of proof that an existing sign qualifies as a legal nonconforming sign lies with the owner of the sign.

7.11.1.2.4. The payment of a fee is not required for the registration of a nonconforming sign; however, failure to register shall be considered an offense and may be punished as any other ordinance violation.

Sec. 7.11.2. - Duration.

Nonconforming signs shall be allowed until any of the following conditions occurs:

7.11.2.1 The deterioration of the sign or damage to the sign makes it a hazard due to broken or failing structural members or supports, or unsightly due to a lack of maintenance, evidenced by peeling or fading paint, broken or missing letters or sign parts, missing lights or broken bulbs, or other deterioration; or

7.11.2.2 The sign has been damaged by circumstances beyond the control of the owner to the extent that more than minor repairs are required to restore the sign; provided that signs damaged by Act of God and not due to the owner's action or inaction may be restored to their pre-damaged condition, provided that the useful life of the sign is not extended.

Sec. 7.11.3. - Modifications.

7.11.3.1 No change in shape, size or design, shall be allowed except to make a nonconforming sign comply with all requirements of this Chapter.

7.11.3.2 The substitution or interchange of poster panels or painted boards on nonconforming signs shall be allowed provided the size, shape or location of said sign does not change.

7.11.3.3 A nonconforming sign may not be replaced by another nonconforming sign except where changed conditions beyond the control of the owner render the sign nonconforming or warrant the sign's repair, such as wind damage or a natural disaster. Such replacement shall be completed within 3 months of the occurrence of the damage.

7.11.3.4 An existing sign that was legally erected and that becomes nonconforming as to the setback requirements of this Code due to road widening may be moved to meet the setback requirements of this Code. Such sign shall not be increased in size or changed in any manner except as to become conforming.

Sec. 7.11.4. - Abandoned signs.

7.11.4.1 If a building, structure or premise is vacated, any associated temporary signs shall be considered nonconforming signs and removed by the property owner or the sign owner within 10 days, following service of notice by the building official or a duly authorized representative.

7.11.4.2 Any temporary sign approved under Article 7.10 that is not removed at the end of the event's duration allowed under Section 7.10.3 shall be considered a nonconforming sign and shall be removed immediately upon notice by the building official or a duly authorized representative.

7.11.4.3 If a nonconforming sign or sign structure has not been in use whereby the property has been vacated for a period of 3 months or longer, any such sign on the property, building, or structure loses its legal nonconforming status and must be removed or brought into compliance with the current sign regulations.

7.11.4.4 If the property owner or sign owner fails to remove the nonconforming sign, sign structure or temporary signs after written notification, the building official or a duly authorized representative may cause the removal of the sign at the property owner's or sign owner's expense.

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CHAPTER 8 - Project Design and Construction Standards.

ARTICLE 8.1. - PURPOSE.

The purpose of this Article, in conjunction with requirements pertaining to lots and blocks in Chapter 6, is to advance the objectives of the South Carolina Local Planning Enabling Act of 1994 to require harmonious, orderly, and progressive development of land as required by considerations of public health, safety, economy, good order, appearance, convenience, morals, and the general welfare. In furtherance of these objectives, the regulation of land development in the county is designed:

- 8.1.1.1 To encourage economically sound and stable development;
- 8.1.1.2 To assure the timely provision of required streets, utilities, and other facilities and services to new land development;
- 8.1.1.3 To assure the adequate provision of safe and convenient traffic access and circulation, both vehicular and pedestrian, in and through new land development;
- 8.1.1.4 To assure the provision of needed public open spaces and building sites in new land developments through the dedication or reservation of land for recreational, educational, transportation and other public purposes; and
- 8.1.1.5 To assure, in general, the wise and timely development of new areas and redevelopment of previously developed areas in harmony with the Comprehensive Plan.

ARTICLE 8.2. - GENERAL REQUIREMENTS.

Sec. 8.2.1. - Established as minimum standards.

All subdivisions and development projects hereafter established in the county shall be developed in accordance with the design and construction standards set forth in this Article. All such standards shall be considered minimum standards.

Sec. 8.2.2. - Suitability of land.

No land development plan, including subdivision plans, will be approved unless all land intended for use as building sites can be used safely for building purposes, without danger from flood or other inundation or from other menaces to health, safety or public welfare.

Sec. 8.2.3. - Surveys and plats.

All land developments within the jurisdiction of this Chapter shall be surveyed, platted, and marked in accordance with the Edgefield County GIS Mapping Department and with the Standards of Practice Manual for Surveying in South Carolina (2009 or latest edition).

ARTICLE 8.3. - DEFINITIONS REFERENCED.

The definitions of certain terms referenced in this Chapter are set forth in Chapter 12 Interpretation and Definitions.

ARTICLE 8.4. - SITE DESIGN STANDARDS.

Sec. 8.4.1. - General requirements.

- 8.4.1.1 Site analysis.

An analysis shall be made of characteristics of the development site, such as site context, geology and soil, topography, ecology, existing vegetation, structures, and road networks, visual features, and past and present use of the site.

8.4.1.2 Site design considerations.

8.4.1.2.1. Site design shall take into consideration all existing local and regional plans and shall be based on the site analysis.

8.4.1.2.2. To the extent practical, development shall be located to preserve any natural features on the site, to avoid areas of environmental sensitivity, to minimize negative impacts and alteration of natural features, to avoid adversely affecting groundwater and aquifer recharge, to reduce cut and fill, to avoid unnecessary impervious cover, to prevent flooding, to provide adequate access to lots and sites, and to mitigate adverse effects of shadow, noise, odor, traffic, drainage, and utilities on neighboring properties.

8.4.1.2.3. The following specific areas and resources shall be preserved in accordance with applicable local, state or federal law, and to the extent consistent with the reasonable utilization of the site:

8.4.1.2.3.1. Unique and/or fragile areas, including wetlands as defined in Section 404, Federal Water Pollution Control Act Amendments of 1972, as determined by the U.S. Corps of Engineers.

8.4.1.2.3.2. Trees 24 inches or more DBH (diameter breast height).

8.4.1.2.3.3. Floodplain areas, as determined by FEMA (Federal Emergency Management Agency) and delineated on flood boundary and floodway maps for the county.

8.4.1.2.3.4. Habitats of endangered wildlife, as identified on federal and state lists.

8.4.1.2.3.5. Historically significant structures and sites, as listed on federal, state, and/or local lists of historical places.

ARTICLE 8.5. - PROJECT IMPROVEMENTS.

Sec. 8.5.1. - Roads, public.

8.5.1.1 Circulation system design.

Road systems shall be designed to permit the safe, efficient, and orderly movement of traffic; to have a simple and logical pattern; to respect natural features and topography; to present an attractive streetscape; and to permit linkage of major collector roads and subdivisions.

8.5.1.2 Layout and alignment.

8.5.1.3 Proposed roads shall be coordinated with the existing road system in the surrounding area and, where possible, shall provide for the continuation of existing roads abutting the development.

8.5.1.4 All roads shall be opened to the exterior property lines of the development unless permanently terminated by a vehicular turnaround or intersection with another road.

8.5.1.5 Reserve strips controlling access to roads are prohibited except where their control is placed with the County, under conditions approved by the Planning Commission.

8.5.1.6 Maximum grade (profile) shall be 8% for unpaved roadways and 12% for paved roadways. Minimum grades may be established for drainage purposes where needed.

8.5.1.7 All breaks in tangent of alignment exceeding a difference in grades of 2% shall be provided with parabolic vertical curves; length to be approved by the Planning Commission.

8.5.1.7.1. Sight distance requirements shall meet or exceed applicable sections of the South Carolina Roadway Design Manual.

8.5.1.7.2. Super-elevation may be required on horizontal curves where roadway speeds exceed 30 miles per hour.

8.5.1.7.3. Local roads, especially in residential subdivision, primarily serving abutting land uses, shall be laid out to discourage their use by through traffic. For these roads, curvilinear alignments and "T" intersections should be used where possible to discourage through traffic and to encourage safety. The use of approved speed tables is allowed.

8.5.1.7.4. The arrangement of roads will be such as will not cause hardship to owners of adjoining property or to the general public in providing ingress and egress.

8.5.1.7.5. All breaks in tangent of alignment shall be provided with a circular curve, minimum radii to be determined by the Planning Commission based upon road safety considerations and the South Carolina Roadway Design Manual.

8.5.1.8 Cul-de-sacs.

8.5.1.8.1. Dead-end roads designed to be permanently closed at one end shall not exceed 2,500 feet in length measured from the public right-of-way to the center point of the turn-around.

8.5.1.8.2. Turn-arounds shall be provided at the closed end of a road and shall have a minimum radius of 60 feet. Pavement width shall have a minimum curb radius of 40 feet. A landscape center island may be provided if sight lines are not obstructed. If such island is provided, the pavement width of the turn-around shall be a minimum of 30 feet.

8.5.1.8.3. Temporary dead-end roads, which extend for a greater distance than the depth of one abutting lot, shall be provided with a temporary turn-around of not less than 60 feet.

8.5.1.9 Intersections.

8.5.1.9.1. No more than two roads shall intersect at any one point.

8.5.1.9.2. All roads shall intersect as nearly as possible at 90-degree right angles but, upon evidence of good cause, the Planning Commission may reduce this to 75 degrees.

8.5.1.9.3. Roads intersecting other roads shall either intersect directly opposite to each other, or shall be separated by at least a 300-foot offset between centerlines, measured along the centerline of the road being intersected.

8.5.1.9.4. Road intersections shall be located at least 150 feet from the right-of-way of any railroad, measured from the center point of the intersection to the railroad right-of-way line nearest the intersection.

8.5.1.10 Right-of-way widths and construction standards, by road type.

8.5.1.10.1. General requirements.

8.5.1.10.1.1. Additional right-of-way may be required by the Planning Commission for excessive cut and fill areas.

8.5.1.10.1.2. New streets or roads connecting to or extending existing publicly maintained roads, irrespective of whether such existing publicly maintained roads are paved, shall be considered as being new streets and roads.

8.5.1.10.2. Unpaved roads.

8.5.1.10.2.1. Generally, unpaved roadways constructed on or after the effective date of this Ordinance, will not be considered for acceptance into the County road maintenance system, but may be considered County approved private roads; provided that, such roads must be constructed by the landowner or developer in accordance with the minimum standards set forth in Sec. 8.5.2. -in order to be considered County-approved private roadways.

8.5.1.10.2.2. Unpaved roadways constructed prior to the effective date of this Ordinance, may be accepted into the County road maintenance system. However, such roads must first be improved to the following minimum standards by the landowner or developer:

8.5.1.10.2.2.1. Serves a minimum three parcels of land.

8.5.1.10.2.2.2. All properties served are 5 acres or larger in size.

8.5.1.10.2.2.3. A minimum three dwelling units or commercial businesses serving three different owners are occupied and their entrances front on the road.

8.5.1.10.2.2.4. Said units need to have been completed at least 5 years prior to the request to County Council.

8.5.1.10.2.2.5. Must connect onto a publicly maintained road.

8.5.1.10.2.2.6. Must be open to the public at all times.

8.5.1.10.2.2.7. Any unpaved road accepted by the County will not be added to any future paving list.

8.5.1.10.2.2.8. Road shall provide a 66-foot right-of-way.

8.5.1.10.2.2.9. Road shall have a 22-foot riding surface, with CR 14 stone spread at 300 pounds/square yard.

8.5.1.10.2.2.10. Sub-grade, sub-base course, shoulders, and seeding shall be constructed in accordance with applicable divisions and sections of South Carolina Standard Specifications for Highway Construction, latest edition.

8.5.1.10.2.2.11. All requirements of **typical cross section for unpaved roadways**, as depicted in this Chapter, unpaved road cross section drawing shall be met.

Commented [JF1]: This sentence needs clarification regarding "unpaved road cross-section shall be met."

Insert Typical Cross-section for unpaved roadway here...

8.5.1.10.2.3. Major subdivisions on existing unpaved roads.

8.5.1.10.2.4. Where a major subdivision, as defined by this Ordinance, does not involve the creation of a new street or road and impacts only existing unpaved county streets or roads, such impacted roads shall be improved to meet the standards for the acceptance of unpaved streets and roads in Sec. 8.5.1.10.2.2 above, with the exception of Sec. 8.5.1.10.2.2.4; provided that, the Planning Commission may require that the entirety of such streets and roads be improved to such standards.

8.5.1.10.3. Paved roads.

For all subdivisions involving the creation of a new street or road, such streets and roads shall be developed in accordance with the County requirements for the paving of new streets and roads.

8.5.1.10.3.1. Paved roads requirements; no curb and gutter.

Roads accepted into the County maintenance system shall be paved and constructed by the landowner or developer in accordance with the following minimum standards when curb and gutter is not required:

8.5.1.10.3.1.1. Road shall provide a 50-foot right-of-way;

8.5.1.10.3.1.2. Road shall have a 24-foot riding surface;

8.5.1.10.3.1.3. Sub-grade, base course, shoulders, surface course and seeding shall be constructed in accordance with applicable divisions and sections of South Carolina Standard Specifications for Highway Construction, latest edition;

8.5.1.10.3.1.4. Base, binder and surface courses shall be applied according to applicable California Bearing Ration (CBR) values; and

8.5.1.10.3.1.5. All requirements of **typical cross section for paved roadways** shall be met, as shown in this Chapter.

Insert Typical Cross-section for paved roadway (no curb or gutter) here...

8.5.1.10.3.2. Paved road requirements; with curb and gutter.

Roads accepted into the County maintenance system that provide curb and gutter shall follow the minimum standards:

8.5.1.10.3.2.1. Road shall provide a 50-foot right-of-way;

8.5.1.10.3.2.2. Road shall have a 30-foot riding surface, as measured from outside curbing;

8.5.1.10.3.2.3. Sub-grade, base course, shoulders, surface course, curb and gutter and seeding shall be provided in accordance with applicable divisions and sections of South Carolina Standard Specifications for Highway Construction, latest edition;

8.5.1.10.3.2.4. Base, binder and surface courses shall be applied according to applicable California Bearing Ration (CBR) values; and

8.5.1.10.3.2.5. All requirements of **typical cross section for paved roadways with curb and gutter** shall be met, as shown in this Chapter.

Insert Typical Cross-section for paved roadway (with curb and gutter) here...

Sec. 8.5.2. - Roads, private.

8.5.2.1 Generally.

8.5.2.1.1. The subdivision of land abutting private roads for the purpose of establishing dwelling units or commercial businesses shall be allowed; provided that, such private roads must be constructed (by the developer or landowner) and approved by the County in accordance with the requirements of this Section.

8.5.2.1.2. Under no circumstances will the County maintain private roadways, regardless of whether such roadways are County approved.

8.5.2.2 Minimum width and construction requirements.

8.5.2.2.1. Private roads serving two or more dwellings or parcels must contain a driving surface not less than 20 feet in width.

8.5.2.2.2. Sub-base course, sub-grade, surface, ditch and shoulder requirements shall be the same as those required for roads accepted into the County maintenance system, as set forth in Sec. 8.5.1.10.2.

8.5.2.3 Documentation required for County approval.

Prior to County approval, and prior to the issuance of dwelling related permits, the developer or landowner must provide the Building and Planning Department with the following documentation:

8.5.2.3.1. Proof that the road will be maintained in perpetuity as a private road.

8.5.2.3.1.1. This proof must be in a form approved by the County Attorney and recorded at the Office of the County Clerk of Court, with acceptable documentation including restrictive covenants, deed conditions and private agreements.

8.5.2.3.1.2. All such documentation must clearly indicate the private responsibility of maintaining the affected roadways, and that such responsibility is applicable to all lots accessed by the private road in question.

8.5.2.3.1.3. Alternatively, the developer/landowner may provide proof that all lot owners possess an undivided property interest in the road, as well as recorded information indicating individual responsibility for the road's maintenance.

8.5.2.3.2. Proof that the road exists in the form of a legally recorded right-of-way.

8.5.2.3.2.1. For all County approved private roads, there must be recorded in the Office of the County Clerk of Court a road right-of-way of no less than 50 feet.

8.5.2.3.2.2. Right-of-way may be in the form of an easement; provided that, the easement must be expressly reserved for use as a road, and must be established by deed running with the property.

8.5.2.4 Determination of compliance with requirements for County approval.

8.5.2.4.1. Prior to approval of any subdivision abutting a private road, the County Attorney must review and approve in writing all such documentation provided for compliance with the requirements of subsections 8.5.2.3.1 and 8.5.2.3.2 of this Section.

8.5.2.4.2. The County shall issue a written report as to the private roadway's compliance with subsection 8.5.2.2 of this Section.

Sec. 8.5.3. - Shoulders and ditches.

Shoulders shall consist of stabilized turf or other material acceptable to the County and shall be prepared in compliance with section 209 of the Standards Specifications Manual for Highway Construction, latest edition.

Sec. 8.5.4. - Signage and names.

8.5.4.1 Road signs.

8.5.4.1.1. Design and placement of traffic signs shall follow state regulations or the requirements specified in the Manual of Uniform Traffic Control Devices for Streets and Highways, published by the U.S. Department of Transportation.

8.5.4.1.2. Responsibility for sign installation shall rest with the developer.

8.5.4.1.3. At least two road name signs shall be placed at each four-way road intersection, and one at each "T" intersection.

8.5.4.1.4. Signs shall be installed under streetlights, where possible, and free of visual obstruction.

8.5.4.1.5. The design of road name signs shall be uniform in size and color, and subject to approval by the County E 911 office.

8.5.4.1.6. Where subdivision roads are not to be dedicated to the County for public maintenance, the developer shall install signs at the beginning of the private road stating "County Maintenance Ends."

8.5.4.2 Names.

8.5.4.2.1. New roads.

8.5.4.2.1.1. Road names shall be subject to approval of the County E-911 office.

8.5.4.2.1.2. Proposed road names shall be substantially different in sound and spelling from existing roads in the county unless at a future date plans call for a tie-in between the proposed road and an existing road. Where such roads are in obvious alignment with an existing road, it shall be given the same name as the existing road.

8.5.4.2.1.3. Roads shall not be given a surname.

8.5.4.2.2. New subdivisions and other developments.

Subdivision and development names shall be subject to the approval of the County E-911 office and shall not duplicate the name of any recorded subdivision or development.

Sec. 8.5.5. - Erosion and sedimentation control.

8.5.5.1 The developer shall take measures to ensure that the amount of off-site sedimentation runoff and erosion does not increase from preconstruction levels.

8.5.5.2 The preliminary plan shall include a plan for erosion and sedimentation control in accordance with SC DHEC regulations.

Sec. 8.5.6. - Sidewalks.

8.5.6.1 The Planning Commission may require the developer to construct sidewalks within the right-of-way of public streets to connect with existing or proposed sidewalks and along major streets where sidewalks are needed for pedestrian traffic, such as to school and recreation areas.

8.5.6.2 Sidewalks, where constructed, shall be done in accordance with the South Carolina Department of Highways and Public Transportation Standard Specifications for Highway Construction, latest edition.

Sec. 8.5.7. - Sanitary sewerage facilities.

8.5.7.1 DHEC approval required.

All developments and lots within subdivisions shall be provided with sanitary sewerage facilities conforming to requirements, rules, and policies of the South Carolina Department of

Health and Environmental Control (DHEC), and the Edgefield County Water and Sewer Authority.

8.5.7.2 System requirements.

The sanitary sewer system shall be adequate to handle the necessary flow based on complete development.

8.5.7.3 When required to connect to public sewerage system.

Connection to a public sewerage system shall be required upon a determination by the Edgefield County Water and Sewer Authority that such connection is economically feasible.

Sec. 8.5.8. - Water supply.

8.5.8.1 Approval required.

All developments and lots within subdivisions shall be provided with water supplies and systems conforming to the requirements, rules, and policies of the South Carolina Department of Health and Environmental Control (DHEC), and the Edgefield County Water and Sewer Authority (ECWSA).

8.5.8.2 When required to connect to a public water system.

Connection to a public water system shall be required upon a determination by the Edgefield County Water and Sewer Authority that such connection is economically feasible.

Sec. 8.5.9. - Fire hydrants.

Reserved.

Sec. 8.5.10. - Easements.

8.5.10.1 Drainage easements.

Drainage easements shall be provided whenever a subdivision or development is traversed by a watercourse, drainageway, channel, or stream, conforming substantially with the lines of such watercourse, and not less than 20 feet wide or of sufficient width, as determined by the County Engineer, to carry off stormwater and provide for maintenance and improvements of the watercourse.

8.5.10.2 Utility easements.

8.5.10.2.1. Utility easements, where provided along side or rear lot lines, shall be not less than 20 feet in width.

8.5.10.2.2. No structures or trees shall be placed within such easements.

8.5.10.2.3. Utility easements shall be maintained by the property owner and may be used to satisfy yard requirements.

8.5.10.2.4. The location of utility easements shall be coordinated with the utility provider.

8.5.10.3 Easement clearance.

All stumps, debris, trash, and fallen trees within the easement right-of-way shall be cleared and removed.

8.5.10.4 Maintenance of easements.

Commented [JF2]: Text to be determined:
8.1.1.1 Fire hydrants shall be installed by the developer and spaced throughout each subdivision to maintain a 500-foot radius between hydrants.
8.1.1.2 The location and spacing of hydrants shall be approved by the fire chief of the Edgefield County jurisdiction.

8.5.10.4.1. Covenant restrictions placed in the deed of a lot which contains a utility easement shall stipulate that the County or utility company with lines in such easement shall have full right of access.

8.5.10.4.2. The County shall maintain only those easements specifically accepted for public maintenance.

Sec. 8.5.11. - Maintenance.

The developer shall make such adequate provisions as shall be required by the Planning Commission for the perpetual maintenance of all sewer and water facilities until such obligations have been assumed by another entity.

ARTICLE 8.6. - ACCESS MANAGEMENT.

Sec. 8.6.1. - Purpose.

The purpose of this Article is to establish standards and criteria for the number, location, design, construction, and maintenance of driveways, acceleration/deceleration lanes, and inter-parcel connections in Edgefield County.

Sec. 8.6.2. - Applicability.

8.6.2.1 New development.

This Article applies to all new development in Edgefield County.

8.6.2.2 Existing development.

8.6.2.2.1. This Article also applies to existing development for which the cost of renovation or expansion in any 1-year period exceeds 50% of the appraised value of the development as set by the Edgefield County Tax Assessor or by the Building Official for developments that are tax exempt.

8.6.2.2.2. For development composed of individual lots, the determination of whether the 50% level has been exceeded shall be based on the appraised value of the individual lot or lots on which the proposed improvement or improvements will be located and not on the appraised value of the entire development.

8.6.2.3 Subdivisions.

8.6.2.3.1. An application for approval of a subdivision plat, which would create a lot unable to meet the requirements of this Article, shall be denied.

8.6.2.3.2. Approval of a subdivision plat for a shopping center or similar planned development which would create out-parcels fronting on a road shall be conditioned on access to such out-parcels being only from within the shopping center.

8.6.2.3.3. A subdivision recorded without County approval shall be subject to these regulations.

Sec. 8.6.3. - Exemptions.

The provisions of this Article shall not apply to an existing lot-of-record approved before the effective date of this Ordinance if the application would deprive the owner of all direct access to an abutting street.

Sec. 8.6.4. - Permit required.

8.6.4.1 In general, no curb cut, driveway, new street, acceleration/deceleration lane, or similar project serving an existing or proposed development shall be constructed,

reconstructed or altered unless approved by the Planning Administrator or Planning Commission.

8.6.4.2 An application for an encroachment permit shall be submitted to the Building and Planning Department as part of a site plan application.

8.6.4.3 Where approval of proposed work is required by South Carolina Department of Transportation (hereinafter, "SCDOT"), submission to the County of a copy of the permit application to SCDOT shall be sufficient, except that the Planning Administrator may request additional information. Where there is a conflict between the requirements of the County and SCDOT, the more restrictive shall apply.

Sec. 8.6.5. - Compliance with standards of the SCDOT.

Except where there would be a conflict with any provision of this division, any driveway, street acceleration/deceleration lane, or similar project shall be designed to conform to SCDOT standards.

Sec. 8.6.6. - Limit on the number of driveway access points.

8.6.6.1 In general, a project or development shall be limited to the minimum number of access points required for the safe and efficient flow of traffic to, from, and within the site. Any lot created after the effective date of the Ordinance may not be entitled to its own access if it would not meet the requirements.

8.6.6.2 Multiple lots, or projects having multiple lots or land uses but functioning as a planned unit development, shall be considered to occupy one lot for determining the number of access points.

8.6.6.3 Outparcels associated with a larger development shall be considered as part of that development and have access only internally from that development.

8.6.6.4 In general, one access point will be allowed per lot per street frontage. However, additional access points may be allowed according to the following table with the approval of the Building Official and Planning Administrator. Other provisions of this Article may further limit the number of driveways shown on the following table:

Frontage Feet	ADT* < 2,000	ADT 2,000 – 10,000	ADT > 10,000
<100**	1	0	0
100-200	1	1	1
201-500	2	2	1
501-1,000	3	3	2
>1,000	4	4	3

Add one more access for each additional 500 feet of frontage.

* ADT = average daily traffic

** On frontage of less than 100 feet, no access will be allowed without approval by both the Building Official and the Planning Administrator unless no other access is possible and the lot was existing at the time of adoption of this Ordinance.

8.6.6.5 Lots with double frontage occupied by a detached single-family dwelling shall be allowed only from the street with the lower ADT. The driveway can be approved on the road with the higher ADT with approval from the Planning Commission.

8.6.6.6 Existing lots with widths less than the minimum spacing may not have access to that street if access is available on another street.

Sec. 8.6.7. - Access and roadside management standards; driveways.

The Access and Roadside Management Standards (ARMS) Manual of SCDOT will cover standards for driveways and any issues not addressed by the following:

8.6.7.1 Driveway location.

8.6.7.1.1. Driveways shall be located where there are no sharp horizontal curves or steep vertical grades and where the provisions of the ARMS Manual regarding points of access are met.

8.6.7.1.2. Driveways shall not be located on auxiliary (acceleration/deceleration lanes) or their tapers.

8.6.7.2 Driveway spacing.

8.6.7.2.1. Spacing of all access points shall be at least 50 feet from the side property line measured from the center of the driveway unless approved by the Planning Commission except for a joint driveway serving two lots.

8.6.7.2.2. No driveway shall be located closer than 25 feet to the corner intersection of street right-of-way lines.

8.6.7.2.3. Flag lot access driveways shall be separated by the required minimum lot width for the zoning district in which the flag lot is to be created, measured from the front property line, but not less than 100 feet. See also Chapter 6 for additional requirements pertaining to flag lot driveways.

8.6.7.3 Driveway width.

8.6.7.3.1. The width of a residential driveway shall be a maximum of 15 feet measured at the right-of-way line. A driveway may consist of either a single two-way access or a pair of one-way accesses divided by a landscaped median or circular driveway.

8.6.7.3.2. A wider driveway up to 24 feet could be allowed upon approval of Edgefield County Planning Commission.

Sec. 8.6.8. - Changes to existing driveways.

8.6.8.1 Upon notice, Edgefield County Council may review traffic safety and reserve the right to consolidate or revise any driveways or access points which exhibit an inordinate traffic safety problem as determined by the Planning Administrator because it has caused or has the potential of causing crashes. County council shall hold a public hearing on the proposed action; notice of the time and place shall be given to the owner of the subject property by a letter sent no fewer than 30 days prior to the scheduled date of the hearing.

8.6.8.2 Should the County decide to close, consolidate, or revise a driveway, the County may request the County transportation committee to provide "C" funds to pay for the improvement.

8.6.8.3 Assembly of existing lots and redevelopment may be required by the Planning Administrator to consolidate access points in conjunction with a subdivision, combination of existing lots, and/or redevelopment of property in order to bring the overall site into compliance with the provisions of this Article.

Sec. 8.6.9. - Interconnections between lots.

8.6.9.1 Cross-access easement.

8.6.9.1.1. A perpetual cross-access easement shall be provided by the property owner to adjoining properties that front on the same street and are or may be developed as nonresidential land uses on a major or minor arterial.

8.6.9.1.2. Cross-access easements shall be situated parallel to the street right-of-way line abutting both parcels and shall be developed and designed to ensure future connection to the neighboring properties.

8.6.9.1.3. No permanent structures or parking that would interfere with the proposed access shall be allowed in the cross-access easement. Some improvements such as medians and landscaped islands may be constructed within an easement if it has been demonstrated that adequate, circulation and cross access will not be affected and that all applicable County standards have been met.

8.6.9.2 Timing.

8.6.9.2.1. The driveway connection must be constructed prior to issuance of a certificate of occupancy to the property line or a performance guarantee shall be provided to pay for the cost of construction in an amount determined by the Planning Administrator.

8.6.9.2.2. If the driveway is not constructed within two years of site plan approval, the County may use the performance guarantee to construct the driveway or may use the proceeds to construct another connecting driveway elsewhere within the county.

Sec. 8.6.10. - Frontage or service road.

To promote the safe and efficient movement of traffic a frontage or service road shall be required for all developments having more than 1,000 feet of frontage on a major or minor (5,000 ADT or more) arterial, unless waived by the Planning Commission and County Council. This road will have a minimum width of 24 feet or more and separated from the main road by a landscaped median of sufficient width to protect traffic movements.

Sec. 8.6.11. - Revocation.

Any permit granted pursuant to this Article may be revoked and the driveway closed by County Council after a public hearing if the Sheriff or County Administrator determines that the provisions of this Article are being violated or that the driveway constitutes a hazard because it has caused or has the potential for causing traffic crashes. The owner of the subject property shall be notified of the time and place of the hearing by a letter sent no fewer than 30 days prior to the scheduled date of the hearing.

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CHAPTER 9 - Procedures and Permits.

ARTICLE 9.1. - PURPOSE.

This Chapter describes the process through which a rezoning or special exception use may be approved on a property, the approval process for construction of subdivisions and other land development projects, and the approval process for other permits required by this Ordinance.

ARTICLE 9.2. - DEFINITIONS REFERENCED.

The definitions of certain terms referenced in this Chapter are set forth in Chapter 12 Interpretation and Definitions.

ARTICLE 9.3. - ELIGIBLE APPLICANTS.

Table 9-1 Eligible Applicants

ARTICLE 9.4. - PUBLIC NOTICE REQUIREMENTS.

Table 9-2 Notification Requirements

ARTICLE 9.5. - AMENDMENT OR ADOPTION OF LAND MANAGEMENT ORDINANCE.

Sec. 9.5.1. - Application procedures.

Sec. 9.5.2. - Planning Commission recommendation.

Sec. 9.5.3. - County Council decision.

ARTICLE 9.6. - REZONINGS.

Sec. 9.6.1. - Application procedures.

Sec. 9.6.2. - Planning Commission recommendation.

Sec. 9.6.3. - County Council decision.

Sec. 9.6.4. - Consideration of denied applications.

ARTICLE 9.7. - SPECIAL EXCEPTIONS.

Sec. 9.7.1. - Application procedures.

Sec. 9.7.2. - Board of Zoning Appeals decision.

ARTICLE 9.8. - SUBDIVISIONS AND LAND DEVELOPMENT.

Sec. 9.8.1. - Types of applications.

9.8.1.1 Minor subdivision.

9.8.1.2 Major subdivision.

9.8.1.3 Minor land development.

9.8.1.4 Major land development.

Sec. 9.8.2. - Application procedures.

ARTICLE 9.9. - CONSTRUCTION DOCUMENTS.

Sec. 9.9.1. - Submittal documents.

