

TOWN OF PAGELAND
SOUTH CAROLINA

ZONING ORDINANCE

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TOWN OF PAGELAND, SOUTH CAROLINA ZONING ORDINANCE

TABLE OF CONTENTS

ARTICLE 1 ENACTMENT AND JURISDICTION

| | <u>Page</u> |
|-----------------------|-------------|
| 1-1 Title..... | 6 |
| 1-2 Authority..... | 6 |
| 1-3 Purpose..... | 6 |
| 1-4 Jurisdiction..... | 6 |

ARTICLE 2 ESTABLISHMENT OF ZONING DISTRICTS, PURPOSE OF DISTRICTS, AND RULES FOR INTERPRETATION OF DISTRICT BOUNDARIES

| | |
|---|----|
| 2-1 Establishment of Districts..... | 7 |
| 2-2 Purpose of Districts..... | 7 |
| 2-3 Establishment of Official Zoning Map..... | 9 |
| 2-4 Rules for Interpretation of Districts..... | 10 |
| 2-5 Annexations and Other Adjustments to Town Limits..... | 10 |

ARTICLE 3 ZONING DISTRICT REGULATIONS

| | |
|----------------------------------|----|
| 3-1 Establishment of Tables..... | 12 |
|----------------------------------|----|

| | | |
|-----|--------------------|----|
| 3-2 | Use of Tables..... | 12 |
|-----|--------------------|----|

ARTICLE 4 CONDITIONAL USE REGULATIONS

| | | |
|-----|---|----|
| 4-1 | Multi-Family Housing, Residential Care Facilities and Group Occupied Dwellings..... | 19 |
| 4-2 | Townhouse Developments..... | 20 |

TABLE OF CONTENTS (cont'd)

| | <u>Page</u> | |
|------|---|----|
| 4-3 | Patio and Zero Lot Line Housing Developments..... | 20 |
| 4-4 | Manufactured Dwellings..... | 21 |
| 4-5 | Manufactured Home Parks..... | 22 |
| 4-6 | Home Occupation..... | 24 |
| 4-7 | Accessory Uses..... | 25 |
| 4-8 | Communication Towers & Antennas..... | 26 |
| 4-9 | Bed and Breakfast Inns..... | 28 |
| 4-10 | Mini-Warehouses..... | 28 |
| 4-11 | Tattoo and Body Piercing Facilities..... | 29 |
| 4-12 | Sexually Oriented or Adult Uses..... | 29 |
| 4-13 | Temporary Uses (Portable Buildings, Tents, Etc.)..... | 31 |
| 4-14 | Solar Farm Facilities..... | 32 |
| 4-15 | Vendors..... | 35 |

ARTICLE 5 COMMUNITY APPEARANCE, BUFFERING AND LANDSCAPING REGULATIONS

| | | |
|-----|-------------------|----|
| 5-1 | Buffer Areas..... | 36 |
| 5-2 | Landscaping..... | 38 |

ARTICLE 6 SIGN REGULATIONS

| | | |
|-----|------------------------------------|----|
| 6-1 | Purpose..... | 41 |
| 6-2 | Applicability and Conformance..... | 41 |
| 6-3 | Signs on Private Property..... | 41 |

| | | |
|-----|---------------------------------------|----|
| 6-4 | Signs in the Public Right-of-Way..... | 44 |
| 6-5 | Temporary Signs..... | 44 |
| 6-6 | Prohibited Signs..... | 45 |
| 6-7 | Development Standards..... | 45 |
| 6-8 | Sign Measurement..... | 46 |
| 6-9 | Removal of Signs..... | 47 |

TABLE OF CONTENTS (cont'd)

**ARTICLE 7 SUPPLEMENTAL OFF-STREET PARKING
AND LOADING REGULATIONS**

| | <u>Page</u> | |
|-----|---|----|
| 7-1 | Off-Street Parking..... | 48 |
| 7-2 | Off-Street Loading..... | 50 |
| 7-3 | Approval of Parking and Off-Street Loading Plans and Layouts..... | 50 |
| 7-4 | Parking, Storage, or Use of Travel Trailers or Recreational Vehicles in Residential Districts..... | 50 |
| 7-5 | Parking, Storage, and Use of Non-Recreational Vehicles and Equipment in Residential Zones..... | 51 |
| 7-6 | Parked Vehicles/Retail Sales..... | 52 |

ARTICLE 8 GENERAL AND ANCILLARY REGULATIONS

| | | |
|-----|--|----|
| 8-1 | Application of Regulations..... | 53 |
| 8-2 | Exceptions and Modifications..... | 53 |
| 8-3 | Measurements..... | 55 |
| 8-4 | Number of Principal Buildings/Uses on a Lot..... | 55 |
| 8-5 | Visibility at Intersections..... | 55 |
| 8-6 | Accessory Buildings and Uses..... | 55 |
| 8-7 | Nonconformities..... | 57 |

**ARTICLE 9 ESTABLISHMENT, POWERS AND DUTIES OF
OFFICIALS, COMMISSIONS, AND BOARDS**

**RESPONSIBLE FOR ADMINISTRATION OF
THIS ORDINANCE**

| | | |
|-----|------------------------------|----|
| 9-1 | Zoning Administrator..... | 60 |
| 9-2 | Planning Commission..... | 60 |
| 9-3 | Board of Zoning Appeals..... | 60 |

TABLE OF CONTENTS (cont'd)

**ARTICLE 10 ADMINISTRATION, APPLICATION, AND
REQUIRED PERMITS**

| | <u>Page</u> |
|---|-------------|
| 10-1 Purpose..... | 64 |
| 10-2 Responsibility..... | 64 |
| 10-3 Types of Applications..... | 64 |
| 10-4 Eligible Applicants..... | 65 |
| 10-5 Application Procedures for Change or Relief..... | 65 |
| 10-6 Application Requirements and Fees..... | 68 |
| 10-7 Required Permits..... | 68 |
| 10-8 Types of Required Permits..... | 69 |
| 10-9 Building Permits..... | 69 |
| 10-10 Sign Permits..... | 69 |
| 10-11 Occupancy Permits..... | 70 |
| 10-12 Inspections for Compliance..... | 70 |
| 10-13 Expiration of Permits..... | 71 |
| 10-14 Complaints Regarding Violations..... | 71 |
| 10-15 Penalties for Violations..... | 71 |

ARTICLE 11 DEFINITIONS

| | |
|-------------------------|----|
| 11-1 General Terms..... | 72 |
| 11-2 Definitions..... | 73 |

ARTICLE 12 LEGAL STATUS PROVISIONS

| | |
|--|----|
| 12-1 Conflict with Other Laws..... | 85 |
| 12-2 Validity..... | 85 |
| 12-3 Repeal of Conflicting Ordinances..... | 85 |
| 12-4 Effective Date..... | 85 |

ARTICLE 1

ENACTMENT AND JURISDICTION

Section 1-1 Title

These regulations shall be known and may be cited as The Zoning Ordinance of Pageland, South Carolina.

Section 1-2 Authority

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, the Town of Pageland does ordain and enact into law the following articles and sections.

Section 1-3 Purpose

For the purpose of guiding development in accordance with existing and future needs and in accordance with the comprehensive plan, these regulations have been made in order to protect, promote and improve the public health, safety, morals, convenience, order, appearance, prosperity, and general welfare; to lessen congestion in the streets; to secure safety from fire; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; and, to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public improvements. The South Carolina Code of Laws, Section 6-29-710 sets forth detailed purposes for zoning regulations.

Section 1-4 Jurisdiction

The regulations set forth herein shall apply to all land and improvements thereon within the boundaries of the Town of Pageland, South Carolina, and areas annexed thereto.

ARTICLE 2

ESTABLISHMENT OF ZONING DISTRICTS, PURPOSE OF DISTRICTS, AND RULES FOR INTERPRETATION OF DISTRICT BOUNDARIES

Section 2-1 Establishment of Districts

For the purpose of this Ordinance, the Town of Pageland is hereby divided into the following zoning districts:

Map Symbol

| | |
|------------|--|
| R-8 | Low Density Residential District |
| R-6 | Medium Density Residential District |
| GR | General Residential District |
| GRR | General Residential – Restricted |
| RC | Residential-Commercial District |
| NC | Neighborhood Commercial District |
| CC | Core Commercial District |
| GC | General Commercial District |
| LI | Limited Industrial District |
| BI | Basic Industrial District |

Section 2-2 Purpose of Districts

Collectively, these districts are intended to advance the purposes of this Ordinance. Individually, each district is designed and intended to accomplish the following more specific objectives.

R-8 Low Density Residential District. The R-8 District is intended to foster, preserve and protect areas of the community in which the principal use of land is for detached, site-built single-family dwellings and limited residential support facilities at low densities. The regulations which apply within this district are designed to encourage the formation and continuance of a stable, healthy environment for one-family dwellings situated on lots having an area of 15,000 square feet or more, and to discourage any encroachment by commercial, industrial or other uses capable of adversely affecting the residential character of the district.

R-6 Medium Density Residential District. The R-6 District is intended to foster, preserve and protect areas of the community in which the principal use of land is for medium density one-family and two-family residential purposes. The regulations which apply within this district are designed to encourage the formation and continuance of a stable, healthy environment for one-family and two-family dwellings situated on lots of 6,000 square feet or more; and to discourage any encroachment by commercial, industrial, or other use capable of adversely affecting the residential character of the district.

GR General Residential District. The GR District is intended to foster, preserve and protect areas of the community for higher density, mixed use residential development. It is intended to accommodate a range of housing which meets the diverse economic and social needs of the population and to provide a protected residential environment; to discourage unwarranted encroachment of commercial, industrial or other uses capable of adversely affecting the residential character of the district; and to discourage any use which would generate traffic on minor streets other than that required to serve residents on those streets.

GRR General Residential Restricted District. The GRR district is intended to foster, preserve and protect areas of community in which the principal use of lands is for medium density one – family and two – family residential purposes. The regulations which apply within this district are designed to encourage the formation and continuance of a stable, healthy environment for one – family and two – family dwellings situated on lots of 4,000 square feet or more; and to discourage any encroachment by commercial, industrial, or other use capable of adversely affecting the residential character of the district. No Manufactured Homes or Manufactured Home Parks are allowed in this district.

RC Residential-Commercial District. The RC District is intended to accommodate office, institutional, limited personal service and residential uses in areas whose character is mixed, in transition, or otherwise suitable for mixed use development. It is designed principally for use along major streets and subdivision borders characterized by older houses to help ameliorate the consequences of change impacting these areas and provide a transitional buffer between potentially incompatible commercial and residential development. It is also intended to accommodate “planned” mixed use projects in single ownership.

NC Neighborhood Commercial District. The NC District is intended to be developed and preserved for local or neighborhood-oriented business purposes. The regulations which apply within this district are designed to encourage the formation and continuance of a stable, healthy and compatible environment for uses that are located so as to provide nearby residential areas with convenient shopping and service facilities; reduce traffic and parking congestion; avoid the development of strip business districts; and discourage industrial and other encroachment capable of adversely affecting the localized commercial character of the district.

CC Core Commercial District. The CC District is to encourage the concentration and maintenance of a centrally located trade and commercial service area and to provide for the orderly expansion of such uses in Downtown Pageland. This district is characterized by wall-to-wall and lot-line-to-lot-line development, sidewalks, and public parking.

GC General Commercial District. The GC District is intended to provide for and promote the development and maintenance of commercial and business uses strategically located to serve the community and the larger region of which it is a part. Toward this end, a wide range of business and commercial uses are permitted in this

district to accommodate business, financial, service and professional uses which benefit from being located in close proximity to each other.

LI Limited Industrial District. The intent of the LI District is to provide areas for limited industrial purposes which are not significantly objectionable in terms of noise, odor, and fumes to surrounding properties. The regulations which apply within this district are designed to encourage the formation and continuance of a compatible environment for uses generally classified to be limited industrial in nature; protect and preserve undeveloped areas in the Town of Pageland, which are suitable for such industries; and discourage encroachment by those residential, commercial or other uses capable of adversely affecting the basic industrial character of the district.

BI Basic Industrial District. The intent of the BI District is to promote the development and continued use of land for basic or primary industrial purposes which involve extensive manufacturing, processing or assembly operations; and to preserve undeveloped sizeable tracts of land with industrial potential for industrial uses.

HOD Historic Overlay District. The Historic Overlay District is designed and intended to promote the educational, cultural, economic and general welfare of the community by providing a mechanism for the identification, recognition, preservation, maintenance, protection, and enhancement of existing historic and architecturally valuable structures and properties which serve as visible reminders of the social, cultural, economic, political, and/or architectural past, thereby fostering civic pride; preserving local heritage; fostering public knowledge and appreciation of structures and areas which provide a unique and valuable perspective on the social, cultural, and economic mores of past generations; fostering architectural creativity by preserving physical examples of outstanding architectural techniques of the past; and, encouraging new structures and development that will be harmonious with existing structures, properties, and sites included in the district.

Historic Overlay Districts shall be established on the official zoning map by the same procedure as amendments generally, by defining the boundaries of each district. Within historic overlay districts, permitted uses are determined by the underlying, or primary, zoning district. Where such districts overlay a residential zoning district, for example, only those uses permitted in the residential zoning district shall be permitted in the overlay district, subject to the additional requirements and standards of this section.

Section 2-3 Establishment of Official Zoning Map

The boundaries of the above zoning districts are hereby established as shown on the Official Zoning Map of the Town of Pageland which, together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this Ordinance. The Official Zoning Map shall be identified by the signature of the Mayor, attested by the Town Clerk, and bearing the Seal of the Town under the words "Official Zoning Map, Town of Pageland, South Carolina," together with the date of the adoption of this Ordinance.