Sec. 9.9.2. - Site plan.

Sec. 9.9.3. - Examination of documents.

Sec. 9.9.4. - Amended construction documents.

Sec. 9.9.5. - Retention of construction documents.

ARTICLE 9.10. - PERMITS AND CERTIFICATES.

Sec. 9.10.1. - Building permits.

9.10.1.1 Required.

9.10.1.2 Exemptions.

9.10.1.3 Application.

9.10.1.4 Expiration.

Sec. 9.10.2. - Sign permits.

See Chapter 7.

Sec. 9.10.3. - Manufactured home permits.

9.10.3.1 Manufactured home permit.

9.10.3.2 Manufactured home decal.

9.10.3.3 Manufactured home moving.

9.10.3.4 Manufactured home parks.

Sec. 9.10.4. - Wireless telecommunication permits.

9.10.4.1 Permits process to be coordinated with Chapter 4 (based upon pending State requirements).

Sec. 9.10.5. - Certificate of occupancy.

9.10.5.1 Required.

9.10.5.2 Change in use.

9.10.5.3 Certificate issued.

9.10.5.4 Temporary occupancy.

9.10.5.5 Revocation.

ARTICLE 9.11. - INSPECTIONS.

Sec. 9.11.1. - Authority.

Sec. 9.11.2. - Required for compliance.

Table 9.1: Notice Requirements and Approvals Chart

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Application	Reviewing Agency	Publication	Mail	Internet	Sign	Public Hearing
Rezoning and Conditional Rezoning	PC & CC	Yes	Yes	Yes	Yes	Yes
PD General Development Plan	PC & CC	Yes	Yes	Yes	Yes	Yes
Text Amendment	PC & CC	Yes	No	Yes	No	Yes
Appeal from an Administrative Decision	BZA	Yes	Yes	Yes	Yes	Yes
Variance	BZA	Yes	Yes	Yes	Yes	Yes
Special Exception	BZA	Yes	Yes	Yes	Yes	Yes
Waiver of Setback Requirement – Major Error	BZA	Yes	Yes	Yes	Yes	Yes
Waiver of Setback Requirement – Minor Error	Admin	No	No	No	No	No
Major Subdivision (Preliminary Plat)	PC	Yes	No	Yes	Yes	Yes
Final Subdivision Plat (Major, Minor, and exempt)	Admin	No	No	No	No	No
Major Site Plan	PC	Yes	No	Yes	Yes	Yes
Minor Site Plan	Admin	No	No	No	No	No
Planning Commission Waiver of Development Standard	PC	No	No	No	No	No

Minor Waiver of Development Standard	Admin	No	No	No	No	No
Conditional Use	Admin	No	No	Yes	No	No
Street Abandonment	CC	Yes	Yes	Yes	Yes	Yes
Certificate of Zoning Compliance	Admin	No	No	No	No	No
Building Permit	Admin	No	No	No	No	No
Certificate of Occupancy	Admin	No	No	No	No	No

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CHAPTER 10 - Administration and Enforcement.

ARTICLE 10.1. - PURPOSE.

This Chapter defines the duties, powers, and limitations of officials, boards, commissions, and others responsible for or involved in the administration and enforcement of this Land Management Ordinance.

ARTICLE 10.2. - DEFINITIONS REFERENCED.

The definitions of certain terms referenced in this Chapter are set forth in Chapter 12 Interpretation and Definitions.

ARTICLE 10.3. - BUILDING AND PLANNING DIRECTOR.

Sec. 10.3.1. - Duties.

The Building and Planning Director is hereby designated and duly charged with the authority to administer, interpret, and enforce the provisions of this Ordinance that are not the purview of the Building Official.

10.3.1.1 The Building and Planning Director shall accept and examine all applications for land use or reuse, including zoning, variance and special exception requests, and shall issue applicable permits where such applications are in accordance with the provisions of this Ordinance. The Building and Planning Director shall direct parties in conflict with this Ordinance, and cause to be kept records and files of any and all matters referred to them. The Building and Planning Director shall also maintain the Official Zoning Map.

10.3.1.2 It shall be the responsibility of an applicant to provide the Building and Planning Director required information to process a permit application or other applications related to the use or development of land, secure or renew a license, and present facts about circumstances which would justify a proposed change or modification to the terms and/or application of this Ordinance.

10.3.1.3 If the Building and Planning Director shall find that any one of the provisions of this Ordinance is being violated, he or she shall follow the procedures in this Chapter.

Sec. 10.3.2. - Delegation of duties.

The Building and Planning Director may, in his or her discretion and administrative authority, delegate duties and responsibilities to designated employees of the Building and Planning Department as needed and appropriate for the administration and enforcement of this Ordinance.

Sec. 10.3.3. - Appeal of decision.

Decisions of the Building and Planning Director may be appealed under the provisions in this Ordinance relating to appeals. See Chapter 11.

ARTICLE 10.4. - BUILDING OFFICIAL.

Sec. 10.4.1. - Duties; general.

10.4.1.1.1. The Building Official is hereby authorized and directed to enforce the provisions of Edgefield County Building Code ("Building Code").

10.4.1.1.2. The Building Official shall have the authority to render interpretations of the Building Code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of the Building Code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in the Building Code.

Sec. 10.4.2. - Delegation of duties.

In accordance with the prescribed procedures of Edgefield County and with the concurrence of the County Administrator, the Building Official shall have the authority to appoint a deputy Building Official, the related technical officers, inspectors, plan examiners and other employees. Such employees shall have powers as delegated by the Building Official.

Sec. 10.4.3. - Additional duties.

10.4.3.1 Applications and permits.

The Building Official shall receive applications, review construction documents and issue permits for the erection, and alteration, demolition and moving of buildings and structures, inspect the premises for which such permits have been issued and enforce compliance with the provisions of the Building Code.

10.4.3.2 Notices and orders.

The Building Official shall issue all necessary notices or orders to ensure compliance with the Building Code.

10.4.3.3 Identification.

The Building Official shall carry proper identification when inspecting structures or premises in the performance of duties under the Building Code.

10.4.3.4 Right of entry.

Where it is necessary to make an inspection to enforce the provisions of the Building Code, or where the Building Official has reasonable cause to believe that there exists in a structure or upon a premises a condition which is contrary to or in violation of the Building Code which makes the structure or premises unsafe, dangerous or hazardous, the Building Official is authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by the Building Code, provided that if such structure or premises be occupied that credentials be presented to the occupant and entry requested. If such structure or premises is unoccupied, the Building Official shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the Building Official shall have recourse to the remedies provided by law to secure entry.

10.4.3.5 Department records.

The Building Official shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections, and notices and orders issued. Such records shall be retained in the official records for the period required for retention of public records.

10.4.3.6 Liability.

The Building Official, member of the Building Code Board of Adjustment and Appeals or employee charged with the enforcement of the Building Code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by the Building Code or other pertinent law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit

instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of the Building Code shall be defended by legal representative of the jurisdiction until the final termination of the proceedings. The Building Official or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of the Building Code.

10.4.3.7 Approved materials and equipment.

Materials, equipment and devices approved by the Building Official shall be constructed and installed in accordance with such approval. The use of used materials which meet the requirements of the Building Code for new materials is permitted. Used equipment and devices shall not be reused unless approved by the Building Official.

10.4.3.8 Alternative materials, design and methods of construction and equipment.

The provisions of the Building Code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by the Building Code, provided that any such alternative has been approved. An alternative material, design or method of construction shall be approved where the Building Official finds that the proposed design is satisfactory and complies with the intent of the provisions of the Building Code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in the Building Code in quality, strength, effectiveness, fire resistance, durability and safety.

10.4.3.9 Research reports.

Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in the Building Code, shall consist of valid research reports from approved sources.

10.4.3.9.1. Tests.

Whenever there is insufficient evidence of compliance with the provisions of the Building Code, or evidence that a material or method does not conform to the requirements of the Building Code, or in order to substantiate claims for alternative materials or methods, the Building Official shall have the authority to require tests as evidence of compliance to be made at no expense to Edgefield County. Test methods shall be as specified in the Building Code or by other recognized test standards. In the absence of recognized and accepted test methods, the Building Official shall approve the testing procedures. Tests shall be performed by an approved agency. Reports of such tests shall be retained by the Building Official for the period required for retention of public records.

10.4.3.9.2. Modifications.

Wherever there are practical difficulties involved in carrying out the provisions of the Building Code, the Building Official shall have the authority to grant modifications for individual cases, upon application of the owner or owner's representative, provided the Building Official shall first find that special individual reason makes the strict letter of the Building Code impractical and the modification is in compliance with the intent and purpose of the Building Code and that such modification does not lessen health, accessibility, life and fire safety, or structural requirements. The details of action granting modifications shall be recorded and entered in the files of the Building and Planning Department.

10.4.3.10 Evacuation.

The Building Official and/or the fire department official in charge of an incident shall be authorized to order the immediate evacuation of any occupied building deemed unsafe when such building has hazardous conditions that present imminent danger to building occupants. Persons so notified shall immediately leave the structure or premises and shall not enter or

re-enter until authorized to do so by the Building Official and/or the fire department official in charge of the incident.

Sec. 10.4.4. - Inspections.

10.4.4.1 Authorization.

The Building Official shall make all of the required inspections, or the Building Official shall have the authority to accept reports of inspection by approved agencies or individuals. Reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The Building Official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the County Administrator.

10.4.4.2 General requirements.

10.4.4.2.1. Construction or work for which a permit is required shall be subject to inspection by the Building Official and such construction or work shall remain accessible and exposed for inspection purposes until approved. It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purpose.

10.4.4.2.2. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this Building Code or of other ordinances or regulations of the County. Inspections presuming to give authority to violate or cancel the provisions of the Building Code or of other ordinances or regulations of the County shall not be valid.

10.4.4.2.3. Neither the Building Official nor Edgefield County shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

10.4.4.3 Preliminary inspection.

Before issuing a permit, the Building Official is authorized to examine or cause to be examined building, structures and sites for which an application has been filed.

10.4.4.4 Required inspections.

The Building Official, upon notification, shall make the inspections set forth below.

10.4.4.4.1. Footing and foundation inspection.

Footing and foundation inspections shall be made after excavations for footings are complete and any required reinforcing steel is in place. For concrete foundations, any required forms shall be in place prior to inspection. Materials for the foundation shall be on the job, except where concrete is ready mixed in accordance with ASTM C 94, the concrete need not be on the job.

10.4.4.4.2. Concrete slab and under-floor inspection.

Concrete slab and under-floor inspections shall be made after in-slab or under-floor reinforcing steel and building service equipment, conduit, piping accessories and other ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the subfloor.

10.4.4.4.3. Lowest floor elevation.

In flood hazard areas, upon placement of the lowest floor including the basement, and prior to further vertical construction, an elevation certificate as required in Chapter 5 of this Ordinance shall be submitted to the Building Official.

10.4.4.4.4. Framing inspection.

Framing inspections shall be made after the roof deck or sheathing, all framing, fireblocking and bracing are in place and pipes, chimneys and vents to be concealed are complete and the rough electrical, plumbing, heating wires, pipes and ducts are approved.

10.4.4.4.5. Lath and gypsum board inspection.

10.4.4.4.5.1. Lath and gypsum board inspections shall be made after lathing and gypsum board, interior and exterior, is in place, but before any plastering is applied or gypsum board joints and fasteners are taped and finished.

10.4.4.4.5.2. Exception: Gypsum board that is not part of a fire-resistance-rated assembly or a shear

10.4.4.4.6. Fire-resistant penetrations.

Protection of joints and penetrations in fire-resistance-rated assemblies shall not be concealed from view until inspected and approved.

10.4.4.4.7. Energy efficiency inspections.

Inspections shall be made to determine compliance with the International Energy Conservation Code and shall include, but not be limited to inspections for: envelope insulation R and U values, fenestration U value, duct system R value, and HVAC and water-heating equipment efficiency.

10.4.4.4.8. Other inspections.

In addition to the inspections specified above, the Building Official is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws that are enforced by the Building Official.

10.4.4.4.9. Special inspections.

Special inspections shall be in compliance with the applicable provisions of this code.

10.4.4.4.10. Final inspection.

The final inspection shall be made after all work required by the applicable permits are completed.

10.4.4.5 Inspection agencies.

The Building Official is authorized to accept reports of approved inspection agencies, provided such agencies satisfy the requirements as to qualifications and reliability.

10.4.4.6 Inspection requests.

It shall be the duty of the holder of the building permit or their duly authorized agent to notify the Building Official when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspection of such work that are required by this Ordinance.

10.4.4.7 Approval required.

Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the Building Official. The Building Official, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or notify the permit holder or his or her agent wherein the same fails to comply with the Building Codes. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the Building Official.

Sec. 10.4.5. - Authorization; service utilities.

10.4.5.1 Connection of service utilities.

No person shall make connections from a utility, source of energy, fuel or power to any building or system that is regulated by the Building Code for which a permit is required, until released by the Building Official.

10.4.5.2 Temporary connection.

The Building Official shall have the authority to authorize the temporary connection of the building or system to the utility source of energy, fuel or power.

10.4.5.3 Authority to disconnect service utilities.

The Building Official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by the Building Code and the codes referenced therein in case of emergency where necessary to eliminate an immediate hazard to life or property. The Building Official shall notify the serving utility, and wherever possible the owner and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner or occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter.

ARTICLE 10.5. - PLANNING COMMISSION.

Sec. 10.5.1. - Establishment of Planning Commission.

The Edgefield County Planning Commission is hereby established under the provisions of the S.C. Code § 6-29-320.

Sec. 10.5.2. - Powers and duties.

The Planning Commission shall have the power and duty to:

10.5.2.1 Review and recommend for adoption to the County Council a Comprehensive Plan and updates thereof;

10.5.2.2 Review and recommend for adoption to the County Council zoning ordinances to include zoning district maps and appropriate revisions thereof, and regulations for the subdivision or development of land;

10.5.2.3 Oversee the administration of regulations for the subdivision or development of land, including the approval of major subdivisions and land development applications.; and

10.5.2.4 Undertake other duties and functions as provided in S.C. Code § 6-29-310 et seq.

Sec. 10.5.3. - Membership.

10.5.3.1 The Planning Commission shall be comprised of seven members, with two members being appointed to serve at-large and one member being appointed to serve from each of the five County Council districts.

10.5.3.2 In the appointment of Planning Commission members, the County Council shall consider members' professional expertise, knowledge of the community, and concern for the future welfare of the total community and its citizens. Members shall represent a broad cross section of the interests and concerns within the jurisdiction and to the extent possible shall be representative of the racial and gender composition of the county.

10.5.3.3 No member shall be the holder of an elected public office in the county.

Commented [JF1]: Ability to "Grant specified variances, where the power to grant such variances is explicitly stated within this Chapter" has been removed; it is unclear how it is allowed under state law

Sec. 10.5.4. - Officers.

10.5.4.1 The Planning Commission shall organize itself electing one of its members as chairman and one as vice-chairman whose terms must be for one year.

10.5.4.2 The Planning Commission shall appoint a secretary who may be an officer or an employee of Edgefield County.

10.5.4.3 The Planning Commission shall meet at the call of the chairman and at such times as the Chairman or Commission may determine.

Sec. 10.5.5. - Terms of office.

10.5.5.1 Members shall serve 2-year, staggered terms without regard to term limitations. Terms for the two at-large appointees shall begin on November 1 in odd-numbered years. Terms for council district appointees shall begin on November 1 in even-numbered years. All members shall be eligible to succeed themselves, subject to the appointive powers of the County Council.

10.5.5.2 Members shall serve until their successors are appointed and qualified.

10.5.5.3 A vacancy in the membership must be filled for the unexpired term in the same manner as the original appointment.

Sec. 10.5.6. - Compensation.

Members shall serve without compensation. Reimbursement for actual expenses incurred in the performance of official duties may be reimbursed from budgeted funds pursuant to reimbursement policies and procedures for employees of the County.

Commented [JF2]: Uses copied language from ZBA section, and assumes the PC also doesn't receive compensation

Sec. 10.5.7. - Removal of members.

Members of the Planning Commission may be removed at any time by the County Council for cause. The existence of cause shall be discussed by the Council in executive session as permitted by the Freedom of Information Act, S.C. Code § 30-4-70(a)(1), and the determination of removal shall be by vote in public session declaring a vacancy in the position without a statement of cause. Any fact which, in the discretion of the Council, is deemed to adversely affect the public interest, including lack of attendance at meetings, may constitute cause.

Sec. 10.5.8. - Procedural rules and records.

The Planning Commission shall adopt rules of organizational procedure and shall keep a record of its resolutions, findings, and determinations, which record must be a public record.

ARTICLE 10.6. - BOARD OF ZONING APPEALS.

Sec. 10.6.1. - Establishment of Board of Zoning Appeals.

The Edgefield County Board of Zoning Appeals (BZA) is hereby established under the provisions of the S.C. Code § 6-29-780.

Sec. 10.6.2. - Powers and duties.

10.6.2.1 The Board of Appeals shall have the following powers and duties:

10.6.2.1.1. To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the Building and Planning Director;

10.6.2.1.2. To hear and decide appeals for variance from the requirements of the Land Management Ordinance when strict application of the provisions of the Ordinance would result in unnecessary hardship;

10.6.2.1.3. To permit uses by special exception subject to the terms and conditions for the uses set forth for such uses in the Land Management Ordinance; and

10.6.2.1.4. To remand a matter to the Building and Planning Director, upon motion by a party or the Board's own motion, if the Board determines the record is insufficient for review and in accordance with procedures in Chapter 9.

10.6.2.2 In the administration of these powers, the Board may administer oaths and compel attendance of witnesses by subpoena.

Sec. 10.6.3. - Membership.

10.6.3.1 The Board of Zoning Appeals shall consist of three members appointed by the County Council for staggered terms of 3 years.

10.6.3.2 No more than one person shall represent a given profession. To the extent possible, membership shall be representative of the racial and gender composition of the county. No member shall be the holder of an elected public office in the county.

10.6.3.3 None of the members shall hold any other public office or position in the county.

Sec. 10.6.4. - Officers.

10.6.4.1 The Board shall elect one of its members chairman, who shall serve for 1 year or until he or she is re-elected or his or her successor is elected and qualified.

10.6.4.2 The Board shall appoint a secretary who may be an officer or an employee of Edgefield County.

Sec. 10.6.5. - Terms of office.

10.6.5.1 Members shall serve for overlapping terms of not less than 3 nor more than 5 years or after that time until their successors are appointed.

10.6.5.2 A vacancy in the membership must be filled for the unexpired term in the same manner as the initial appointment.

Sec. 10.6.6. - Compensation.

Members of the Board of Zoning Appeals shall serve without compensation. Reimbursement for actual expenses incurred in the performance of official duties may be reimbursed from budgeted funds pursuant to reimbursement policies and procedures for employees of the County.

Sec. 10.6.7. - Removal of members.

Members of the BZA may be removed at any time by the County Council for cause. The existence of cause shall be discussed by the council in executive session as permitted by the Freedom of Information Act, S.C. Code § 30-4-70(a)(1), and the determination of removal shall be by vote in public session declaring a vacancy in the position without a statement of cause. Any fact which, in the discretion of Council, is deemed to adversely affect the public interest, including lack of attendance at meetings, may constitute cause.

Sec. 10.6.8. - Organization and rules of procedure.

The Board of Zoning Appeals shall organize, elect officers, and adopt rules of procedure as required by S.C. Code § 6-29-790.

ARTICLE 10.7. - BUILDING CODE BOARD OF ADJUSTMENT AND APPEALS

Sec. 10.7.1. - Duties; composition.

Notwithstanding any specific requirement within any code adopted by reference in this Ordinance, there is hereby established a board to be called the "Building Codes Board of Adjustments and Appeals," whose duty shall be to hear and to render decisions on appeals resulting from the enforcement of the building-related codes adopted by this Ordinance. The Board shall consist of five members. At least 50% of the members of such board shall be engaged in the building trades; that is, involved in a trade or profession relating to the construction, livability, sanitation, erection, equipment, alteration, repair, occupancy or removal of buildings and structures located within the county. The Board shall be appointed by the County Council.

Sec. 10.7.2. - Terms of office; vacancies; absenteeism.

Of the members first appointed, two shall be appointed for a term of one year, two for a term of two years, one for a term of three years, and thereafter they shall be appointed for terms of four years; all shall serve until their successors are appointed. Vacancies shall be filled for an unexpired term in the manner in which original appointments are required to be made. Continued absence of any member from regular meetings of the Board shall render any such member liable to immediate removal from office.

Sec. 10.7.3. - Quorum; voting.

Three members of the Board shall constitute a quorum. In varying the application of any provisions of this Ordinance or in modifying an order of the Building Official charged with enforcing the Building Codes, affirmative votes of the majority present, but not less than three affirmative votes, shall be required. A board member shall not act in a case in which he has a personal interest.

Sec. 10.7.4. - Secretary; records.

The Building Official shall appoint a reliable employee to act as secretary of the Building Codes of Adjustments and Appeals who shall make a detailed record of all its proceedings, which shall set forth the reasons for its decisions, the vote of each member participating therein, the absence of a member, and any failure of a member to vote.

Sec. 10.7.5. - Procedures and meeting.

The Board shall conduct its meetings in accordance with the Edgefield County Rules of Parliamentary Procedure. The Board shall meet as required and as determined by the chairperson, or in any event, the board shall meet on the third Thursday of each month at 10:00 a.m. after notice of appeal has been received, but no sooner than 15 days after any notice of appeal has been received.

Sec. 10.7.6. - Appeals to Board; time limit.

10.7.6.1 Whenever the Building Official shall reject or refuse to approve the mode or manner of construction proposed to be followed or materials to be used in the erection or alteration of a building structure, or when it is claimed that the provisions of the Building Codes do not apply, or that an equally good or more desirable form of construction can be employed in any

specific case, or when it is claimed that the true intent and meaning of the Building Codes or any of the regulations thereunder have been misconstrued or wrongly interpreted, the owner of such building or structure, or his duly authorized agent, may appeal from the decision of the Building Official to the Building Codes Board of Adjustments and Appeals. Notice of appeal shall be in writing and filed within 90 days after the decision is rendered by the Building Official. A fee in an amount as established from time to time by the County shall accompany such notice of appeal.

10.7.6.2 In case of a building structure which in the opinion of the Building Official is unsafe or dangerous, the Building Official may, in his order, limit the time for such appeal to a shorter period. Appeals hereunder shall be on forms provided by the County.

Sec. 10.7.7. - Variations and modifications.

10.7.7.1 The Building Codes Board of Adjustments and Appeals, when so appealed to and after a hearing, may vary the application of any provision of these codes to any particular case when, in its opinion, the enforcement thereof would do manifest injustice, and would be contrary to the spirit and purpose of the Building Codes or public interest, or when, in the board's opinion, the interpretation of the Building Official should be modified or reversed.

10.7.7.2 A decision of the Building Codes Board of Adjustments and Appeals to vary the application of any provision of the Building Codes or to modify an order of the Building Official shall specify in what manner such variation or modification is made, the conditions upon which it is made, and the reasons therefor.

Sec. 10.7.8. - Decisions.

Every decision of the Building Codes Board of Adjustments and Appeals shall be final, subject, however, to such remedy as any aggrieved party might have pursuant to the South Carolina Administrative Procedures Act 2. The decision shall be in writing and shall indicate the vote upon the decision. Every decision shall be promptly filed in the office of the Building Official and shall be open to public inspection; a certified copy shall be sent by mail or otherwise to the appellant, and a copy shall be kept publicly posted in the above office of the County for two weeks after filing.

Sec. 10.7.9. - Time for decision.

The Building Codes Board of Adjustments and Appeals shall, in every case, reach a decision without unreasonable or unnecessary delay.

Sec. 10.7.10. - Action on decision.

If a decision of the Building Codes Board of Adjustments and Appeals reverses or modifies a refusal, order, or disallowance of the Building Codes or varies the application of any provision of these codes, the Building Official shall immediately take action in accordance with such decision.

ARTICLE 10.8. - LAND MANAGEMENT ORDINANCE VIOLATIONS.

Sec. 10.8.1. - Unlawful activities.

10.8.1.1 It shall be unlawful for any person, firm, business or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this Ordinance, or cause same to be done, in conflict with or in violation of any of the provisions of this Ordinance.

10.8.1.2 It is unlawful to construct, reconstruct, alter, demolish, change the use of or occupy any land, building, or other structure without first obtaining the appropriate permit or permit approval.

10.8.1.3 No permit may be issued or approved unless the requirements of this Ordinance are complied with.

10.8.1.4 It is unlawful for other officials to issue any permit for the use of any land, building, or structure, or the construction, conversion, demolition, enlargement, movement, or structural alteration of a building or structure without the approval of the Building and Planning Director or Building Official, as appropriate.

10.8.1.5 No subdivision plat or other land development plan shall be filed or recorded in the County Clerk of Court until it bears the stamp of approval and is properly signed by the Chairman of the Planning Commission.

10.8.1.6 A property owner or his/her agent may not transfer title to any lots or parts of the development unless the land development plan or subdivision has been approved by the Planning Commission or Building and Planning Director, as applicable, and the approved plan or plat has been recorded in the County Clerk of Court.

Sec. 10.8.2. - Complaints.

Whenever a violation of this Ordinance occurs, or is alleged to have occurred, the Building and Planning Director shall record and investigate such complaint, and take such action as provided by this Chapter. Complaints may be filed in writing or verbally, stating fully the cause and basis thereof.

Sec. 10.8.3. - Notice of violation.

The Building Official is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this Ordinance, which include the Building Code, or in violation of a permit or certificate issued under the provisions of this Ordinance. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

Sec. 10.8.4. - Misdemeanor.

A violation of this Land Management Ordinance is a misdemeanor.

ARTICLE 10.9. - ENFORCEMENT OF LAND MANAGEMENT; REMEDIES FOR VIOLATIONS.

The County may enforce the requirements and regulations of this Land Management Ordinance by means of the withholding of building or zoning permits, or both; and the issuance of stop orders against any work undertaken by an entity not having a proper building or zoning permit, or both; and by additional remedies cited herein.

Sec. 10.9.1. - Stop orders.

10.9.1.1 Authorization.

10.9.1.1.1. In case a building, structure, or land is or is proposed to be used in violation of this Ordinance, the Building and Planning Director or designated administrative officer may, in addition to other remedies, issue and serve upon a person pursuing the activities a stop order requiring that entity stop all activities in violation of this Ordinance.

10.9.1.1.2. Whenever the Building Official finds any work regulated by the Building Code being performed in a manner either contrary to the provisions of the Building Code or dangerous or unsafe, the Building Official or county attorney is authorized to issue a stop work order.

10.9.1.2 Issuance.

Commented [JF3]: Existing text; is there more detail (or updates) on process?

Commented [JF4]: Request for staff to provide detail on their process to include procedures for serving the orders and posting the order on the property; also, this order should inform the violator of right to appeal to BZA

The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work will be permitted to resume.

10.9.1.3 Unlawful continuance.

Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.

Sec. 10.9.2. - Additional remedies.

10.9.2.1 Use violations.

10.9.2.1.1. In case a building, structure, or land is or is proposed to be used in violation of this Ordinance, the Building and Planning Director or appropriate administrative officer, county attorney, or other appropriate authority of the County, or an adjacent or neighboring property owner who would be specially damaged by the violation, may, in addition to other remedies, institute injunction, mandamus, or other appropriate action or proceeding to prevent the unlawful erection, construction, reconstruction, alteration, conversion, maintenance, or use, or to correct or abate the violation, or to prevent the occupancy of the building, structure, or land.

10.9.2.1.2. Each day the unlawful erection, construction, reconstruction, alteration, conversion, maintenance, or use continues is considered a separate offense.

10.9.2.2 Building Code violations.

10.9.2.2.1. For a violation of the Building Codes, the Building Official, county attorney or an adjacent or neighboring property owner who would be damaged by the violation, in addition to other remedies, may apply for injunctive relief, mandamus, or other appropriate proceeding. A court may grant temporary injunctive relief upon receipt of a verified complaint of an imminent danger or emergency situation.

10.9.2.2.1.1. A person, firm, business or corporation found to be in violation of the Building Codes or regulation adopted pursuant to the provisions of the Building Codes must be cited and fined, by civil fine, in an amount not more than \$200.00. Before being charged with a second violation, the person, firm, business or corporation must be given seven calendar days to remedy the violation or submit a plan for correcting the violation.

10.9.2.2.1.2. A person, firm, business or corporation who fails to correct a violation or submit a plan for correcting a violation within seven calendar days after citation or written notice must be cited and fined, by civil fine, in an amount not to exceed \$2,000.00. Each day a violation continues is a separate offense.

ARTICLE 10.10. - UNSAFE STRUCTURES AND EQUIPMENT.

Sec. 10.10.1. - Conditions.

Structures or existing equipment that are or hereafter become unsafe, unsanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the Building Official deems necessary and as provided for in this section. A vacant structure that is not secured against entry shall be deemed unsafe.

Sec. 10.10.2. - Record.

The Building Official shall cause a report to be filed on an unsafe condition. The report shall state the occupancy of the structure and the nature of the unsafe condition.

Sec. 10.10.3. - Notice.

If an unsafe condition is found, the Building Official shall serve on the owner, agent or person in control of the structure, a written notice that describes the condition deemed unsafe and specifies the required repairs or improvements to be made to abate the unsafe condition, or that requires the unsafe structure to be demolished within a stipulated time. Such notice shall require the person thus notified to declare immediately to the Building Official acceptance or rejection of the terms of the order.

Sec. 10.10.4. - Method of service.

10.10.4.1 Such notice shall be deemed properly served if a copy thereof is:

10.10.4.1.1. Delivered to the owner by hand;

10.10.4.1.2. Sent by certified or registered mail addressed to the owner at the last known address with the return receipt requested; or

10.10.4.1.3. Delivered in any other manner as prescribed by local law.

10.10.4.2 If the certified or registered letter is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner upon the owner's agent or upon the person responsible for the structure shall constitute service of notice upon the owner.

Sec. 10.10.5. - Restoration.

The structure or equipment determined to be unsafe by the Building Official is permitted to be restored to a safe condition. To the extent that repairs, alterations or additions are made, or a change of occupancy occurs during the restoration of the structure, such repairs, alterations, additions or change of occupancy shall comply with the requirements of the International Building Code and future amendments thereto.

ARTICLE 10.11. - DWELLINGS UNFIT FOR HUMAN HABITATION

Sec. 10.11.1. - Authority.

Whenever the Building Official or his designated representative finds that there exist in the county dwellings or buildings which are unfit for human habitation and/or other use due to dilapidation, defects increasing the hazards of fire, accidents or other calamities, lack of ventilation, light or sanitary facilities, or other conditions rendering such dwellings or buildings unsafe or unsanitary, dangerous or detrimental to the health, safety or morals or otherwise inimical to the welfare of the residents of Edgefield County, the Building Official or his designated representative(s) may, upon the approval of a majority of the members of council, exercise the County's police powers to repair, close or demolish any such dwelling or building.

Sec. 10.11.2. - Filing of complaint and investigation.

Whenever a complaint or petition is filed with the Building Official, or his designated representative(s), by any one of the administrative heads of the County departments which routinely deal with areas relevant to this statute, or by at least five residents or property owners of the county who have some portion of their property within 2,000 feet of some portion of the property upon which the dwelling or building or other structure is located, charging that any dwelling or building or other structure is unfit for human habitation, or

whenever it appears to the Building Official (on his own motion) that any dwelling or building or other structure is unfit for human habitation, the Building Official shall, if his preliminary investigation discloses a basis for such charges, issue and cause to be served upon the owner of and all parties in interest in such dwelling or building or other structure, a complaint and notice in letter form (return receipt requested) stating the charges in that respect and that a hearing will be held before the Building Official or his designated representative(s) not less than 10 calendar days nor more than 30 calendar days after the service of such complaint or letter, that the owner and parties in interest shall be given the right to file an answer to the complaint in letter form and to appear in person or otherwise and give testimony at the place and time fixed in the complaint, and that the rules of evidence prevailing in the courts of law or equity shall not be controlling in such hearings.

Sec. 10.11.3. - Notice to owner and necessary action by owner.

If, after such notice and hearing, the Building Official or his designated representative(s) determines that a dwelling or building or other structure under consideration is unfit for human habitation, it shall be stated in writing, such writing to include the findings of fact in support of such determination, and this writing shall be issued and caused to be served upon the owner of such property together with or in the form of a notice.

10.11.3.1 Order to repair.

If the repair, alteration or improvement of the dwelling or building or other structure can be made at a reasonable cost in relation to the value of the dwelling or building or other structure, the owner shall be required within the time specified in such order, to repair, alter or improve such dwelling or building or other structure to render it fit for human habitation; or

10.11.3.2 Order to remove or demolish.

If the repair, alteration or improvement of the dwelling or building or other structure cannot be made at a reasonable cost in relation to the value of the dwelling or building or other structure, the owner shall be required, within the time specified in the order, to remove or demolish such dwelling or building.

Sec. 10.11.4. - Failure to comply.

If the owner fails to comply with the order to repair, alter or improve or remove and demolish, the Building Official, or his designated representative(s), may cause such dwelling or building or other structure to be repaired, altered or improved, or removed or demolished.

Sec. 10.11.5. - Removal or demolition by County.

If such owner fails to comply with the order to remove or demolish the dwelling or building or other structure, the Building Official, or other authorized representative, may cause such dwelling or building or other structure to be removed or demolished.

Sec. 10.11.6. - Costs.

The amount of the cost of such repairs, alterations or improvements, or removal or demolition by the County shall be a lien against the real property placed and collected through appropriate judicial process. If the County in demolishing unfit dwellings as permitted by this Article contracts with a third party not employed by the County to do the work, it must bid the work in conformity with the procurement code applicable to the County.

Sec. 10.11.7. - Unfitness.

A dwelling or building or other structure is unfit for human habitation if conditions exist in such dwelling or building or other structure which are dangerous or injurious to health or safety of the occupants of such dwelling, building or other structure, the occupants of

neighboring dwellings or building or other structures, or other residents of the county. Such conditions may include the following, without limiting the generality of the foregoing: defects therein increasing the hazards of fire, accidents, or other calamities, lack of adequate ventilation, light or sanitary facilities, dilapidation, disrepair, structural defects, uncleanliness, and any other conditions in a reasonable way relating to unfitness for human habitation as previously set forth.

Sec. 10.11.8. - Service of complaint.

Complaints or orders issued by a public officer pursuant to an ordinance adopted under this article shall be served upon persons either personally or by registered mail, but if the whereabouts of such persons is unknown and cannot be ascertained by the public officer in the exercise of reasonable diligence and the public officer shall make an affidavit to that effect, then the serving of such complaint or order upon such persons may be made by publishing it once each week for two consecutive weeks in a newspaper printed and published in the county or, in the absence of such newspaper, in one printed and published in the municipality and circulating in the county. A copy of such complaint or order shall be posted in a conspicuous place on the premises affected by the complaint or order. A copy of such complaint or order shall also be filed with the clerk of court of the county in which the dwelling is located and such filing of the complaint or order shall have the same force and effect as other lis pendens notices provided by law.

Sec. 10.11.9. - Rights of persons affected by orders.

Any person affected by an order issued by the Building Official or his designated representative(s), may within 60 days after the posting and service of the order, petition the circuit court for an injunction restraining the Building Official or his designated representative(s) from carrying out the provisions of the order, and the court may, upon such petition, issue a temporary injunction restraining the public officer pending the final disposition of the cause. Hearings shall be had by the court on such petitions within 20 days or as soon thereafter as possible and shall be given preference over other matters on the court's calendar as authorized by S.C. Code 1976, § 31-15-370, as amended. The court shall hear and determine the issues raised and shall enter such final order or decree as law and justice may require. In all such proceedings, the findings of the public officer as to the facts, if supported by evidence, shall be conclusive. Costs shall be at the discretion of the court. The remedies herein provided shall be exclusive remedies, and no person affected by an order of the public officer shall be entitled to recover any damages for action taken pursuant to any order of the Building Official or his designated representative(s) or because of compliance by such person with any order of the public officer.

Sec. 10.11.10. - Powers and duties.

The Building Official, or his designated representative(s), may exercise such powers and duties as may be necessary or convenient to carry out and effectuate the purposes and provisions of this Article, including the following powers in addition to others herein granted.

10.11.10.1 To investigate the dwelling or building or other structure conditions in the county in order to determine which dwellings or buildings or other structures therein are unfit for human habitation;

10.11.10.2 To administer oaths and affirmations, examine witnesses and receive evidence;

10.11.10.3 To enter upon premises for the purposes of making examinations, provided such entries be made in such manner as to cause the least possible inconvenience to the persons in possession;

10.11.10.4 To appoint and fix the duties of such officers, agents, and employees as he deems necessary to carry out the purposes of the Ordinance; and

10.11.10.5 To delegate any of his functions and powers under this Article to such officers and agents as he may choose.

Sec. 10.11.11. - Proceeds of sale of materials.

If a dwelling is removed or demolished by a public officer he shall sell the materials of such dwelling and shall credit the proceeds of such sale against the cost of the removal or demolition and any balance remaining shall be deposited in the circuit court by the public officer, shall be secured in such manner as may be directed by such court and shall be disbursed by such court to the persons found to be entitled thereto by final order or decree of such court.

Sec. 10.11.12. - Article provisions are cumulative.

10.11.12.1 Nothing in this Article shall be construed to abrogate or impair the powers of the courts or of any department of any municipality in the county to enforce any provisions of its charter or its ordinances or regulations, or to prevent or punish violations thereof and the powers conferred by this Article shall be in addition and supplemental to the powers conferred by any other law.

10.11.12.2 Further, nothing in this Article shall be construed to impair or limit in any way the power of the County to define and declare nuisances and to cause their removal or abatement by summary proceedings or otherwise.

ARTICLE 10.12. - FEES.

Sec. 10.12.1. - Fees established.

10.12.1.1 From time to time, the County Council may adopt fees for the issuance of permits, the submission of applications, and such other activities and authorizations as regulated by this Land Management Ordinance, and may adopt schedules of dates, times and places as appropriate and necessary to regulate the application, review and public hearing processes required by this Ordinance.

10.12.1.2 The schedule of fees shall be available in the Building and Planning Department, and may be altered or amended only by the County Council.

Sec. 10.12.2. - Payment of fees required.

10.12.2.1 Until all applicable fees have been paid in full, no action shall be taken on any application, permit or appeal.

10.12.2.2 A permit shall not be valid until the permit and other fees as prescribed by law have been paid, nor shall an amendment to a permit be released until the additional fees, if any, have been paid.

Sec. 10.12.3. - Building permit valuations.

The applicant for a permit shall provide an estimated permit value at time of application. Permit valuations shall include total value of work, including materials and labor, for which the permit is being issued, such as electrical, gas, mechanical, plumbing equipment and permanent systems. If, in the opinion of the Building Official, the valuation is underestimated on the application, the permit shall be denied, unless the applicant can show detailed estimates to meet the approval of the Building Official. Final building permit valuation shall be set by the Building Official.

Sec. 10.12.4. - Work commencing before permit issuance.

Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a double fee.

Sec. 10.12.5. - Related fees.

The payment of the fee for the construction, alteration, removal or demolition for work done in connection to or concurrently with the work authorized by a permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

Sec. 10.12.6. - Refunds.

There shall be no refund unless it is due to a County mistake. All refunds caused by a County mistake are to be referred to the Building and Planning Department for processing.

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CHAPTER 11 - Appeals.

ARTICLE 11.1. - PURPOSE.

This Chapter provides for relief from the requirements of this Ordinance under the following types of appeals: variances from the requirements of this Land Management Ordinance and appeals from administrative decisions.

ARTICLE 11.2. - DEFINITIONS REFERENCED.

The definitions of certain terms referenced in this Chapter are set forth in Chapter 12 Interpretation and Definitions.

ARTICLE 11.3. - HARDSHIP VARIANCE.

11.3.1.1 The following Article outlines the process for considering a reduction or other revision to the strict application of the minimum standards and provisions of this Ordinance to a particular property or development that would result in undue hardship to the property owner, builder, or developer.

11.3.1.2 The following Article does not address proposals to vary the application of any provision of the Building Codes. See ARTICLE 11.4. -

11.3.1.3 The following Article does not address requests for variance from the requirements of the Flood Damage Prevention Article. See Chapter 5.

Sec. 11.3.1. - Board of Zoning Appeals.

The Board of Zoning Appeals shall hear and decide appeals for variance from the requirements of this Ordinance, as allowed under State law, in accordance with the requirements of this Article.

Sec. 11.3.2. - Prohibited variances.

The Board of Zoning Appeals may not grant a variance the effect of which would be to allow the establishment of a use not otherwise permitted in a zoning district, to extend physically a nonconforming use of land, or to change the zoning district boundaries shown on the official zoning map. The fact that property may be utilized more profitably, should a variance be granted, may not be considered grounds for a variance.

Sec. 11.3.1. - Eligible applicants.

Parties and individuals required and/or eligible to initiate variance application are as follows:

11.3.1.1 Property owner

11.3.1.2 Agent of property owner

11.3.1.3 Any member of the County Council

Sec. 11.3.2. - Application procedures.

11.3.2.1 Step 1. Administrative examination.

11.3.2.1.1. An applicant shall complete an application for a variance on a form or forms maintained by Building and Planning Department. The applicant shall state the nature of the variance, provide evidence of unnecessary hardship, and state the necessity for a variance.

11.3.2.1.2. Upon receipt of an application, the Building and Planning Director shall examine it for completeness, and shall, within 10 days, either return the application for additional information or forward it to Board of Zoning Appeals for review and action. The application must be deemed complete at least 30 days prior to the date for a public hearing in order for it to be placed on the agenda.

11.3.2.2 Step 2. Public notice.

In addition to public notice in a newspaper of general circulation, notice of an application for a variance shall be given to all parties of interest.

11.3.2.3 Step 3. Public hearing.

The Board of Zoning Appeals shall conduct a public hearing on all variance applications.

11.3.2.4 Step 4. Review and action.

11.3.2.4.1. Applications for a variance shall be evaluated by the Board of Zoning Appeals on the basis of the following conditions, upon which findings of fact shall be based:

11.3.2.4.1.1. That a variance from the terms of this Ordinance will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions will, in an individual case, result in an unnecessary hardship;

11.3.2.4.1.2. That the spirit of the Ordinance will be observed, public safety and welfare secured, and substantial justice done;

11.3.2.4.1.3. That there are extraordinary and exceptional conditions pertaining to the particular piece of property;

11.3.2.4.1.4. That these conditions do not generally apply to other property in the vicinity;

11.3.2.4.1.5. That because of these conditions, the application of the Land Management Ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and

11.3.2.4.1.6. That the authorization of a variance will not be of substantial detriment to adjacent property or to the public good and the character of the zoning district will not be harmed by the granting of the variance.

11.3.2.4.2. Conditions of approval.

In granting a variance, the Board of Zoning Appeals may attach to it such conditions regarding the location, character, or other features of the proposed building, structure, or use as the Board may consider advisable to protect established property values in the surrounding area or to promote the public health, safety, or general welfare.

11.3.2.4.3. Insufficient record for review.

If the Board of Zoning Appeals determines the record is insufficient for review, the Board may remand a matter to the Building and Planning Director upon motion by a party or the Board's own motion. A party's motion for remand may be denied if the Board determines that the record is sufficient for review. The Board must set a rehearing on the remanded matter without further public notice for a time certain within 60 days unless otherwise agreed to by the parties. The Board must maintain a list of persons who express an interest in being informed when the remanded matter is set for rehearing, and notice of the rehearing must be mailed to these persons prior to the rehearing.

11.3.2.5 Step 5. Notification.

11.3.2.5.1. All applicants shall be notified in writing of final decision.

11.3.2.6 The final decision shall include all findings of fact and conclusions of law must and must be delivered to applicants by certified mail.

11.3.2.6.1. An approved variance shall be accompanied by an order of the Board of Zoning Appeals to direct the issuance of a permit.

11.3.2.7 Step 6. Appeals.

11.3.2.7.1. Any person who may have a substantial interest in any decision of the Board of Zoning Appeals may appeal such decision to the circuit court in and for the county by filing with the clerk of such court a petition in writing setting forth plainly, fully, and distinctly wherein such decision is contrary to law.

11.3.2.7.2. Such appeal shall be filed within 30 days after the decision of the board is rendered.

Sec. 11.3.3. - Consideration of denied applications.

The Board of Zoning Appeals shall not reconsider a variance application for the same lot, parcel or portion thereof, within a period of one year from the date of final determination and notification.

ARTICLE 11.4. - VARIANCE FROM BUILDING CODES; APPEAL OF BUILDING OFFICIAL DECISION.

Sec. 11.4.1. - Appeals to Building Codes Board of Adjustments and Appeals.

Whenever the Building Official shall reject or refuse to approve the mode or manner of construction proposed to be followed or materials to be used in the erection or alteration of a building structure, or when it is claimed that the provisions of the Building Codes do not apply, or that an equally good or more desirable form of construction can be employed in any specific case, or when it is claimed that the true intent and meaning of the Building Codes or any of the regulations thereunder have been misconstrued or wrongly interpreted, the owner of such building or structure, or his duly authorized agent, may appeal from the decision of the Building Official to the Building Codes Board of Adjustments and Appeals.

Sec. 11.4.2. - Notice of appeal; time limit.

11.4.2.1 Notice of appeal shall be in writing and filed within 90 days after the decision is rendered by the Building Official.

11.4.2.2 Appeals hereunder shall be on forms provided by the County.

11.4.2.3 A fee in an amount as established from time to time by the County shall accompany such notice of appeal.

11.4.2.4 In case of a building structure which in the opinion of the Building Official is unsafe or dangerous, the Building Official may, in his order, limit the time for such appeal to a shorter period.

Sec. 11.4.3. - Variations and modifications.

11.4.3.1 The Building Codes Board of Adjustments and Appeals, when so appealed to and after a hearing, may vary the application of any provision of the Building Codes to any particular case when, in its opinion, the enforcement thereof would do manifest injustice, and would be contrary to the spirit and purpose of the Building Codes or public interest, or when, in the board's opinion, the interpretation of the Building Official should be modified or reversed.

11.4.3.2 A decision of the Building Codes Board of Adjustments and Appeals to vary the application of any provision of the Building Codes or to modify an order of the Building Official shall specify in what manner such variation or modification is made, the conditions upon which it is made, and the reasons therefor.

Sec. 11.4.4. - Decisions.

Every decision of the Building Codes Board of Adjustments and Appeals shall be final, subject, however, to such remedy as any aggrieved party might have pursuant to the South Carolina Administrative Procedures Act 2. The decision shall be in writing and shall indicate the vote upon the decision. Every decision shall be promptly filed in the office of the Building Official and shall be open to public inspection; a certified copy shall be sent by mail or otherwise to the appellant, and a copy shall be kept publicly posted in the above office of the County for two weeks after filing.

Sec. 11.4.5. - Time for decision.

The Building Codes Board of Adjustments and Appeals shall, in every case, reach a decision without unreasonable or unnecessary delay.

Sec. 11.4.6. - Action on decision.

If a decision of the Building Codes Board of Adjustments and Appeals reverses or modifies a refusal, order, or disallowance of the Building Codes or varies the application of any provision of these codes, the Building Official shall immediately take action in accordance with such decision.

ARTICLE 11.5. - APPEAL OF DECISION BY THE BUILDING AND PLANNING DIRECTOR.

Sec. 11.5.1. - Board of Zoning Appeals.

The Board of Zoning Appeals shall hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the Building and Planning Director.

Sec. 11.5.2. - Filing of appeal.

The appeal shall be filed within 15 days after notice of decision by the Building and Planning Director.

Sec. 11.5.3. - Applications.

Applications appealing decisions of the Building and Planning Director shall be heard and decided by the Board of Zoning Appeals based on information presented by the applicant and the Building and Planning Director relative to the specific ordinance provision being appealed.

Sec. 11.5.4. - Decision.

The Board of Zoning Appeals may, in conformity with the provisions of this Chapter, reverse or affirm, wholly or in part, or may modify the order, requirements, decision, or determination, and to that end, has all the powers of the officer from whom the appeal is taken and may issue or direct the issuance of a permit.

Commented [JF1]: This ties to broader BZA process under hardship variance & may need update or expansion per state law, as applicable. Also need to add reference to Chapter 5 for appeals related to Flood Damage Prevention & Erosion and Sediment Control

CHAPTER 12 - Interpretations and Definitions

ARTICLE 12.1. - TITLE AND AUTHORITY.

Sec. 12.1.1. - Purpose.

12.1.1.1 This chapter describes how figures, words and phrases used in this Ordinance are to be interpreted and provides a glossary of all definitions specifically used in the text of this Ordinance.

ARTICLE 12.2. - INTERPRETATIONS

Sec. 12.2.1. - Words not defined herein shall have the meanings stated in the International Building, Plumbing, Gas, or Fire Codes.

Sec. 12.2.2. - Words not defined in the International Codes shall have the meanings in Webster's 11th Edition Collegiate Dictionary, as revised. "Shall" is always mandatory; "May" is always permissive; "Lot" includes the word "plot" and "parcel". Words in present tense include the future tense. Words used in the singular include the plural and words used in the plural include the singular.

Sec. 12.2.3. - Reserved.

ARTICLE 12.3. - TERMS AND DEFINITIONS.

Sec. 12.3.1. - Definitions used in this ordinance are as stated below:

NOTES: White backgrounds show existing and recommended definitions, yellow shows a potential addition, blue shows possible but unlikely additions. Also see notes at end.

911 Address Administrator - See "Address program administrator"

Abandonment means to cease or discontinue a use or activity without intent to resume, but excluding temporary or short-term interruptions to a use or activity during periods of remodeling, maintenance or otherwise improving or rearranging a facility, or during normal periods of vacation or seasonal closure.

Abandoned vehicle means a vehicle, including a car, truck, trailer, boat, motorcycle, recreational vehicle, mobile home, manufactured home, or any other similar vehicle that: (a) has been left unattended upon a highway, street, or alley or other public property outside a designated parking space for a period of 48 hours; and/or (b) is within public view and is inoperable, partially or wholly dismantled, wrecked, junked, discarded or similar condition, or any vehicle without a current license plate as required by law, and is located outside of an enclosed building, garage, carport, licensed junkyard or other place of business designated and lawfully used for the storage of such inoperable vehicles for a period exceeding 30 days.

Access is a means of pedestrian or vehicular approach or entry to or exit from property.

Accessory Apartment is a second dwelling unit either in or added to an existing single-family detached dwelling, or in a separate accessory structure on the same lot as the main dwelling, for use as a complete, independent living facilities with the provision within the accessory apartment for cooking, eating, sanitation and sleeping. Such a dwelling is an accessory use to the main dwelling.

Accessory Building is a building subordinate to the principal building on a lot used for the purpose customarily incidental to those of the main building.

Commented [JF1]: Notes: Gray text is from Chapter 1 Administration; Blue text is from Chapter 8 Buildings; Green text is from Chapter 18 Environment; Black text is from Chapter 24 Land development; Red text is from Chapter 30 Manufactured Housing; Brown text is from State Chapter 29, Comprehensive Planning Enabling Act

Commented [JF2]: Note that alternative terms throughout are in the original Excel spreadsheet draft and may need to be considered before this chapter is finalized.

Commented [JF3]: White backgrounds show existing and recommended definitions, yellow shows a potential addition, blue shows possible but unlikely additions. Also see notes at end.

Accessory structure means a detached, separate, subordinate building or structure located on the same site or lot as the manufactured home that it serves.

Accessory Use is a use clearly incidental to, customarily found in connection with, and subordinate to the principal use or building, and located on the same lot with such principal use or building

Acre is a measure of land area containing 43,560 square feet.

Addition (to an existing building) means an extension or increase in floor area or height of a building.

Address program administrator is the official of the county charged with the administration of this article, including his authorized representative. The address program administrator shall be the 911 administrator of the county.

Administrative Officer is the Edgefield County Director of Building and Planning or his designee shall be the governmental officer charged with administering development regulations.

ADT (Average Daily Traffic) refers to the average number of cars per day that pass a given point.

Adult Day Care Facility means a facility providing day care services for adults, and may include an family day care home, (b) group day care home, or (c) adult day care center, and shall include an home, center, agency, or place where an adult not related to the operator is received for custodial care, whether for compensation, reward, or otherwise during part or all of the day or any number successive days.

Commented [JF4]: Is this definition consistent with use?

Commented [JF5]: Clarified, please review. Also compare to child day care.

Adult entertainment establishment - See "Sexually oriented business"

Advertising device means any structure, product sample, or device erected or placed for the purpose of acting as an advertisement or for the purpose of displaying advertising situated upon or attached to real property. This definition shall include signs.

Affordable housing means in the case of dwelling units for sale, housing in which mortgage, amortization, taxes, insurance, and condominium or association fees, if any, constitute no more than 28% of the annual household income for a household earning no more than 80% of the area median income, by household size, for the metropolitan statistical area as published from time to time by the U.S. Department of Housing and Community Development (HUD) and, in the case of dwelling units for rent, housing for which the rent and utilities constitute no more than 30% of the annual household income for a household earning no more than 80% of the area median income, by household size for the metropolitan statistical area as published from time to time by HUD.

Agricultural operations (or use) is the raising, harvesting, or storing of crops; feeding, breeding, or managing livestock; producing or storing feed for use in the production of livestock, including but not limited to cattle, calves, swine, hogs, goats, sheep and rabbits; the production of aquacultural, horticultural, dairy, livestock, and apiarian products. Agricultural operations may include all associated activities and structures, including pastures and grasslands for the production of livestock; and barns, sheds, silos, granaries, windmills and related uses. The term "agricultural operations" shall not include "poultry production" as defined by this Ordinance.

Aggregate sign area means the area of all sign faces on a parcel, excluding the area of one face on all double-faced signs.

Aggressive soils are soils that may be corrosive to cast iron and ductile iron pipe.

Agricultural, retail sales is the retail selling of agricultural products raised or produce on the premises.

Agricultural structure or building is a structure designed and constructed to house farm implements, hay, grain, poultry, livestock or other horticultural products. This structure shall not be a place of human habitation or a place of employment where agricultural products are processed, treated, or packaged, nor shall it be a place of human habitation.

Agricultural, wholesale sales is the retail selling of agricultural products raised or produce on the premises.

Airport is a tract of land maintained for the landing and takeoff of airplanes and for receiving and discharging passengers and/or cargo, and usually including facilities for the shelter, supply, and repair of planes. This definition also includes related uses generally associated with airport operations, and publicly owned and privately owned airports and related uses and facilities. It does not include privately owned airports, airfields, airstrips, runways, or related uses which serve and/or house fewer than three (3) aircraft on a regular and/or frequent basis.

Airport elevation is the established elevation of the highest point on the usable landing area.

Airport hazard is any structure, tree, or use of land which obstructs the airspace required for, or is otherwise hazardous to the flight of aircraft in landing or taking off at the airport.

Airport reference point is the point established as the appropriate geographic center of the airport landing areas and so designated.

Alley is a public way which provides secondary access to the rear or side of abutting property.

Alteration or alteration of a building is any construction or renovation to an existing structure other than a normal repair or maintenance of a structure. An alteration shall include a change or rearrangement in the supporting members of an existing building, such as bearing walls, columns, beams, girders, or interior partitions, as well as any change in doors, windows, means of ingress or egress, or any enlargement to or diminution of a building or structure, whether horizontally or vertically, or the moving of a building or structure from one location to another.

Amusement or theme park is a facility, primarily outdoors, that may include structures and buildings where there are a variety of attractions, such as mechanical rides, water rides, games, shows, theme exhibits, refreshment stands, and picnic grounds.

Anchor, mobile home is a system to secure a manufactured house or mobile home structure to a specific location, including concrete, auger, drive, hard rock, and/or concrete slab types of anchors.

Animated sign means a sign that has moving parts or includes action, motion, or color changes, or the optical illusion of action, motion, or color changes, including signs using electronic ink, signs set in motion by movement of the atmosphere, or made up of a series of sections that turn, including any type of screen using animated or scrolling displays such as an LED (Light Emitting Diode) screen or any other type of video display, even if the message is stationary.

Animal and pet services are establishments that provide animal and pet care services such as boarding, grooming, sitting and training. This definition does not include "veterinary services", "kennels" and "pet or pet supply stores."

Animal racetrack/event arena means any facility which operates race tracks or events involving animals, which include, but are not limited to, horse or dog racing, rodeos, horse shows or equine activities conducted for commercial purposes and for which the property is primarily used or dedicated.

Animal shelter, domestic means a pen, shelter, or structure where no more than **three** dogs or small domestic animals, not to include horses, cows, goats, swine (including pot-bellied pigs), sheep, ponies, grazing animals and fowl of any kind, are boarded or kept.

Annexation The incorporation of a land area into an existing community with a resulting change in the boundaries of that community.

Antenna means any structure or device used for the purpose of collecting or transmitting electromagnetic waves, including but not limited to directional antennas such as panels, microwave dishes and satellite dishes and omni-directional antennas such as whip antennas.

Apartment - See "Multi-family dwelling"

Apparatus means pumpers, tankers or other equipment used in suppressing fires.

Commented [JF6]: This definition may be dependent on fire protection services requirements pending final draft.

Appeal is a request for a review of a decision; or, of an interpretation of any provision of this Ordinance by the Zoning Administrator, Stormwater Director, Planning Commission, or authorized enforcement agency or personnel in accordance with the provisions of this Ordinance.

Applicant means (a) the owner, developer, subdivider, or agent thereof, of property proposed for development who applies for development approval, for change or amendment of zoning classification, for variance, or for other action described in this chapter; or (b) a wireless service provider or agent submitting an application for a permit for a telecommunications facility.

Application means any application for approval of a development proposal, as defined herein.

Application for development means the application form and all accompanying documents required by ordinance for approval of a subdivision plat or site plan.

Application for development approval means any application for approval of a rezoning, subdivision plat, building permit, conditional use permit, variance, appeal, site plan or general development plan.

Approval means a final review and approval by the responsible decision-making entity for the county in accordance with its established ordinances and procedures. For vesting purposes, phased development plans remain subject to individual reviews of all phases as a precondition to any claims of a vested right.

Aquifer is any stratum or zone of rock beneath the surface of the earth capable of containing or producing water from a well.

Architecturally treated means a structure that is constructed of or covered with such materials as brick, stone, painted or treated wood, or stucco, or covered with artificial representations of such materials that are visually undistinguishable from the natural materials and have a life expectancy of at least 20 years as evidenced by a manufacturer's warranty.

Area of shallow flooding means a designated AO or VO Zone shown on flood insurance rate maps (FIRM) with base flood depths of one to three feet, where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident.

Area of sign face means the area, in square feet, within a continuous perimeter enclosing the limits of writing, representation, emblem, or any figure of similar character together with any frame, other material, open space, or color forming an integral part of the display or used to differentiate such sign from the background against which it is placed. The area of the support structure shall not be included in calculating area of sign face.

Area of special flood hazard means the land in the floodplain subject to a one-percent or greater chance of flooding in any given year.

Arterial street is a route providing service which is relatively continuous and of relatively high traffic volume, long average trip length, high operating speed, and high mobility importance.

Artisan Use Premises are properties used for the manufacture and sale of items that are made employing handwork and/or table-mounted electrical tools and creating no adverse impact beyond its lot.

ASCE means the American Society of Civil Engineers.

Assisted living facility is a personal care home servicing 25 residents or more that is licensed by the State of South Carolina LLR to provide assisted living care. See also "Personal care home."

ASTM means the American Society for Testing Materials.

Authorized enforcement agency is the Edgefield County Building and Planning Department or such other agency of Edgefield County as designated by the County Council from time to time. Authorized enforcement agency shall be deemed to include the employees or designees of the director of the county agency shall be deemed to include the employees or designees of the director of the county agency designated to enforce the provisions of this Ordinance.

Automobile repair and service is a specialized structure for auto repair and service, including service garages and other structures that have bays for automobile service.

Automobile Service Station means a building and/or premises on any parcel or lot where gasoline, oils, greases, batteries, tires and automobile accessories may be supplied and dispensed at retail (or in connection with a private operation), where no part of the premises is used for the storage of dismantled or wrecked vehicles or parts, and also where the following services may be rendered: (a) Sale and servicing of spark plugs, batteries and distributors; (b) Tire repair and servicing, but no recapping; (c) Replacement of mufflers and tailpipes, water hoses, fan belts, brake fluid, light bulbs, floor mats, seat covers, wiper blades, windshield wipers, grease retainers, and wheel bearings; (d) Washing and polishing; (e) Greasing and lubrication; (f) Exchanging oil pumps and installing fuel lines; (g) Minor servicing and replacing of carburetors; (h) Emergency wiring repairs; (i) Adjusting or repairing of brakes; (j) Minor engine adjustments, not involving removal of head and or crank case, or racing the motor; or (k) Sale of cold drinks and package foods, as accessory only to the principal operation.

Automotive wrecking yard is a location (a) where vehicles are retained on the premises without current license tags; and/or (b) where such vehicles are damaged so as not to comply with state or federal safety regulations, or are incapable of self-propulsion or are partially dismantled; and/or (c) where such vehicles and/or their parts are bought, traded, exchanged, sold, packaged or disassembled for profit, trade or hire.

Awning is a shelter projecting from and supported by the exterior wall of a building and designed to be collapsible, retractable and generally constructed of fabric or similar non-rigid material.

Awning sign - See under "building sign".

Background traffic is vehicular traffic that is not specifically associated with any proposed or improved development, obtained from traffic counts under existing conditions.

Commented [JF7]: May only relate to traffic studies.

Banner means a sign, with or without characters, letters, illustrations, or ornamentations, applied to cloth, paper, plastic or fabric of any kind with only such material for a backing. Flags and pennants as defined herein shall not be considered banners.

Bar is an establishment, whether public or operated as a private club, including cocktail lounges, etc., serving a predominantly adult clientele, and whose primary business is the sale of alcoholic beverages, including beer and wine, for consumption on the premises, and where the purchase of food is at the option of the customers and not required by the operator.

Barrier curb is a steep-faced curb intended to prevent encroachments. See curb.

Base flood means the flood having a one-percent chance of being equaled or exceeded in any given year.

Base flood elevation (BFE) is the elevation of the base flood, including wave height, relative to the National Geodetic Vertical Datum (NGVD), North American Vertical Datum (NAVD) or other datum specified by the Flood Insurance Rate Map (FIRM).

Basement is a story that is not a story above grade plane. Also, for flood loads, that portion of a building having its floor subgrade (below ground level) on all sides' or any enclosed area of a building which is below grade on all sides.

Base zoning district is any basic zoning districts not including overlays and may be any of the following: RA, RC, RE, RL, RS, RV, LSC, GSC, LIM, and GIM.