If, in accordance with the provisions of this Ordinance and the South Carolina Code of Laws, changes are made in district boundaries or other matter portrayed on the Official Zoning Map, such changes shall be entered on the Official Zoning Map promptly by the Town Clerk within seven (7) days after the amendment has been approved by the Town Council. No amendment to this Ordinance which involves matter portrayed on the Official Zoning Map shall become effective until after such change has been made on said map.

No changes of any nature shall be made on the Official Zoning Map or matter shown thereon except in conformity with the procedures set forth in this Ordinance. Any unauthorized change of whatever kind by any person or persons shall be considered a violation of this Ordinance and punishable as provided by law.

Regardless of the existence of purported copies of the Official Zoning Map, which may from time to time be made or published, the Official Zoning Map, which shall be located in the Office of the Town Clerk, shall be the final authority as to the current zoning status of land and water areas, buildings, and other structures in the Town.

Section 2-4 Rules for Interpretation of Districts

Where uncertainty exists as to the boundaries of districts as shown on the Official Zoning Map, the following rules shall apply. It is the duty of the Building Official to interpret the location of zoning district boundaries. An appeal from an interpretation or finding of the Building Official may be taken as specified in Article VIII.

- A. Boundaries indicated as approximately following the center lines of streets, highways, alleys, or public utility easements shall be construed to follow such center lines;
- B. Boundaries indicated as approximately following platted lot or tract lines shall be construed as following such lines, whether public or private;
- C. Boundaries indicated as approximately following town limits shall be construed as following such town limits;
- D. Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks;
- E. Boundaries indicated as approximately following the center lines of streams, rivers, canals, lakes, or other bodies of water shall be construed to follow such center lines;
- F. Boundaries indicated as parallel to, or extensions of, features indicated in subsections 1 through 5 above shall be so construed. For distances not specifically indicated on the Official Zoning Map, or in other circumstances not covered by Subsections 1 through 5 above, the Board of Zoning Appeals shall interpret the district boundaries.

Section 2-5 Annexations and Other Adjustments to Town Limits

Where town limit boundaries change by virtue of annexation or some other means, the following provisions shall apply:

- A. The zoning district shall be designated for property annexed by ordinance as follows:
 - 1. Town Council, after receiving a recommendation from the Planning Commission, shall specify an interim zoning district classification or classifications in the annexation ordinance. Such classification or classifications shall become effective on the effective date of annexation and permits for permitted uses may be issued.
 - 2. If the zoning district classification recommended by the Planning Commission for the annexed area is different in character and standards from the existing Town zoning district of the area, the Planning Commission report shall contain the reasons for the recommendation. The Town Council shall hold a public hearing on the proposed annexation and the proposed interim zoning of the property to be annexed.
 - 3. Notice of the public hearing shall be published in the same manner as required for rezoning.
 - 4. Immediately after the effective date of the annexation, the Zoning Administrator shall initiate zoning amendment procedures to confirm or establish the appropriate zoning classifications for the annexed area.
- B. In all cases, where additions or deletions in the total land area of the Town of Pageland require adjustments in the Zoning District boundaries, said adjustment shall be made on the Zoning Map.

ARTICLE 3

ZONING DISTRICT REGULATIONS

Section 3-1 Establishment of Tables

The uses permitted in the zoning districts established by Article 2, the off-street parking requirements, and the dimensional requirements of each are set forth herein. These requirements are presented through the use of tables, in Section 3-2.

Table 1 sets forth use and off-street parking requirements for all districts. Table 2 sets forth lot area, yard, setback, and height requirements for all districts.

Section 3-2 Use of Tables

Where the symbol “**P**” is shown on Table 1, the use to which it refers is permitted as a use by right in the indicated district, provided it complies fully with all applicable development standards of this Ordinance.

Where the symbol “**C**” is shown, the use to which it refers is conditionally permitted in the indicated district, subject to applicable conditions and requirements contained in Article 3, which requirements are referenced by a Section number following each conditionally permitted use.

Where the symbol “**N**” is shown on the table, the use to which it refers is not permitted in the indicated district.

Where a use is not specifically listed on the Table, it shall be understood that the use may be allowed if it is determined by the Zoning Administrator that the use is similar to other uses listed. It is further recognized that every conceivable use cannot be identified on the Table, and anticipating that new uses will evolve over time, this section established the Administrator’s authority to compare a proposed use and measure it against those listed on the Table for determining similarity. In determining similarity, the Administrator shall make all of the following findings:

- 3-2.1 The proposed use shall meet the intent of, and be consistent with the goals, objectives and policies of the Comprehensive Plan;
- 3-2.2 The proposed use shall meet the stated purpose and general intent of the district in which the use is proposed to be located;
- 3-2.3 The proposed use shall not adversely impact public health, safety, and general welfare; and,
- 3-2.4 The proposed use shall share characteristics common with, and not be of greater intensity, density, or generate more environmental impact, than those listed in the district in which it is to be located.

Table 1: Schedule of Permitted and Conditional Uses, & Off-Street Parking Requirements, by Zoning Districts

| | R-8 | R-6 | GR | GRR | RC | NC | CC | GC | LI | BI | Required Off-Street Parking Spaces (a) |
|---|-----|-----|----|-----|----|----|----|----|----|----|--|
| Residential Uses | | | | | | | | | | | |
| Single-family Detached | P | P | P | P | P | N | N | C | N | N | 2.0 spaces per unit |
| Duplex | N | P | P | P | P | N | N | N | N | N | 2.0 spaces per unit |
| Multi-family, Apartments (Sec. 4-1) | N | N | P | N | N | N | N | C | N | N | 2.0 spaces per unit |
| Townhouses (Sec. 4-2) | N | N | C | P | N | N | N | N | N | N | 2.0 spaces per unit |
| Patio Homes (Sec. 4-3) | N | P | P | P | N | N | N | N | N | N | 2.0 spaces per unit |
| Manufactured Homes (Sec. 4-4) | N | N | P | N | N | N | N | N | N | N | 2.0 spaces per unit |
| Manufactured Home Park | N | N | C | N | N | N | N | N | N | N | NA |
| Modular Homes | P | P | P | P | P | N | N | C | N | N | 2.0 spaces per unit |
| Residential Care Home & Fac. (Sec. 4-1) | C | C | C | C | C | N | N | N | N | N | 0.4 spaces per bed |
| Rooming Houses, Dormitories & Group Occupied Dwellings (Sec. 4-1) | N | N | P | N | C | N | N | C | N | N | 1.0 per bedroom |
| Accessory Uses to Residential Uses | | | | | | | | | | | |
| Bathhouses & Cabanas | P | P | P | P | P | N | N | N | N | N | NONE |
| Domestic Animal Shelters | P | P | P | P | P | N | N | N | N | N | NONE |
| Non-Commercial Greenhouses | P | P | P | P | P | N | N | N | N | N | NONE |
| Private Garage & Carport | P | P | P | P | P | N | N | N | N | N | NONE |
| Storage Building (Sec. 4-7) | C | C | C | C | C | C | N | C | N | N | NONE |
| Swimming Pool, Tennis Courts | P | P | P | P | P | N | N | N | N | N | NONE |
| Auxiliary Shed, Workshop | P | P | P | P | P | N | N | N | N | N | NONE |
| Home Occupations (Sec. 4-6) | C | C | C | C | C | N | N | N | N | N | NONE |
| Non-Commercial Horticulture or Agriculture, but Not Including the Keeping of Poultry or Animals | P | P | P | P | P | N | N | N | N | N | NONE |
| Family Day Care Home | P | P | P | P | P | N | N | N | N | N | NONE |
| Accessory Apartments (Sec. 4-7) | N | C | C | C | C | N | N | N | N | N | NONE |
| Agricultural Uses | | | | | | | | | | | |
| Crop Farming | P | P | N | P | N | N | N | N | P | P | NONE |
| Livestock, Poultry, Swine, Horses, Etc. | N | N | N | N | N | N | N | N | N | N | NA |
| Landscaping & Horticulture | N | N | N | N | N | N | P | P | N | N | 1.0 per 1000 sq ft GFA |
| Veterinary Services (Domestic) | N | N | N | N | N | N | N | P | P | P | 1.0 per 350 sq ft GFA |
| Veterinary Services (Livestock) | N | N | N | N | N | N | N | N | P | P | 1.0 per 350 sq ft GFA |
| Construction Uses | | | | | | | | | | | |
| Building Construction – General and Special Trade Contractors | N | N | N | N | N | N | N | P | P | P | 1.0 per 1,000 sq ft GFA |
| Heavy Construction Other Than Building Construction Contractors | N | N | N | N | N | N | N | N | P | P | 1.0 per 1,000 sq ft GFA |
| Manufacturing Uses | | | | | | | | | | | |
| Food & Kindred Products | N | N | N | N | N | N | N | N | P | P | 1.0 per 500 sq ft GFA |
| Textile Mill Products | N | N | N | N | N | N | N | N | P | P | 1.0 per 500 sq ft GFA |
| Apparel & Other Finished Products Made from Fabric & Similar Material | N | N | N | N | N | N | N | N | P | P | 1.0 per 500 sq ft GFA |
| Lumber & Wood Products, Except Furniture | N | N | N | N | N | N | N | N | P | P | 1.0 per 500 sq ft GFA |
| Furniture & Fixtures | N | N | N | N | N | N | N | N | P | P | 1.0 per 500 sq ft GFA |
| Printing, Publishing, & Allied Industries | N | N | N | N | N | N | P | P | P | P | 1.0 per 500 sq ft GFA |
| Stone, Clay, Glass, & Concrete Products | N | N | N | N | N | N | N | N | P | P | 1.0 per 1,000 sq ft GFA |

| | R-8 | R-6 | GR | GR R | RC | NC | CC | GC | LI | BI | Required Off-Street Parking Spaces (a) |
|--|-----|-----|----|---------|----|----|----|----|----|----|---|
| Manufacturing Uses (cont'd) | | | | | | | | | | | |
| Fabricated Metal Products | N | N | N | N | N | N | N | N | P | P | 1.0 per 500 sq ft GFA |
| Industrial & Commercial Machinery & Computer Equipment | N | N | N | N | N | N | N | N | P | P | 1.0 per 500 sq ft GFA |
| Electronic & Other Electrical Equip. & Components, Except Computer Equip. | N | N | N | N | N | N | N | N | P | P | 1.0 per 500 sq ft GFA |
| Measuring, Analyzing, & Controlling Instruments; Photographic, Medical, Optical Goods; Watches & Clocks | N | N | N | N | N | N | N | N | P | P | 1.0 per 500 sq ft GFA |
| Transportation, Communications & Utilities | | | | | | | | | | | |
| Motor Freight Transport. & warehousing | N | N | N | N | N | N | N | N | P | P | 1.0 per 500 sq ft GFA |
| Mini-warehouses (Sec. 4-10) | N | N | N | N | C | C | N | P | P | P | 1.0 per 6 storage units |
| U.S. Postal Service | N | N | N | N | N | P | P | P | P | P | 1.0 per 250 sq ft GFA |
| Public Transportation Services, Facilities | N | N | N | N | N | P | P | P | P | P | 1.0 per 500 sq ft GFA |
| Communications, Except Towers | N | N | N | N | N | P | P | P | P | P | 1.0 per 500 sq ft GFA |
| Communication Tower & Ant. (Sec. 4-8) | N | N | N | N | N | N | N | C | C | C | NONE |
| Electric Generation & Facilities | N | N | N | N | N | N | N | P | P | P | 1.0 per 500 sq ft GFA |
| Solar Farm Facilities | N | N | N | N | N | N | N | N | N | C | NONE |
| Propane Gas Storage (Bulk) | N | N | N | N | N | N | N | N | P | P | 1.0 per 500 sq ft GFA |
| Government Water Facilities | P | P | P | P | P | P | N | P | P | P | 1.0 per 500 sq ft GFA |
| Sewage Treatment | P | P | P | P | P | P | N | P | P | P | 1.0 per 500 sq ft GFA |
| Refuse Systems/Facilities | N | N | N | N | N | N | N | N | P | P | 1.0 per 500 sq ft GFA |
| Recyclable Collection | N | N | N | N | N | N | N | N | P | P | 1.0 per 50 sq ft GFA |
| Air Conditioning Supplies | N | N | N | N | N | N | P | P | P | P | 1.0 per 500 sq ft GFA |
| Government Public Works Facilities | N | N | N | N | N | P | N | P | P | P | 1.0 per 500 sq ft GFA |
| Wholesale Trade | N | N | N | N | N | N | N | P | P | P | 1.0 per 5,000 sq ft GFA |
| Retail Trade | | | | | | | | | | | |
| Lumber & Building Materials | N | N | N | N | N | N | N | P | P | N | 1.0 per 950 sq ft GFA |
| Paint, Glass, & Wallpaper | N | N | N | N | N | P | P | P | P | N | 1.0 per 800 sq ft GFA |
| Hardware Stores | N | N | N | N | N | P | P | P | P | N | 1.0 per 350 sq ft GFA |
| Retail Nurseries, Lawn, & Garden Supp. | N | N | N | N | N | P | N | P | P | N | 1.0 per 350 sq ft GFA |
| Manufactured Home Dealers | N | N | N | N | N | N | N | P | N | N | 1.0 per 600 sq ft GFA |
| General Merchandise Stores | N | N | N | N | N | P | P | P | N | N | 1.0 per 350 sq ft GFA |
| Food Stores | N | N | N | N | N | P | N | P | N | N | 1.0 per 350 sq ft GFA |
| Motor Vehicle Dealers | N | N | N | N | N | N | N | P | N | N | 1.0 per 600 sq ft GFA |
| Auto, Home Supply Stores | N | N | N | N | N | P | P | P | N | N | 1.0 per 350 sq ft GFA |
| Gasoline Service Stations | N | N | N | N | N | P | N | P | N | N | 1.0 per 600 sq ft GFA |
| Truck Stops | N | N | N | N | N | N | N | N | N | N | NA |
| Boat Dealers | N | N | N | N | N | N | N | P | N | N | 1.0 per 600 sq ft GFA |
| Recreational Vehicle Dealers | N | N | N | N | N | N | N | P | N | N | 1.0 per 600 sq ft GFA |
| Motorcycle Dealers | N | N | N | N | N | N | N | P | N | N | 1.0 per 600 sq ft GFA |
| Apparel & Accessory Stores | N | N | N | N | N | N | P | P | N | N | 1.0 per 350 sq ft GFA |

| Business & Auto Services | | | | | | | | | | | |
|---------------------------------------|---|---|---|---|---|---|---|---|---|---|-----------------------|
| Advertising Agencies | N | N | N | N | P | P | P | P | N | N | 1.0 per 600 sq ft GFA |
| Reproduction, Mailing, Graphic Arts | N | N | N | N | N | P | P | P | N | N | 1.0 per 600 sq ft GFA |
| Equipment Rental | N | N | N | N | N | P | P | P | N | N | 1.0 per 600 sq ft GFA |
| Offices | N | N | N | N | P | P | P | P | N | N | 1.0 per 600 sq ft GFA |
| Computer Programming, Data Processing | N | N | N | N | P | P | P | P | N | N | 1.0 per 600 sq ft GFA |
| Junk & Salvage Operations | N | N | N | N | N | N | N | N | N | N | NONE |
| Auto Repair, Leasing, Service | N | N | N | N | N | N | N | P | N | N | 1.0 per 400 sq ft GFA |
| Miscellaneous Repairs | N | N | N | N | N | P | N | P | N | N | 1.0 per 400 sq ft GFA |
| Dance Studios & Schools | N | N | N | N | P | P | P | P | N | N | 1.0 per 200 sq ft GFA |
| Bowling Centers | N | N | N | N | N | N | N | P | N | N | 1.0 per 350 sq ft GFA |
| | | | | | | | | | | | |
| | | | | | | | | | | | |

| | R-8 | R-6 | GR | GRR | RC | NC | CC | GC | LI | BI | Required Off-Street Parking Spaces (a) |
|--|-----|-----|----|-----|----|----|----|----|----|----|--|
| Amusement & Recreation Services | | | | | | | | | | | |
| Miscellaneous Amusement | N | N | N | N | N | P | P | P | N | N | 1.0 per 250 sq ft GFA |
| Physical Fitness Facilities | N | N | N | N | P | P | P | P | N | N | 1.0 per 300 sq ft GFA |
| Unlighted, Regulation-Size or Par Three Golf Courses | P | P | P | P | P | P | N | P | N | N | 5.0 per hole |
| Coin Operated Amusements | N | N | N | N | N | P | P | P | N | N | 1.0 per 350 sq ft GFA |
| Amusement Services | N | N | N | N | N | N | P | P | N | N | 1.0 per 250 sq ft GFA |
| Golf, Tennis, & Swimming Clubs | P | P | P | P | P | P | N | P | N | N | 1.0 per 4 members |
| Video Tape Rental | N | N | N | N | N | P | P | P | N | N | 1.0 per 300 sq ft GFA |
| Pool Parlors | N | N | N | N | N | N | N | P | N | N | 1.0 per 350 sq ft GFA |
| Public Parks & Playgrounds | P | P | P | P | P | P | P | P | P | P | Review of Zoning Administrator |
| Health Services | | | | | | | | | | | |
| Offices & Clinics of Doctors | N | N | P | N | P | P | P | P | N | N | 1.0 per 150 sq ft GFA |
| Offices & Clinics of Dentists | N | N | P | N | P | P | P | P | N | N | 1.0 per 150 sq ft GFA |
| Offices & Clinics of Other Health Practitioners | N | N | N | N | P | P | P | P | N | N | 1.0 per 150 sq ft GFA |
| Hospitals | N | N | N | N | N | P | N | P | N | N | 0.7 per bed |
| Medical and Dental Laboratories | N | N | N | N | N | P | N | P | N | N | 1.0 per 500 sq ft GFA |
| Misc. Health & Allied Services | N | N | N | N | N | P | N | P | N | N | 1.0 per 500 sq ft GFA |
| Legal Services | | | | | | | | | | | |
| Law Offices | N | N | P | N | P | P | P | P | N | N | 1.0 per 350 sq ft GFA |
| Educational Services | | | | | | | | | | | |
| Elementary Schools | P | P | P | P | P | P | N | P | N | N | 2.0 per classroom plus 5 admin spaces |
| Secondary Schools | P | P | P | P | P | P | N | P | N | N | 2.0 per classroom plus 2 per office |
| Colleges, Universities, Professional Schools | N | N | N | N | P | P | P | P | N | N | 5.0 per classroom plus 2 per office |
| Vocational Schools | N | N | N | N | P | P | P | P | N | N | 5.0 per classroom plus 2 per office |
| Other Schools & Educational Services | N | N | N | N | P | P | P | P | N | N | 5.0 per classroom plus 2 per office |
| Social Services | | | | | | | | | | | |

| | | | | | | | | | | | |
|--|------------|------------|-----------|-------------|-----------|-----------|-----------|---------------|-----------|-----------|---|
| Individual & Family Social Services | N | N | N | N | P | P | P | P | N | N | 1.0 per 350 sq ft GFA |
| Job Training & Vocational Rehab. | N | N | N | N | P | P | P | P | N | N | 1.0 per 350 sq ft GFA |
| Private Kindergarten or Pre-School Nursery | P | P | P | P | P | P | P | P | N | N | 1.0 per 200 sq ft GFA |
| Museums, Art Galleries | N | N | N | N | P | P | P | P | N | N | 1.0 per 950 sq ft GFA |
| Miscellaneous Services | | | | | | | | | | | |
| Fraternal, Professional, Political, Civic & Business Organizations | N | N | N | N | P | P | P | P | N | N | 1.0 per 250 sq ft GFA |
| Religious Organizations | P | P | P | P | P | P | N | P | N | N | 1.0 per 250 sq ft GFA |
| Engineering, Accounting, Research Management & Related Services | N | N | N | N | P | P | P | P | P | N | 1.0 per 350 sq ft GFA |
| Other Services, i.e., artists, authors, geologists, etc. | N | N | N | N | P | P | P | P | N | N | 1.0 per 350 sq ft GFA |
| Executive, Legislative & General Government | | | | | | | | | | | |
| Courts | N | N | N | N | P | P | P | P | N | N | 1.0 per 350 sq ft GFA |
| Police Protection | P | P | P | P | P | P | P | P | P | P | 1.0 per 350 sq ft GFA |
| Correctional Institutions | N | N | N | N | N | N | N | P | P | P | 1.5 per jail cell plus 4 per bay |
| Fire Protection | P | P | P | P | P | P | P | P | P | P | 4 per bay |
| | R-8 | R-6 | GR | GR-R | RC | NC | CC | GC (a) | LI | BI | Required Off-Street Parking Spaces (b) |
| Executive, Legislative & General Government (cont'd) | | | | | | | | | | | |
| Government Office Facilities | P | P | P | P | P | P | P | P | N | N | 1.0 per 350 sq ft GFA |
| Administration & Human Resources | N | N | N | N | P | P | P | P | N | N | 1.0 per 350 sq ft GFA |
| Administration & Housing Programs | N | N | P | N | P | P | P | P | N | N | 1.0 per 350 sq ft GFA |
| Administration of Economic Programs | N | N | N | N | P | P | P | P | N | N | 1.0 per 350 sq ft GFA |
| Accessories to Non-Residential Uses | | | | | | | | | | | |
| Buildings, Structures (c) | NA | P | P | P | P | P | P | P | P | P | NONE |
| Open Storage | N | N | N | N | N | N | N | P | P | P | NA |
| Temporary Uses (Sec. 4-10) | C | C | C | C | C | C | C | C | C | C | By Review of Zoning Administrator |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
| | | | | | | | | | | | |

(a) In General Commercial (GC) districts along SC 151 Bypass, a twenty-foot (20') permanent easement must be provided along the entire distance of the lot along the front property line for utilities and other Town usage.

(b) Refer to Article 6.

(c) Shipping containers shall not be used as accessory storage buildings.

Table 2: Schedule of Lot Area, Yard, Setback, Impervious Surface Area and Height Requirements, by Zoning District

| | R-8 | R-6 | GR | GR-R | RC | NC | CC | GC | LI | BI |
|--|--------|--------|--------|--------|--------|-------|----|-------|--------|--------|
| Minimum Lot Area | | | | | | | | | | |
| Residential (sq. ft.) | 15,000 | 6,000 | D | D | 6,000 | NA | NA | NA | NA | NA |
| Non-Residential (sq. ft.) | 30,000 | 20,000 | 20,000 | 20,000 | 20,000 | 6,000 | 0 | 6,000 | 43,560 | 43,560 |
| Minimum Lot Width (ft.) | 60 | 50 | 50 | 50 | 50 | 50 | 0 | 50 | 100 | 100 |
| Minimum Yard & Building Setback (ft.) (A) | | | | | | | | | | |
| Front | 20 | 15 | 15 | 15 | 15 | 25 | 0 | 50 | 50 | 50 |
| Side | | | | | | | | | | |
| Residential | 10 | 10 | E | E | 10 | NA | NA | 10 | NA | NA |
| Non-Residential | 50 | 40 | 40 | 40 | 40 | 10 | 0 | 10 | 50 | 50 |
| Rear | | | | | | | | | | |
| Residential | 15 | F | 15 | 15 | 15 | NA | NA | 25 | NA | NA |
| Non-Residential | 30 | 25 | 25 | 25 | 25 | 15 | 0 | 25 | 50 | 50 |
| Maximum Impervious Surface Ratio | | | | | | | | | | |
| Maximum Density (B) | 2 | 7 | | | 7 | | 5 | | NA | NA |
| Maximum Height (ft.) (C) | 35 | 35 | 60 | 60 | 35 | 35 | 60 | 60 | 60 | 60 |

Table References:

- A – Measurement from property line.
- B – Maximum number of dwelling units per net acre.
- C – Measurement from average elevation of the finished grade at the building line to the highest point on the roof.
- D – Single-family: 4,000 sq. ft.; duplex: 7,000 sq. ft.; multi-family: according to specifications set below.

| Unit Type | Stories | | | |
|--------------------|---------|-------|-------|-----------|
| | 1 | 2 | 3 | 4 or more |
| Efficiency Unit | 2,000 | 1,435 | 1,410 | 1,240 |
| 1 bedroom | 2,000 | 1,775 | 1,625 | 1,438 |
| 2 bedrooms | 2,650 | 2,475 | 2,125 | 1,825 |
| 3 bedrooms | 3,525 | 3,175 | 2,653 | 2,200 |
| 4 or more bedrooms | 4,375 | 3,975 | 3,492 | 2,725 |

| Unit Type | Stories | | | |
|--------------------|---------|----|----|-----------|
| | 1 | 2 | 3 | 4 or more |
| Efficiency Unit | 21 | 30 | 30 | 35 |
| 1 bedroom | 21 | 24 | 26 | 30 |
| 2 bedrooms | 16 | 17 | 20 | 23 |
| 3 bedrooms | 12 | 13 | 16 | 19 |
| 4 or more bedrooms | 9 | 10 | 12 | 15 |

E – Single-family & duplex: 7.5 feet; 7.5 feet; patio homes (one side only):15 feet; Townhouse: 15 feet for end unit; and, multi-family housing: 25 feet.

F – Multi-family: 40 feet; all other residential uses: 15 feet.

Notes:

Refer to Section 8-2 for yard and setback exceptions/modifications.

sq. ft. – square feet

ft. – feet

NA – Not applicable

ARTICLE 4

CONDITIONAL USE REGULATIONS

The regulations contained in this Article are intended to ameliorate the impact and improve the siting of uses, buildings, and projects whose design and/or operational characteristics could adversely affect surrounding property and environmental conditions. To this end, standards and criteria over and above those set forth elsewhere in this Ordinance are imposed herein on all conditional uses listed in Table 1.

| | Section Reference |
|--|-------------------|
| Multi-Family Housing, Residential Care Facilities, Group Dwellings | 4-1 |
| Townhouse Developments | 4-2 |
| Patio and Zero Lot Line Housing Developments | 4-3 |
| Manufactured Dwellings | 4-4 |
| Manufactured Home Parks | 4-5 |
| Home Occupation | 4-6 |
| Accessory Uses | 4-7 |
| Communication Towers & Antennas | 4-8 |
| Bed & Breakfast Inns | 4-9 |
| Mini-Warehouses | 4-10 |
| Tattoo and Body Piercing Facilities | 4-11 |
| Sexually-Oriented or Adult Uses | 4-12 |
| Temporary Uses (Portable Buildings, Tents, Etc.) | 4-13 |
| Solar Farm Facilities | 4-14 |
| Vendors | 4-15 |

Section 4-1 Multi-Family Housing, Residential Care Facilities, and Group Dwellings

Multi-family housing projects consisting of five or more units or two or more residential care facilities, dormitories, rooming houses, or group dwellings designed to accommodate 20 or more individuals shall meet the following design standards.

- A. Buildings shall be set apart not less than 40 feet.

- B. Not less than 25 percent of the project site shall be designated, landscaped, and permanently reserved as usable common open space.
- C. Buildings shall not exceed 400 feet from end to end.
- D. Multiple buildings shall be oriented toward common open space, away from adjacent single-family residential uses and off-street parking areas.
- E. Trash receptacles shall be oriented away and screened from adjacent residential uses.