Bay of parking is two (2) rows of parking that abut and face each other separated by a landscaped area, two (2) rows of parking separated by a drive aisle, or a single row of parking along a drive aisle.

Beacon means a stationary or revolving light which flashes or projects illumination, single color or multi-colored, in any manner which is intended to attract or divert attention; except, however, this term is not intended to include any kind of lighting device which is required or necessary under the safety regulations described by the Federal Aviation Administration or similar agencies.

Bed and breakfast inn (B&B) means any owner-occupied dwelling or portion thereof offering rooms and meals at breakfast to transient lodgers in return for compensation.

Berm is a mound of soil, either natural or manmade, used to obstruct views.

Bicycle path A pathway usually separated from roadways, designed specifically to satisfy the physical requirements of bicycling.

~~*Billboard* is a surface whereon advertising matter is set in view conspicuously and which advertising does not apply to premises or any other use of premises wherein it is displayed or posted.~~

Commented [JF8]: This definition is from another jurisdiction and appears superfluous

Billboard means a freestanding sign with a sign face of more than 182 square feet on multi-lane divided highways or more than 150 square feet on other streets and highways or a wall sign with a sign face of more than 300 square feet.

Commented [JF9]: Confirm dimensions from Chapter 7 or reference Chapter 7 to allow future edits

Biomedical waste treatment or disposal facility is a facility that disposes of or treats pathological waste, biological waste, cultures and stocks of infectious agents or associated biologicals, chemotherapy waste, discarded medical equipment or parts, but does not include expendable supplies and materials that have been decontaminated.

Block means an area of land entirely surrounded by public highways or streets. A block may include a combination of building lots serviced by service lanes, the perimeter of which abuts public use tracts, generally streets.

Blow-off is an outlet in a pipe through which water or sediment can be discharged from a lower sewer.

Boardinghouse (or Boarding house) is a building arranged or used for lodging for compensation, with or without meals, and not occupied as a single-family unit.

Board of Adjustment is the Edgefield County Board of Zoning Appeals established pursuant to S.C. Code §6-29-780.

Board of Zoning Appeals is a quasi-judicial board appointed by the Edgefield County Council which hears and decides on variances to the Land Management Ordinance of Edgefield County.

Bracket sign is a freestanding sign that projects perpendicular from one (1) or more posts or a solid monument-type base.

Breakaway wall is a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or the supporting foundation systems.

Brick is defined as one of three different types of masonry product, including (a) calcium silicate (sand lime brick), (b) clay or shale, or (c) concrete.

Buffer is an area within a property or site, generally adjacent to and parallel with the property line, either consisting of natural existing vegetation or created by the use of trees, shrubs, fences and/or berms, designed to physically separate or screen the view of, and/or sound from, the site to adjacent sites or properties.

Buffer, natural is a visual screen created by vegetation of such density so as to present an opaque visual separation when viewed from one side to the other throughout the year.

Buffer, structural is a visual screen created through construction of a solid wooden fence, decorative masonry wall, earthen berm, or combination of fence or wall with an earthen berm, which may be supplemented with vegetation, so as to present an opaque visual separation when viewed from one side to the other throughout the year.

Buffer yard means a unit of yard together with the planting, fences, walls, and other screening devices required thereon.

Buildable area means 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.

Building means any structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of any individual, animal, process, equipment, goods, or materials of any kind. By this definition, all buildings are structures, but not all structures are buildings.

Commented [JF10]: IBC defines as any structure used or intended for supporting or sheltering any use or occupancy.

Building, accessory, means a subordinate structure on the same lot as the principal or main building or use occupied or devoted to a use incidental to the principal use. Included in this definition are private garages, storage sheds, workshops, animal shelters, pool houses, and other uses listed by table 1, section 24-31, when detached from the principal buildings, and carports attached to the principal building when at least 75 percent open or unenclosed.

Building alteration is any act or process that changes one or more of the exterior architectural features of a structure, including, but not limited to, the erection, construction, reconstruction, or removal of any structure.

Building code means the minimum standards as set by the International Building Code, as amended.

Building elevations are drawings that show the front, back and sides of a building as seen from street level, and include the design, materials, colors, dimensions and final appearance of doors, windows, outer surfaces, signage, roof and architectural details. Elevations are drawn to scale.

Building envelope is the portion of a lot or parcel available for the construction of a building or structure after the delineation of required setbacks in the zoning district, riparian buffers, landscape buffers, open space, stormwater treatment and detention areas, and other open space.

Building footprint is the portion of a building with a foundation, cantilevers as specified and other structures that cover the ground such as access buildings or structural stairs, but not fences or walls.

Building height is the vertical distance to the highest point of the roof for flat roofs; to the deck line of mansard roofs; and to the average height between eaves and the ridge for gable, hip, and gambrel roofs, measured from the curb level if the building is not more than ten (10) feet from the front lot line or the average grade at the foundation in all other cases. Building height shall not apply to chimneys, spires, belfries, cupolas, or domes.

Building inspector is the individual designated by Edgefield County to enforce the Land Management Ordinance codes.

Building line is the line established by law, beyond which a building shall not extend, except as specifically provided by law. The building line of a lot shall be determined to run parallel to and set back the appropriate distance required within the district in which the lot is located from street right of way lines, street centerlines or other boundary lines. Also, "setback".

Building lot is a separately platted portion of private land, not including a specified sidewalk area.

Building Official means the officer or other duly authorized representative designated by Edgefield County, who is charged with the administration and enforcement of the Land Management Ordinance.

Building permit is a permit obtained from Edgefield County which sets the inspection schedule and construction specifications for a project.

Building, principal, means a building in which is conducted, or in which is intended to be conducted, the main or principal use of the lot on which it is located.

Building sign means a sign that in any manner is fastened to, projects from, or is placed upon the exterior wall, or a window, door or roof of a building. The term "building sign" includes but is not limited to the following:

- (a) **Awning sign.** A sign imposed, mounted, or painted upon an awning.
- (b) **Building marker.** A sign composed of concrete, bronze or other permanent material which is built into the surface of the building at the time of its construction.
- (c) **Canopy sign.** A sign imposed, mounted, or painted upon a canopy, as defined herein.
- (d) **Mansard sign.** A sign imposed, mounted, or painted upon the fascia portion of a mansard roof.
- (e) **Marquee sign.** Any sign attached flat against or upon a permanent marquee of a building.
- (f) **Projecting sign.** A sign affixed flat to a wall and extending more than 8 inches from the surface of such wall, or any sign attached to and extending at an angle from a wall surface (usually perpendicular).
- (g) **Roof sign.** A sign that is mounted upon or above any portion of the roof of a building or structure including the upper slopes of a gambrel or mansard roof or any variations of such roofs. Signs mounted on the lower slope of a gambrel or mansard roof shall be considered wall signs.
- (h) **Under-Canopy sign.** A display attached to the underside of a marquee or building canopy and protruding over a pedestrian walkway.
- (i) **Wall (or façade) sign.** A sign that is painted on, applied to or mounted to the wall or surface of a building or structure, the sign display surface of which does not project more than eight inches from the outside wall of such building or structure. The total lettering on one wall of a building or structure shall constitute one wall sign. Signs shall not project above the top edge of a wall or above or below the front wall, edge or face of a marquee.

(j) *Window sign.* Any sign that is applied, painted or placed behind, inside or upon a windowpane or a glass door in such a manner as to be viewable and/or readable from the exterior of the building.

Business park means one or more buildings located on a property in common ownership, management or operation, units of which are owned, leased or rented primarily for office, institutional or light industrial purposes.

Bus or truck maintenance facility is a specialized structure for bus or truck repair and service, including service garages and other structures that have bays for automobile service.

Business, wholesale are establishments selling commodities in quantities for re-sale to retailers, including wholesalers for all types of retail products, bulk stations for gasoline, kerosene, fuel, oil, bottled gas, etc., and warehouses.

Caliper is the diameter of a tree trunk as measured six (6) inches above the ground.

Camper is a Manufactured Home, motor home, tent, trailer, or other self contained vehicle, designed for recreational purposes, made of metal or other materials, mounted, or capable of being mounted on two or more wheels and either self propelled or rigged for towing.

Camp, private site, is not open to the general public, with or without improvements and utilities containing 3 or more campsites for tents and/or cabins and/or recreation vehicles, which may contain service and facilities for its occupants.

Campgrounds, Parks, Recreational Vehicle and Commercial are places used for public camping where persons can rent space to park individual camping trailers, pick-up campers, motor homes, travel trailers or automobiles for transient dwelling purposes.

Canopy (architectural) is a non-retractable covered or enclosed rigid structural framework attached to and extending outward from the exterior wall of the building, and includes but is not limited to such structures as theater marquees, but does not include any structurally integrated architectural feature such as lintels, sills, moldings, architraves and pediment or any structure over gasoline pumps.

Canopy, building is a permanent roof-like structure projecting from a building and open on at least one side for the purpose of shielding a pedestrian walkway from the elements.

Canopy, freestanding is a freestanding roof-like structure supported by columns intended to shield a vehicular driveway or service area from the elements.

Canopy, tree is any overhanging layer, shelter or shade formed by the branches and leaves of a tree, whether or not all direct sunlight is able to reach the understory. Examples of such trees include oaks, hickories, maples, poplars, and others.

Capacity is the maximum demand that can be accommodated by a public facility or service without exceeding the adopted Level of Service. (a) For streets, "Capacity" shall be measured by the maximum number of vehicles that can be accommodated by an intersection, during the time period specified in §8.4.1 hereto, under prevailing traffic and control conditions at that Street's adopted Level of Service. (b) For fire protection facilities, "Capacity" shall be measured by the maximum level of construction or population which can be accommodated within the Impact Area based on available fire protection improvements consistent with the ISO Rating as set forth in Table 8-1 hereto. (c) For parks, "Capacity" shall be measured by number of Community Parks within the Impact Area.

Capital improvement is a physical asset that is constructed or purchased to provide, improve or replace a public facility and is identified as a capital improvement in the capital improvement program, and has a cost of at least \$20,000 or is considered a long-term fixed asset. The cost of a capital improvement is generally non-recurring and may require multi-year financing. "Capital Improvements" shall include physical assets providing additional capacity needed to accommodate the demand for public facilities generated by a proposed development, and shall include, for any public facility subject to this Chapter, assets identified as existing or projected needs in the Capital Improvements Program.

Capital improvements Program (CIP) is a schedule of future public improvements or construction projects that increase the capacity of public facilities and services adopted in accordance with the requirements of Article 8 of this Chapter.

Cartway is the actual road surface area from curb line to curb line, which may include travel lanes, parking lanes, and deceleration and acceleration lanes. Where there are no curbs, the cartway is the portion between the edges of the paved, or hard surface, width.

Catering business is an establishment that provides single event-based food services, transporting food via equipment and vehicles to events or prepare food at an off-premise site. This term shall be synonymous with "caterer."

Cemetery is property used for the interment of the dead. A cemetery may include: a burial park for earth interments; a mausoleum for vault or crypt interments; a columbarium with niches for urns; and a chapel. Types of cemeteries include: the monument cemetery, the lawn cemetery, and the garden memorial park.

Certificate of occupancy means a document allowing the occupancy or use of a building or certifying that the structure or use has been constructed or will be used in compliance with all applicable provisions of this chapter and the building codes.

Certificate of Registration means the document issued by the Council, authorizing the person named thereon, to practice in the stated classification.

Commented [JF11]: We may want to reference SC LLR here

Certificate of zoning compliance is a certificate issued by the Zoning Administrator (or his designee) that a proposed use is either in conformity or nonconformity with existing zoning laws.

Certified means qualified by examination administered by a recognized organization in one or more building, system, or component inspection disciplines.

Certified arborist means a professional in the tree care industry who has passed an exam administered by the International Society of Arboriculture certifying such person as an "ISA Certified Arborist."

Changeable copy sign means a sign that is capable of changing the position or format of word messages or other displays on the sign face or of changing the visible display of words, numbers, symbols and graphics by the use of a matrix of electric lamps, moveable discs, moveable panels, light apertures or other methods, provided these changes are actuated by either a control mechanism or manually on the face of the sign. Tri-vision signs and LED signs are specifically excluded from the definition of changeable copy sign.

Channel is the bed and banks of a natural stream which conveys the constant or intermittent flow of the stream.

Check dam is an improvised barrier in a channel to retard the flow of water especially for controlling soil erosion.

Child care facility is a building or structure where care, protection, and supervision are provided, on a regular schedule, to at least [seven] children.

Child day care includes (a) family day care home, (b) group day care home, or (c) a child day care center, and shall mean and include any home, center, agency, or place where children not related to the operator are received for custodial care apart from their parents, whether for compensation, reward, or otherwise during part or all of the day or any number of successive days.

Commented [JF12]: Clarified, please review and compare to adult day care.

Church A building wherein persons regularly assemble for religious worship, and which is maintained and controlled by a religious body organized to sustain worship.

Circus means any circus, carnival, exhibition of dancing, juggling, riding, rope walking, sleight of hand, tumbling, hippodrome, menagerie, trained animal show, waxworks, wild west show, rodeo or sports day celebration.

City limits or town limits are the territory of an incorporated area such as the City of North Augusta or the towns of Edgefield, Johnston, or Trenton, or the boundary line of a city or town.

Clear cutting is the indiscriminate removal of trees, shrubs or undergrowth with the intention of preparing real property for nonagricultural development purposes. This definition shall not include the selective removal of non-native trees and shrub species when the soil is left relatively undisturbed, removal of dead trees or normal mowing operations.

Clear height is the vertical dimension of a building story that extends from the finished floor to the ceiling, and unobstructed by pipes, utilities or similar permanent barriers to physical movement.

Clear zone is an area beyond the curb radius, so specified, which shall be kept clear of all objects to provide emergency vehicle clearance.

Clinic or outpatient clinic is a building or portions thereof used to provide medical (or dental) care on less than a 24-hour basis to persons who are not rendered incapable of self-preservation by the services provided.

Cluster home development is a development design technique that concentrates buildings in specific areas on the site to allow the remaining land to be used for recreation, common open space, and preservation of environmentally sensitive features.

Cluster housing development means a development design technique that concentrates buildings in specific areas on the site to allow the remaining land to be used for recreation, common open space, and preservation of environmentally sensitive features.

Club means buildings and facilities owned or operated by a corporation, association or person for a social, educational or recreational purpose, but not primarily for profit and not primarily to render a service which is customarily carried on as a business.

Code Enforcement means administering a building inspection department, enforcement or rendering interpretations of building, residential, plumbing, electrical, mechanical, fuel gas and energy conservation codes, performing building plans review, or performing inspections on one or more building systems for new construction or renovation, as or under the supervision of a Building official.

Codes may mean the editions of the building codes referenced in Section 6-9-50, Code of Laws of South Carolina, 1976, as amended that have been adopted by the South Carolina Building Codes Council.

Collector street means any street segments identified in the CIP that are not identified as an "Arterial Street" or a "Local Street".

Collocate may mean the location of wireless communications equipment from more than one carrier on a single tower or site.

Column is a cylindrical support consisting of a capital, shaft and a base.

Column sign – See under “freestanding sign”.

Commercial means the use of land, building or structure for the purpose of buying, selling and/or production of commodities and/or supplying of services.

Commercial Inspector means a person who performs onsite inspections in two or more construction disciplines, as determined by position description for the local jurisdiction for which employed, for all types of construction in all occupancy groups.

Commercial recreation activities include billiard parlors, bowling alleys, machine arcades (excluding video poker), skating rinks and movie theaters. These activities do not include bingo establishments.

Commercial speech means the expression of an idea, opinion or message that directs or attracts attention to a business operated for profit; or to a product, commodity or service for sale, trade, barter, swap or lease; or to any other commercial interest or activity.

Commercial stable is any place where horses are kept, housed, boarded, lodged, fed, hired, trained, sold, or bred as a commercial activity. Commercial stables are also known as riding stables, riding academies, and riding schools.

Commercial use is an occupation, employment or enterprise that is carried on for profit by the owner, lessee, or licensee.

Committed development is a proposed development that has received final subdivision plat approval or, for a proposed development that does not involve the subdivision of land, an approved master plan or site-specific development plan.

Common open space or common space means land within or related to a development, not individually owned or dedicated for public uses, which are designed and intended for the common use or enjoyment of the residents of the development and may include such complementary structures and improvements as are necessary and appropriate.

Commented [JF13]: Roads are not considered to be common space

Common ownership is ownership by the same person, corporation, firm, entity, partnership or unincorporated association; or ownership by different corporations, firms, partnerships, entities or unincorporated associations, in which a stock owner, partner or associate, or a member of his family owns an interest in each corporation, firm, partnership, entity or unincorporated association, but excluding ownership of less than one percent (1%) of any stock traded on the New York, American or Pacific Stock Exchanges or traded over-the-counter where the price is listed at least weekly in the Wall Street Journal.

Communication tower - See "Tower, Communication"

Communications and information uses are establishments that produce or distribute information. These establishments include publishing (newspapers, magazines and other periodicals, books, databases, calendars, greeting cards, maps and similar works, as well as computer software); motion pictures and sound recording (production, publishing, and distribution); telecommunications and broadcasting (excluding wireless telecommunication facilities); Internet access and service providers; library or archive services; and news syndicates.

Community center means (a) any tract of land or building or buildings or any part of any buildings used for community activities whether used for commercial purposes or not, the control of which is vested in the government, a local government-appointed board, or agent thereof, or (b) a building or part of a building used for community activities without purpose of gain.

Community park is a park that is intended for use by all residents of the city and is designated as Community Park in the Capital Improvements Program or the Parks Master Plan. The city hereby finds and determines that the designation "Community Park" does not depend exclusively upon its size, location or function, and that the design, accessibility and layout of any park may be used to determine whether it is a Community Park.

Compatible means Congruous with, tolerant of and having no substantial adverse effects on neighboring uses. This term shall be synonymous with the term "consistent."

Compliance means compliance with this Ordinance or the terms thereof. This means not only the following of the literal wording and intent of this Ordinance, but also the following of the wording and intent of the orders, decisions and interpretations given to this Ordinance (or portions hereof) by the zoning entity.

Comprehensive Plan means the comprehensive long-range plan intended to guide the growth and development of Edgefield County. The plan for the county that meets the requirements of SC Code 6-29-510 et. Seq. and includes analysis, recommendations and proposals for the community's population, economy, housing, transportation, community facilities and land use.

Concentrated animal feeding operation (CAFO) is an agricultural facility where 100 or more swine are confined and fed or maintained for a total of 45 days or more in a 12-month period, and crops, vegetated forage growth, or post-harvest residues are not sustained in the normal growing season over any portion of the lot or facility. Structures used for the storage of swine waste from swine in the operation also are part of the operation. The term CAFO includes slaughterhouses as defined in this Section, but does not include agricultural facilities for animals other than swine.

Concept plan is a preliminary presentation and attendant documentation of a proposed subdivision or site plan of sufficient accuracy to be used for the purpose of discussion and classification.

Concrete block (CMU) is a hollow or solid Portland cement product, fine aggregate and water, molded into various shapes.

Conditional approval means an interim action by a local governing body providing authorization for a site-specific development plan or phased development plan, which plan remains subject to further approval, based on such terms and conditions as the local governing body may set forth.

Conditional use means a use of land or structure, which is permitted in a district under conditions, specified in the zoning provisions.

Condominium means a unit in a multi-unit structure owned by an individual who has use of all common areas associated with that structure.

Conservation easement is a conservation easement as defined in the Conservation Easement Act of 1991, SC Code &27-8-10, and is generally determined to mean an agreement between a land owner and Edgefield County or another government agency or land trust that permanently protects open space or greenspace on the owner's land by limiting the amount and type of development that can take place, but continues to leave the remainder of the fee interest in private ownership.

Conservation subdivision is a form of subdivision design which allows increased residential density in areas of a site that are more suitable for development, thereby preserving environmentally sensitive areas of the site as undisturbed greenspace.

Construction means any building or erection of a structure or land disturbance for a structure, or the installation of a new/additional manufactured home or manufactured home park, or the enlarging or improving of an existing manufactured home or manufactured home park.

Construction commences means construction has begun in accordance with the terms of a building permit.

Construction documents are written, graphic and pictorial documents prepared or assembled for describing the design, location, and physical characteristics of the elements of a project necessary for obtaining a building permit.

Contiguous means parcels, lots and tracts of land, projects, and expansions of existing uses are considered contiguous regardless of interruptions by streets, alleys, public easements or wrecking services. These establishments usually include onsite storage of equipment and materials and may include office space associated with the business. This definition also includes establishments engaged in blasting, test drilling, landfill, leveling, earthmoving, excavating, land drainage, and other land preparation.

Convenience store means an establishment that primarily sells a limited line of goods that generally includes milk, bread, soda, snacks, newspapers and magazines, and a limited amount of freshly prepared foods for off-premises consumption.

Corner Store: Small retail center, generally ranging from 1500 to 3,000 SF (Stand-alone or built into a mixed-use building) offering beverages, food, prepared snacks, sundries, and niche products catering to a neighborhood service area and needed on a regular basis. The service area is approximately 800 to 1,000 households to support an average sized corner store.

Cornice means the horizontal top of a facade that projects from the surface, typically where the roof overhangs the wall.

Corridor means the rights-of-way of a publicly (or privately) owned travel path that a parcel or tract would otherwise abut.

Corridor, River means all land within the buffer area and other setback areas specified in this Chapter.

Council or County Council means the Edgefield County Council.

County means all unincorporated areas of Edgefield County, South Carolina.

County road means any public road or highway located within the unincorporated areas of Edgefield County and which are also within the jurisdiction and control of the County Council.

Cover, non-vegetative (or nonvegetative stabilization) is a cover such as mulch, staked sod, riprap, erosion control blankets or other material that prevents soil from eroding

Cover, vegetative (or vegetative stabilization) is permanent or short-term seeding that provides stabilization of erosive or sediment-producing areas.

Critical facility is any public or private facility, which, if flooded, would create an added dimension to the disaster or would increase the hazard to life and health. Critical facilities include: (a) structures or facilities that produce, use, or store highly volatile, flammable, explosive, toxic, or water-reactive materials; (b) Hospitals and nursing homes, and housing for the elderly, which are likely to contain occupants who may not be sufficiently mobile to avoid the loss of life or injury during flood and storm events; (c) Emergency operation centers or data storage centers which contain records or services that may become lost or inoperative during flood and storm events; and (d) Generating plants, and other principal points of utility lines.

Crown is the highest point of the surface of a roadway in the cross-section view.

Cul-de-sac is a dead-end road designed to be permanently closed at one end and shall not exceed 2,500 feet in length measured from the right-of-way to the center point of the turn-around

Culvert A structure designed to convey a water course not incorporated in a closed drainage system under a road or pedestrian walk.

Curb is a stone, concrete or other improved boundary marking the edge of the roadway or paved area. See also Belgian Block Curb, Barrier Curb, Mountable Curb.

Curb face is the vertical or shaped portion of a curb, facing the roadway, and designed to direct storm waters.

Customary home occupation is an occupation, service, professional or enterprise conducted entirely within a dwelling and which is carried on by a resident thereof and which is clearly incidental and secondary to the use of the dwelling for residential dwelling purposes

Cut is a portion of land surface or area from which earth has been removed or will be removed by excavation of the depth below original ground surface to the excavated surface. Also known as excavation.

Day care services means and includes any home, center, agency, or place, however styled, where children, elderly, and other persons not related to the operator are received for custodial care, apart from their parents, whether for compensation, reward, or otherwise during part or all of the day or any number of successive days.

Days means working days exclusive of holidays authorized by the County Council and weekends, unless the term is stated as "calendar days" or the context implies otherwise.

Deciduous are plants/trees that lose their leaves in the fall.

Dedication means the transfer of property interests from private to public ownership for a public purpose. The transfer may be of fee-simple interest or of a less than fee interest, including an easement.

Density means the number of dwelling units per acre of land developed or used for residential purposes. Density requirements in this chapter are expressed in dwelling units per gross acre; that is, per acre of land devoted to residential use is based on the total land area within a development tract or subdivision, excluding nothing.

Designated subdivision means a formally recognized parcel of land developed, subdivided, used or set aside into two or more lots for the purpose of single-family dwelling units by the county planning commission.

Design flood is the relative size or magnitude of a major flood of reasonable expectancy, which reflects both flood experience and flood potential and is the basis of the delineation of the floodway, the flood hazard area and the water surface elevation.

Design professional is a professional licensed by the State of South Carolina in the field of: engineering, architecture, landscape architecture, forestry, geology, or land surveying; or a person that is a certified professional in erosion and sediment control (CPESC) with a current certification by Certified Professional in Erosion and Sediment Control.

Design standards are the standards that set forth specific improvement requirements.

Detention is the temporary storage of stormwater runoff in a stormwater management facility for the purpose of controlling the peak discharge.

Detention basin is a man-made or natural water collector facility designed to collect surface and sub-surfaced water in order to impede its flow and to release the same gradually at a rate not greater than that prior to the development of the property, into natural or man-made outlets.

Detention facility means a facility designed to detain stormwater runoff temporarily for a minimum length of time as determined by the county and then release the detained water at a predevelopment design flow. Detention facilities must be designed so that no stormwater remains in the facility during dry weather conditions.

Developed lot - See lot, developed definition. Developed lot means any lot or parcel containing over \$20,000 in improvements other than a sign

Commented [JF14]: Aiken says \$20K, Aiken County says \$50K Edgefield town specifies \$20K improvements

Developer means an individual, partnership, corporation, or agent who makes application for plan approval and/or a grading permit under the provisions of this ordinance, or that undertakes the activities covered by these regulations. An agent shall have written and notarized authorization from the individual, partnership, or corporation submitted to the building and planning department in a form approved by the director of building and planning prior to the approval of any application or permit regulated by this chapter.

Development means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, or subdivision of land; or mining, dredging, filling, grading, paving, excavation, or drilling operations. "Development," as designated in an ordinance, rule or development permit includes all other development customarily associated with it unless otherwise specified. When appropriate to the context, "development" refers to the act of developing or to the result of development. Reference to any specific operation is not intended to mean that the operation or activity, when part of other operations or activities, is not development

Development proposal may be any of the following: an application for an administrative permit as provided in §5.2, zoning amendment, conditional rezoning, conditional use permit, site plan, general development plan, subdivision plat or variance.

Development regulation is the zoning, subdivision, site plan, flood plain regulation or other governmental regulation of the use and/or development of land.

DHEC means the South Carolina Department of Health and Environmental Control.

Diagonal tie is any tiedown designed to resist horizontal or shear forces and that deviates not less than 30 degrees from a vertical point.

Diameter breast height (DBH) means the diameter of a tree trunk as measured at breast height.

Dispose is the discharge, deposit, injection, dumping, spilling, leaking, placing of any solid waste or hazardous waste or dangerous chemicals into or on any land or water so that such solid waste or hazardous waste or any constituent thereof may enter the environment or be emitted into the air or be emitted into any waters, including groundwaters, or be burned, incinerated or deposited by any other means onto or into the air, land or water, including groundwater.

District means a section, zone, or geographic area within the county within which certain zoning or development regulations apply; the words "district" and "zoning district" may be used interchangeably throughout this Ordinance.

Domesticated animal is an animal that is tamed, associated with a family life, and accustomed to living in or near habitations of humans.

Domestic animal shelter means a pen, shelter, or structure where no more than three dogs or small domestic animals, not to include horses, cows, goats, swine including potbellied pigs, sheep, ponies, grazing animals, and fowl of any kind, are boarded and kept.

Double-faced sign means a sign which has two display areas opposite each other or where the interior angle formed by the display area is 60 degrees or less, where one face is designed to be seen from one direction and the other face from another direction.

Double frontage lot, see "Lot, through or double frontage".

Commented [JF15]: Is there a need to address double frontage lots?

Double-wide manufactured home. A manufactured home consisting of two sections combined horizontally at the site, while still retaining their individual chassis.

Drainage means the removal of surface water or groundwater from land by drains, grading, or other means.

Drainage easement is an easement appurtenant or attached to a tract or parcel of land allowing the owner of adjacent tracts or other persons to discharge stormwater runoff onto the tract or parcel of land subject to the drainage easement.

Drainage structure is a device composed of a virtually non-erodible material such as concrete, steel, plastic or other such material that conveys water from one place to another by intercepting the flow and carrying it to a release point for stormwater management, drainage control, or flood control purposes.

Drainage system is a system through which water flows from land, including all water courses, water bodies and wetlands.

Drip line is a vertical line extending down to the ground from the end of the tree's longest branches.

Drive through Facility is an establishment that allows transactions for goods or services without leaving a motor vehicle, but excluding car washes and motor vehicle service, maintenance or repair facilities. Also known as "drive-in" facilities.

Driveway means a paved or unpaved area used for ingress and egress of vehicles, and allowing access from a street to a building or other structure or facility.

Drive-in theater - See "Theater, drive-in."

Driving range - See golf driving range

Drop manhole is a manhole provided for inspection and maintenance of sewers where an incoming sewer is considerably higher than the outgoing.

Duplex - See under "Dwelling."

Dwelling shall mean any building or structure, or portion of a building, used and occupied for human habitation or intended to be so used and includes any outhouses and appurtenances belonging to the principal structure.

Dwelling, apartment (See *Dwelling, multifamily*).

Dwelling, attached, means a single-family dwelling unit attached to two or more single-family dwelling units by common vertical walls.

Dwelling, cluster development is a development design technique that concentrates buildings in specific areas on the site to allow the remaining land to be used for recreation, common open-space and preservation of environmentally sensitive features. The design technique is applied principally to single-family residential subdivisions

Dwelling, detached, means a single dwelling unit, surrounded by open space or yards and which is not attached to any other dwelling by any means.

Dwelling, duplex, means a building containing two dwelling units.

Dwelling, group occupied, means a dwelling unit occupied by five or more individuals unrelated by blood, marriage, adoption, or guardianship living together as a single housekeeping unit.

Dwelling, multifamily, means a building containing five or more dwelling units.

Dwelling, patio house or patio home, means a single-family detached or semi-detached dwelling unit. It is built on a small lot generally enclosed by walls, which provide privacy. The term is synonymous with zero lot line dwellings.

Dwelling, quadruplex, means a building containing four dwelling units.

Dwelling, residential design (or designed) manufactured home, means a single-family dwelling unit built according to the Federal Manufactured Housing Construction and Safety Standards (245 CFR 3280) HUD Code, 6-15-76, and which: (a) Has a minimum width over 20 feet (multiple-section); (b) Has a minimum of 900 square feet of enclosed living area; (c) Has a minimum 3:12 roof pitch; and has a type of shingle commonly used in standard residential construction; (d) Is covered with an exterior material customarily used on site built homes, including vinyl or aluminum lap siding, wood, Masonite, or other materials similar to the exterior siding commonly used in standard residential construction; and (e) Has a roof overhang of not less than eight inches.

Dwelling, single-family, means a building containing one dwelling unit.

Dwelling, standard designed manufactured home, means a single-family dwelling unit built according to the Federal Manufactured Housing Construction and Safety Standards (24 CFR 3280) HUD Code, 6-15-76, and which does not meet the definition of a residential designed manufactured home.

Dwelling, townhouse, means a series of attached single-family dwelling units on separate lots, which may or may not have a common roof and are separated from each other by common vertical walls.

Dwelling, triplex, means a single building containing three dwelling units.

Dwelling unit means a single unit providing complete, independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking, and sanitation.

Dwelling, zero lot line, means a single-family detached unit which, instead of being centered on a lot, is placed against at least one of the side lot lines. The term is synonymous with patio homes.

Easement means a right-of-way granted to another party for specific limited use.