Section 4-2 Townhouse Developments

Due to the unique design feature of Townhouses, the following supplemental design requirements shall apply:

- A. Such projects shall have a minimum of 2 acres.
- B. Not more than six (6) nor fewer than three (3) Townhouses may be joined together, with approximately the same (but staggered) front line.
- C. Minimum distance between rows of buildings shall be not less than 20 feet.
- D. Minimum lot width shall be 18 feet.
- E. Sidewalks not less than six (6) feet in width shall be provided along the front property line of each project or building.
- F. Projects consisting of 20 or more units shall devote, designate, and landscape not less than 15 percent of the project site as usable common open space.

Section 4-3 Patio and Zero Lot Line Housing Developments

Due to the unique design features of patio and zero lot line housing, the following supplemental design requirements shall apply:

- A. Such projects shall have a minimum of 5 acres.
- B. Minimum lot area shall be 3,000 square feet per unit.
- C. Minimum lot width shall be 40 feet.

- D. Where a unit is to be constructed at or on the property line, a five-foot private maintenance easement shall be provided on the adjoining lot.
- E. At least one side yard extending not less than six (6) 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 six (6) feet.

Section 4-4 Manufactured Dwellings

A. **Setup.** In order to secure electricity, manufactured dwellings, including homes sited for the first time, or homes involving a change in location, where permitted by this Ordinance, shall:

1. Be no more than ten (10) years old.
2. Bear a seal showing compliance with the Federal Manufactured Housing Construction and Safety Standards Code (245 CFR 3280), enacted June 15, 1976.
3. Be installed in accord with the regulations of the South Carolina Manufactured Housing Board, 23 SC Code Ann. Regs. Section 19-425 et seq, specifically:

(a) Foundations

Foundations shall be in accord with Chapter 19, Paragraph 19-425.43A & B in its entirety, as promulgated from South Carolina Code 40-29.

(b) Tie-Down Anchors

Ground Anchors shall be installed in accordance with Chapter 19, Paragraph 19-425.43A & B in its entirety, as promulgated from South Carolina Code 40-29.

Anchors shall be installed by personnel licensed in accordance with Chapter 19, Paragraphs 425.25, 425.29, and 425.30.

(c) Curtain Walls and Final Installation

Curtain walls (commonly referred to as Skirting or Underpinning) shall be installed in accordance with manufacturer's installation instructions, and regulations promulgated by the SC Manufactured Housing Board under SC Code Section 40-29. Skirting materials

may consist of vinyl, wood, metal, or masonry. 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. Access opening(s) 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. Such access panel(s) or door(s) shall be fastened in a manner that does not require the use of special tool to remove or open same.

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

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

(d) Steps and Landings

Each exterior door shall have a landing or porch area with minimum measurements of 36 inches by 36 inches. The minimum width of stairway treads shall be 36 inches. If the exterior door is 30 inches or more above the ground, handrails must be installed. Metal or wood stairs shall be securely anchored to the ground. Concrete masonry unit (CMU) steps must be constructed with standard masonry joints consisting of masonry cement.

B. Habitability Standards. All manufactured homes brought into the Town of Pageland must provide a safe and sanitary living environment. Accordingly, this Section requires compliance with Minimum Habitability Requirements of the Manufactured Housing Board, Chapter 19, Paragraph 19-425-44 as authorized under Code Section 40-29-50, South Carolina Code of Laws, 1976, as amended.

Section 4-5 Manufactured Home Parks

The establishment and operation of a manufactured home park shall comply with the following design and development standards:

- A. The park site shall be not less than five (5) acres and shall have not less than 200 feet of frontage on a publicly dedicated and maintained street.
- B. The park shall be served by public water and sewer systems, a system of storm drainage, and refuse disposal facilities, plan of which shall be approved by local SCDHEC officials.

- C. All dwelling spaces shall abut upon an asphalt or concrete driveway of not less than 18 feet in width which shall have unobstructed access to a public street.
- D. A description of the procedures of any proposed homeowners association or other group maintenance agreement must be submitted to and approved by the Planning Commission.
- E. All on-site roadway intersections shall be provided with a street light and interior lights shall be provided at not less than 400-foot intervals.
- F. Spaces in manufactured home parks shall be sized and arranged so that:
 - 1. There will be at least 35 feet of spaces between manufactured homes;
 - 2. All structures, including manufactured homes, are at least 25 feet from the right-of-way of any street or drive providing common circulation; and,
 - 3. All structures, including manufactured homes, are at least 10 feet from rear lot lines.
- G. Not less than 10 percent of the part site shall be set aside and developed for common open space and recreation usage.
- H. Space Numbers: Permanent space numbers 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. Address numbers as required for E911 service shall be used to denote space numbers.
- I. No manufactured home space shall have direct access to a public street but shall instead access an internal driveway system.
- J. The maximum number of manufactured home spaces shall not exceed six per acre, not including roads and other required infrastructure and required open space.
- K. Two parking spaces shall be provided for each designated manufactured home space. Parking may be provided at the designated space or in community parking areas.
- L. Buffers and landscaping shall be provided on the perimeter of the park in accord with the requirements of Section 5-1.
- M. Business license required.

1. A business license must be acquired prior to the opening or operation of a manufactured home park and shall be subject to annual renewal.
 2. The business license for any manufactured home part may be revoked by the Town Council for a violation of this section or other applicable ordinances and regulations governing the operation of such uses.
- N. The site plan for any proposed manufactured home park must be approved by the Planning Commission.

Section 4-6 Home Occupations

Home occupations, as defined by this Zoning Ordinance, shall be permitted in any residential district and shall meet the following requirements.

- A. The home occupation shall be carried on wholly within the principal building; attached garages may be used only for the storage of parts and materials.
- B. The floor area dedicated to such use shall not exceed 25 percent of the floor area of the principal building.
- C. No activity shall be conducted outside, nor shall there be any associated outdoor storage, display, or refuse area in any yard of the property.
- D. No signs shall be allowed.
- E. No merchandise or articles shall be displayed so as to be visible from outside the building.
- F. No person not residing in the residence shall be employed in the home occupation.
- G. No traffic shall be generated in an amount above that normally expected in a residential neighborhood. Vehicles used by or servicing the home occupation are limited to vehicles normally associated with residential areas.
- H. No parking is needed above that accommodated in residential off-street parking.
- I. There is no alteration whatsoever of the residential character of the building(s) and/or premises.
- J. The occupation, profession, or trade is properly licensed, and generates no noise, glare, heat, vibration, smoke, dust, or odor perceptible to adjacent uses in excess of normal residential use.

- K. The occupation shall not involve the retail sale of merchandise manufactured off the premises.
- L. The occupation shall not be used for reception, parties, etc. in which the resident receives a fee or compensation for the use of the facility.

Section 4-7 Accessory Uses

In addition to the principal uses, each of the following uses is considered to be a customary accessory use, and as such, may be situated on the same lot with the principal use or uses to which it serves as an accessory.

A. Uses customarily accessory to dwellings.

1. Private garage not to exceed the following storage capacities: one or two-family dwelling – 4 automobiles; multiple family dwelling – 2 automobiles per dwelling unit; group dwelling – 1.5 automobiles per sleeping room.
2. Open storage space or parking area for motor vehicles provided that such space does not exceed the maximum respective storage capacities listed under Subsection 4-7(A)(1) above; and provided that such space shall not be used for more than one (1) commercial vehicle licensed as one ton or less in capacity per family residing on the premises.
3. Shed or tool room for the storage of equipment used in grounds or building maintenance.
4. Private kennel for no more than three (3) dogs or three (3) cats, four (4) months of age or older.
5. Private swimming pool and bath house or cabana.
6. Structures designed and used for purposes of shelter in the event of man-made or natural catastrophes.
7. Non-commercial flower, ornamental shrub or vegetable garden, greenhouse or slat house not over eight (8) feet in height.
8. Accessory apartments, where permitted as conditional uses, shall meet the following conditions:
 - (a) The principal structure (dwelling) must be owner-occupied.
 - (b) The apartment, whether attached or detached, cannot exceed 50 percent of the gross floor area of the principal dwelling, or contain more than two (2) bedrooms.
 - (c) The apartment must be a complete living space, with kitchen and bathroom facilities separated from the principal unit.
 - (d) An accessory apartment may be accessory only to a single-family dwelling, and not more than one (1) apartment shall be allowed per dwelling lot.
 - (e) Minimum lot size shall be at least 50 percent greater than the minimum lot requirement for the district in which the apartment is to be located.

- (f) The apartment shall meet all yard setback requirements and, where detached from the principal dwelling, shall be setback not less than 20 feet from the principal dwelling.
- (g) A third off-street parking space shall be required.
- (h) Neither the primary nor the accessory apartment shall be a manufactured home.

B. Uses customarily accessory to church buildings.

- 1. Religious education buildings.
- 2. Parsonage, parsonium or parish house, together with any use accessory to a dwelling as listed under Subsection 4-7(A).
- 3. Off-street parking area for the use without charge of members and visitors to the church.

C. Uses customarily accessory to retail businesses, office uses, and commercial recreational facilities.

- 1. Off-street parking or storage area for customers, clients, or employee owned vehicles.
- 2. Completely enclosed building for the storage of supplies, stock, or merchandise.
- 3. Light manufacturing and/or repair facility incidental to the principal use provided that dust, odor, smoke, noise, vibration, heat, or glare produced as a result of such manufacturing or repair operations is not perceptible from any boundary line of the lot on which said principal and accessory uses are located and provided such operation is not otherwise specifically prohibited in the district in which the principal use is located.

Section 4-8 Communication Towers & Antennas

Where conditionally permitted as a principal use by Table 1, communication towers and antennas shall adhere to the following regulations.

- A. All new towers shall be mounted on mono-poles, without need for guy wires, and shall be designed to accommodate additional antennas equal in number to the applicant's present and future requirements.
- B. All applicable safety code requirements shall be met, including requirements for lighting, except that strobe lights shall not be permitted.
- C. Towers or antennas shall not be painted or illuminated unless otherwise required by state or federal regulations. However, if permitted, they shall be done so in muted colors.

- D. No tower shall be located in any wetlands.
- E. No tower or antenna shall be located within 1,000 feet of an existing tower or antenna, except the applicant certifies that the existing tower does not meet the applicant's structural specifications and applicant's technical design requirements, or that a co-location agreement could not be obtained.
- F. Towers or antennas shall be exempt from the maximum height requirements of this Ordinance; provided such uses shall be setback from adjacent property lines in the R-8, R-6, GR, and RC zoning districts one foot for each one foot in height.
- G. No advertising of any type may be attached to a communication tower.
- H. Communication towers shall be removed at the operator's expense within 120 days of the date such tower ceases to be used for its intended purpose.
- I. Permit requirements for the erection or replacement of a tower or antenna shall be accompanied by the following:
 - 1. One copy of typical specifications for proposed structures and antenna, including description of design characteristics and material.
 - 2. A site plan drawn to scale showing property boundaries, tower location, tower height, anchors, existing structures, fall zone (as determined by a structural engineer, licensed and certified in South Carolina), photographs or elevation drawings depicting typical design of proposed structures, parking, fences, landscape plan, and existing land uses on adjacent property; however, a site plan is not required if antenna is to be co-located on an approved existing structure.
 - 3. A current map or update of an existing map on file, showing locations of applicant's antenna, facilities, existing towers, and proposed towers which are reflected in public records, serving any property.
 - 4. Identification of the owners of all antennae and equipment to be located on the site.
 - 5. Written authorization from the site owner for the application.
 - 6. Evidence that a valid FCC license for the propose activity has been issued.
 - 7. A line of sight analysis showing the potential visual and aesthetic impacts on adjacent residential districts.
 - 8. A written agreement to remove the tower and/or antenna within 120 days after cessation of use.
 - 9. A certificate from a registered engineer that the proposed facility will contain only equipment meeting FCC rules, together with written indemnification of the Town and proof of liability insurance or financial ability to respond to claims up

to \$1,000,000 in the aggregate which may arise from operation of the facility during its life, at no cost to the Town.

Section 4-9 Bed & Breakfast Inns

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 environment that contributes to the experience of such lodging while promoting their use. The use of year-round dwellings for overnight accommodations is permitted under the following conditions:

- A. The primary purpose of the dwelling is for use as a personal residence currently occupied by the owner as his/her home.
- B. No more than seven guestrooms may be rented for overnight use.
- C. No regularly scheduled meals may be served other than breakfast.
- D. The bed and breakfast home may be used for any party, gathering, meeting, reception, or other similar event for a fee or consideration of any kind.
- E. No on-site advertising shall be permitted other than one sign stating the name of the bed and breakfast home. The sign must not be larger than four (4) square feet in area and must be placed flush-mounted on the building or a fence.
- F. Retail sales shall be limited to postcards, shirts, and other small items directly associated with the use for purchase by registered guests only.
- G. An application for a bed and breakfast inn must be filed with the Zoning Administrator.
- H. The residence cannot be occupied as a bed and breakfast inn until it has a Town business license, passed an inspection by the Fire Marshal, and received a Certificate of Occupancy from the Building Official.
- I. Off-street parking shall be provided on the basis of one space per guest room, plus two (2) spaces for the resident innkeeper.

Section 4-10 Mini-Warehouses

Due to the need to better integrate mini-warehouses into the urban fabric of the community, the following standards shall be observed:

- A. Mini-warehousing sites shall not exceed two (2) acres.

- B. Lot coverage of all structures shall be limited to 50 percent of the total area.
- C. Vehicular ingress-egress shall be limited to one point for each side of the property abutting any street lot line.
- D. No business activities other than rental of storage units shall be conducted within or from the units.
- E. The storage space or gross floor area of any single unit shall not exceed 300 square feet.
- F. Outdoor storage shall be limited to licensed boats on trailers and licensed recreational vehicles. If such storage is to be provided, adequate parking must be provided to accommodate such vehicles.