Easement, access, means a right granted by a property owner to another party for ingress and egress to another property.

ECW&SA or ECWSA mean the Edgefield County Water and Sewer Authority.

Edgefield County means the unincorporated areas of Edgefield County when referencing the development codes of the Edgefield Land Management Ordinance.

Elevated building means a non-basement building constructed to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, columns, (post and piers), shear walls, or breakaway walls.

Endangered species includes animal, bird, fish, plant, or other living organism threatened with extinction by natural or man-made changes in its environment.

Engineer means any person registered to practice professional engineering by the South Carolina Board of Engineering Examiners.

Entryway is the horizontal ground surface extending from the public right of way to a door or similar building entry.

Ephemeral stream is a stream that typically has no well-defined channel and flows only in direct response to precipitation with runoff.

Erosion means the general process by which soil and rock fragments are detached and moved by the action of wind, water, ice, and gravity, either naturally or induced.

Erosion and sediment control plan is a plan that is designed to minimize the accelerated erosion and sediment runoff at a site during land disturbance activities.

Erosion and sediment control and stormwater management plan means a plan which fully indicates necessary land management and treatment measures, including a timetable of the schedule for their installation, which will effectively minimize soil erosion and sedimentation, and which will provide for the successful management of stormwater, which is approved as provided herein for application to a particular area or parcel of ground.

Escrow is a deed, a bond, money, or a piece of property delivered to a third person to be delivered by him to the grantee only upon fulfillment of a condition.

Evergreen or evergreen tree is a plant or tree that retains foliage throughout the year.

Exhibition, convention, or conference center is a facility designed to accommodate special events that require an exhibition hall, meeting rooms, an auditorium and/or kitchen and banquet facilities. Trade shows, public shows, conventions, food functions, receptions, dances, banquets, assemblies, and other activities are typically hosted in these structures.

Existing capacity is the capacity provided by facilities which have been constructed and are available for use.

Expandable manufactured home. A manufactured home with one or more room sections that fold, collapse, or telescope into the principal unit when being transported, and which can be expanded at the site to provide additional living area.

Extensive business use means the use of land and structures for trade and services which are of low to moderate employment intensity, deal in large or bulky goods and equipment requiring considerable indoor or outdoor space or large and specialized equipment for display, handling, storage, or service, and generate significant truck traffic, including: (a) Wholesale trade and warehousing of goods sold at retail (but not in hides, skins, raw furs, livestock, live poultry, or other odor-producing animal products); sales and storage of lumber, metal and wood fencing, ornamental-grill work, and building, electrical heating, plumbing, welding, and similar contractors and industrial supplies (including sale of sand and gravel but excluding sales of asphalt and concrete from batch plant or transit-mix plant); sales and tank storage of bulk fuel or motor oil, gasoline, heating, and illuminating gas, and the like (but not the refining or processing thereof), and sales and storage of coal; cold storage services, sale and service of physician/surgeon, barber/beauty and restaurant/hotel food service supplies and equipment; catering services, amusement and vending machines sales and service; uniform supply service; laundry plant (without individual patron service desk); manufacture, sale, and service of electric and neon signs and advertising structures; and monument sales (but not manufacture); (b) New and used motor vehicle (of three-fourths ton or less rated capacity) and small non-vehicular engines and equipment sales, rental, and such service as repair, reconditioning, painting, body and fender work, upholstering and seat covering, and tire retreading and recapping; motor vehicle (of whatever size), mobile home, travel or other trailer, marine craft, and small aircraft, and small aircraft sales and rental (but not servicing as above) and exterminating, fumigating, septic tank pumping, furnace cleaning, well drilling and like services; (c) Sales and rental and maintenance (not involving heavy metal working) for motor vehicles of greater than three-fourths ton rated capacity and for large transportation, communications, utilities, industrial, commercial, agricultural, or contractors' equipment; (d) Sale, storage and sorting (but not disassembly or processing) of junk, waste, discarded or salvaged equipment, machinery, vehicles, or other non-putrescible materials

Commented [JF16]: This definition is from existing ordinance and may need reconsideration

Extractive industry means the use of land and structures for the preparation, distribution, and processing of dust-producing mineral products such as gypsum, lime, abrasives, cement, fertilizer, plaster, crushed stone, monuments, sand, gravel, and soil.

Exterior architectural appearance includes architectural character, general composition and general arrangement of the exterior of a structure, including the kind, color and texture of the building material and type and character of all windows, doors, light fixtures, signs and appurtenant elements, visible from a street or public thoroughfare.

Exterior insulation and finishing system (EIFS) means the exterior finish for a building composed of polystyrene foam covered with a synthetic stucco; this type of stucco (in contrast to traditional, porous cement-based stucco) is waterproof and is sprayed on.

Commented [JF17]: IBC has a slightly different definition

Façade means the exterior vertical surfaces of a building that comprise the front, side or rear wall.

Factory-built home - See "modular home"

Fall zone means the maximum area (the furthest distance from the tower base) in which a telecommunications facility will collapse in the event of a failure, usually less than the total height of the structure. This zone must be defined by a professional civil or structural engineer licensed in the state.

Family day care home, where permitted as an accessory use, means a home in which care is given by a family member and no others during the day only for one and not more than six children, including the day care parents' own children.

Family personal care home - See "personal care home".

Farm means any tract or real property which is principally used to raise, harvest or store crops, feed, breed, or manage livestock or to produce plants, trees, fowl or animals useful to man, including the preparation of the products raised thereon for man's use and disposed of by marketing or other means.

Farmers Market is a market conducted outdoors or in an unenclosed structure where retail sales and demonstration of community supported agricultural products, including fruit, produce, ornamental crops, eggs and other agricultural products, and homemade value added products, including baked goods, jam and jellies, pickles and relish, dried fruits, syrup and honey, are permitted.

FCC means the Federal Communications Commission, or its duly designated and authorized successor agency.

Feather banner means a banner mounted on a pole, such as the examples shown to the right. Such signs may be wind activated (see "animated sign") or rigidly mounted in a stationary position.



Examples of Feather Banners

Federal manufactured home construction and safety standards means regulations promulgated by the department of housing and urban development (HUD) governing the design and construction, strength and durability, transportability, fire resistance, energy efficiency, and quality of manufactured housing. These standards also set performance requirements for heating, plumbing, air conditions, thermal, and electrical systems.

Feed lot is an open or closed compound, where livestock is fed, graded, bought, sold, or maintained for transfer.

Fence is a structure, other than a building, which is a barrier used as a boundary or means of protection or confinement.

Festoons are strings of light bulbs or other lighted devices, and strings of ribbons, tinsel, pennants, streamers, pinwheels or other similar devices designed to move in the wind.

Fill means a deposit of soil, rock, or other material placed by man.

Finished grade means the final elevation and contour of the ground after cutting or filling and conforming to the proposed design.

Fire station is a building which houses fire apparatus and fire department personnel.

Firing range, commercial or club; pistol, rifle or skeet range means a facility or use which is located out-of-doors and operated either commercially or as a club for the purpose of discharging a rifle, pistol, or shotgun and which includes the following activities: construction of more than two (2) fixed or moving targets and the conduct of scheduled events involving firing by more than four (4) persons in the same general area. Legal hunting of wildlife, military or governmental activities, and occasional events such as "turkey shoots" operated on a temporary basis for fund-raising purposed by nonprofit and eleemosynary and organizations such as volunteer fire departments and civic organizations are not included in this definition. Indoor firing ranges are not included in this definition. Also see shooting range definitions

Fitness, gym, or athletic club

Flag means any fabric, banner, or bunting containing distinctive colors, patterns, or symbols, used as a symbol of a government, political subdivision, or other entity.

Commented [JF18]: Need to decide if definition is needed.

Flag means a sign made of paper, woven natural or synthetic fabric, thin plastic or similar lightweight pliable material that is normally displayed by flying from a pole as a wind-activated device, and is used as a symbol or emblem of a particular country, governmental entity, organization or institution.

Flashing sign means a sign, the illumination of which is not kept constant in intensity at all times when in use, and which exhibits marked changes in lighting effects. Flashing signs are considered animated signs.

Flea market is an occasional or periodic market, with goods offered for sale to the general public by individual sellers from open-air or semi-enclosed facilities or temporary structures. Other terms that may be used to describe this use include: swap meet or open-air market

Flood or flooding means a general and temporary condition of partial or complete inundation of normally dry land areas.

Flood hazard area is an area of the county within a floodplain subject to the 100-year flood and so designated by the Flood Insurance Rate Map, as amended from time to time. *The area within* a flood plain is subject to a one percent or greater chance of flooding in any year, and may be designated as a flood hazard area on a community's flood hazard map or otherwise legally designated.

Flood hazard boundary map (FHBM) means an official map issued by the Federal Emergency Management Agency, where the boundaries of the areas of special flood hazard are defined.

Flood insurance rate map (FIRM) means an official map on which the Federal Emergency Management Agency has delineated both the areas of special flood hazard and the risk premium zones.

Flood insurance study is the official report provided by the Federal Emergency Management Agency. The report contains flood profiles, as well as the Flood Boundary Floodway Map and the water surface elevation of the base flood.

Floodplain area means any land area susceptible to being inundated by water from any source.

Flood proofing means structural additions, changes, or adjustments to structures subject to flooding which will reduce or eliminate flood damages of water and sewer facilities, structures, and contents of buildings.

Flood-resistant material means any building material capable of withstanding direct and prolonged contact (minimum 72 hours) with floodwaters without sustaining damage which requires more than low-cost cosmetic repair.

Floodway means the channel of a river or other watercourse and the adjacent land area that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

Floodway fringe is all that land in a floodplain not lying within a delineated floodway. Land within a floodway fringe is subject to inundation by relatively low velocity flows and shallow water depths.

Floor means the top surface of an enclosed area in a building (including basement), i.e., top of slab in concrete slab construction or top of wood flooring in wood frame construction. The term does not include floor of a garage used solely for parking vehicles.

Floor area is the area of all floors of buildings or structures.

Floor, ground is the floor of a building that is nearest the surrounding surface of the ground.

Floor area, gross is the sum of the total horizontal areas of the several floors of all buildings on a lot, measured from the exterior faces of walls. It does not include unenclosed porches, or attics not used for human occupancy, or any floor spaces in accessory buildings or in the main building intended and designed for the parking of motor vehicles in order to meet the parking requirements of the Development Code, or any such floor space intended and designed for heating and ventilation equipment.

Commented [JF19]: This should be reconsidered against the parking requirements as now defined

Floor area, heated is the gross floor area of all spaces within a dwelling or dwelling unit that are heated by mechanical means, measured to the inside surfaces of exterior walls, excluding: porches, balconies, attics, unfinished basements, garages, patios, and decks.

Floor area, net is the actual occupied area not including unoccupied accessory areas such as corridors, stairways, ramps, toilet rooms, mechanical rooms, and closets.

Floor area ratio is the ratio of permitted floor area to the gross land area of the lot.

Floor area, single family dwelling is the gross horizontal area of all floors of a one-family residential structure, excluding carports, unfinished basements, attics, and open porches.

Fluorescent color means a color that is intense, brilliantly colored and apparently giving off light, such as day glow (day-glo) colors.

Food truck is defined as a fully enclosed vehicle equipped with facilities for preparing, cooking and selling various food products and operating at an approved fixed location as an extension of a retail food establishment. A food truck must be permitted by the South Carolina Department of Health and Environmental Control (SCDHEC) in order to operate.

Freeboard is a factor of safety usually expressed in feet above a flood level for purposes of flood plain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.

Freestanding sign means a sign which is attached to or part of a completely self-supporting structure, other than a building. The supporting structure shall be permanently and firmly set in or below the ground surface and be wholly independent of a building or any other structure, whether portable or stationary, for support. The term "freestanding sign" includes but is not limited to the following:

- a. *Stanchion sign*. A sign that is mounted on one or more freestanding stanchions or columns such that the sign body is elevated above the ground by such supporting stanchions or columns, and such supporting stanchions or columns are each less than 10% of the width of the sign body.
- b. *Column sign*. A sign that is mounted on one or more freestanding stanchions or columns such that the sign body is elevated above the ground by such supporting stanchions or columns, and such supporting stanchions or columns are each 10% of the width of the sign body or more.
- c. *Monument sign*. A freestanding sign in which the entire bottom of the base of the sign structure is in contact with the ground, providing a solid and continuous background for the sign from the ground to the top of the sign structure; the base of which is as wide as or wider than the total width of the sign body plus any supporting columns.
- d. *Hybrid monument sign*. A freestanding sign in which the entire bottom of the base of the sign structure is in contact with the ground, but a solid and continuous background for the sign from the ground to the top of the sign structure is not provided; the base of which is as wide as or wider than the total width of the sign body plus any supporting columns.

Fringe or drip-flap is the portion of a canopy awning that hangs from the edge of the horizontal or angled top of the awning.

Frontage is that side of a lot abutting on a street or road and ordinarily regarded as the front of the lot. For the purposes of determining yard requirements on corner lots, all sides of a lot adjacent to streets shall be considered frontage, and yards shall be provided as indicated under lots in this (definitions) section.

Frontage means the distance for which property abuts one side of a street, road or highway, or other public way measured along the dividing line between the property and such road, or highway, or other public way.

Frontage, building means the area in square feet of the front exterior wall of a specific establishment.

Frontage line is the shorter building lot line which coincides to the right of way of the street or square. In the case of a building line abutting upon only one street, the frontage line is the line parallel to and common with the edge of sidewalk. In the case of a corner lot, the part of the building lot having the narrowest frontage on any street shall be considered the frontage line.

Gambling industries are establishments primarily engaged in operating gambling facilities, such as casinos, bingo halls and video-gaming terminals, or in the provision of gambling services, such as lotteries and off-track betting.

Garage, private. (As defined by the standard building code.)

Garage, public. (As defined by the standard building code.)

Gas station is a structure that is specialized for selling gasoline with storage tanks, often underground or hidden. They may have bays for car washes. This does not include a "truck stop" as defined in this Article.

General business means the use of land or structures for sales and services which deal in goods transportable by land or passenger automobile, cater to a local resident clientele and involve: (1) Sales and services not involving vehicular drive-in, and of frequent and regular use to local residents; (2) Offices of medical services not involving resident human or animal patients; (3) Offices of business services, but excluding on-site stock storage, sales, or rental or retail goods, and the warehousing, maintenance, rental, sales, and storage of vehicles and equipment.

Glass curtain wall is an external non load-bearing wall that is suspended on the face of a building like a curtain.

Golf course is a tract of land laid out for at least nine holes for playing the game of golf that may include a clubhouse, snack bars, pro shop, and practice facilities. A golf course may comprise dining facilities and other recreational facilities that are known as country clubs. These establishments often provide food and beverage services, equipment rental services, and golf instruction services. This definition does not include the terms "driving range" or "miniature golf" as defined in this Article.

Grade is the lowest point of elevation of the finished surface of the ground, paving or sidewalk within the area between the building and the property line

Gradient terrace is an earthen embankment or ridge and channel system which reduces damage from erosion by collecting and redistributing surface runoff to stable outlets at slower speeds and by increasing the distance of overland runoff flow.

Grading means any displacement of soil by stripping, excavating, filling, stockpiling, or any combination thereof, and shall include the land in its excavated or filled state.

Grading permit means a certificate issued to perform work pursuant to an approved erosion and sediment control and stormwater management plan prepared under the provisions of this chapter.

Grandfathered use - See "Non-conforming use."

Grass-lined channel means a natural or constructed channel that is shaped or graded to required dimensions and established with suitable vegetation for stable conveyance of runoff.

Greenhouse - See "Plant nursery."

Greenspace means a permanently protected area(s) of a site that may be preserved in a natural state. This definition may include, but is not limited to, wetlands, river buffer zones, woodlands, wildlife corridors, pastures, meadows, and similar natural property. See also "Open space."

Greenway is a linear area maintained as open space which links open spaces, parks, neighborhoods, and commercial destinations, provides recreational opportunities, and provides transportation options, and which provides linkages between these facilities and their users.

Grocery store is an establishment that primarily sells a general line of food products for off-premises preparation and consumption. These establishments include meat and seafood markets, delicatessen-type establishments, establishments retailing baked goods (not for immediate consumption and made off-premises); and specialty food stores.

Gross density is the total number of dwelling units subject to an application for development approval, divided by the total land area, expressed in number of acres that are the subject of the application.

Gross floor area (GFA) means the sum of the floor area for each of a building's stories measured from the exterior limits of the faces of the structure, including basement floor area. It does not include unenclosed porches or any floor space in an accessory building or in the principal building, which is designed for parking of motor vehicles.

Ground anchor is any device at the manufactured house stand designed to secure a manufactured house to the ground.

Ground clearance means the distance in vertical feet from the ground, sidewalk or other surface to the lowest point of the sign face or sign structure, whichever is lower.

Ground cover means low growing, spreading plants, other than turf grass, such as but not limited to ivy, lirioppe, juniper, mondo grass or sedge.

Ground cover is a permanent covering, either vegetative, such as grass, or of a permeable nature, such as pine needles, or of a permeable man-made material, such as porous stone, to ensure soil stabilization, plant root protection, and water absorption

Ground elevation is the original elevation of the ground surface prior to cutting or filling

Group quarters means the use of land and structures for human occupancy involving group occupancy predominantly by unrelated individuals in rooming houses and boardinghouses, membership and religious group lodging houses, residence halls, or dormitories; residence hotels, motels, and tourist courts; or retirement, rest, or nursing home, orphanage, or nursery or day-care center.

Guy or guy wire means a cable used to support or stabilize a freestanding pole or structure, such as a lattice telecommunications or citizen's band antenna, utility pole or traffic signal stanchion.

Hardscape is a hard-surfaced area improved in lieu of landscaping. Such areas include specially treated or textured concrete designed as a plaza, courtyard or building entrance and contain pedestrian-sensitive amenities such as benches, drinking fountains or other design features integrated into the overall design of a building or portion of the site.

Hardship, unique and undue is a condition resulting from the strict applications of these regulations to land which possesses unique shapes, sizes, geological and/or topographical characteristics. For the purpose of this chapter, the term "hardship" does not indicate or recognize a condition of personal or economic disadvantage, but one of reasonable application of land-use regulations. Financial consideration alone shall not constitute justification for the granting of a variance.

Hard surface is a ground surface covered with cobblestones, clay-fired bricks, concrete precast paver units (including, but not limited to, grasscrete) or other decorative ingredient that creates an impervious or semi-impervious surface. A graded natural surface or one covered with rolled stone or loose gravel is not considered a hard surface.

Hazard to Air Navigation is an obstruction determined to have a substantial adverse effect on the safe and efficient utilization of the navigable airspace.

Hazardous materials are any substance identified on the List of Extremely Hazardous Substances of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 40 CFR Part 355 – Appendix A, as amended, which are present in an amount or amounts above the Threshold Planning Quantity, as specified in said Appendix A to Part 355.

Hazardous waste means materials or substances which are not biodegradable and which, due to such fact, pose a threat to living organisms through chemical contamination of the ecosystem. Materials and substances considered to be hazardous waste are those contained within the listing published by the U.S. Environmental Protection Agency, as amended, under the provisions of the Toxic Substances Control Act of 1976. A further listing of such materials is found in Regulation No. 61-79.1 et seq. (especially subsection 61-79.261.3) of the South Carolina Department of Health and Environmental Control (DHEC), appended to the 1976 Code of Laws of South Carolina, as amended.

Hazardous waste facility is any property or facility that is intended or used for storage, treatment or disposal of hazardous waste, including but limited to: chemical manufacturing plants; fertilizer deposit areas (pile or piles covering an area in excess of one acre); a use that involves the ponding or pooling of liquid industrial use or liquid chemicals which, in their mixed or unmixed state are suspected or proven to cause danger to human health; or, a use that includes the burying of solid or liquid chemicals which, in their mixed or unmixed state, are suspected or proven to cause danger to human health. This definition does not include service stations where liquids are used as motor fuels and are stored and dispensed from fixed equipment into the fuel tanks of motor vehicles; oil change businesses which service the changing of oil on automobiles, motorcycles and other motor vehicles; automotive mechanic shops; automotive body shops; automotive garages; provided that such excepted facilities use the tract of land upon which such businesses are located exclusively for the excepted uses or uses incidental thereto (such as convenience stores, food markets, facilities for the sale and service of tires, facilities for the sale and service of batteries and accessories and the sale of gifts and other crafts).

Health and human services are medical and non-medical establishments that provide health care and social assistance and that are bound to the regulations and oversight of local, state, and federal health and human services departments. Medical establishments provide health care services outside of a hospital, such as: ambulatory or outpatient care services; clinical offices for physicians, dentists, chiropractors, optometrists, etc.; outpatient care centers or clinics; medical and diagnostic laboratories; and, blood and organ banks. Non-medical establishments provide social assistance and associated services, such as: social assistance, welfare, and charitable services; child and youth services (non-day care), community food services, emergency and relief services, elderly and persons with disabilities services (outside of home); other family services such as hotline centers, suicide crisis centers, and self-help organizations; veterans affairs; and vocational rehabilitation. The definition of "health and human services" excludes "pain management clinics" and "drug addiction treatment centers" as defined by this Ordinance.

Health authority means the county health department and/or the state department of health and environmental control or their authorized representatives.

Health authority means the county health department and/or the state department of health and environmental control or their authorized representatives.

Height means (a) the vertical distance of a structure or vegetation or the vertical distance between the mean elevation at the finished grade along the front of the structure to the highest point of the structure, including towers, or (b) in the case of buildings to the highest point of a flat or mansard roof or to the mean height between eaves and ridge for a pitched roof, or (c) the vertical height of signs or vegetation, or (d) when referring to a tower or other structure, the distance measured from the pre-existing grade level to the highest point on the tower or structure, even if said highest point is an antenna or lightning protection device.

Height, building is the vertical distance to the highest point of the roof for flat roofs; to the deck of a mansard roof; or to the average height between eaves and the ridge for gable, hip, or gambrel roofs. Building height is measured from the curb level if the building is not more than 10 feet from the front lot line or from the average elevation of the finished grade surrounding the structure in all other cases

Height of sign means the vertical distance in feet from the ground, sidewalk or other surface to the highest point of the sign face or sign structure, whichever is higher.

Heliport is a place used exclusively for the landing and takeoff of helicopters, together with appurtenant buildings and facilities. The heliport accommodates helicopters used by individuals, corporations and helicopter air tax services. Also known as a general aviation heliport

Highway specifications means the "South Carolina Department of Transportation Standard Specifications for Highway Construction," latest edition (or current revision).

Historic district is an area related by visual continuity or character that helps give it a unique historical identity. May be designated by local, state, or federal government and given official status and protection.

Historic impact area means the entire area designated by ordinance as a historic district as well as a buffer area 750 feet in depth completely surrounding such historic district as measured from the district's exterior boundary.

Historic structure is a structure that is (a) listed in the National Register of Historic Places maintained by the U.S. Department of Interior or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; (c) individually listed on a state inventory of historic places and determined as eligible by states with historic preservation programs which have been approved by the Secretary of the Interior; or (d) Individually listed on a local inventory of historic places and determined as eligible by communities with historic preservation programs that have been certified by an approved state program as determined by the Secretary of the Interior, or directly by the Secretary of the Interior in states without approved programs.

Holiday or seasonal event means a day established as a legal holiday by federal, state or local law; a nationally recognized holiday such as Halloween or Mother's Day; a nationally recognized calendar season such as Fall or Spring; a religious day or term of days such as Easter, Yom Kippur or Christmas, or Lent, Ramadan or Hanukah.

Home occupation means any occupation within a dwelling, including a hobby, and clearly incidental to the dwelling, carried on by a member of the family residing on the premises.

Horse stable A building for shelter and feeding of horses that is located no closer than [one hundred] feet from any residential property line. Review to determine desired distance.

Hospital is a facility to provide care or treatment for the medical, psychiatric, obstetrical, or surgical treatment of care recipients who are incapable of self-preservation.

Hospital authority is the governing body for the Edgefield County Hospital.

Hotel is a building with common entrance, consisting of individual sleeping quarters for rental to transients, and in which no provision is made for cooking in the lodging room. A "residential hotel" is a hotel typically providing for longer term stays and which may allow in-room cooking.

Household is an individual living alone or a group of individuals living together in a single dwelling unit, sharing common use of and access to all living and eating areas, bathrooms, and food preparation areas, who mutually combine their efforts and share responsibilities for domestic chores such as child rearing, cleaning and cooking in a permanent and long-term relationship.

Household pet or pets are animals that are customarily kept for personal use or enjoyment within the home. Household pets shall include but not be limited to domestic dogs, domestic cats, domestic tropical birds, tropical fish and rodents.

HUD is the United States Department of Housing and Urban Development.

HUD code is the regulations promulgated by the United States Department of Housing and Urban Development pursuant to the 42 U.S.C. Sec. 5401, the National Manufactured Home Construction and Safety Standards Act.

Illegal discharge is Any direct or indirect non-stormwater discharge to the storm drain system, except as exempted in [Chapter 5 of this Ordinance](#).

Illuminated sign means any sign or portion thereof which is illuminated by artificial light, either from an interior or exterior source, including outline, reflective or phosphorescent light, whether or not the source of light is directly affixed as part of the sign, and shall also include signs with reflectors that depend upon sunlight or automobile headlights for an image.

- a. *Illuminated sign, direct* means a sign illuminated by an internal light source.
- b. *Illuminated sign, indirect* means a sign illuminated by an external light source directed primarily toward such sign.

Incidental sign means a sign of no more than two square feet that serves the purpose of guiding safe traffic movements onto, from or on property, and without which there is an increased risk of incompatible traffic movements or obstructions. Examples of incidental signs include but are not limited to, "Stop," "No Parking," "Entrance," "Loading Zone" and other similar traffic related directives.

Impact area is the area within which a proposed development is presumed to create a demand for public services and facilities is evaluated for compliance with this Chapter. The "Impact Area" is that area in which the capacity of Public Facilities will be aggregated and compared to the demand created by existing development, committed development and the proposed development.

Impervious cover is a surface composed of any material that significantly impedes or prevents the natural infiltration of water into soil. Impervious surfaces include, but are not limited to, rooftops, buildings, decks, patios, swimming pools, streets and roads, and any concrete or asphalt surface

Impervious surface is a material that prevents absorption of storm water into the ground.

Impervious surface ratio is a measure of the intensity of land use. It is determined by dividing the total area of all impervious surfaces within the site by the total site area.

Improvement means any manmade immovable item that becomes part of, placed upon, or is affixed to real estate.

Incinerator is a device intended or used for the reduction or destruction of solid, liquid or gaseous waste by burning. Includes the term "garbage or trash incinerator."

Increased cost of compliance (ICC) applies to all new and renewed flood insurance policies effective on and after June 1, 1997. The National Flood Insurance Program shall enable the purchase of insurance to cover the cost of compliance with land use and control measures established under Section 1361. It provides coverage for the payment of a claim to help pay for the cost to comply with state or community floodplain management laws or ordinances after a flood event in which a building has been declared substantially or repetitively damaged.

Individual subsurface disposal system is a system which will treat and dispose of domestic sewage from a single house or residence without creating a nuisance or a potential health hazard. The term is synonymous with the term "septic tank".

Indoor is an activity that occurs exclusively within an area surrounded on all sides by roofs and walls.

Indoor games or recreation facility

Industrial park is a tract of land that is planned, developed, and operated as an integrated facility number of individual industrial uses, with consideration to transportation facilities (rail and highway), circulation, parking, utility needs, aesthetics, and compatibility.

Industrial solid waste is solid waste that results from industrial processes including, but not limited to, factories and treatment plants.

Commented [JF20]: Determine if definition needed – best alternatives are IBC and/or NAICS

Industrial stormwater permit is a national pollutant discharge elimination system (NPDES) permit issued to an industry or group of industries which regulates the pollutant levels associated with industrial stormwater discharges or specifies on-site pollution control strategies.

Industry, heavy is a use engaged in the basic processing and manufacturing of products predominately from extracted or raw materials

Industry, light is a use engaged in the manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales and distribution of such products, but excluding basic industrial processing.

Infiltration is the process of percolating stormwater runoff into the subsoil.

Inflatable sign means a sign that is either expanded to its full dimensions or supported by gasses contained in the sign, or sign parts, at a pressure greater than the atmospheric pressure.

Inspection and maintenance agreement is a written agreement providing for the long-term inspection and maintenance of stormwater management facilities and practices on a site or with respect to a land development project which, when properly recorded in the deed records, constitutes a restriction on the title to a site or other land involved in a land development project.

Inspector/manufactured home inspector/code enforcement officer means a person so designated by the county administrator or the Edgefield County council to execute the provisions of this chapter.

Install is defined for the purposes of manufactured home installations as the actions and activities to construct a foundation system and to place or erect a manufactured home on such foundation system. Such term includes, without limitation, supporting, blocking, leveling, securing, or anchoring such manufactured home and connecting multiple or expandable sections of such manufactured home.

Interceptor, dike is a diagonal channel constructed across a road that diverts surface water off the road and into a stable drain way.

Interceptor swale is a shallow trough dug into the land on contour (horizontally with no slope) to divert runoff from the top of slopes that are susceptible to erosion.

Intermittent stream is flowing water from a headwater that flows into a well-defined channel during wet seasons of the year but not for the entire year.

International Building Code or IBC means the current International Building Code as published by the International Codes Council

Iridescent color means a color which varies in color when seen at different angles; having a play of lustrous rainbow-like colors; pearlescent.

ISO rating identifies the fire protection capabilities of fire service providers in accordance with the Insurance Services Office (ISO), [Fire Suppression Rating Schedule \(June 1980\)](#) or a later replacement as adopted by Edgefield County Council, which document is hereby incorporated by this reference

Commented [JF21]: Should we add or its successors as adopted by County Council?

Joint use parking is A parking facility shared by two or more uses, or a parking facility that is shared by one or more uses and a unit of general purpose government or a public agency.

Junk means any materials consisting of waste, discards or salvage matter which is bought, sold, exchanged, stored, baled, packed, or disassembled for profit, trade or hire. Junk may include, but not be limited to, abandoned barrels or drums, dismantled or inoperable industrial or commercial equipment, machinery, or vehicles (not including acm machinery), and the following old, scrap, or used items: metal, rope, rages, batteries, paper, cardboard, plastic, rubber, pallets, appliances, motors, industrial or commercial fixtures, rubbish, debris, and wrecked, dismantled or disabled motor vehicles or parts thereof. The term shall also mean, but not be limited to, old or scrap copper, brass, aluminum, rope, rags, paper trash, tire carcasses, rubber debris, old vehicle parts, non-working major appliances, and other old ferrous or non-ferrous materials.

Junkyard or salvage yard means any premises, whether or residential, industrial, commercial or other nature, where salvage or junk as defined herein is found and has been permitted to remain outside a completely enclosed building with the consent of the owner, lessee, or person(s) responsible for maintenance of such premises.

Kenel is an establishment in which dogs or domesticated animals are housed, groomed, bred, neutered, boarded, trained, and/or sold for a fee or compensation or adopted.

Kenel, private is any building designed or arranged for the care of dogs and cats belonging to the owner of the principal use, kept for purposes of show, hunting or as pets.

Kiosk means a freestanding sign structure, often cylindrical in shape, intended to be viewed from all sides and erected for the purpose of posting signs, notices or other public announcements. Kiosks that are composed of flat faces are treated as multi-faced signs.

Labor, Licensing, and Regulations (or LLR) Department, means the Department of Labor, Licensing and Regulation for the State of South Carolina.