Section 4-11 Tattoo and Body Piercing Facilities

A. Location.

- 1. Because of the exceptional land use characteristics and locational impacts of these types of uses which, if inappropriately located, may have a deleterious effect upon other land uses and values within the Town, the location of tattoo and body piercing facilities where permitted shall be tempered by the supplemental siting criteria of this section.
- 2. No property line of a lot containing such use shall be located within 1,000 feet, measured in a straight line, from the closest point of the property lines(s) of any:
 - (a) Residence or residential zone;
 - (b) Church or religious institution;
 - (c) Public or private elementary and secondary schools, daycare centers, museums;
 - (d) Public parks and recreational facilities;
 - (e) Other area where numbers of minors regularly travel or frequent; or,
 - (f) Other tattoo parlors.
- 3. All tattoo and body piercing facilities shall be licensed by the South Carolina Department of Health and Environmental Control (DHEC).

Section 4-12 Sexually-Oriented Businesses

A. Location

- 1. Owing to the negative secondary effects of sexually oriented or adult uses and the deleterious effect of such negative secondary effects on existing businesses

and/or residential areas around them, the location of such uses where permitted shall be tempered by the supplemental siting criteria of this section.

2. No property line of a lot containing such use shall be located within 1,000 feet, measured in a straight line, from the closest point of the property line(s) of any of the following:
 - (a) Church or religious institution;
 - (b) Public or private elementary and secondary schools, day care centers, museums, or college/university;
 - (c) Public or private nursery school or day care center;
 - (d) Public parks and recreational facilities;
 - (e) Residential zoning district;
 - (f) Residential subdivision;
 - (g) US Highway 601, and SC Highways 9, 151 Business, 151 Bypass, and 207.
 - (h) Other adult or sexually-oriented business.

B. Inspection.

1. An applicant or permittee shall permit the Zoning Administrator and representatives of the police, health and fire departments or other governmental departments or agencies involved in code enforcement to inspect the premises of a sexually-oriented business for the purpose of ensuring compliance with the law at any time it is occupied or open for business.
2. A person who operates a sexually-oriented business, or his/her agent or employee is in violation of this Zoning Ordinance if he/she refuses to permit such lawful inspection of the premises at any time it is occupied or open for business.

C. Suspension. The Zoning Administrator shall suspend a zoning permit for a period not to exceed 30 days if he/she determines that a permittee or an employee of a permittee has:

1. Violated or is not in compliance with any section of this Zoning Ordinance.
2. Engaged un excessive use of alcoholic beverages while on the sexually oriented business premises.
3. Refused to allow an inspection of the sexually-oriented business premises as authorized by this section.
4. Knowingly permitted gambling by any person on the sexually-oriented business premises.

D. Revocation.

1. The Zoning Administrator shall revoke a zoning permit in the event that the zoning permit of the sexually-oriented business has been suspended two times within any 12-month period.
2. The Zoning Administrator shall also revoke a zoning permit if he/she determines that:
 - (a) A permittee gave false or misleading information in the material submitted to the building department during the application process.
 - (b) A permittee or an employee has knowingly allowed possession, use or sale of controlled substances on the premises.
 - (c) A permittee or an employee has knowingly allowed prostitution on the premises.
 - (d) A permittee or an employee knowingly operated the sexually-oriented business during a period of time when the permittee's permit was suspended.
 - (e) A permittee or an employee has knowingly allowed any act of sexual intercourse, sodomy, oral copulation, masturbation, or other sexual conduct to occur in or on the permitted premises.

Section 4-13 Temporary Uses

A. Permit required.

1. The Zoning Administrator is authorized to issue a permit for temporary uses as specified in this Zoning Ordinance. No temporary use may be established without such permit. A temporary structure cannot be used as living quarters, except in conjunction with fairs and carnivals as permitted below.
2. Temporary use permits may be renewed no more than twice within on calendar year, provided that said use will not increase traffic congestion or constitute a nuisance to surrounding uses in terms of noise, parking and/or nighttime activity. Any temporary use that is determined to be creating a nuisance or disruption may have its temporary permit revoked by the Zoning Administrator.

B. Type and location. The following temporary uses and no others may be permitted by the Zoning Administrator, subject to the following conditions.

1. Religious meetings in a tent or other temporary structure for a period not to exceed 60 continuous days.
2. Open lot sales of Christmas trees in the NC, GC, CC, and HC Districts for a period not to exceed 45 days.
3. Contractor's office and equipment shed, in any district, for a period covering construction phase of a project not to exceed one year; provided that such office

be placed on the property upon which the related construction is occurring. Such permits may be extended for a period of up to one year upon application by the permittee.

4. Temporary sales of produce and other seasonal goods, including the sale of cooked or prepared foods for immediate consumption, in the NC, GC CC, and HC Districts for a period not to exceed 30 days, subject to the following conditions.
 - (a) Structures for temporary sales shall not exceed 100 square feet in floor area not be closer than 35 feet to a right-of-way or prescriptive easement of a road.
 - (b) Entrances and exits to roads shall be clearly delineated.
 - (c) Entrances and exits shall be located so as to provide safe ingress and egress from roads and shall be channeled to prevent unrestricted access to and from the premises.
 - (d) No more than one sign consistent with the sign provisions of this Zoning Ordinance shall be permitted.
5. Temporary office trailers in any commercial or industrial district where the principal building is being expanded, rebuilt, or remodeled for the conduct of business while the principal building is under construction.
6. Fairs and carnivals located no closer than 500 feet to the closest point of any property line in any residential zoning district and operating no later than 11:00 p.m. Such use may be permitted for a period not to exceed seven consecutive days.

C. Removal. Temporary uses and structures from which temporary uses are operated shall be removed from the site within 30 days after the temporary permit has expired.

Section 4-14 Solar Farm Facilities

A. Establishment. The establishment and operation of solar farm facilities shall comply with the following design and development standards:

1. Site plans shall be prepared by a licensed land surveyor, landscape architect, or engineer. Plans must be sealed.
2. All easements servicing the farm must be shown on a site plan prepared by a licensed land surveyor, landscape architect, or engineer and addressed by Chesterfield County E-911 Addressing.

3. Setbacks. All ground-mounted solar farms must be set back a minimum of 50 feet from the edge of all property lines.
4. Noise levels shall not exceed 50 decibels from the property line.
5. Height. Solar structures shall not exceed 20 feet in height.
6. Screening. The perimeter adjacent to residential properties shall be screened by landscaping and/or berm. A berm is a vegetated earthen wall at least five feet in height. Screening is not required along properties adjacent to non-residential uses.
7. All lighting shall be shielded or directed in a downward position to prevent noxious glare.
8. Fencing shall be secure at all times and must be at least six feet in height to secure the perimeter.
9. Signage. A warning sign regarding voltage must be placed at the main gate to include the address and name of the solar operator with a local telephone number for the solar operator, in case of an emergency. The sign must be no smaller than two (2) feet by three (3) feet and legible from the road.
10. System specific power lines must be located underground to the extent practical.
11. Solar collectors shall be designed with anti-reflective coating to minimize glare. Textured glass is optional. Mirrors are prohibited.
12. Electric solar system components must have an Underwriters Laboratories (UL) listing.
13. All active solar systems shall meet all requirements of the county building codes department.
14. Submission and maintenance of an updated facility decommission plan. The latest facility decommission plan shall be recorded in the Chesterfield Clerk of Court's office. The plan must contain the following:
 - (a) Condition(s) for decommissioning a facility;
 - (b) Timeline for restoring the property to its near original condition;
 - (c) Party or parties responsible for decommissioning the facility; and,
 - (d) Agreement with landowner regarding decommissioning.

B. Permitting process. Applicants shall apply to the Zoning Administrator and meet the following requirements:

1. Complete and submit a zoning permit for a solar farm.
2. Submit three site plans, scaled 11-inch by 17-inch or larger prepared by a licensed land surveyor, landscape architect, or engineer. The site plan must contain the following:
 - (a) Developer and property owner's name, address, and phone number;
 - (b) Road(s) layout;
 - (c) Tax map reference, scale, date, vicinity map and north arrow;

- (d) Identification of existing and proposed structures, including dimensions;
 - (e) Property boundaries with dimensions;
 - (f) Identification of adjacent property owners and land uses (residential, commercial, farmland, or wooded);
 - (g) Identification of all public roads, bodies of water (lakes, ponds, and streams) with minimum 40-foot buffer shown, flood hazard areas, wetlands, adjacent ditches, easements, proposed surface covers (i.e. grass, gravel, etc.), and area and size of any land disturbance.
3. Submit sealed structural plans with foundation details certified by a licensed engineer, wiring diagram, and vertical illustration of panels with maximum height.
 4. Approval is subject to the following:
 - (a) Stormwater permit from SCDHEC for land disturbance of two acres or more;
 - (b) Fire department review and approval;
 - (c) Utility company agreement;
 - (d) Lease agreement;
 - (e) South Carolina Public Service Commission Approval (nameplate of 75 or more megawatts);
 - (f) FAA letter (for solar farm within airport districts);
 - (g) E911 Addressing approval;
 - (h) Restrictive covenants affidavit;
 - (i) Approved site plan; and,
 - (j) Facility decommission plan.

C. Applicability.

1. This section applies to the construction of any new solar farm facility within the jurisdiction of the Town of Pageland.
2. A solar farm facility established prior to the effective date of this section shall be grandfathered, except that modifications to an existing facility that increases the area by more than five percent cumulatively, for a period of five years, of the original footprint shall be subject to this section.
3. Maintenance and repair are not subject to this section.
4. This section does not supersede regulations from local, state, or federal agencies, including but not limited to the following:
 - (a) **Building/Electrical Permits Required.** Nothing in this section modifies already established building standards required to construct a solar farm facility.

- (b) Onsite Wastewater System Avoidance. Nothing in this section modifies already established SCDHEC requirements. A solar farm facility shall not be constructed over onsite wastewater systems (e.g. septic tank systems) unless approved by SCDHEC.
- (c) Stormwater Permit Required. Nothing in this section modifies the requirements of, or exempts any solar farm facility from, complying with the various stormwater jurisdictions and regulation established by SCDHEC.
- (d) Historic Districts. Nothing in this section modifies already established local or state historic preservation office requirements.

Section 4-15 Vendors

Vendors shall be governed by the following:

- A. All vending operations shall be located not less than twenty (20) feet from the nearest street right-of-way and provide at least two off-street parking spaces.
- B. Only one vendor shall be allowed for each one hundred (100) feet of street frontage.
- C. No portion of a vending operation shall be allowed to occupy or obstruct access to any required off-street parking stall.
- D. No merchandise, vehicles, structures, signage, etc. shall be left on the site past sundown.
- E. No goods or merchandise offered for sale may be stored in or sold from a tractor trailer.

Only one sign per vendor shall be allowed, regardless of where it is mounted. Advertising materials attached to or painted on automobiles are construed to be signs. Signs shall not exceed 10 square feet in area and shall meet all applicable sign requirements.

ARTICLE 5

COMMUNITY APPEARANCE, BUFFERING, AND LANDSCAPING REGULATIONS

The regulation contained in this Article are intended generally to promote land use compatibility between uncomplimentary and incompatible land uses, create an aesthetically pleasing environment and maximize the retention of trees, a valuable resource.

Section 5-1 Buffer Areas

- A. Purpose.** The purpose of a landscaped buffer is to help provide transition between different types of land uses, to break up or soften the appearance of paved surfaces, to protect significant water bodies and to provide the shade and greenery necessary to create a livable urban environment. Notwithstanding any other requirements of this section, buffers shall be required for all development as follows.
- B. Applicability.** Buffers shall be required whenever new development is approved or an existing building is expanded by more than 20 percent.
- C. Location.** Buffer areas shall be located on the outer perimeter of a lot or parcel, extending to the lot or parcel boundary line. For purposes of complying with this section, they shall not be located on any portion of an existing street or right-of-way; however, they may occupy part or all of any required front, side, or rear yard setback. Where specified by this section, buffer areas and/or buffer area structures shall be developed as an integral part of the proposed use.
- D. Determination of Buffer Area Requirements.** Buffer areas shall be required under the following circumstances.
- 1. Type A Buffer Area.** Wherever a multi-family building or non-residential use is proposed, a Type A buffer area shall be provided along the street right-of-way boundary of the proposed use, separating it from the adjoining street, except for driveways and uses in the CC, Core Commercial District.
 - 2. Type B Buffer Area.** Whenever a multi-family building, institutional, or commercial use is proposed for a site or lot adjoining a single-family residential dwelling in the R-8 and R-6 Districts with no intervening street, a Type B buffer

area shall be provided along the boundary of the adjoining residential property line.

3. **Type C Buffer Area.** Wherever an industrial, warehouse, or related use is proposed for a site or lot adjoining any residential use in the R-8, R-6, or GR Districts with no intervening street, a Type C buffer area shall be provided along the boundary of the adjoining residential property line.

E. Design Standards

Three types of buffer areas are required by this Ordinance: Type A, Type B, and Type C. A description of each follows:

1. **Type A Buffer Area.** The Type A Buffer Area consists of low density landscaping and minimal acceptable separation between uses. The buffer area shall be not less than seven (7) feet in width. Per 100 lineal feet of frontage, the buffer area shall consist of a combination of not less than 12 ornamental shrubs, two understory trees and landscaped grass areas, or other appropriate ground cover. The shrubs may be clustered to ensure their survival.
2. **Type B Buffer Area.** The Type B Buffer Area is a medium density screen intended to block visual contact between uses and to create spatial separation. The buffer area shall be a minimum width of 15 feet. Per 100 lineal feet, the screen shall consist of a combination of 2 deciduous trees planted 40 to 60 feet on center and 8 evergreen plants 10 feet on center.
3. **Type C Buffer Area.** The Type C Buffer Area is a high-density screen intended to exclude all visual contact between uses and to create spatial separation. The buffer area shall be a minimum width of 20 feet. Per lineal feet, the screen shall consist of a combination of 2 deciduous trees planted 40 to 60 feet on center and 17 evergreen plants or understory trees planted in a double-staggered row 10 feet on center.

F. Buffer Area Specifications

1. **Minimum Installation Size.** At installation or planting, all evergreen (understory) trees and/or shrubs used to fulfill buffer area requirements shall be not less than 6 feet in height, and all deciduous (canopy) trees shall be not less than 8 feet in height, except for ornamental shrubs for Type A buffer areas.
2. **Minimum Mature Size.** At maturity, evergreen plant material used for screening shall form a continuous opaque screen averaging 10 feet in height, and deciduous plant material used for screening shall average 25 feet in height.
3. **Staggered Planting.** Where required, evergreen and deciduous plant material shall be planted in at least two rows and in an alternating fashion to form a continuous opaque screen of plant material.

G. Substitutions

The following substitutions shall satisfy the requirements of this section:

1. **Existing Plant Materials.** Existing trees of 4 inches DBH (Diameter Breast High) or more in diameter, within the required buffer area may be included in the computation of the required buffer area planting, with approval of the Zoning Administrator.
2. **Fence or Wall.** Where, owing to existing land use, lot sizes or configurations, topography, or circumstances peculiar to a given piece of property, the buffer area requirements of this section cannot reasonably be met, the developer(s) may request and the Zoning Administrator may approve the substitution of appropriate screening, in the way of a fence or wall structure along the property line of the proposed use in accord with the provisions of this section. An eight-foot fence or wall may be substituted for a Type B or C buffer area.

H. Responsibility

It shall be the responsibility of the proposed new use to provide the buffer area where required by this Ordinance, except that no new detached single-family dwelling or duplex shall be required to provide such buffer area.

I. Required Maintenance

The maintenance of required buffer areas shall be the responsibility of the property owner. 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. Dead trees shall be removed; debris and litter shall be cleaned; and berms, fences, and walls shall be maintained at all times. Failure to do so is a violation of this Ordinance and may be remedied in the manner prescribed for other violations.

J. Use of Buffer Areas

A buffer area may be used for passive recreation; however, no plant material may be removed. All other uses are prohibited, including off-street parking.

Section 5-2 Landscaping

A. Definition

Landscaping is a type of open space permanently devoted and maintained for the growing of shrubbery, grass, other plants, and decorative features to the land.

B. Purpose

The purpose of landscaping is to improve the appearance of vehicular use area and development abutting public rights-of-way; to protect, preserve, and promote the aesthetic appeal, scenic beauty, character, and value of land; and to promote public health and safety through the reduction of noise pollution, stormwater runoff, air pollution, visual pollution, and artificial light glare.

C. Where Required

No proposed commercial, institutional, industrial, or other non-residential use, multi-family or off-street parking lot containing 15 or more spaces shall hereafter be established and subsequently used unless landscaping is provided in accord with the provisions of this section. No existing building, structure or vehicular use area shall be expanded or enlarged by 50 percent or more unless the minimum landscaping required by the provisions of this section is provided throughout the building site. Enlargements involving less than 50 percent shall meet the minimum requirements of the enlargement only. Landscaping is not required for existing uses, nor is it required for uses in the CC, Core Commercial District.

D. Landscaping Plan

A landscaping plan shall be submitted as part of the application for a building permit. The plan shall:

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.
2. Indicate the location and dimension of landscaped areas, plant materials, decorative features, etc.
3. Identify all existing trees 10" DBH (Diameter Breast High).

E. Landscaping Requirements

Required landscaping shall be provided as follows:

1. **Along the outer perimeter of a lot or parcel**, where required by the buffer area provisions of this Article to buffer and separate incompatible land uses. The amount specified shall be as prescribed by Section 5-1, Buffer Areas.
2. **Within the interior**, peninsula or island type landscaped area shall be provided for any open vehicular use area containing 15 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 directions. Elsewhere, landscaped areas shall be designed to soften and complement the building site and separate the building from the vehicular surface area, and the vehicle surface area from adjacent property.

At a minimum, interior lot landscaping shall be provided in the following amounts:

| <u>Use</u> | <u>% of Lot</u> |
|------------------------------|-----------------|
| Institutional | 18% |
| Industrial/wholesale/storage | 12% |
| Office | 15% |
| Commercial/retail/service | 10% |
| Multi-family Projects | 25% |

F. Landscaped Areas

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 six inches in height. The barrier need not be continuous.
2. Landscaped areas must be at least 36 square feet in size.

G. Required Maintenance

The maintenance of required landscaped areas shall be the responsibility of the property owner. All such areas shall be properly maintained so as to assure their survival and aesthetic value and shall be provided with an irrigation system or a readily available water supply. Failure to monitor such areas is a violation of this Ordinance and may be remedied in the manner prescribed for other violations.

ARTICLE 6

SIGN REGULATIONS

Section 6-1 Purpose

The purpose of this Article is to protect the dual interest of the public and the advertiser. The regulations herein are designed to protect public safety and welfare and to ensure the maintenance of an attractive community environment while satisfying the needs of sign users for adequate identification, communication, and advertising.

Section 6-2 Applicability and Conformance

This Article regulates the number, size, placement, and physical characteristics of signs; allows certain signs without permits; prohibits certain signs; and requires permits for certain signs.

From and after the adoption of this Ordinance, no sign may be erected or enlarged in the Town unless it conforms to the requirements of this Article.

Section 6-3 Signs on Private Property

Signs shall be allowed on private property in the Town in accord with Table 3. Where the letter "A" appears for a sign type in a column, such sign is allowed without prior permit approval in the zoning district represented by that column. Where the letter "P" appears for a sign type in a column, such sign is allowed only with prior permit approval in the zoning district represented by that column. Special conditions may apply in some cases. Where the letter "N" appears for a sign type in a column, such a sign is not allowed in the zoning district represented by that column under any circumstances.

Although permitted under the previous paragraph, a sign designated by an "A" in Table 3 shall be allowed only if in compliance with the conditional requirements of Table 4.

**Table 3
Regulation of Signs
By Type, Characteristics, and Zoning District**

| Sign Type | R-8 R-6 GR GR-R | RC | NC | CC | GC | LI BI | Institutional |
|-------------------------------------|--------------------------|-----|----|--------|----|----------|---------------|
| Permanent | | | | | | | |
| Freestanding | | | | | | | |
| Principal | (1) | (1) | P | (4)(5) | P | P | (3) |
| Incidental | A | A | A | A | A | A | A |
| Building | | | | | | | |
| Canopy | N | N | P | P | P | P | N |
| Identification | A | A | A | A | A | A | A |
| Incidental | N | N | A | A | A | A | A |
| Marquee | N | N | P | P | P | N | N |
| Projecting | N | N | P | P | P | N | N |
| Roof | N | N | N | N | N | N | N |
| Wall | N | N | P | P | P | N | N |
| Window | N | N | A | A | A | A | N |
| Temporary | | | | | | | |
| A-Frame (sandwich board) | N | N | A | N | P | N | N |
| Banner | N | N | P | N | P | P | P |
| Posters | A | A | A | N | A | A | A |
| Portable | N | N | P | N | P | N | N |
| Inflatable | N | N | N | N | N | N | N |
| Pennant | N | N | P | N | P | N | N |
| Identification | P | P | P | N | P | P | P |
| Political | A | A | A | N | A | A | A |
| Sign Characteristics | | | | | | | |
| Animated | N | N | N | N | N | N | N |
| Changeable Copy | N | N | A | A | A | A | A |
| Illumination Indirect | A | A | A | A | A | A | A |
| Illumination Internal | A | A | A | A | A | A | A |
| Illumination, exposed bulbs or neon | N | N | N | P | N | N | N |

- 1 -- Subdivision and/or residential project identification signs only
- 2 -- See Section 6-5
- 3 -- This column does not represent a zoning district. It applies to institutional and other non-residential uses permitted in residential zoning districts (e.g. churches, schools, parks, governmental buildings, etc. and includes historical markers.
- 4 -- Freestanding signs are allowed only where the established front yard setback is greater than 30 feet; and such signs are in accord with the requirements of Table 4.
- 5 -- Fluttering signs are not allowed in the Core Commercial (CC) District.

“A”: Allowed without a permit

“P”: Sign Permit Required

“N”: Not allowed

| Table 4 Number, Dimension, and Location of Permitted Signs By Zoning District | | | | | | | |
|--|--------------------------|-----|-----|-----|-----|----------|------------|
| Sign Type | R-8 R-6 GR GR-R | RC | NC | CC | GC | LI BI | INS (B) |
| Freestanding - Number Permitted Per Developed Lot (C) | | | | | | | |
| Principal | A | A | 1 | 1 | E | E | 1 |
| Incidental | 1 | 1 | 1 | 1 | 2 | 2 | 2 |
| Maximum Sign Area (sf) (D) | 20 | 20 | 24 | 50 | 60 | F | 36 |
| Minimum Setback from Property Line | 5' | 5' | 5' | 0 | 5' | 5' | 5' |
| Maximum Height (G) | 12' | 12' | 12' | 20' | 24' | 24' | 12' |
| Building Signs | | | | | | | |
| Number Permitted | 1 | 1 | 1 | NA | NA | NA | 1 |
| Maximum Sign Area (sf) | 4 | 4 | 16 | NA | NA | NA | 36 |
| Maximum Wall Area (%) | NA | NA | 25 | 25 | 25 | 25 | NA |
| Temporary Signs | See Section 6-5 | | | | | | |

Table Notes: NA=Not Applicable sf=square feet

- A - One identification sign is permitted at the entrance of a subdivision or residential project.
- B - This column does not represent a zoning district. It applies to institutional and other non-residential uses permitted in residential zoning districts (e.g. churches, schools, parks, governmental buildings, etc).
- C - Signs are not allowed on undeveloped or vacant lots; however, lots fronting on two or more streets are allowed one additional sign for each street frontage, but signage cannot be accumulated and used on one street in excess of that allowed for lots with only one street frontage.
- D - Incidental signs greater than two square feet in area shall be counted against the maximum sign area of a principal freestanding sign.
- E - One per lot, plus one for lots with more than 200 feet of street frontage on the same street, in accord with the requirements of (F) below.
- F - 60 sf per lot, plus one square foot sign area per one linear foot of street frontage for lots fronting on SC 151 Bypass with over 200 linear feet of street frontage, not to exceed 300 square feet. The additional sign area may be combined with the sign area allotted to the first 200 feet of street frontage or erected as a separate freestanding sign with the total sign area divided among the signs at the discretion of the owner/applicant.
- G - Freestanding signs only.

Section 6-4 Signs in the Public Right-of-Way

No sign shall be allowed in the public right-of-way, except for the following:

- A. Public signs erected by or on behalf of a governmental body to post legal notices, identify public property, convey public information, convey holiday greetings, and direct or regulate pedestrian or vehicular traffic;
- B. Informational signs of a public agency or utility regarding its facilities;
- C. Church signs, in accord with state law;
- D. Historical signs and markers;
- E. Emergency signs; and,
- F. Directional signs of a temporary nature not to exceed three (3) square feet in area and 24 hours in duration for such events as yard sales, auctions, public gatherings, etc.

Section 6-5 Temporary Signs

| Sign Type | Display Period | Display Intervals | Dimensions | Conditions |
|----------------------|--------------------------------|-------------------|------------|------------|
| A-Frame | Daylight hours only | Off-hours | 12 sf | A |
| Banners and Pennants | 30 days | 6 months | None | B |
| Portable | 30 days | 11 months | 32 sf | C |
| Posters | 7 days | None | 6 sf | D |
| Identification | 90 days, or project completion | None | 24 sf | E |
| Political | 60 days prior to election | Not Applicable | 32 sf | F |

Notes to Table

- A. A-Frame signs, where located on sidewalks, shall be located in such a manner as not to obstruct pedestrian movement.
- B. Banners and pennants shall be properly secured and maintained at all times and shall not interfere with pedestrian or vehicular movement.
- C. Portable signs shall be limited to one per establishment or lot, whichever is less; shall have no colored or flashing lights; shall not be wired so as to obstruct pedestrian or vehicular traffic or pose any potential for hindrance (e.g. exposed drop cord); shall not exceed 6 feet in height; shall be anchored in accord with building codes; and, shall not be converted to a permanent sign.

- D. Posters shall not be allowed on any telephone or power poles or any public right-of-way and shall be placed no closer than five (5) feet from a street or curb.
- E. Temporary subdivision and work under construction identification signs shall adhere to Section 5-7 Development Standards.
- F. Political signs shall be removed within 7 days of an election.

Section 6-6 Prohibited Signs

All signs not expressly permitted by this ordinance are prohibited. Such signs include, but are not limited to the following:

1. Signs painted on or attached to trees, fence posts, telephone or utility poles, stationary vehicles, or natural features.
2. Signs displaying intermittent lights resembling the flashing lights customarily used in traffic signals or in police, fire, ambulance, rescue vehicles or other warning signals, and signs using the words “stop,” “danger,” or any other word, phrase, symbol, or character in a manner that might mislead or confuse motorists.
3. Signs which have been abandoned and no longer correctly direct or exhort any person, advertises a bona fide business, product, or activity conducted or product available.
4. Signs which have fallen into disrepair (dilapidated), are not properly maintained, are insecure or otherwise structurally unsound, have defective parts in the support, guys and/or anchors, or which are unable to meet minimum safety requirements of the International Building Code.

Section 6-7 Development Standards

A. Visual Area Clearance

No sign shall be located within a vision clearance area (Section 8-5).