Laboratory or specialized industrial facility is a laboratory or unique and specialized light industrial structure Testing laboratories perform physical, chemical, and other analytical testing services, such as acoustics or vibration testing, assaying, biological testing (except medical and veterinary), calibration testing, electrical and electronic testing, geotechnical testing, mechanical testing, nondestructive testing, or thermal testing.

Land means any ground, soil, or earth, including marshes, swamps, drainageways, and areas not permanently covered by water.

Land-based classification standards (LBCS) refers to the document entitled published by American Planning Association and entitled "Land-Based Classification Standards LBCS Tables," dated April 1, 2001, which document is hereby incorporated by reference.

Land development means the changing of land characteristics through redevelopment, construction, subdivision into parcels, apartment complexes, commercial parks, shopping centers, condominium complexes, industrial parks, mobile home parks, and similar developments for sale, lease, or any combination of owner and rental characteristics.

Land disturbance means any activity involving clearing, grading, transporting, filling, or any other activity which causes land to be exposed to the danger of erosion, or which might create an alteration in the natural drainageway

Land disturbing activity is any grading, scraping, excavating or filling of land; clearing of vegetation; and any construction, rebuilding or alteration of a structure or any activity which may result in soil erosion from and the movement of sediments into waters or onto lands within the City, including, but not limited to, clearing, dredging, grading, excavating, transporting and filling of land. Land-disturbing activity shall not include activities such as ordinary maintenance and landscaping operations, individual home gardens, yard and grounds upkeep, repairs, additions or minor modifications to a single-family residence, agricultural practices and the cutting of firewood for personal use.

Land use ordinances means those ordinances that address the development of land and may include, but are not limited to, zoning, subdivision, road construction and dedication, mobile home, advertising and agricultural site ordinances.

Landfill means a disposal facility or part of a facility where solid waste is placed in or on land, and which is not a land treatment facility, a surface impoundment, or an injection well.

Landfill, construction and demolition debris is a facility that is used solely for the disposal of wastes resulting from construction, remodeling, repair and demolition of structures, road building, and land clearing. The wastes include, but are not limited to bricks, concrete, and other masonry materials, soil, rock, lumber, road spoils, paving material, and tree and brush stumps. Solid waste from agricultural or silvicultural operations is not included.

Landfill, industrial solid waste is an area of land or an excavation that receives industrial solid wastes. Industrial Solid Waste Landfills are classified based on results obtained from a TCLP (toxicity characteristic leaching procedure) test.

Landfill, inert is a landfill which receives construction and demolition debris, land clearing debris, and yard trash.

Landfill, land-clearing debris is an area of land or excavation that receives solid waste generated solely from land-clearing activities. Solid waste from agricultural or silvicultural operations is not included in the types of waste allowed in this type of landfill.

Landfill, sanitary is a land-disposal site employing an engineered method of disposing of solid waste on land in a manner that minimizes environmental hazards and meets the design and operation requirements of DHEC.

Landfill, solid waste is any sanitary landfill or landfill unit, publicly- or privately-owned, that receives household waste.

Landowner means an owner of a legal or equitable interest in real property including heirs, devisees, successors and assigns, and personal legal representatives of the owner. It may include a person holding a valid option to purchase real property pursuant to a contract with the owner to act as his representative for purposes of submitting a proposed development plan.

Landscape architect is a landscape architect properly registered and licensed to work in South Carolina by the State Board of Licensing Examiners.

Landscape materials means any combination of living plant materials, nonliving materials (such as rocks, pebbles, wood chips, mulch and pavers) and decorative features such as sculpture, patterned walks, fountains, and pools. This definition includes synthetic landscaping materials that are visually indistinguishable from natural materials.

Landscaped area is an area that is permanently devoted to and maintained for the growing of shrubbery, grass and other plant material.

Landscaping area means a type of open space permanently devoted to and maintained for the growing of shrubbery, grass, and other plants and decorative features to the land.

Landscaping means a type of open space permanently devoted and maintained for the growing of shrubbery, grass, other plants and decorative features to the land.

Land surveyor is any person registered to practice professional land surveying by the South Carolina Board of Engineering Examiners.

Lawful use is a use which complies with all federal, state and county laws, ordinances, regulations and statutes as interpreted by the appellate courts.

Leased sign means an agreement by which a property owner conveys, usually for a specified rent, to other persons, permission to erect and maintain a sign upon their property.

LED sign means any sign or portion thereof that uses light emitting diode technology or other similar semiconductor technology to produce an illuminated image, picture, or message of any kind whether the image, picture, or message is moving or stationary. This type of sign includes any sign that uses LED technology of any kind, whether conventional (using discrete LEDs), surface mounted (otherwise known as individually mounted LEDs), transmissive, organic light emitting diodes (OLED), light emitted polymer (LEP), organic electro polymer (OEL), or any other similar technology. For the purpose of this chapter, LED signs are not considered changeable copy signs.

Light industry means the use of land and structures for manufacturing limited to predominantly indoor industrial activities involving only moderate quantities and sizes of production materials and finished products and involving those operations only which generate no significant particulate or gaseous emissions which could create harmful or unpleasant effects outside the immediate area of activity, including operations such as assembly, binding, bottling, ceramic firing, compounding, engraving, fabricating, freezing, optical goods, grinding, packaging, printing, physical processing, research, storage, or testing but not involving large mills or machines for grinding, stamping, punching, or pressing metals or sawing of lumber or kilns fired by other than gas or electricity from previous manufactured components or previously prepared materials; and the like.

Limited Registration means a renewable registration issued to a non-certified building code enforcement officer, employed by a local jurisdiction on the effective date of the act.

Limited lodging means residential premises providing no more than eight (8) rooms for short-term letting and food services before noon only.

Limited office are residential premises used for business or professional services, employing no more than two (2) full time employees, one (1) of whom must be the owner.

Limited storage is an area used for storage and intended to be limited to incidental items which can withstand exposure to the elements and have low flood damage potential. Such an area must be of flood resistant or breakaway material, void of utilities except for essential lighting and cannot be temperature controlled.

Lintel is a beam supporting the weight above a door or window opening.

Livestock are chickens, turkeys, cattle, hogs, horses, mink, rabbits, sheep, goats or any other domestic animal used for human consumption.

Live-work unit is a building in which offices, studios or other commercial uses are located on the first floor and a dwelling unit is located above the first floor.

Loading area, off-street is space logically and conveniently located for pickups and deliveries off public right-of-way, scaled to delivery vehicles, expected to be used, and accessible to such vehicles.

Local street is a street designed and used primarily for access to lots within a subdivision or neighborhood. Streets which are not classified as arterial streets, collector streets or subcollector streets shall be classified as Local Streets.

Local governing body means the county council or any county body authorized by county ordinance and the South Carolina Code of Laws 1976, as amended, to make land use and land development determinations concerning the unincorporated areas of the county.

Draft Date: 6.16.20

Lot means a unit of land as defined in a single deed recorded in the Superior Court Deed Records of Edgefield County, South Carolina. The description as specified in each recorded deed shall constitute a lot for the purpose of this chapter. Provided further, that two or more adjoining lots in common ownership and which are physically unified by the existence of a common structure or development located thereon shall constitute and be considered as one lot for the purpose of this chapter. The terms "lot", "lot of record", "property", or "tract", when used in this ordinance are interchangeable

Commented [JF22]: Please confirm

Lot area means the area contained within the boundary line of the lot.

Lot, corner means a lot which abuts on two or more streets, or roads or both, at their intersection, or upon a curved street, provided that the two sides of the lot, or the tangent to the curve of the street line at its starting points at or within the sidelines of the lot, intersect to form an interior angle of not more than 135 degrees.

Lot, corner, means a lot located at the intersection of two or more streets.

Lot coverage is an area determined by dividing the area of a lot which is occupied or covered by the total horizontal projected surface of all buildings, including covered porches and accessory buildings, by the gross area of that lot.

Lot depth means the horizontal distance between front and rear lot lines.

Lot, developed is a developed lot or parcel is one which contains fifty thousand dollars (\$50,000) commercial, industrial or business improvements, according to records in the County Tax Assessor's office or receipt of a valid Building Permit in such amount.

Commented [JF23]: Need to confirm definition and amount

Lot, double frontage is a lot having a frontage on two (2) non-intersecting roads, as distinguished from a corner lot.

Lot, flag is a lot which may have less road frontage than is normally required in a zoning district; however, minimum road-frontage width of flag lots may not be less than 30 feet. The "flagpole" portion of the lot is used as an access corridor for the greater, buildable area of the lot located behind lots having normally required street frontage.

Lot frontage is the length of the front lot line measured at the street right-of-way line

Lot, interior, means a lot, other than a corner lot, which has frontage on only one street other than an alley.

Lot line means a line bounding a lot which divides one lot from another or from a street or any other public or private space or street.

Lot line, front is the lot line on an interior lot abutting a street; or, on a corner lot, the shorter lot line abutting a street; or on a through lot, the lot line abutting the street providing the primary access to the lot; or on a flag lot, the interior lot line most parallel to and nearest the street from which access is obtained.

Lot line, rear is a lot line opposite and most distant from the front lot line and, in the case of an irregular, triangular, or gore-shaped lot, may be a line at least ten feet in length that is parallel to and at the maximum distance from the front lot line.

Commented [JF24]: Needs definition

Lot line, side is a lot line that is not a front or rear lot line

Commented [JF25]: Needs definition

Lot of record means a lot, the boundaries of which are filed as legal record.

Lot, reverse frontage - See the definition of Lot, Through or Double-frontage.

lot, substandard is a lot or parcel of land that has less than the required minimum area, depth or width as established by the zone in which it is located. Generally, such lot or parcel was of record as a legally created lot on the effective date of this Chapter codified in this title.

Lot, through means a lot other than a corner lot having frontage on more than one street.

Lot, through or double frontage, means a lot which has frontage on more than one street.

Lot width means the horizontal distance between the side lines of a lot measured at right angles to its depth along a straight line parallel to the front lot line at the minimum required building setback line.

Lowest adjacent grade (LAG) is the elevation of the lowest ground surface that touches any deck support, exterior walls of a building or proposed building walls

Lowest floor is the lowest floor of the lowest enclosed area (including basement). Any unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor, provided that such an enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this Chapter.

Main is the principal artery in a system of continuous piping to which branches may be connected.

Maintenance guarantee is a security provided in the form of a written guarantee supported by a letter of credit endorsed and accepted by the city for the maintenance of any improvements required by this Chapter.

Major subdivision, *Updated definition pending*

Commented [JF26]: Needs a specific definition from staff

Manhole means an inspection chamber whose dimensions allow easy entry and exit and working room for a person inside.

Mansard sign, see under "building sign".

Manufactured home means a structure, transportable in one or more sections, built on a permanent chassis, bearing a label which certifies that it is manufactured to meet the requirements of HUD standards. The structure is eight body feet or more in width or 40 body feet or more in length in the traveling mode, or when erected on site is 320 or more square feet in livable floor area and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities including the plumbing, heating, air conditioning, and electrical systems contained in it. This definition excludes travel trailers, recreational vehicles and mobile homes.

Manufactured Home, Double-wide. A manufactured home consisting of two sections combined horizontally at the site, while still retaining their individual chassis.

Manufactured Home, Expandable. A manufactured home with one or more room sections that fold, collapse, or telescope into the principal unit when being transported, and which can be expanded at the site to provide additional living area.

Manufactured home park means any parcel of land being used for the purpose of supplying parking space for two or more manufactured homes, and which may include buildings, structures, vehicles, or enclosures used or intended for use as part of such manufactured home park. Land subdivided and subsequently sold for the purpose of siting manufactured homes is not considered a manufactured home park under this chapter.

Manufactured home park space means a plot of ground within a manufactured home park designed for the accommodation of one unit.

Manufactured home permit means a required permit which must be obtained from the permitting authority prior to siting for the first time or moving from one property to another a manufactured home in the county as outlined in this Ordinance.

Manufactured house, see "manufactured home"

Map, comprehensive plan means the official comprehensive plan map of Edgefield County

Map or zoning map means the official zoning map of Edgefield County

Market-based incentives mean incentives that encourage private developers to meet the governing authority's goals as developed in this chapter. Incentives may include, but are not limited to: (a) density bonuses, allowing developers to build at a density higher than residential zones typically permit, and greater density bonuses, allowing developers to build at a density higher than residential affordable units in development, or allowing developers to purchase density by paying into a local housing trust fund; (b) relaxed zoning regulations including, but not limited to, minimum lot area requirements, limitations of multifamily dwellings, minimum setbacks, yard requirements, variances, reduced parking requirements, and modified street standards; (c) reduced or waived fees including those fees levied on new development projects where affordable housing is addressed, reimburse permit fees to builder upon certification that dwelling unit is affordable and waive up to one hundred percent of sewer/water tap-in fees for affordable housing units; (d) fast-track permitting including, but not limited to, streamlining the permitting process for new development projects and expediting affordable housing developments to help reduce cost and time delays; (e) design flexibility allowing for greater design flexibility, creating preapproved design standards to allow for quick and easy approval, and promoting infill development, mixed use and accessory dwellings.

Marquee means a roofed structure attached to and supported by a building and projecting over public or private sidewalks or rights-of-way.

Maximum density is the total number of dwelling units authorized by an application. Maximum density does not include accessory dwelling units.

Mean sea level is the average height of the sea for all stages of the tide. It is used as a reference for establishing varying elevations within the flood plain. For purposes of this Chapter, the term is synonymous with the National Geodetic Vertical Datum (NGVD).

Median is that portion of a divided highway separating lanes of traffic proceeding in opposite directions.

Mining means any industry based on extracting rock, sand, gravel, soil, or minerals from the earth, or the act or process of digging, excavating or tunneling for the purposes or removing some natural material.

Mini warehouse is a building or group of buildings in a controlled-access and fenced compound that contains individual compartmentalized and controlled-access stalls or lockers for the dead storage of customer's goods or wares.

Minor subdivision, updated definition pending

Commented [JF27]: Needs a specific definition from staff

Miscellaneous building sign means a building sign (as defined herein), other than a principal building sign, a temporary event sign or an incidental sign, commonly found on the wall of a nonresidential use property.

Miscellaneous freestanding sign means a freestanding sign, other than a freestanding principal sign, temporary event sign or incidental sign, commonly found on multi-family and nonresidential use properties located at entrance and exit driveways, drive-through windows, internal driving lanes, parking lots, designated handicap parking spaces, etc.

Mixed occupancy means any building that is used for two or more occupancies classified by different occupancy use groups.

Mixed occupancy building is any building that is used for two or more occupancies classified by different occupancy-use groups.

Mixed-use building is a building that contains mixed commercial and residential uses where commercial use are located primarily on the first floor, with dwelling units occupying the second floors or above.

Mobile billboard sign means an off-site advertising sign mounted on a vehicle or trailer that can become part of traffic flow or be parked at specific locations. Neither vehicles or trailers which advertise the company of their primary use nor campaign signs are considered mobile billboards.

Mobile home is a transportable, factory-built home, designed to be used as a year-round residential dwelling and built prior to the enactment of the Federal Manufactured Housing Construction and Safety Standards Act of 1974, which became effective June 15, 1976.

Modular building unit or *modular structure* means any building of closed construction, regardless of type of construction or occupancy classification, other than a mobile or manufactured home, constructed off-site in accordance with the applicable codes, and transported to the point of use for installation or erection when meeting the requirements of the Modular Building's Construction Act (S.C. Code 1976, § 23-43-10), the building unit or structure may be located in any zoning district.

Monument sign, see under "freestanding sign".

Motel An establishment with guest rooms or suites that are directly accessed from an exterior walkway and are rented to the general public for transient lodging. A motel may or may not have kitchen facilities. They may also offer food services, recreational services, convention hosting services, laundry services, etc. and may provide accessory guest facilities such as swimming pools, tennis courts, indoor athletic facilities, accessory retail uses, etc.

Motor vehicle is any vehicle which is self-propelled, except trackless trolleys, which are classified as streetcars.

Mountable curb is a low curb with a flat slope designed to be crossed easily without discomfort.

Moving lane is any traffic lane where traffic movement is the primary if not sole function (Compare with Parking Lane).

Mulch is a layer of wood chips, dry leaves, straw, hay, plastic or other materials placed on the surface of the soil around plants to retain moisture, prevent weeds from growing, hold the soil in place or aid plant growth.

Multifamily - See "Multi-family dwelling" under "Dwelling."

Multi lane divided highway means a highway consisting of four or more lanes with two or more lanes each in opposing directions separated by a grassed or barrier median.

National Geodetic Vertical Datum (NGVD) is a vertical control used as a reference for establishing varying elevation within the flood plain. As corrected in 1929, elevation reference points set by National Geodetic Survey are based on mean sea level.

Native tree is a tree that is of a species that are native to the Central Savannah or Piedmont area of South Carolina

Natural open space is any parcel or area of identified open space that is defined as a conservation area, Natural Area or Greenbelt Open Space Area as provided for in the Chapter. Natural open space is left in a natural state. Any modifications to natural open space are minimal and are limited to removal of debris; selective clearing of understory plant material to provide views; removal of dead, dying, or exotic vegetation; construction of trails; and the installation of passive recreation amenities including benches and viewing areas. Natural open space required by this Chapter or provided as an element of a development may be dedicated to the County.

Neighboring property (or properties) are properties adjacent to or nearby the property which is the subject of regulation, rezoning, variance or other similar zoning action.

Net density is the number of residential units in a project or on a site excluding designated open space, parks, lakes, streets, alleys and other areas where development is not permitted by this Chapter, local ordinances, or by state or federal law.

New construction is a structure for which the start of construction commenced after [date of adoption of LMO]. The term also includes any subsequent improvements to such structure.

Node is the terminus or intersection of two or more streets, including the head or bulb of a cul-de-sac or the terminus of a close.

Nonconformity means any lot of record, use, building, structure or vegetation in existence prior to the effective date of this chapter, but which fails, by reason of such adoption, revision or amendment, to conform to the present requirements of the chapter.

Nonconforming building (or structure) is any building or structure including sign that does not meet the prescribed dimensional and design standards for lots, buildings and structures located in base zoning districts, special zoning districts, overlay zoning districts and signs provided for in this Chapter for the district in which such building or structure is located.

Nonconforming, legally are lots, structures, buildings, signs, site improvements, activities, and uses of land or structures, and characteristics of uses within districts established by this Chapter which were lawful before the effective date of this Chapter was enacted, amended or otherwise made applicable to such lots, structures, activities and uses of land or structures, but which now do not conform to the regulations of the district in which they are located. These lots, structures, buildings, signs, site improvements, activities and uses of land or structures are defined as legally nonconforming.

Nonconforming lot is a lot of record whose area, frontage, width or other dimensions, or location were lawful prior to the adoption or amendment of the Land Management Ordinance, and which, by reason of such adoption or amendment, no longer meets or exceeds one or more such requirements of the applicable zoning district.

Nonconforming sign means a sign, legally existing at the time of erection, but which does not conform to the provisions of this chapter.

Nonconforming site is any previously improved site that does not meet the prescribed parking, landscaping, buffer, drainage or other site design and improvement standards contained in this Chapter for lots, buildings and structures located in base zoning districts, special zoning districts and overlay zoning districts provided for in this Chapter for the district in which such building or structure is located.

Nonconforming structure or building is a structure or building, the size, dimensions, or location of which lawfully existed prior to the adoption, revision, or amendment to the land management ordinance, but that fails by reason of such adoption, revision, or amendment to conform to the present requirements of the land management ordinance.

Nonconforming use means any use of a building or land which was legal at the time of inception but which does not conform to this Code for the zoning district in which it is situated.

Nonconforming use is a use or activity which lawfully existed prior to the adoption, revision, or amendment of the zoning ordinance, but which fails by reason of such adoption, revision or amendment to conform to the use district in which it is located.

Nonessential housing regulatory requirement mean those development standards and procedures that are determined by the local governing body to be not essential within a specific priority investment zone to protect the public health, safety, or welfare and that may otherwise make a proposed housing development economically infeasible. Nonessential housing regulatory requirements may include, but are not limited to: (a) standards or requirements for minimum lot size, building size, building setbacks, spacing between buildings, impervious surfaces, open space, landscaping, buffering, reforestation, road width, pavements, parking, sidewalks, paved paths, culverts and storm water drainage, and sizing of water and sewer lines that are excessive; and (b) application and review procedures that require or result in extensive submittals and lengthy review periods.

Non-point source pollution means

Commented [JF28]: Add definition from environmental requirements.

Nonresidential use means a principal use of land for other than residential purposes, i.e., commercial, industrial, and institutional.

Non-stormwater discharge is any discharge to the storm drain system that is not composed entirely of stormwater.

North American Vertical Datum (NAVD) is Vertical control, as corrected in 1988, used as the reference datum on Flood Insurance Rate Maps.

Nuisance is an act or omission which annoys, injures or endangers the comfort, health, safety, or repose of others, or in any way renders other persons insecure in life or the use of property.

Nursing home is any facility that primarily provides skilled nursing care and related services to residents who require medical or nursing care; rehabilitation services to the injured, disabled, or sick; or on a regular basis, health care and services to individuals who because of their mental or physical condition require care and services (above the level of room and board) which is available to them only through these facilities, and is not primarily for the care and treatment of mental diseases. Establishments are required to be licensed by the State of South Carolina. Also known as a "rest home".

Occupancy is to reside in as owner or tenant on a permanent or temporary basis.

Office is a building or portion of a building wherein services are performed involving predominately administrative, professional or clerical operations.

Offsite traffic is vehicular traffic which is specifically associated with approved developments inside the study area, but which are not included in the traffic counts used to establish the Background Traffic.

Offstreet parking space means an area, not in a street or alley, permanently reserved for the temporary storage of one automobile and connected with a street or alley by a driveway which provides ingress and egress.

On-street parking space is a parking space that is located on a dedicated street right of way.

Open space means unoccupied land between the building or buildings that is landscaped or kept in its natural state. Open space may include any parcel or area of land or water set aside, dedicated, designated, or reserved for public or private use and enjoyment of owners and occupants of land adjoining or neighboring such open space

Open space ratio A measure of the intensity of land use. It is arrived at by dividing the total amount of open space within the site by the total site area.

Open storage means any accessory storage in the open air and outside of a principal or main building or structure on the lot, including the storage of equipment, goods, raw or processed materials, junk or merchandise outside of any building or structure.

Operator is any person who has charge, care, or control of premises or a part thereof, whether with or without the knowledge and consent of the owner, or any person, individually or jointly, entitled to possession regardless of whether the premises are actually occupied or not.

Outdoor activity use means the use of land and structures for passive or active outdoor activities characterized by neither inherently hazardous types nor significantly high levels of emissions, including: (a) Kennels, pet boarding, schooling, or hospitalization, horseback riding stables; (b) Cemeteries, mausoleums, memorial gardens; (c) Golf and country club, golf course, golf driving range; (d) Playground, playfield, swimming pool, tennis courts, archery course, miniature golf, trampoline or other novelty area; or (e) Arboretum, botanical garden, ornamental park, historical area, monument or sculpture.

Outdoor amusement use means the use of land and structures for outdoor activities characterized by significant levels of traffic, hazards, or emissions, including amusement park, amphitheater; auto, go-cart, or similar racetrack or drag; dog competition course; rifle or other gun firing range.

Outdoor advertising display is a structure which advertises, attracts attention to or directs persons to a business activity located on premises other than the premises where the structure is erected. Nationally advertised products or services shall not be deemed to be located on or carried on at the premises of a local retail outlet or branch office.

Outdoor recreational sports facility provides various outdoor sports for fitness or recreational sports teams, clubs or individual activities, where the facilities are oriented more toward participants than spectators, such as: athletic/sports fields (baseball, football, softball, soccer, track and field, etc.); skateboard parks, swimming pools, and court sports (basketball, handball, squash, tennis, volleyball, racquetball, etc.) This definition does not include the terms "animal racetracks/event arenas" or "shooting ranges."

Outfall is the location where stormwater in a discernible, confined and discrete conveyance, leaves a facility or site or, if there is a receiving water on site, becomes a point source discharging into that receiving water.

Outparcel means a piece of property that is part of a development such as a shopping center but is on a separate piece of dedicated land within the development.

Overbank flood protection are measures taken to prevent an increase in the frequency and magnitude of out-of-bank flooding (i.e., flow events that exceed the capacity of the channel and enter the floodplain), and that are intended to protect downstream properties from flooding for the two-year through 25-year frequency storm events.

Overlay is a geographic area designated on the Official Zoning Map or by reference where certain regulations of this Ordinance apply in addition to the underlying zoning district regulations.

Owner means the owner or owners in fee simple of the property to be developed as a road or their duly authorized representative, or the holder or holders of the title in fee simple and every mortgagee of record.

Owner of publicly-owned property means the governmental entity that owns fee simple title to the property.

Parcel means a land area bounded by property lines that is recognized as such by the county assessor's office. Also see "Lot"

Parged block is concrete block with a coat of plaster.

Park facility is a park located in the County owned or operated by Edgefield County or by an incorporated jurisdiction.

Commented [JF29]: This term relies on design elements to be determined by the Overlays district

Commented [JF30R29]:

Parking bay means two parallel or near parallel rows of off-street parking spaces. The two rows may be separated and served by a drive aisle or may be separated by a landscape strip or pavement marking and served by two separate parallel drive aisles.

Parking lane is a lane usually located on the sides of streets, designed to provide on-street parking for vehicular traffic.

Parking lot is an area not within a building where motor vehicles and bicycles may be stored for the purposes of temporary, daily or overnight off-street parking.

Parking structure is a parking garage located above or underground consistent of two or more levels.

Parties in interest shall mean all individuals, associations, corporations and others who have interests of record in a dwelling and any who are in possession thereof.

Patio Home, see "Dwelling, zero lot line".

Passageway is a connector providing access exclusively to pedestrians and located between buildings. Passageways provide shortcuts through blocks, or connect rear-parking areas with street frontages.

Paved surface is a ground surface covered with poured cement, asphalt, pavers or other impervious surface. A graded natural surface or one covered with rolled stone or loose gravel is not a paved surface.

Pedestrian space is an area or plaza which is directly accessible to pedestrians and which includes two or more of the following features covering the entire area or disbursed throughout the space: Hardscaped areas, lawn areas with trees and seating; awnings or other weather protection; water features incorporating or with nearby, seating areas, public art or kiosks; outdoor eating areas with seating and street-side vendor carts or standings selling flowers, food or other small consumer goods.

Pedestrian way is any paved public or private travel route intended for pedestrian use; whether shared with other transportation modes such as bicycle/pedestrian access way or intended solely for pedestrian use.

Pediment is a wide, low-pitched gable lying over a façade. A pediment may crown subordinate features such as doorways, niches or windows.

Pen, livestock is an enclosure for domestic animals or an area of property specifically partitioned or fenced for use by a domestic animal. A fenced yard is not considered a pen.

Pennant means a lightweight plastic, fabric or similar material designed to move in the wind; pennants are often suspended from a rope, wire, or string in series. The term "pennant" shall not include a "banner" or a "flag" as defined herein.

Percolation or "perc" test is a test designed to determine the ability of the ground to absorb water, and used to determine the suitability of a soil for drainage or the use of septic systems.

Perennial river is a river or section of a river that flows continuously throughout the year.

Perennial stream is a stream that flows in a well-defined channel throughout most of the year under normal climatic conditions.

Performance guarantee is a security in the form of a written guarantee supported by letter of credit, endorsed and accepted by the city to ensure that all improvements, facilities or work required, as shown on an approved final site plan or subdivision plan (preliminary plat), and completed within the time prescribed by the applicant's agreement with the County. (See also Maintenance Guarantee)

Performance theater - See "Theater, performance."

Permanent open space is a parcel, lot or tract identified on a recorded plat or by deed designation as intended to provide natural area preserves or environmental, scenic or recreational benefits to an adjacent development. Such a parcel, lot or tract may, at the discretion of the applicant, be considered a part of an abutting lot for purposes of lot counted in this process.

Permeable pavement is a pavement system with traditional strength characteristics, but which allows rainfall to percolate through it rather than running off. A permeable pavement system uses either porous asphalt, pervious concrete or pavers interlaid in a bond pattern and either pinned or interlocked in place. Porous asphalt consists of an open graded course aggregate held together by asphalt with sufficient interconnected voids to provide a high rate of permeability. Pervious concrete is a discontinuous mixture of Portland cement, coarse aggregate, admixtures and water which allow for passage of runoff and air. Examples of permeable pavement systems include Grasspave2®, Gravelpave2®, Turfstone® and UNI Eco-stone®. (See Watershed Management Institute, Inc. and U.S. Environmental Protection Agency, Office of Water, Operation, Maintenance & Management of Stormwater Management (Aug. 1997), at 2-32; Booth & Leavitt, Field Evaluation of Permeable Pavement Systems for Improved Stormwater Management, 65 J. Am. Planning Assn 314 (Summer 1999), at 314-325.

Permit is the authorization necessary to conduct a land-disturbing or land development activity under the provisions of this Ordinance.

Permittee means the person who secures a permit from the county to erect, install, attach or paint a sign.

Permitted use

Permitting authority means the county tax assessor's office, the county planning commission, the county building department, and any other agency so appointed by the county administrator or the county council.

Permitting authority means the county tax assessor's office, the county planning commission, the county building department, and any other agency so appointed by the county administrator or the county council.

Person means any individual, partnership, firm, association, joint venture, trust, estate, commission board, utility, cooperative interstate body, public or private corporation, public or private institution or any other legal body.

Personal care home Any dwelling, whether operated for profit or not, which undertakes through its ownership or management to provide or arrange for the provision of housing, food service, and or more personal services for two or more ambulatory adults who are not related to the owner or administrator by blood or marriage and who are not mentally ill persons posing a danger to others. Establishments are required to be licensed by the State.

Personal care services are the care of persons who do not require medical care, but does include responsibility for the safety of persons while inside the building or area of service.

Pet or pet supply store is an establishment that sells pets, pet foods, and other pet supplies. This definition. These establishments do not include the sales of animals for farming purposes.

Personal (noncommercial) speech means the expression of an idea, opinion or message that does direct or attract attention to a business operated for profit; or to a product, commodity or service sale, trade, barter, swap or lease; or to any other commercial interest or activity.

Phase or phased are sub-parts or segments of construction projects where the sub-part or segment constructed and stabilized prior to completing construction activities on the entire construction site.

Commented [JF31]: *Person* means an individual, heirs, executors, administrators, or assigns, and also includes a firm, partnership, or corporation, its assigns, public or private institution, its or their successors, or assigns, or the agent of any of the aforesaid.

Commented [JF32]: May also need definitions of Congregate personal care home, and Family personal care home (See Catoosa Co.)

Commented [JF33]: *Personal care services* are establishments providing non-medical services involving the care of a person or his or her personal goods or apparel, including: barber and beauty shops; tailor and dressmaker shops; shoe repair; coin-operated laundromats; dry cleaning pick-up stores; massage therapy services that are licensed in accordance with the State of South Carolina; locksmiths; clothing rental stores; and tanning salons that are registered in accordance with requirements of the State of South Carolina. The term "personal care services" may also include establishments that sell health and personal care merchandise from a fixed point-of-sale location, including pharmacy or drug stores, cosmetic and beauty supply stores, and optical stores

Draft Date: 6.16.20

Phased development plan means a development plan submitted by a landowner to a local governing body that indicates accurately the type, density, and intensity of uses proposed for a specific property, or properties, and which is to be developed in stages. For approval determination purposes, each stage of a phased development plan shall be treated as a site-specific development plan.

Pier is a vertical supporting structure, such as a section of a wall located between two (2) openings or supporting the end of an arch or a lintel.

Pilaster is a shallow rectangular feature projecting from a wall, having a capital and a base and serving the same function as a column.

Pipe slope drain is a method to reduce the risk of erosion by discharging concentrated runoff from the top to the bottom of slopes. Pipe slope drains may be temporary or permanent depending on installation and material used.

Place of worship is a building or portion of a building intended for the performance of religious services, including churches, synagogues, temples, mosques or other facilities where persons regularly assemble for religious worship, but not including a residence or place of business also used for religious purposes.

Plan, sketch is an informal plan not necessarily to exact scale, indicating the existing features of a tract proposed for subdivision, as well as its surroundings, and including a general layout of the proposed development.

Planned capacity is the capacity provided in the year listed for project completion by capital improvements as planned in the CIP.

Planned capital improvement is a capital improvement which does not presently exist, but which is included within the Capital Improvements Program.

Planned center means a single office, medical, commercial, or industrial property that is in common or condominium ownership and is designed or intended for occupancy by two or more principal businesses that are separately owned. A planned center may consist of a single building, such as a shopping center, or multiple buildings, such as an office condominium center.

Planned Unit Development (PUD) is a development of land under unified control and management is planned and developed as a whole in a single development operation or programmed series of development phases pursuant to an approved General Development Plan and within a Planned Development zoning district. A Planned Development is a mixed-use development that includes housing of different types and densities and of compatible commercial uses, or shopping centers, parks, and mixed-use developments characterized by a unified site design for a mixed use development. The development may include streets, circulation ways, utilities, buildings, open spaces and other site features and improvements.

Commented [JF34]: *Planned unit development (PUD)* is a planned development without regard to the customary lot size requirements or the segregation of housing types or uses and which may include multiple zones within the same tract. (Alternate from Catoosa Co.)

Planning commission means the county planning commission and its authorized representatives. *The duly designated Planning Commission of Edgefield County established in accordance with SC Code §6-29-350.*

Planning director is the Director of the Edgefield County Building & Planning Department or his designee or successors.

Plant nursery is an establishment that grows food crops of any kind under cover or grows nursery stock (including shrubbery, bulbs, fruit stock, and sod) and flowers. "Under cover" is generally defined as greenhouses, cold frames, cloth houses, and lath houses. The crops grown are removed at various stages of maturity and have annual and perennial life cycles. The nursery stock may include short rotation woody crops that have growth cycles of 10 years or less. This definition includes greenhouses.

Plat means a map or drawing upon which the developer's plan of a subdivision or land development is presented for approval.

Plat, final, means a plat describing a subdivision or other land development that has been recorded in the office of the registrar of mesne conveyance (RMC).

Platted lot is a lot designated on a plat which has been duly recorded in the clerk of superior court office of Edgefield County, showing the division of land into lots, streets and areas, marked upon the earth, and represented on paper.

Commented [JF35]: Please confirm

Plaza is a paved or hard-surfaced area reserved for pedestrians and surrounded on at least two sides by buildings.

Pole sign - See under "freestanding sign."

Portable sign means a sign, whether on its own trailer, wheels or otherwise, which was designed and manufactured so that it can be transported from one place to another, and sidewalk, sandwich and A-frame signs as further defined and regulated in this chapter. Portable signs include, but are not limited to, signs mounted upon a trailer, bench, wheeled carrier or other non-motorized mobile structure with or without wheels.

Portal is a building entryway at least twenty-four (24) feet in height and twelve (12) feet in width, and which contains decorative architectural treatments.

Portico is a porch with a roof supported by columns.

Poultry production is the breeding, hatching or raising of poultry for meat or egg production.

Predevelopment Refers to the time period, or the conditions that exist, on a site prior to the commencement of a land development project and at the time that plans for the land development of a site are approved by the plan approving authority. Where phased development or plan approval occurs (preliminary grading, roads and utilities, etc.), the existing conditions at the time prior to the first item being approved or permitted shall establish predevelopment conditions.

Preliminary plat **Definition to be specifically determined to provide for 2-step major development project process**

Commented [JF36]: Please provide desired definition from staff

Premises means a lot, plot, or parcel of land including the buildings or structures thereon, under control by the same owner or operator together with all adjacent land.

Pre-owned manufactured home - See under "Manufactured home."

Principal building is the building which houses the principal use of the parcel in which it is located. Parcels with multiple principal uses may have multiple principal buildings.

Principal building means the building in which is conducted the principal use of the parcel on which it is located. Parcels with multiple principal uses may have multiple principal buildings, but storage buildings, garages, and other clearly accessory uses shall not be considered principal buildings.

Principal building setback line - See "Setback, front, rear and side".

Principal entry is an entry into a building that faces or adjoins a sidewalk or a plaza, and that is open to customers, employees and other users of a building during normal business hours. A loading area does not constitute the "Principal Entry" for a building.

Principal use is the main use of land or structures, as distinguished from a secondary or accessory use.

Private road means any road that is not owned by a federal, state, county, or local municipality.

Professional office is a building or space within a building for office-type use, such as: finance and insurance establishments (including bank, credit union, or savings institution; credit and finance establishment; investment banking, securities, and brokerage establishment; insurance-related establishment; and, fund, trust, or other financial establishment); real estate and property management services; business, professional, scientific, and technical services (including legal services; accounting, tax, bookkeeping, payroll services; architectural, engineering, and related services; graphic, industrial, and interior design services; consulting services; research and development services; advertising, media and photography services); and, administrative services (including facilities support services; employment agency; business support services; collection agency; travel arrangement and reservation services; investigation and security services). This definition does not include "Services to buildings and dwellings."

Professional soil conservationist means a person who has successfully completed a four-year course of study in an accredited college or university leading to a bachelor of science degree with major study in soil conservation or a closely related natural resource or agricultural field such as agronomy, wildlife biology, agricultural education, or agricultural engineering, with a minimum of 30 semester hours (or the equivalent) in natural resources or agricultural subjects, including the equivalent of three semester hours in soils; and three years experience in the planning and application of erosion and sediment control practices; the experience having been obtained under the supervision of another professional soil conservationist.

Project is a land development project; the entire proposed development project regardless of the size of the area of land to be disturbed.

Projecting sign - See under "building sign".

Property or real property means all property that is subject to the land use and land development ordinances or regulations.

Property owner is the person(s) at the date of the application whose name appears on the county tax records as an owner of the property in question.

Proposed development

Protected river is any perennial river or watercourse with an average annual flow of at least four hundred (400) cubic feet per second as determined by appropriate USGS documents.

Private club is an establishment engaged in promoting the interests of its members, who are affiliated with a nationally chartered organization, either service, athletic or charitable; usually characterized by certain membership qualifications, payment of fees and dues, regular meetings, and a constitution and bylaws. Establishments may operate bars and restaurants for their members as an incidental use in accordance with the requirements of the Edgefield County Code of Ordinances.

Public facilities are streets, police facilities, fire protection facilities, community parks, water facilities, sewer facilities, storm drainage facilities and greenways.

Public officer shall mean the officer or officers who are authorized by ordinances adopted hereunder to exercise the powers prescribed by such ordinances.

Public road means any road this is owned by a federal, state, county, or local municipality.

Publicly owned property means all real property within the county limits owned by any federal, state, county, municipal, or other publicly created entity.

Quad-plex is a building containing four dwelling units, and each unit has two open-space exposures and shares one or two walls with adjoining unit or units.

Quadrangle map is the most recently published USGS 7.5 minute topographic map prepared at a scale of 1:24,000.

Railroad facility is a railroad switching facility, a railroad shed or other support structure(s).

Recessed entryway is a recess or niche located on the front facade of a building and which leads to a principal entry. A recessed entryway is unenclosed on the side adjoining the sidewalk, plaza or public right of way, enclosed on the opposite side with a wall containing a doorway, and enclosed on the other sides.

Recharge area is any portion of the earth's surface, where water infiltrates into the ground to replenish an aquifer.

Recorded plat is a plat recorded in the office of the clerk of the superior court [insert proper officer] of Edgefield County.

Recreational facility is any park, recreation or recreational structure owned or operated by Edgefield County or owned by municipal jurisdictional but located in the unincorporated area of the County.

Recreational vehicle (RV) is a vehicle which is (a) built on a single chassis, (b) 400 square feet or less when measured at the largest horizontal projection, (c) designed to be self-propelled or permanently towable by a light duty truck, or (d) designed primarily for use as a temporary living quarters for recreational, camping, travel or seasonal use.

Recreational vehicle (RV) park is any parcel or tract of land under the control of any person, organization, or governmental entity where two or more recreational vehicle sites are offered for use by the public or members of an organization for overnight stay.

Recreational vehicle (RV) site is a specific area within a recreational vehicle park that is set aside for one recreational vehicle.

Redevelopment is a land development project on a previously developed site, but excludes ordinary maintenance activities, remodeling of existing buildings, resurfacing of paved areas, and exterior changes or improvements which do not materially increase or concentrate stormwater runoff, or cause additional non-point source pollution.

Registered engineer or registered professional engineer means an engineer currently licensed to practice under the laws of the State of South Carolina pursuant to S.C. Code 1976, title 40, ch. 22.

Registered land surveyor means a person who is registered by the state as a Tier B Land Surveyor pursuant to S.C. Code 1976, title 40, Ch. 22.

Registered landscape architect means a person who is registered by the state pursuant to S.C. Code 1976, title 40, Ch. 28.

Regulatory flood is a flood event having a one percent (1%) chance of occurring in a given year, although the flood may occur in any year, i.e., the 100-year flood.

Religious land use is a church, synagogue, parish house, Sunday school building, convent and/or a similar use and their customary uses including child care on the premises during worship services.

Reserve strips means a strip of land not less than one foot in width deeded for the purpose of regulating access to any road or to a partially dedicated or dead-end road.

Residential district is any of the following zoning districts: RL, RS, or RV.

Residential Inspector means a person who performs onsite building, plumbing, electrical and mechanical inspections on one or two family dwellings, multifamily dwellings three stories or structures of light frame construction and not exceeding five thousand (5,000) square feet in total area.

Commented [JF37]: Confirm limits or not?

Commented [JF38]: Needed?

Residential assisted living facility or residential care facility is a facility which offers room (regardless of whether leased or owned by the occupant or any other person), board, and a limited degree of personal assistance on a long-term basis for two or more persons, 18 years old or older, unrelated to the operator, but excluding any facility which offers or represents to the public that it offers such services primarily to or specifically for the mentally ill, mentally disabled, or drug or alcohol addicted or provides or purports to provide specific procedures or processes for those diseases or conditions. Personal assistance as used herein shall be interpreted and applied using the applicable provisions in South Carolina Code Annotated Regulation 61-84, or any successor provisions thereto, as guidelines.

Residential subdivision means the division of a tract or parcel of land into two or more lots, building sites, or other divisions for the immediate or future purpose of single-family residential development.

Residential zoning district or residential district is one of the following zoning districts: RL, RS, or RV.

Restaurant is any establishment, whether open to the public or operated as a private club, including drive ins, whose primary business is serving meals prepared on the premises for consumption on the premises. Any defined portion of the restaurant where alcoholic beverages, including beer and wine, are served but the purchase of food is optional shall be clearly subordinate to the main dining area, where the purchase of food is expected and required by the operator.

Retail, convenience is a store or part thereof in which foods, wares, merchandise, substances, articles, or other items are offered or kept for sale directly to the public at retail. The term "retail establishment" includes restaurants and department stores.

Retail establishment A store or part thereof in which foods, wares, merchandise, substances, articles, or other items are offered or kept for sale directly to the public at retail. The term "retail establishment" includes restaurants and department stores.

Retail, primary is an establishments selling commodities in small quantities to a consumer, usually low bulk comparison items which are normally found in department stores and stores selling general merchandise, variety merchandise, shoes, millinery, clothing, jewelry, etc.

Retail, secondary are retail establishments selling primary one-stop shopping items usually high bulk and very often more expensive items than those found in a primary retail establishments, including stores selling appliances, radio, television, floor coverings, furniture, etc.

Retention basin is a pond, pool, or basin, used for the permanent storage of water runoff.

Rezoning shall mean the same as "Zoning change"

Right-of-way (ROW) means a strip of land acquired by reservation, dedication, prescription, or condemnation and intended for a purpose such as ingress/egress or utility location.

Right of way line is the dividing line between a lot, tract or parcel of land and a contiguous road right-of-way.

Riparian buffer or riparian corridor is the area of land adjacent to and generally parallel to a stream or the edge of a body of water. It is 25 feet in width on both sides of the stream measured from the stream banks and around all bodies of water as measured from the highwater mark. It includes the stream banks. Typically, riparian buffer areas are forested.

Riverbank is the rising ground, bordering a river, which serves to confine the water to the natural channel during the normal course of flow.

River corridor is all land, inclusive of islands, in areas of the Savannah River and being within one hundred (100) feet horizontally on both sides of the river as measured from the riverbanks. The one hundred (100) foot buffer shall be measured horizontally from the uppermost part of the riverbank, usually marked by a break in slope. Although not within the measured one hundred (100) foot wide buffer, the area between the top of the bank and the edge of the river shall be treated in the same manner as the river corridor. Because stream channels move due to natural processes such as meandering, riverbank erosion, and jumping of channels, the river corridor may shift with time.

Road, street, or thoroughfare is the full width between property lines bounding every public way of whatever nature, with a part thereof to be used for vehicular traffic.

Road, private is an accessway open to vehicular ingress and egress established as a separate tract for the benefit of certain, adjacent properties. This definition shall not apply to driveways.

Road, public is all public property reserved or dedicated for street traffic.

Roadway design manual means the roadway design manual as published by the South Carolina State Highway Department in Volumes I and II.

Roadway drainage structure is a device such as a bridge, culvert, or ditch, composed of a virtually non-erodible material such as concrete, steel, plastic, or other such material that conveys water under a roadway by intercepting the flow on one side of a traveled roadway consisting of one or more defined lanes, with or without shoulder areas, and carrying water to a release point on the other side.

Roadway surveyor means a land surveyor currently registered to practice under the laws of the State of South Carolina.

Roof is the outside top covering of a building.

Roofline is the top of a flat roof or the ridge of a gable, hip, or gambrel roof.

Roof sign - see under "building signs".

Rooming house - See "Boarding house"

Runoff means that portion of the precipitation on the land which reaches the stormwater management system.

Rural district is one of the following zoning districts: RA, RC, or RE.

Salvage is any materials consisting of waste matter, discarded matter or salvage matter which is bought, sold, exchanged, stored, baled, packaged or disassembled for profit, trade or hire. The term shall also mean any vehicle without current license tags which is (1) damaged so as not to comply with state or federal safety regulations, or (2) incapable of self-propulsion, or (3) partially dismantled; if such vehicle is retained on the premises for more than (30) days unless scheduled for repair as evidenced by a repair order not more than (6) months old. The term shall also mean, but not be limited to, old or scrap copper, brass, aluminum, rope, rags, paper, trash, tire carcasses, rubber debris, old vehicle parts, non-working major appliances, and other old ferrous or non-ferrous material. See also the definition of "junkyard or salvage yard."

Salvage (or salvaged) vehicle is any unlicensed and/or inoperative vehicle which is unused, dismantled, wrecked, or kept for spare parts or the re-sale of parts. This does not include used cars in operable condition, vehicles awaiting repair at a licensed repair business, or operable vehicles awaiting sale at a licensed dealer.

Sanitary landfill is a solid waste disposal site where waste is spread in layers, compacted, and covered with soil or other cover materials each day to minimize pest, aesthetic, disease, air pollution and water pollution problems

Sawmill is an establishment engaged in sawing dimension lumber, boards, beams, timbers, poles, ties, shingles, shakes, siding, and wood chips from logs or bolts. Sawmills may plane the rough lumber that they make with a planing machine to achieve smoothness and uniformity of size. Sawmills may include a woodyard.

Satellite dish antenna is a device to transmit and/or receive radio or electromagnetic waves between terrestrial and/or orbital based uses.

SCDOT is the South Carolina Department of Transportation.

School is a public school, a separate school, a university, a college or a private school authorized by the authority having jurisdiction and operated on a not-for-profit basis; includes a day nursery and residence building for staff and students, provided that such buildings are on the same lot as the place of instruction; excludes schools such as dance schools, karate schools, gymnastic schools, and similar commercial instructional or educational facilities.

Screen is a structure or planting consisting of fencing, berms, and/or evergreen trees or shrubs providing a continuous view obstruction within a site or property.

Screening means a type of buffer that is designed to block or obscure a particular element or use from view.

Seasonal event -See "holiday or seasonal event".

Sediment is solid material, both organic and inorganic, that is in suspension, is being transported, or has been moved from its site of origin by wind, water, ice, or gravity as a product of erosion.

Sedimentation means the process which operates at or near the surface of the ground to deposit soil, debris, and other materials either on other ground surfaces or in water channels.

Seep berm A linear sediment control constructed as an earthen berm perpendicular to the direction of runoff. A seep berm stores sediment and releases runoff at a low flow rate through pipe outlets spaced at equal intervals along the length of the berm.

Sensitive natural area is any area, as identified now or hereafter by the Department, which contains one or more of the following: (a) Habitat including nesting sites, occupied by rare or endangered species; (b) Rare or exemplary natural communities; (c) Wetlands, (d) Significant landforms, hydroforms or geological features; or (e) Other areas so designated by the Department, and which are sensitive or vulnerable to physical or biological alteration.

Septic tank is a watertight receptacle that receives the discharge of sewerage. Also see "Individual Subsurface Disposal System."

Serial sign means a sign which contains individual panels arranged vertically or horizontally, or both, in rows between two vertical supports, each panel utilized by a separate entity. Serial signs are designed to share signage among multiple tenants on a lot. Serial signs may be wall or freestanding signs. Freestanding signs shall have a minimum of two vertical supports.

Service establishment is a building or part thereof used for the provision of services, such as repair of motor vehicles; exhaust system replacement; repair of television and other electronic devices; appliance repairs; and similar facilities, including automotive service stations for the servicing and repairing of motor vehicles and for the sale of fuel, oils, accessories for motor vehicles, food, and refreshments.

Service lane is a public or private street primarily designed to serve as secondary access to the side or rear of those properties whose principal frontage is on some other street. (Also Alley)

Setback means the distance from the property line to the nearest plane of the applicable building, structure, or sign, measured perpendicularly to the property line.

Setback, front, means a setback extending the full width of the front of a lot in the area between the front (street) right of way (ROW) line or property line and the front building line.

Setback, minimum is the shortest distance allowed between a street line or lot line and any principal or accessory building on a lot. Minimum setback requirements for buildings are associated with the type of lot line from which the setback is taken; for instance, a "side yard setback" is measured from a side lot line.

Setback, rear, means a setback extending the full width of the lot in the area between the rear lot line and the rear building line.

Setback, required, means that part of a lot between a lot line and the minimum required building setback line, within which no structure shall be located except as provided by this chapter.

Setback, side, means a setback extending the full length of the lot in the area between the side lot line and a side building line.

Sexually oriented business for purposes of this chapter, means and includes the following:

Sexually oriented business (1) Adult arcade means any place to which the public is permitted or invited wherein coin-operated or slug-operated or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by the depicting or describing of "specified sexual activities" or "specified anatomical areas."

Sexually oriented business (2) Adult bookstore or adult video store means a commercial establishment, which, as one of its principal business purposes, offers for sale or rental for any form of consideration any one or more of the following: (2.1) Books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, videocassettes or video reproductions, slides or other visual representations which depict or describe "specified sexual activities" or "specified anatomical areas"; or (2.2) Instruments, devices, or paraphernalia, which are designed for use in connection with "specified sexual activities". A commercial establishment may have other principal business purposes that do not involve the offering for sale or rental of material depicting or describing "specified sexual activities" or "specified anatomical areas" and still be categorized as an adult bookstore or adult video store. Such other business purposes will not serve to exempt such commercial establishment from being categorized as an adult bookstore or adult video store so long as: one of its principal business purposes is the offering for sale or rental for consideration the specified materials which depict or describe "specified sexual activities" or "specified anatomical areas."

Sexually oriented business (3) Adult cabaret means a nightclub, bar, restaurant or similar commercial establishment, which regularly features: (3.1) Persons who appear in a state of nudity; (3.2) Live performances which are characterized by the exposure of "specified anatomical areas" or by "specified sexual activities"; or (3.3) Films, motion pictures, videocassettes, slides, or other photographic reproductions, which are characterized by the description of "specified sexual activities" or "specified anatomical areas."

Sexually oriented business (4) Adult motel means a hotel, motel or similar commercial establishment which: (4.1) Offers accommodations to the public for any form of consideration; provides patrons with closed-circuit television transmissions, films, motion pictures, videocassettes, slides, or other photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas"; and has a sign visible from the public right-of-way which advertises the availability of this adult type of photographic reproductions; (4.2) Offers a sleeping room for rent for a period of time that is less than ten hours; or (4.3) Allows a tenant or occupant of a sleeping room to sub rent the room for a period of time that is less than ten hours

Sexually oriented business (5) Adult motion picture theater means a commercial establishment where, for any form of consideration, films, motion pictures, videocassettes, slides or similar photographic reproductions are regularly shown which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas."

Sexually oriented business (6) Adult theater means a theater, concert hall, auditorium or similar commercial establishment which regularly features persons who appear in a state of nudity or live performances which are characterized by the exposure of "specified anatomical areas" or by "specified sexual activities."

Sexually oriented business (7) Sexual encounter center means a business or commercial enterprise that, as one of its primary business purposes, offers for any form of consideration: (7.1) Physical contact in the form of wrestling or tumbling between persons of the opposite sex; or (7.2) Activities between male and female persons and/or persons of the same sex when one or more of the persons is in a state of nudity or seminude.

Shared parking is any parking space intended to be utilized for more than one (1) use occurring on a single lot or within a single building, where persons utilizing the space are unlikely to need the space at the same time of day.

Sheriff shall mean the Sheriff of Edgefield County

Shooting range, indoor is a totally enclosed facility that is designed to offer a controlled indoor sport shooting environment. Includes indoor gun ranges and indoor archery ranges.

Shooting range, outdoor is an outdoor facility that offers a controlled sport shooting environment and that provides protective natural or artificial barriers preventing bullets, shells, pellets or arrows from traveling to human occupied areas. Includes outdoor gun ranges and outdoor archery ranges.

Shopping center is a group of commercial establishments planned, constructed and managed as a total entity, with customer and employee parking provided on-site, provision for goods delivery separated from customer access, aesthetic considerations and protection from the elements, and landscaping and signage in accordance with an approved plan.

Shoulder is the graded part of the right of way that lies between the edge of the main pavement (main travel way) and the curb line.

Shrub is a woody plant, smaller than a tree, consisting of several small stems from the ground or small branches near the ground. A shrub may be deciduous or evergreen.

Sidewalk is a paved or surfaced area, paralleling and usually separated from a public or private street, used as a pedestrian walkway.

Sign means any object, device, display or structure, or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination or projected images. The term sign includes banners, posters, inflatable signs, tethered balloons and pennants. *Other signs to possibly define: banner, billboard, building, changeable copy sign, double-faced, electronic, freestanding, ground, illuminated, inflatable, LCD, LED. Multiple message, flag, pennant, pole or pylon, projecting, roofline, swinging, tri-vision. wall-face, yard sale, etc.).*



A frame sign

Sign means any structure, device, object, design or display that is used or intended to be used to attract the attention of or to convey information to the public, and that is placed in such a way,

whether out of doors or inside or near a window, as to be in the view of the general public from the exterior of any building on the property.

Sign, aggregate area means the combined sign area of all sign faces of a particular category on a single parcel. For example, the aggregate sign area of all freestanding signs on a parcel is the sum total of the sign face areas of all freestanding signs on such parcel.

Sign, abandoned is a sign structure not containing a sign for 120 continuous days or a sign not in use for 120 continuous days, or a sign advertising a business no longer occupying the site on which the sign exists or to which it refers.

Sign, animated is any sign that uses movement or change of lighting to depict action or to create a special effect or scene. See the definition of "Sign, Changeable-Copy."

Sign, animated – see "animated sign".

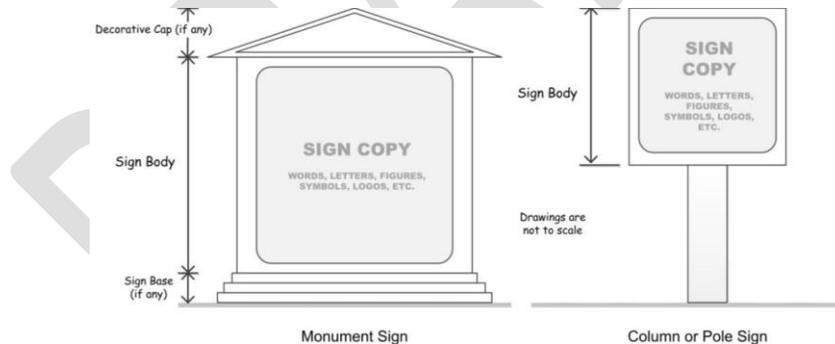
Sign, Awning, Canopy, or Marquee means a sign that is mounted or painted on or attached to an awning, canopy or marquee.

Sign, banner means a sign of fabric, thin plastic or similar lightweight material that is mounted to a pole or a building at one or more edges and is intended or displayed as commercial speech. Flags displaying noncommercial speech shall not be considered to be banners.

Sign, bench is a sign located on any part of the surface of a bench or seat placed on or adjacent to a public right-of-way.

Sign, billboard means any monument sign erected on undeveloped property.

Sign body means that portion of a sign structure that is intended or designed primarily to support or display the sign face, exclusive of the sign's base or decorative cap, if any.



Sign, building marker - see under "building sign".

Sign, canopy - see under "building sign".

Sign, changeable copy means a type of animated sign that is capable of changing the position or format of word messages or other displays on the sign face or change the visible display of words, numbers, symbols and graphics by the use of a matrix of electric lamps, movable discs, movable panels, light apertures or other methods, provided these changes are actuated by either a control mechanism or manually on the face of the sign. Changeable copy signs include the following types:

- a. *Manually activated*: A sign whose alphabetic, pictographic, or symbolic informational content can be changed or altered by placing such letters or other message elements directly on the sign face by hand.

- b. *Electronic*: A sign whose alphabetic, pictographic, or symbolic informational content can be changed and is displayed electrically or electronically. See also "LED sign".

Sign, changeable-face, copy, electronic message board is a sign designated to allow the changing of letters, words, logos, or symbols through manual, electronic, or digital means only in a static manner without altering the face or surface of the sign, or creating movement or the appearance of movement upon the sign face or by any other structural component. A sign on which the message changes statically more than once every ten (10) seconds provided the message does not change through flashing, scrolling, or any type of animation shall be considered an animated sign and not a changeable-face/copy/electronic message board sign for purpose of this Chapter. See the definition of "Sign, Animated". Images displayed using electronic/digital technology must be static messages and the content shall not include animated, flashing, scrolling, or full-motion video elements. All digital business signs shall have a method for controlling the illumination intensity or brilliance of the sign so that it shall not cause glare or impair the vision of motorist. These signs shall not exceed a maximum illumination of 7500 nits (candelas per square meter) during daylight hours and a maximum illumination of 500 nits between dusk to dawn as measured from the sign face. This illumination can be regulated either by an automatic dimmer and photo cell sensor or through the use of computerized controls that accurately replicates these maximum illumination requirements.

Sign, channeled letter means signs that have their letters cut out of the sign face or raised above the sign face, described as:



- a. *Internally channeled letters*: Letters or other symbols cut into a sign face and located above a recessed background surface, often designed for the background surface to be illuminated by an artificial light source.
- b. *Reverse channeled letters*: Letters or other symbols raised above a background surface designed to be illuminated from behind and within the letters or symbols by an artificial light source.

Sign copy means the words, letters, figures, symbols, logos, fixtures, colors or other design elements that are used to convey the message, idea or intent for which a sign has been erected or placed.

Sign, dilapidated/deteriorated means a sign that is structurally unsound, has defective parts, or is in need of painting or other maintenance.

Sign, directory is a sign listing the tenants or occupants of a building or group of buildings and that may indicate their respective professions or business activities.

Sign, double-faced means a sign structure with two sign faces that are parallel (back-to-back) or that form an angle to one another of no more than 60 degrees, where each sign face is designed to be seen from a different direction and the two sign faces are separated from each other at their nearest point by no more than 12 inches. Sign faces or sign modules on a single sign structure that are separated by more than 12 inches are treated as separate signs.

Sign face means that portion of the surface of a sign structure where words, letters, figures, symbols, logos, fixtures, colors, or other design elements are or may be located in order to convey the message, idea, or intent for which the sign has been erected or placed. The sign face may be composed of two or more modules on the same surface that are separated or surrounded by portions of a sign structure not intended to contain any advertising message or idea and are purely structural or decorative in nature.

Sign face means the area or display surface of a sign used for the message.

Sign, freestanding, means any non-movable sign not affixed to a building.

Sign, height means the vertical distance from the ground to the highest point of the sign structure, as measured from the adjacent finished grade at the base of the sign.

Sign, identification is a sign giving the nature, logo, trademark, or other identifying symbol; address; or any combination of the name, symbol, and address of a building, business, development, or establishment on the premises where it is located.

Sign, illuminated means any sign or portion thereof which is illuminated by artificial light, either from an interior or exterior source, including outline, reflective or phosphorescent light, whether or not the source of light is directly affixed as part of the sign, and shall also include signs with reflectors that depend upon sunlight or automobile headlights for an image.

- a. *Direct or internal illumination*: A sign illuminated by an internal source.
- b. *Indirect or External Illumination*: A sign illuminated by an external light source directed primarily toward such sign.

Sign, incidental means a small sign, emblem or decal no larger than 1½ square feet in area. Such signs are normally located on doors, windows and gas pumps, or in parking lots or loading areas, may be freestanding or building signs, and are generally not readily visible or legible from public rights-of-way.

Sign, incidental is a sign not to exceed six (6) square feet in area, generally informational, that has a purpose secondary to the use of the zone lot on which it is located, such as "no parking", "entrance", "loading only", "telephone", and other similar directives. No sign with a commercial message legible from a position off the zone lot on which the sign is located shall be considered incidental.

Sign, Inflatable means a sign that is either expanded to its full dimensions through mechanical means of an air blower or supported by gasses contained within the sign, or sign parts, at a pressure greater than atmospheric pressure.

Sign, kiosk - See "kiosk".

Sign, marquee - See under "building sign".

Sign, mobile - See "vehicular sign".

Sign module means each portion or unit of a sign face that is clearly separable from other such units by virtue of its individual or independent construction or framing.

Sign, monument - See under "freestanding sign".

Sign, multi-faced means a single freestanding sign structure consisting of two sign faces (see "double-faced sign") or three or more sign faces that are separated from each other at their nearest point by no more than 12 inches. Sign faces or sign modules on a single sign structure that are separated by more than 12 inches are treated as separate signs.

Sign, neon means an illuminated sign containing a glass tube filled with neon or phosphors, which is bent to form letters, symbols or other shapes, or otherwise used to highlight, decorate or outline the sign.

Sign, nonconforming means a sign legally existing at the time of its placement or erection that could not have been approved under the terms of this Chapter.

Sign owner means the person who has the legal right or exclusive title to the sign.

Sign, permanent means any sign that is securely affixed to the ground or to a building and not readily removable. Temporary signs are not considered to be permanent signs.

Sign, political is a temporary sign announcing or supporting political candidates or issues in connection with any national, state or local election.