B. Vehicle Area Clearance

When a sign extends over an area where vehicles travel or part, the bottom of the sign structure shall be at least 14 feet above the ground. Vehicle areas include driveways, alleys, parking lots, and loading and maneuvering areas.

C. Pedestrian Area Clearance

When a sign extends over a sidewalk, walkway, or other space accessible to pedestrians, the bottom of the sign structure shall be at least eight (8) feet above the ground.

D. Sign Materials; Code Compliance

Permanent and temporary identification signs must be constructed in accord with all applicable provisions of the International Building Code and National Electrical Code and consist of durable all-weather materials.

Images, logos, graphics, etc. painted on permanent signs or buildings must be performed in a professional and workmanlike manner. Permits for painted signs will only be issued to companies engaged as sign painters.

E. Sign Illumination

Illuminated signs shall not directly shine on abutting properties. No illumination simulating traffic control devices or emergency vehicles shall be used, nor shall lights which are intermittently switched on and off, changed in intensity or color, or otherwise displayed to create the illusion of flashing or movement be permitted.

Section 6-8 Sign Measurement

A. Sign Face Area

1. The area of a sign enclosed in frames or cabinets is determined by measuring the outer dimensions of the frame or cabinet surrounding the sign face. Sign area does not include foundations or supports. Only one side of a double-faced or V-shaped, freestanding sign is counted.
2. For signs on a base material and attached without a frame, such as a wood board or Plexiglas panel, the dimensions of the base material are to be used in the measurement unless it is clear that part of the base contains no sign related display or decoration.
3. For signs constructed of individual pieces attached to a building wall, sign area is determined by a perimeter drawn around all the pieces.
4. For sign structures containing multiple modules oriented in the same direction, the modules together are counted as one sign face.
5. The maximum surface area visible at one time of a round or three-dimensional sign is counted to determine sign area.
6. For signs incorporated into awnings, the entire panel containing the sign is counted as the sign face unless it is clear that part of the panel contains no sign related display or decoration.

B. Clearances

Clearances are measured from the grade directly below the sign to the bottom of the sign structure enclosing the sign face.

Section 6-9 Removal of Signs

- A. The lawful use of any permanently mounted sign existing at the time of the enactment of this Ordinance may be continued although such use does not conform with the provisions of this Ordinance, except those declared abandoned or dilapidated, which shall be removed, or remedial action taken upon notification by the Zoning Administrator.
- B. Non-conforming permanent signs shall be removed or brought into conformity whenever the following occurs:
 - 1. Property changes ownership and the name of the business is to be changed;
or,
 - 2. The occupancy classification of the building is changed.
- C. Any existing sign which is subsequently abandoned shall be removed, and any existing sign exceeding the allowable face area by 25 percent, and which is subsequently destroyed or damaged to the extent of 60 percent or more of its replacement cost, shall be removed or brought into conformity with these regulations.
- D. Any nonconforming temporary sign shall be removed or brought into conformity no later than sixty (60) days following the effective date of this Ordinance.
- E. An order under this Section shall be issued in writing to the owner or responsible party of any such sign, or of the building or premises on which such sign is located to comply within thirty (30) days. Upon failure to comply with such notice, the Zoning Administrator may cause the sign to be removed and any costs of removal incurred in the process may be collected in a manner prescribed by law.

ARTICLE 7
SUPPLEMENTAL OFF-STREET
PARKING AND LOADING REGULATIONS

The provisions of this Article shall supplement the off-street parking requirements contained in Table 1 of this Ordinance.

Section 7-1 Off-Street Parking

A. General Requirements

1. Where application of the requirements of Table 1 result in a fractional space requirement, the next larger requirement shall apply, except that off-street parking shall not be required in the CC District.
2. Wherever a building or use, constructed or established after the effective date of these regulations is changed or enlarged in floor area, number of dwelling units, seating capacity or otherwise to create a need for an increase of ten (10) percent or more in the number of existing parking spaces, such spaces shall be provided on the basis of the enlargement or change.
3. Off-street parking facilities provided to comply with the provisions of this Ordinance shall not be reduced below the requirements of this Ordinance.

B. Land to Provide Parking

The land to provide off-street parking must be contiguous to and under the same ownership or lease agreement as the principal use for which the off-street parking is to be provided.

C. Design Standards

Where off-street parking for more than ten (10) vehicles is required, the following design and development standards shall apply:

1. Parking Dimensions. Parking stalls shall be not less than nine (9) feet by nineteen (19) feet, except that a maximum of ten percent (10%) of the total number of stalls may be 8.5 feet by eighteen (18) feet. However, the dimensions of all parallel parking stalls shall be not less than nine (9) feet by twenty-four (24) feet. Minimum isle width shall be as follows:

| | |
|-------------------|---------|
| 90-degree parking | 25 feet |
| 60-degree parking | 18 feet |
| 45-degree parking | 13 feet |

2. Construction, Paving. Where 10 or more off-street parking stalls are required by this Ordinance, such stalls and all ingress and egress drives shall be surfaced with an all-weather, impervious surface material, approved by the Zoning Administrator.
3. Drainage. Parking lots shall be designed so as not to drain onto or across public sidewalks, or onto adjacent property, except into a natural watercourse or a drainage easement.
4. Separation from Walkways and Streets. Off-street parking spaces shall be separated from walkways, sidewalks, streets, and required yards and buffer areas by a wall, fence, curbing, or other protective device approved by the Zoning Administrator. (See Section 5-2 F.)
5. Entrances and Exits. Landscaping, curbing or other approved barriers shall be provided along boundaries to control entrance and exit of vehicles or pedestrians. Except for single-family homes and duplexes, off-street parking areas shall be designed so that all movement onto a public street is in a forward motion. Entrance and exit driveways to public streets in the vicinity of street intersections must be located at least forty (40) feet, measured along the curblines, from the intersection of the nearest curblines.
6. Marking. Parking lots shall be marked by painted lines, curbs or other means to indicate individual spaces. Signs or markers, as approved by the Zoning Administrator, shall be used as necessary to ensure efficient traffic operation of the lot.
7. Lighting. Adequate lighting shall be provided if off-street parking spaces are to be used at night. Equipment for lighting parking facilities shall be arranged so that light does not interfere with traffic or adjoining residential areas.
8. Landscaping. Off-street parking areas shall be landscaped in accord with the provisions of Section 5-2.

D. 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.

E. Parking Space for the Physically Handicapped

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:

| <u>Number of Required Spaces</u> | <u>Number of Spaces Reserved For Handicapped Persons</u> |
|----------------------------------|--|
| Up to 25 | 1 |
| 26 to 50 | 2 |
| 51 to 75 | 3 |
| 76 to 100 | 4 |
| 101 to 150 | 5 |
| 151 to 200 | 6 |
| 201 to 300 | 7 |
| 301 to 400 | 8 |
| 401 to 500 | 9 |
| Over 500 | 2% of total required |

Parking spaces for the physically handicapped shall measure 12 feet by 20 feet or 8 feet in width, with an adjacent access aisle 8 feet in width, and 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 entrances, ramps, and walkways.

Section 7-2 Off-Street Loading

All uses except those located in the CC District 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 walkway.

Section 7-3 Approval of Parking and Off-Street Loading Plans and Layouts

Designs and plans for areas to be used for off-street parking and off-street loading shall be subject to approval by the Zoning Administrator, who may withhold a permit or take other action if the layout of either would create avoidable safety or traffic congestion problems, pending acceptable modification of the layout, or appeal to the Board of Zoning Appeals.

Section 7-4 Parking, Storage or Use of Travel Trailers or Recreational Vehicles in Residential Districts

No recreational vehicle or boat in excess of seventeen (17) feet shall be parked or stored in any required front or side yard setback area or within 5 feet of the rear lot line in a residential district; however, such use may be parked anywhere on a residential premise for a period not to exceed twenty-four (24) hours during loading or unloading, and recreational vehicles may be used for temporary lodging, up to three (3) days.

Except as hereinafter provided, no owner or person having the use of a boat or trailer shall park, store, or keep a boat or trailer for any period of time in the public street, public right-of-way, alley, or private property in any residential district, except as follows:

- A. Boats or trailers that are enclosed or screened from public view in one of the following ways. This subsection is not a waiver of setback requirements or any other ordinances or regulations, each of which must be complied with by any party seeking to be included under this subsection.
 - 1. Boats or trailers parked entirely in a covered garage whose doors are closed except for actual, active, and uninterrupted moving, loading, or unloading.
 - 2. Boats or trailers parked entirely in a carport, attached to the home which is screened on all sides by permanent dense vegetation or permanent material and covered by a roof. Such screening shall screen from view any right-of-way abutting the property.
 - 3. Boats, trailers, or boats mounted on trailers which do not exceed ten (10) feet in height and which are parked within an area behind a privacy fence with a height of six (6) feet. All portions of a boat exceeding the six-foot privacy fence must be screened from public view by a form-fitting cover conforming with the standard designed contour of the boat. Said form-fitting cover must be maintained in good, clean condition, such that there is no fading, tearing, or holes in the cover that are not part of its intended design and no accumulated dirt, mold debris, or other material on the cover.
 - 4. Any boat or trailer parked in a prohibited area for purposes of actual, active, and uninterrupted loading or unloading, repairs, deliveries, or maintenance between the hours of 6:00 am and 7:00 pm.
 - 5. Any rowboat or canoe not to exceed fourteen (14) feet in length, kept by the owner in the rear yard of the owner's residence.
 - 6. A boat or trailer used in the performance of a local Town, County, or State function.

Section 7-5 Parking, Storage and Use of Non-Recreational Vehicles and Equipment in Residential Zones

- A. Parking, Storage, and Use of Non-Residential Vehicles and Equipment in Residential Zones.** No person shall park or store a commercial vehicle on any street, road, right-of-way, or alley within the Town in any residential district or any residential lot at any time. Prohibited vehicles include the following:

- 1. Vehicles with a capacity greater than three and a half (3.5) tons and/or used for commercial, industrial, or construction;

2. Tractor Trailer (including either tractor or trailer);
3. Vehicles used to transport sixteen (16) or more passengers;
4. Vehicles used to transport hazardous waste materials; and,
5. Vehicles having more than six (6) tires and which bears any sign or marketing which advertises or identifies any business or commercial interest.

The above shall not apply to churches or public/private schools.

B. Parking Heavy Vehicles on Streets Prohibited. It shall be unlawful for any person to park or leave unattended on any streets or alleys within the Town any truck or tractor trailer unit with a capacity of over 3.5 tons.

Moving or delivery vans being loaded or unloaded for a period not to exceed fifteen (15) days are exempt from this subsection.

Section 7-6 Parked Vehicles/Retail Sales

Not more than one vehicle for sale may be permitted on a lot or parcel other than the premises of a licensed vehicle dealer. No merchandise shall be displayed and no retail sales shall be permitted from the beds of trucks or other vehicles.

ARTICLE 8

GENERAL AND ANCILLARY REGULATIONS

The regulations set forth in this Article are intended to clarify, supplement, or modify the regulations set forth elsewhere in this Ordinance.

Section 8-1 Application of Regulations

The various zoning district regulations established herein are declared to be the minimum requirements necessary to carry out the purpose of this Ordinance. 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 within the jurisdiction of this Ordinance.

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 Ordinance 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.

Section 8-2 Exceptions and Modifications

A. Setbacks – Corner Lots

On lots having frontage on more than one street at an intersection, the minimum front yard requirement may be reduced to one-half the regulated distance on the portion of the lot fronting on the street or streets of less importance. If the streets are designated as being of equal importance, the property may choose the street along which to reduce the front yard requirement. However, in no case shall the setback be reduced to less than fifteen (15) feet. The minimum front yard setback for the portion of the lot fronting on the street of greater importance shall be provided in accordance with the provisions established by this Ordinance for the district in which the lot is located.

B. Setbacks – Through or Double Frontage Lots

On lots having frontage on two streets, but not located on a corner, the minimum front yard shall be provided on each street in accordance with the provisions of this Ordinance. On lots having frontage on more than two streets, the minimum front yard shall be provided in accordance with the regulations set forth in this Ordinance on at least two of the street frontages. The minimum front yard setback on the other

frontage(s) may be reduced along the other streets in accordance with the provisions of Section 8-5.

C. 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 five feet from the average depth of said existing front yard setbacks without written approval of contiguous property owners.

D. 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.

E. Height

The height limitations of this Ordinance shall not apply to the following:

- | | |
|---------------|------------------------------|
| Belfries | Elevated Water Tanks |
| Chimneys | Ornamental Towers and Spires |
| Church Spires | Public Monuments |
| Cupolas | Public Utility Poles |
| Domes | Smoke Stacks |

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.

F. Projections

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.

Steps and heating and cooling units may project into a required yard a distance not to exceed 5 feet but no closer than three feet of a property line.

Section 8-3 Measurements

A. Yards, Setbacks, Buildable Area

The required front, side, and rear yards for individual lots, as set forth in Table 2 shall be measured inward toward the center of said 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 structure(s) shall be placed.

B. Height

The height of a building or structure shall be measured from the base of the structure to the highest point of the building or structure.

Section 8-4 Number of Principal Buildings/Uses on a Lot

No more than one single-family dwelling or duplex shall be allowed on a single lot or parcel.

There is no limit on the number of other principal buildings or uses, provided all setback and other applicable requirements of this Ordinance are met.

Section 8-5 Visibility at Intersections

On any corner lot in any district, 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 two and a half (2 ½) feet and ten (10) feet above the upper face of the nearest curb (or street center line 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 following vision clearance illustrations. However, poles and support structures less than 12” in diameter may be permitted in such areas.

Section 8-6 Accessory Buildings and Uses

A. Accessory Uses to Observe Required Setbacks

Unless specifically provided herein, accessory uses and structures shall observe all required setbacks, yard, and other requirements applicable to the principal building or use for the district within which they are located.