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Sign, portable - See under "portable sign".

Sign, pre-permanent means a temporary sign used for signage by a new business until their permanent sign is installed.

Sign, portable, means a sign that is not permanent or affixed to a building or other structure or to the ground.

Sign, principal means the main, most prominent or largest freestanding or building sign on a property's street frontage or principal building, other than a project entrance sign as defined in this Chapter. Such signs are of permanent construction and not placed as temporary signage.

Sign, prohibited means any sign, other than a non-conforming sign, not conforming to this Chapter.

Sign, project entrance means a permanent freestanding sign located at an entrance designed and permitted for vehicular access into a multi-family development, or into a development containing multiple lots, such as but not limited to a particular single-family residential subdivision, a townhouse condominium subdivision, or a commercial subdivision such as an office park or industrial park where buildings are located on separate lots.

Sign, projecting - See under "building sign".

Sign, reader-board is a changeable-copy or changeable-face sign. A sign on which the message changes more than eight times per 24-hour day shall be considered an animated sign and not a reader-board sign for purposes of this Chapter.

Sign, roof - See under "building sign".

Sign, Roof-integral is a sign whose structure is integrated into the structure of the roof, and is an integral part thereof.

Sign, sidewalk, sandwich and/or A-frame means a portable sign the support structure of which is not imbedded in the ground. Such signs are constructed in such a manner that they stand on their own but are not permanently installed. This includes a sign displayed on an easel.

Sign, stanchion - See under "freestanding sign".

Sign, temporary means any sign, the use of which is short-term in nature, that is affixed to or placed on the ground or to a building but is readily removable and not intended for permanent installation.

Sign, under canopy - See under "building sign".

Sign, wall - See under "building sign".

Sign, window is a sign that is applied or attached to the exterior or interior of a window or located in such manner within a building that it can be seen from the exterior of the structure through a window.

Single Discipline Inspector means a person who performs onsite inspections in one construction discipline, as determined by position description for the local jurisdiction for which employed, for all types of construction in all occupancy groups.

Single-family detached dwelling is a detached building containing one dwelling unit.

Site is a parcel of land bounded by a lot line or a designated portion of a public right-of-way. Site may also reference the parcel of land being developed, or the portion thereof on which the land development project is located.

Site analysis is the analysis of the characteristics of the entirety of a site proposed for development including all land that may be reserved for future development and land reserved for natural open space or recreation. The site analysis includes location; geology and soils; topography evaluated at five percent slope intervals; significant topographical features, including ridges, outcroppings, bluffs, etc.; wetlands, streams, floodplains, floodways, water bodies and other water features; existing vegetation and tree cover; visual and view features; environmental characteristics, including endangered and threatened flora and fauna; tree cover; structures; road networks; past, present and proposed uses of the site; and others.

Site-built single family detached dwelling is a single-family detached dwelling constructed on the building site from basic materials delivered to the site, in contrast to assembly of pre-constructed and which is constructed in accordance with all requirements of the construction codes as adopted by Edgefield County.

Site plan is an accurately scaled development plan that illustrates the existing conditions on a land parcel depicting the details of a proposed development.

Site plan, major is a site plan that exceeds the threshold requirements defined for a minor site plan established in this Chapter.

Site plan, minor has the following characteristics: (a) Less than ten acres; (b) Proposes the development of one building containing less than 40,000 square feet or more than one building containing a total of less than 60,000 square feet with no building containing more than 40,000 square feet; (c) Meet all other standards for development as set forth in this Chapter.

Site-specific development plan means a development plan submitted by a landowner to a local governing body that indicates accurately the type, density, and intensity of uses proposed for a specific property.

Site traffic is the total vehicular traffic which would be generated by the development being analyzed in the TIA (under the proposed zoning, if applicable).

Skirting is the installation of acceptable material from the exterior base of a manufactured house to the ground which may or may not provide support to the house.

Slaughterhouse means an agricultural facility which slaughters or processes more than two hundred pounds of livestock, hogs, aquatic animals, equine, chickens, turkeys, poultry, or other food normally raised for food, mules, cattle, sheep, goats, rabbits, or similar farm animals for commercial purposes.

Slope is the degree of deviation of a surface from horizontal, measured in a numerical ratio, percent, or degrees

Soil and water conservation district board means the governing body of the Edgefield Soil and Water Conservation District as established pursuant to S.C. Code 1976, title 48, Ch. 9.

Soil binder is a plant that prevents or inhibits erosion by providing a ground cover and forming a dense network of roots that hold the soil.

Soil compaction is a change in soil physical properties which includes an increase in soil weight per unit volume and a decrease in soil pore space. Soil compaction is caused by repeated vibrations, frequent traffic and weight. As related to tree roots, compacted soil can cause physical root damage, a decrease in soil oxygen levels with an increase in toxic gas, and could be impervious to new root development.

Solar energy farm or solar farm is property used in solar energy development; more specifically, land utilized in the construction and installation of an energy conversion system, including appurtenances, that converts solar energy to a usable form of energy to be used on-site or to transfer to the public electric grid in order to sell electricity to a public utility entity.

Solid waste includes any garbage, refuse, or sludge from a waste treatment facility, water supply plant, or air pollution control facility and other discarded material, including solid, liquid, semi-solid, or contained gaseous material resulting from industrial, commercial, mining, and agricultural operations and from community activities. This term does not include solid or dissolved material in domestic sewage, recovered materials, or solid or dissolved materials in irrigation return flows or industrial discharges which are point sources subject to NPDES permits under the Federal Water Pollution Control Act, as amended, or the Pollution Control Act of South Carolina

South Carolina Manufactured Housing Board means the board which is authorized by state statute to regulate the construction, repair, modification, installation, tie down, hook-up, and sale of manufactured homes in South Carolina, which board has adopted for regulation of manufactured homes the Federal Manufactured Housing Construction and Safety Standards, promulgated by HUD, and contained in the board's Manufactured Housing Regulations, May 26, 1990.

Special exception is an authorization by the Board of Zoning Appeals pursuant to S.C. Code §6-29-800 providing that a use specifically designated in this Ordinance that would not be appropriate for location generally or without restriction throughout a given zoning district but which, if controlled as to number, area, location, or relation to the neighborhood, would in the opinion of the Edgefield County Board of Appeals, promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity or general welfare.

Special industry means the use of land and structures for manufacturing activity involving industrial operations which customarily produce significant levels or emissions or are offensive, hazardous, or dangerous by nature, including treatment of trash, garbage, offal, dead animals, and sewage, including incinerating, dumping, composting, digestion, filtration, flocculation, sedimentation, chemical precipitation, oxidation, and reduction; cooking, distillations, incineration, and chemical processing of plastics and animal and vegetable products, including but not limited to brewery, distillery, cannery, meat packinghouse, slaughterhouse, fat rendering, creosote, flavor or syrup extract, glue, paper, pulp, paint, plastic, shellac, turpentine, or varnish manufacture; leather, tanning, wool scouring and cleaning, cotton textile sizing, or corrosive or noxious chemicals, including but not limited to acids, acetylene, ammonia, chlorine, and bleaching compounds, production or processing of coal, coal tar, petroleum, or asphalt products, including but not limited to coke, illuminating gas, petroleum, asphalt, linoleum, oilcloth, or roofing materials manufacture; power, light or steam generation, using coal as fuel; smelting, reduction, refining and alloying of metallic ores, including but not limited to blast, open hearth, or electric furnaces, Bessemer converter, non-ferrous metal smelter, manufacture or storage of explosive products, including but not limited to dynamite and commercial explosive, TNT and military explosives, fireworks; production of materials by nuclear fission, nuclear plant for production of electric power, light, or steam, or for particulate bombardment of materials; machining, working, stamping, punching, processing, or pressing of metal requiring hammer mills, rolling mills, drop forges metal grinding machines, automatic screw processing of junk, waste discarded or salvaged materials, machinery or equipment, including automobile or other wrecking or dismantling; and trade or vocational schools in which the above are taught or performed.

Special use is a use not ordinarily allowed but which may be allowed upon the imposition of conditions related to the promotion of the public health, safety, morals or general welfare and designed to minimize the negative impact on surrounding lands. A special use is allowed upon approval of a Special Use Permit in accordance with the procedures in this Ordinance. See also "Zoning change."

Specimen tree is a tree that is part of a historic site; has been designated as a Champion Tree by South Carolina Forestry Commission and the Department of Forestry and Natural Resources at Clemson University or is 75% or more of the DBH of the current state Champion of that species; has a diameter of 24 inches at 4.5 feet above the ground; has an exceptional canopy shape and beauty; is a rare, threatened or endangered species; or is individually identified on an approved forest conservation plan.

Commented [JF40]: Is there a need for this definition? Possibly in the overlays or as a conservation measure

Split-face block is a concrete masonry unit, split lengthwise by a machine after curing to produce a rough, fractured face texture.

Split-face concrete block (CMU) is a Portland cement product with a core in excess of 25% and with one 16 inch side having an architectural finish.

Stable is any building or structure where horses or livestock are housed or maintained. (Also see Aiken City for pleasure v commercial stable definitions)

Stabilization is the process of establishing an enduring soil cover of vegetation by the installation of temporary or permanent structures for the purpose of reducing to a minimum the erosion process and the resultant transport of sediment by wind, water, ice or gravity.

Stanchion sign– See under "freestanding signs".

Start of construction is for other than new construction or substantial improvements under the Coastal Barrier Resources Act (P.L. 97-348), includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition or improvement was within 180 days of the permit date. The actual start means the first placement of permanent construction of a structure (including a manufactured home) on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for footings, piers or foundations, or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor or other structural part of the building, whether or not that alteration affects the external dimensions of the building.

State manufactured housing board means the South Carolina Manufactured Housing Board established by SC Code 1976, &40-29-10.

Steep slope is a slope of 30% or greater in grade, usually expressed as ~3H (horizontal):1V (vertical).

Stoop is a raised platform located at the entry of a building and approached by steps. A stoop may have a roof.

Storage is the containment of solid waste, either on a temporary basis or for a period of years, in such manner as not to constitute disposal of such solid waste; provided, however, that storage in containers by persons of solid waste resulting from their own activities on their property, leased or rented property, if the solid waste in such containers is collected at least once a week, shall not constitute "storage" for purposes of this act. The term does not apply to containers provided by or under the authority of the county for the collection and temporary storage of solid waste prior to disposal.

Storage, hazardous waste facility is the containment or holding of hazardous waste, either on a temporary basis or for a period of years, in such a manner as not to constitute disposal of such hazardous waste.

Storage, outdoor is an area dedicated as an exterior depository of materials or products. Outdoor storage may be enclosed by a structure that includes a roof, but no side walls, in which case the structure shall be deemed outdoor storage. Outdoor storage may involve fencing or screening without a roof in which case fencing or screening shall be deemed outdoor storage. The term "outdoor storage" shall be synonymous with the terms "storage yard" and "outside storage."

Storage yard - See "Storage, outdoor."

Storefront is the first floor of a commercial building that meets the Building Design standards for commercial buildings established in this Chapter.

Storm drainage system is any publicly-owned facilities by which stormwater is collected and/or conveyed, including but not limited to any roads with drainage systems, county streets, gutters, curbs, inlets, catch basins, piped storm drains, pumping facilities, structural stormwater controls, retention and detention basins, ditches, swales, natural and human-made or altered drainage channels, reservoirs, and other drainage structures

Stormwater detention facility, see the definition of "Detention Facility."

Stormwater management means a general term applied to the removal of surface or subsurface water from a given area either by gravity via natural means or by systems constructed to so remove water, commonly applied herein to surface water.

Stormwater management plan is a document describing how existing runoff characteristics will be affected by a land development project and containing measures for complying with the provisions of this ordinance.

Stormwater management system means the surface and subsurface system for the removal of water from the land, including both the natural elements of streams, marshes, swales, and ponds, whether of an intermittent or continuous nature, and manmade elements which include culverts, retention facilities, and storm sewer systems.

Stormwater runoff is the flow of surface water resulting from precipitation.

Story, building is that portion of a building between a floor and the floor or roof next above. The first floor of a two or multi-story building shall be deemed the story that has: a) no floor immediately below it that is designed for living quarters or for human occupancy but has at least one-half (1/2) of its height on one side below grade (see also "Basement"). Those stories above the first floor shall be numbered consecutively.

Commented [JF41]: This definition is possibly needed for the overlays

Street means any thoroughfare (drive, avenue, boulevard) or space more than 18 feet in right-of-way (ROW) width which has been dedicated, deeded or designated for vehicular traffic, public or private. The term is synonymous with the term "road" and includes the term "alley". The term does not include driveways (see the definition of Driveway). New streets must be built to meet County standards for street construction.

Street, arterial means all State primary and Federal Aid highways and streets that serve to circulate traffic, having signals at important intersections, and stop signs on side streets, and/or having controlled access and channelized intersections.

Street, collector, means a street designed principally to collect traffic from subdivisions and to feed arterial streets.

Street, cul-de-sac, means a street with a single common ingress and egress and with a turnaround at the end.

Street, dead-end, means a street with a single common ingress and egress point and without a turnaround at the end.

Street furniture are man-made, above ground items that are usually found in street rights of way, including streetlights, benches, planters, landscaping, canopies, waste receptacles, bollards and phone booths.

Street hardware is the mechanical and utility systems within a street right of way, such as hydrant manhole covers, traffic lights and signs, utility poles and lines, and parking meters.

Commented [JF42]: This appears it may be interchangeable with street furniture. Is there a preference?

Street hierarchy is the conceptual arrangement of streets based upon function. A hierarchical approach to street design classifies streets according to function, from high-traffic arterial roads down to streets whose function is residential access. Systematizing street design into road hierarchy provides safety, efficient land use and residential quality.

Commented [JF43]: This definition may not be needed

Street, major or arterial, means and includes all state primary and federal aid highways and streets that serve to circulate traffic, having signals at important intersections, and stop signs on side streets and/or having controlled access and channelized intersections.

Street, minor or local, means a street designed principally to collect traffic from subdivisions and provide access to abutting property.

Street network is the Street system within the incorporated areas of the city which consists of the Arterial Streets and Collector Streets as defined herein.

Street, private, means a street not dedicated for public use or maintenance.

Street tree is a tree located between the back of a street curb and the sidewalk, generally within the street right of way.

Street vista is the view, framed by buildings, at the termination of the axis of a thoroughfare.

Commented [JF44]: This term may be used in Overlays.

Street width means the distance between the lateral edges of pavement on a roadway including vehicle carriageway lane and side clearance on each side, or "curb to curb".

Commented [JF45]: Will this term be used in Overlays?

Structural alteration means any change in the supporting members of a building, such as the bearing walls, beams, or girders, or any change in the dimension or configuration of the roof or exterior walls.

Commented [JF46]: Definition from Streets section

Structure means (a) anything constructed or erected, the use of which requires a location on the ground, or attached to something having location on the ground; or (b) a walled and roofed building, a manufactured home, including a gas or liquid storage tank, or other man-made facility or infrastructure that is principally above ground.

Subdivider is a person, firm or corporation having such a proprietary interest in the land to be subdivided as will authorize the maintenance of proceedings to subdivide such land under this Chapter, or the authorized agent of such persons, firm or corporation for the purpose of proceeding under this Chapter.

Subdivision means all divisions of a tract or parcel of land into two or more lots, building sites, or other divisions for the purpose, whether immediate or future, of sale, lease, or building development, and includes all division of land involving a new street or change in existing streets, and includes re-subdivision which would involve the further division or relocation of lot lines of any lot or lots within a subdivision previously made and approved or recorded according to law; or, the alteration of any streets or the approved or recorded according to law; or, the alteration of any streets or the establishment of any new streets within any subdivision previously made and approved or recorded according to law, and includes combinations of lots of record; however, the following exceptions are included within this definition only for the purpose of requiring that the local planning agency be informed and have a record of the subdivisions: (a) the combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots are equal to the standards of the governing authority; (b) the division of land into parcels of five acres or more where no new street is involved and plats of these exceptions must be received as information by the planning agency which shall indicate that fact on the plats; and (c) the combination or recombination of entire lots of record where no new street or change in existing streets is involved

Subdivision, exempt, means a subdivision which meets the following conditions: (1) Involves the division of land into parcels of five acres or more where no new street is involved; or (2) Includes the combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots are equal to the standards of this chapter and other applicable regulations; (3) Involves cemetery lots.

Subdivision, major, means any subdivision other than an exempt or minor subdivision.

Subdivision, minor, means any subdivision which does not involve any of the following: (1) The creation of more than ten lots; and (2) The creation of any new street.

Subdivision, small is a subdivision which does not involve any of the following: (a) the creation of more than ten lots, (b) the creation of any new street, (c) the extension of public water or sewer lines, or (d) the installation of drainage improvements through one or more lots to serve one or more other lots.

Substantial damage is damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50% of the market value of the structure before the damage occurred. Such repairs may be undertaken successively and their costs counted cumulatively. Please refer to the definition of "substantial improvement".

Substantial improvement means any repair, reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the start of construction of the improvement. The term includes structures, which have incurred substantial damage, regardless of the actual repair work performed.

Subtenant means a natural person, business or other entity that subleases or is otherwise allowed to occupy a portion of land or a building, the majority of which is also occupied by a tenant. For the purposes of this Development Code, a subtenant is not treated as a "tenant" as defined herein.

Super-elevation is the amount by which the outer edge of a curve on a road or railroad is banked above the inner edge.

Surface roughening is the creation of horizontal grooves, depressions or steps that run parallel to the contour of the land.

Suspension of other work or stop-work order means an unappealable order to immediately cease all construction and land disturbance work other than that necessary to bring the project site into conformance with the plan, specifications, and time schedule specified in the erosion and sediment control and stormwater management plan required by this chapter, until conformance is achieved.

Surveyor is a land surveyor properly registered and licensed in the state by the state board of land surveyors.

Swale is a grassy depression used to channel storm drainage with sides having a slope gradual enough to be mowed.

Swimming pool is any structure intended for swimming or recreational bathing that contains water over 24 inches deep including in-ground, above-ground, and on-ground pools as well as hot tubs and spas.

Swinging freestanding sign means a freestanding sign suspended from a horizontal structural support supported by vertical structural steel columns or wooden posts.

Swinging or projecting wall sign - See "projecting sign" under "building sign".

Tavern, see "Bar"

Telecommunications means the transmission and/or reception of audio, video, data, and other information by wire, radio frequency, light, and other electronic or electromagnetic systems.

Telephone repeater station means a building used to house amplifying equipment along aerial or underground telephone cable routes.

Temporary sign means a sign, the use of which is short-term in nature, that is affixed to or placed on the ground or to a building but is readily removable and not intended for permanent installation.

Temporary event means an activity having a specific duration or the end of which is related to a specific action, usually lasting for only a few days or months at a time.

Tenant means a natural person, business or other entity that occupies land or buildings by ownership, under a lease, through payment of rent, or at will; the primary occupant, inhabitant, or dweller of a place. See also "subtenant".

Tenant frontage means the horizontal distance in feet between the walls that delimit an exterior façade of a tenant space. A "tenant space" may be a stand-alone building with a single occupant, or a portion of a planned center that is separated from all other tenant spaces for occupancy by a single tenant.

Terra cotta means a hard, semi-fired, waterproof ceramic clay used in pottery and building construction.

Theater, drive in means an outdoor movie theater, where motion pictures are projected upon a screen for viewing by patrons seated in automobiles

Theater, movie means a specialized indoor theater for showing movies or motion pictures.

Theater, performance means an indoor facility with fixed seats that are arranged on a sloped or stepped floor and are oriented toward a performance stage. This definition includes concert halls.

Timber harvesting means an operation engaged in harvesting standing timber for delivery as pulpwood, logs, poles, posts, or wood chips to a woodyard or processing plant.

Tourist home means a private dwelling unit that is used as a temporary accommodation to overnight guests for a fee, not exceeding a week at a time, and not more than once every six months.

Tourist service means the use of land and structures for services and trade which cater to a specialized clientele, deal in specialized services, and are otherwise independent or unique in character, including tourist information centers, souvenir/curio/gift shops, hunting/fishing/boating/ camping supply shops, ambulance or other emergency service, establishments for rental or enroute servicing (but not sales) of passenger motor vehicles, other vehicles of three-fourths ton or less rated capacity, self-haul equipment, travel trailer, pick-up camper-pleasure boats, and similar and related travel or recreational equipment, and the like.

Tower means any structure designed primarily to support an antenna for receiving and/or transmitting a wireless signal. A "freestanding tower" shall mean a monopole or self-supporting tower. A "guyed tower" shall mean a tower supported and stabilized through use of guy wires.

Towing and other road and ground services are establishments that tow light or heavy motor vehicles, both local and long distance. These establishments may provide incidental services, such as storage and emergency road repair services.

Townhouse is a building that has three or more separate single-family dwelling units divided vertically, and each unit has separate entrances to a front and rear yard. The term "townhouse" shall be synonymous with the term "townhome."

Traditional neighborhood design means development designs intended to enhance the appearance and functionality of the new development so that it functions like a traditional neighborhood or town. These designs make possible reasonably high residential densities, a mixture of residential and commercial land uses, a range of single and multifamily housing types, and street connectivity both within the new development and to surrounding roadways, pedestrian, and bicycle features.

Traffic engineer means a registered professional engineer who specializes in studying vehicular and pedestrian traffic conditions.

Traffic impact area means all streets, including street links and the intersections of two or more streets, within the distance from the exterior boundaries of the proposed development.

Traffic impact study means an analysis to determine the need for any roadway improvements from vehicular traffic generated from new development at both the site and any major intersections effected by this development. The analysis would include the need for any new or additional roads, turn lanes, traffic signals or other necessary improvements for adequate roadway capacity.

Transfer station means a combination of structures, machinery, or devices at a place or facility where solid waste is taken from collection vehicles and placed in other transportation units, with or without reduction of volume, for movement to another solid waste management facility.

Translucent (window glazing) means glass that is frosted, stained, etched, colored, etc. Allows the transmission of light through the glass or window but objects on the other side of the window appear diffused, wavy or colored. Reflective glass and window glazing are not translucent.

Transmission line means any utility line intended to move large quantities of utility service from generation sources to distribution lines but not to the end user.

Transparent (window glazing) means clear glass. Allows the transmission of light through the glass or window so that objects on the other side of the glass can be seen clearly. Reflective glass and window glazing are not transparent.

Transport for the purposes of regulating hazardous waste, is defined as the transportation or carrying of hazardous waste or dangerous chemicals or liquids in a storage tank, drum, tanker, or other container on or in a motor vehicle (except within a tank being used to feed or supply the motor vehicle with a means of energy for locomotion at the time of transport) on roads on the county system of roads.

Transportation facilities are streets, including street links and intersections within the planning area or jurisdiction of Edgefield County, or arterial streets and collector streets within the jurisdiction of the South Carolina Department of Transportation that are located within the planning area of Edgefield County

Travel trailer or recreational vehicle means a vehicle having one or more of the following features: (1) Has a net interior area less than 500 square feet.(2) Is intended for short duration occupancy. (3) Has a self-contained tank for temporary holding of sanitary waste.(4) Does not have either of the following: a. HUD certification (seal) of manufacturing to the Federal Manufactured Home Construction and Safety Program (24 CFR 3280, 3282, 3283); or b. Does not have a certificate from a mobile repair contractor licensed by the state stating the unit is retrofitted to these standards. ALTERNATE: Travel trailer or recreational vehicle means a structure that is intended to be transported over the streets and highways (either as a motor vehicle or attached to or hauled by a motor vehicle), and is designed for temporary use as sleeping quarters, but that does not satisfy one or more of the definitional criteria of a mobile or manufactured home or modular unit.

Tree is any self-supporting, woody perennial plant which has a caliper of two inches or more and which normally obtains a height of at least ten feet at maturity, usually with one main stem or trunk and many branches.

Trees, grand, means an oak, pine, magnolia or other large canopy tree over 24 inches DBH or tree such as a dogwood, crape myrtle, rosebud, or other small trees over eight inches DBH.

Trees, significant, means an oak, pine, magnolia or other large canopy tree of eight to 24 inches DBH and any tree such as a dogwood, rosebud, crape myrtle, or other small tree four to six inches DBH.

Tree survey is a survey plan sealed by a registered surveyor indicating location, size and species of all protected trees on a property.

Triangular silt dike is a sediment control device, triangular in shape, made of foam sewn into a woven geo-synthetic fabric that can be used to provide settling and/or reduction in water velocity/erosive forces.

Trim or trimming means the pruning of excess limbs or branches from trees or other vegetation.

Trip is a single or one-way vehicle movement to or from a property or study area. "Trips" can be added together to calculate the total number of vehicles expected to enter and leave a specific land use or site over a designated period of time.

Tri-plex is a building containing three dwelling units, and each dwelling unit has a separate entrance from the outside or through a common vestibule.

Trip distribution is the geographic distribution of trip ends attracted to the proposed development, usually expressed as a percentage of the total site trips generated by (and assignable to) major site access corridors.

Trip ends are the total of all trips entering plus all trips leaving a specific land use within a specific time period.

Tri-vision sign means a sign designed with a series of triangular slats that mechanically rotate in sequence with one another to show three different sign messages in rotation. For purposes of this chapter, a tri-vision sign is not a changeable copy sign.

Truck is defined as any tractor and trailer or other truck having more than six wheels and being exempt from the width, length, and load requirements of this Ordinance.

Trucking terminal means a use included in NAICS category number 484, Truck Transportation. The term also includes truck-staging operation.

Two-family dwelling (Duplex) is a building containing two single-family dwelling units totally separated from each other by an unpierced wall extending from basement to roof.

Undergrowth are vines and bushes

Unzoned area means those areas of the county not included in a zoned area, as delineated on the official zoning maps of the county.

Upper-story residential is a residential dwelling unit located above another use.

Use means the purpose or activity for which land or any building thereon is designed, arranged or intended, or for which it is occupied or maintained.

Use, accessory, see Building, accessory.

Use, principal, means the primary purpose for which land is used.

Utility is a Public or private water or sewer piping systems, water or sewer pumping stations, electric power lines, fuel pipelines, telephone lines, roads, driveways, bridges, river/lake access facilities, storm water systems and railroads or other utilities identified by a local government.

Utility substation is an assembly of equipment in an electric power system through which electrical energy is passed for transmission, distribution, interconnection, transformation, conversion, or switching.

Variance means a modification of the regulation of this chapter, granted by the board of appeals, where such modification will not be contrary to the public interest, and where, owing to conditions peculiar to the property, a literal enforcement of the chapter would result in unnecessary and undue hardship, and where such modification will not authorize a principal or accessory use of the property which is not permitted on which the property is located.

Variance, administrative is a modification of requirements pertaining to yard, building height, parking, loading, and buffer requirements that may be granted by the Zoning Administrator [or others to be defined] in accordance with this Ordinance.

Vegetation means any object of natural growth, including trees, shrubs, grasses, and mosses..

Vehicle repair is any building in which, or premises on which, a business involving the maintenance, servicing, repair, or painting of vehicles is conducted or rendered. Vehicle repair does not involve the storage of vehicles for extended periods of time.

Vehicular sign means any sign placed, mounted, painted on or affixed to a motor vehicle or to a freight, flat-bed or storage trailer or other conveyance, whether motorized or drawn.

Vendor is a temporary or occasional operation the primary activity of which is retail sales, such as produce stands, fireworks stands, etc.

Vested interest is the right to undertake and complete the development of property under the terms and conditions of a site specific development plan or a phased development plan as provided in this article and in the local land development ordinances or regulations adopted pursuant to this chapter.

Vested right means the right to undertake and complete the development of property under the terms and conditions of a site-specific development plan or phased development plan in conjunction with the Edgefield County Code of Ordinances, and with the approval of the applicable local governing body.

Veterinary services are establishments with licensed practitioners of veterinary medicine, dentistry, or surgery for animals; also included are establishments that provide testing services for licensed veterinary practitioners.

Violation is the failure of a structure or other development to be fully compliant with these regulations. For the purposes of floodplain management, the term shall mean the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, or other certifications, or other evidence of compliance required by this UDC is presumed to be in violation until such time as that documentation is provided.

Volume, traffic is the number of vehicles to pass a predetermined location during a specified period of time.

Wall sign - See under "building sign".

Warehouse is any natural or artificial watercourse, stream, river, creek, channel, ditch, canal, conduit, culvert, drain, waterway, gully, ravine, or wash in which water flows either continuously or intermittently and which has a definite channel, bed and banks, and including any area adjacent thereto subject to inundation by reason of overflow or floodwater.

Wastewater means any water or other liquid, other than uncontaminated stormwater, discharged from a facility.

Watercourse is any natural or artificial watercourse, stream, river, creek, channel, ditch, canal, conduit, culvert, drain, waterway, gully, ravine, or wash in which water flows either continuously or intermittently and which has a definite channel, bed and banks, and including any area adjacent thereto subject to inundation by reason of overflow or floodwater.

Water supply reservoir is a governmentally owned impoundment of water for the primary purpose of providing water to one or more governmentally owned public drinking water systems. This excludes the multipurpose reservoirs owned by the U.S. Army Corp of Engineers.

Water supply watershed The area of land upstream of a governmentally owned public drinking water intake.

Weapons firing range means an organized use of land for discharging a rifle, pistol, or shotgun and including the following activities: (1) Construction of more than two fixed or moving targets and the conduct of scheduled events involving firing by more than four persons in the same general area; (2) Exempt from this definition are: a. Legal hunting of wildlife; and b. Military or governmental activities.

Wetlands means areas of one-quarter acre or more where standing water is retained for a portion of the year and unique vegetation has adapted to the area. Jurisdictional wetlands are those over which the U.S. Corps of Engineers and/or the State of South Carolina has permitting jurisdiction.

Window sign - See under "building sign".

Wireless telecommunication facility is the equipment and network components, exclusive of the underlying wireless support structure, including antennas, transmitters, receivers, base stations, power supplies, cabling, and accessory equipment, used to provide wireless data and wireless telecommunication services

Woodland is an area of contiguous wooded vegetation where the branches and leaves form a continuous canopy is the delineation of a woodland through an aerial photograph or a ground survey. A woodland includes understory and both large and small trees. Areas of scrub vegetation that include exotic species where no more than 20% of the coverage is provided by trees with a DBH equal to greater than four inches is not considered a woodland.

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Yard means an open space that lies between the principal or accessory building and the nearest lot line. Such yard is unoccupied and unobstructed from the ground upward except as may be specifically provided by this chapter.

Yard, front, means a yard extending the full width of the front of a lot between the front (street) right-of-way line or property line and the front building line.

Yard, rear, means a yard extending the full width of the lot in the area between the rear lot line and the rear building line.

Yard, required, means that part of a yard between a lot line and the minimum required building setback line, within which no structure shall be located except as provided by this chapter.

Yard, side, means a yard extending the full length of the lot in the area between the side lot line and a side building line.

Zoned area means those areas of Edgefield County delineated on the official zoning maps of Edgefield County.

Zoning administrator means the zoning official of Edgefield County.

Zoning Board of Appeals is the Edgefield County Zoning Board of Appeals

Zoning change is an amendment to the zoning map (rezoning), approval of a special use permit, or approval of a change in the conditions of approval associated with a rezoning or a special use permit.

Zoning district means a specifically delineated area or district within which regulations and requirements govern the use, placement, spacing and size of land and buildings.

Zoning officer is the person designated by Edgefield County to be responsible for the administration of this Ordinance, or their designee.

ARTICLE 12.4. - RESERVED.

Sec. 12.4.1. - Reserved (for Notes).