B. Requirements Applicable to All Accessory Uses

1. 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, said buildings shall not exceed 12 feet in height.
2. No accessory building may be located in a required front yard. Where an accessory building is erected in the required rear yard on a corner lot, it shall not be located closer to any street than the required front yard distance.
3. No accessory use shall occupy any part of a buffer area.

C. Requirements Applicable to Specific Accessory Uses

Requirements applicable to specific accessory uses are as follows:

1. Off-Street Parking and Loading Space

Paved off-street parking and loading spaces, not to include parking structures, are permitted in all required yards and setback areas, but no closer than 5 feet to a residential property line and two feet to any other property line.

2. Freestanding Signs

Freestanding signs are permitted in all required yards, but no closer than 5 feet of a property line.

3. Buildings, Sheds, and Structures for Dry Storage: Greenhouses

Building sheds and structures for dry storage and greenhouses may be located in rear yard setback areas only, but no closer than 3 feet to a residential property line.

4. Domestic Animal Shelters and Pens

Domestic animal shelters and pens may be located in rear yard setback areas only, but no closer than 10 feet from any side or rear residential property line.

5. Swimming Pools, Tennis Courts, Recreational Uses

These uses may be located in required rear yard and setback areas only, provided said uses shall be no closer than 10 feet to the nearest property

line and shall have all lighting shielded or directed away from adjoining residences.

6. Ground Supported Communication and Reception Antennas

These uses may be located in required rear and side yards only, but no closer than 5 feet to the property line and, if located in the buildable area, shall not extend or be located in front of any principal building.

7. Fences and Walls

Fences and walls are allowed within required yards and setback areas and may extend to the property line, provided that when located within a required front yard in a residential district, fences and walls in excess of 4 feet in height must be of a decorative nature and open design. A chain link fence in excess of 4 feet is prohibited in the front yard.

Section 8-7 Nonconformities

A. Continuation

Nonconforming uses, buildings, or structures are declared by this Ordinance to be incompatible with permitted construction in the districts in which they are located. However, to avoid undue hardship, the lawful use of any such use, building, or structure at the time of the enactment, amendment, or revision of this Ordinance may be continued even though such use, building, or structure does not conform with the provisions of this Ordinance.

B. Modification

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

1. Change of Nonconforming Use

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

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

- (b) The proposed change will have little discernable impact over the existing nonconforming use.

If a change to a permitted use is proposed which is nonconforming only as to dimensional requirements such as height, density, setbacks, or other requirements such as off-street parking, the change may be permitted, provided that all applicable requirements that can be reasonably complied with are met.

Compliance with a requirement is not reasonably possible if it cannot be achieved without adding land to the lot of the nonconforming use or moving the use if it is on a permanent foundation.

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

2. Enlargement or Expansion of Nonconforming Use

Enlargement or expansion of a nonconforming building, use, or structure shall be permitted, provided such enlargement shall meet all applicable setbacks, buffer area, and off-street parking requirements for the district within which it is located.

3. Repair or alteration of Nonconforming Use, Building, or Structure

The repair or alteration of a nonconforming use shall in no way increase the nonconformity of said use, except as otherwise permitted by Subsection 2 above.

4. Replacement of Nonconforming Use

A building permit for the replacement of a nonconforming building or structure where damaged or destroyed must be initiated within 6 months of the time of the damage or destruction or forfeit the right of replacement.

Replacement, if initiated within 6 months of the time of damage or destruction, shall adhere to all applicable requirements of Table 2. Replacement of a nonconforming mobile or manufactured home, once removed from a lot or parcel, shall be accomplished within 30 days of removal or nonconforming status will be forfeited. If replaced, the mobile or manufactured home shall not infringe on established setbacks and shall meet in full the requirements of Section 4-4 of this Ordinance.

C. Discontinuance

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 six (6) months, whether or not the equipment or fixtures are removed, shall again be used except in conformity with the regulations of the district in which such building or land is located.

D. Existing Lot of Record

Where the owner of a lot of record at the time of the adoption of this Ordinance does not own sufficient land to meet the setback requirements of this Ordinance, such lot may nonetheless be used as a building site provided applicable setback requirements are not reduced by more than twenty percent (20%). Setback reductions greater than 20% shall be referred to the Board of Zoning Appeals for consideration. If, however, the owner of two or more adjoining lots with insufficient land dimensions decides to build on or sell off these lots, they must first be combined to comply with the dimensional requirements of this Ordinance.

ARTICLE 9

ESTABLISHMENT, POWERS AND DUTIES OF OFFICIALS, COMMISSIONS AND BOARDS RESPONSIBLE FOR ADMINISTRATION OF THIS ORDINANCE

Section 9-1 Zoning Administrator

The Zoning Administrator is hereby designated and duly charged with the authority to administer and enforce the provisions of this Ordinance.

The Zoning Administrator shall accept and examine all applications for the use or reuse of land and shall issue permits where such applications are in accord with the provisions of this Ordinance. He shall direct parties in conflict with this Ordinance and cause to be kept records and files of any and all matters referred to him.

If the Zoning Administrator finds that any one of the provisions of this Ordinance is being violated, he shall notify in writing the person responsible for such violation, indicating the nature of the violation and ordering the action necessary to correct it. He shall order discontinuance of illegal use of land, buildings, or structures; removal of illegal buildings or structures or of illegal additions, alterations, or structural changes; discontinuance of any illegal work being done; and shall take any other action authorized by this Ordinance to ensure compliance with or to prevent violation of its provisions.

Section 9-2 Planning Commission

The Pageland Planning Commission shall have certain duties related to this Ordinance including, by not necessarily limited to, the following:

- A. To review and from time to time initiate changes to this Ordinance; and,
- B. To review and make recommendations on applications for changes to this Ordinance or the Zoning Map.

Section 9-3 Board of Zoning Appeals

- A. Establishment

A Board of Zoning Appeals is hereby established. Said Board shall consist of seven (7) members, who shall be citizens of the Town of Pageland and shall be appointed by the Town Council for overlapping terms of four (4) years. Any vacancy in the membership shall be filled for the unexpired term in the same manner as the initial

appointment. Members shall serve without pay but may be reimbursed for any expenses incurred while representing the Board. Members cannot hold any other public office or position in the Town. A member can be removed for just cause.

B. Proceedings

The Board of Zoning Appeals shall elect a chairman and vice chairman from its members who shall serve for one year or until reelected or until their successors are elected. The Board shall appoint a secretary, who may be a municipal Officer, an employee of the Town, or a member of the Board of Zoning Appeals. The Board shall adopt rules and bylaws in accordance with the provisions of this Ordinance and of the General Statutes of South Carolina, Title 6, Chapter 29, Article 5, Code of Laws of SC, 1976, as amended. All meetings of the Board shall be open to the public.

C. Decisions of the Board

The concurring vote of a simple majority of members present shall be necessary to reverse any order, requirement, decision, or determination of the Zoning Administrator or to decide in favor of the applicant on any matter upon which it is required to pass under this Ordinance or to affect any variation of this Ordinance. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Board and shall be public record. On all appeals, applications, and other matters brought before the Board of Zoning Appeals, the Board shall inform in writing all the parties involved of its decisions and the reasons thereof.

D. Appeals, Notice, Hearing

Appeals to the Board may be taken by any person aggrieved or by an officer, department, board or bureau of the Town. Such appeal shall be taken within thirty (30) days from the date that the decision is rendered, as provided by the rules of the Board, by filing with the Zoning Administrator and with the Board of Zoning Appeals notice of said appeal specifying the grounds thereof. The Zoning Administrator shall forthwith transmit to the Board all papers constituting the record upon which the action appealed from was taken.

An appeal stays all legal proceedings in furtherance of the action appealed from, unless the Zoning Administrator certifies to the Board, after the notice of appeal shall have been filed with him, that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life and property. In such case,

proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board or by a court of record on application, on notice to the officer from whom the appeal is taken and on due cause shown.

The Board shall fix a reasonable time for the hearing of the appeal or other matters referred to it, and give public notice thereof, as well as due notice to the parties in interest, and decide the same within a reasonable time. Notice of the time and place of the public hearing shall be published in a newspaper of general circulation in the Town at least fifteen (15) days in advance of the scheduled hearing date. At the hearing any party may appear in person or by agent or by attorney. Notice shall also be posted on the affected property, with at least one such notice being visible from each public thoroughfare that abuts the property.

It is the intention of this Ordinance that all questions arising in connection with the enforcement of the Ordinance shall be presented first to the Zoning Administrator and that questions shall be presented to the Board of Zoning Appeals only on appeal from the decision of the Zoning Administrator.

E. Powers and Duties

The Board of Zoning Appeals shall have the following powers and duties:

1. To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination by the Zoning Administrator in the enforcement of this Ordinance.
2. To hear and decide appeals for variances from the requirements of the Zoning Ordinance when strict application of the provisions of the Ordinance would result in unnecessary hardship. A variance may be granted in an individual case of unnecessary hardship if the Board makes and explains in writing the following findings:
 - (a) There are extraordinary and exceptional conditions pertaining to the particular piece of property;
 - (b) These conditions do not generally apply to other property in the vicinity;
 - (c) Because of these conditions, the application of the Ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property;
 - (d) The authorization of a variance will not be of substantial detriment to adjacent property or to the public good; and,
 - (e) The character of the district will not be harmed by the granting of the variance.

The Board 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.

In exercising the above powers, the Board of Zoning Appeals may, in conformity with the provisions of this Ordinance, reverse or affirm wholly or in part, or may modify the order, requirements, decision, or determination of the Zoning Administrator and to that end shall have all the powers of the officer from whom the appeal is taken and may issue or direct the issuance of a permit. The Board, in the execution of the duties for which appointed, may subpoena witnesses and in case of contempt, may certify such fact to the Circuit Court having jurisdiction. All final decisions and orders of the Board must be permanently filed in the office of the Board as a public record. All findings of fact and conclusions of law must be delivered to parties of interest by certified mail.

3. Re-hearings and Appeals from decision of the Board of Zoning Appeals

- (a) Rehearing. An application for a rehearing shall be made in the same manner as provided for in the original appeal within a period of thirty days after the Board's decision has been filed. In addition, specific information to enable the Board to determine whether or not there has been a substantial change in facts, evidence, or conditions of the case, shall be presented in writing or graphically. A rehearing shall be denied by the Board if, in its judgment, such change in fact, evidence or conditions have not been proven. In the event that the Board finds that a rehearing is warranted, it shall thereupon proceed in the same manner as for the original hearing.
- (b) Waiting period required. Upon the denial of an original application or adverse ruling on appeal, or upon the denial of an application for which a rehearing has been conducted, whichever is applicable, a similar application may not be filed for a period of one year after the date of denial of the original application.
- (c) Appeals. A person who may have a substantial interest in any decision of the Board or an officer or agent of the Town may appeal from a decision of the Board to the Circuit Court in and for Chesterfield County by filing with the Clerk of Court a petition in writing setting forth plainly, fully, and distinctly why the decision is contrary to law. The appeal must be filed within 30 days after the decision of the Board is mailed. Alternatively, a property owner whose land is the subject of a decision of the Board may appeal by filing a notice of appeal with the Circuit Court accompanied by a request for pre-litigation mediation in accordance with Section 6-29-825 of the SC Code of Laws.

ARTICLE 10

ADMINISTRATION, APPLICATION AND REQUIRED PERMITS

Section 10-1 Purpose

This Article sets forth the procedures required for obtaining building permits, sign permits, and certificates of occupancy. It also establishes procedures for processing land development applications and defines the duties, powers, and limitations of officials, departments, commissions, boards, and other groups, which are or may be involved in the administration and enforcement of this Ordinance.

Section 10-2 Responsibility

All requests for permits and licenses required by this Ordinance and legislative change of relief from the terms of this Ordinance shall be in the form of an application. The provisions of this Article shall govern the basic requirements for processing different types of applications from initiation to final action and issuance of a permit.

It shall be the responsibility of the Zoning Administrator or his designee to administer the requirements for processing applications and issuing permits in accord with the provisions of this Ordinance.

It shall be the responsibility of an applicant to provide the required information to process a permit application, secure or renew a license, and present fact about circumstances which would justify a proposed change or modification to the terms and/or application of this Ordinance.

Section 10-3 Types of Applications

Types of application for processing matters subject to the requirements of this Ordinance include the following:

A. Applications to Develop or Alter the Use of Land

This includes the changing of land characteristics through redevelopment, construction, subdivision into parcels and all land use and other development activity. Applications to develop or alter the use of land are classified for administrative purposes into two (2) categories.

1. **Land Development** is any land development or land altering activity requiring a permit from the Town, other than a subdivision or Major Land Development.

2. **Major Land Development** includes business and industrial parks, shopping centers, multiple occupancy buildings, and other developments defined by this Ordinance.

B. Applications for Change or Relief

This includes applications for changes to and/or relief from any part or provision of this Ordinance, of which there are three (3) types of applications.

1. **Amendment** is a change to the text or map of the Zoning Ordinance.
2. **Variance** is an adjustment or modification of any regulation alleged to impose on unnecessary hardship on the use or development of land.
3. **Appeal** is a petition by an applicant to reverse or modify a decision of an administrative officer, Board, Commission, or Council.

Section 10-4 Eligible Applicants

Parties and individuals required and/or eligible to initiate an application to alter, develop, subdivide or utilize land for purposes and activities regulated by this Ordinance, or to seek relief from or change requirements of this Ordinance are identified in Table 5.

Parties not listed may petition the Planning Commission and/or the Town Council to initiate a change, but the petitioned party is not bound to act on behalf of the petitioner.

| Table 5 Applicant Requirements/Eligibility | | | | | |
|---|---|--|------------|-----------------|---------------|
| | Applicants to Develop or Alter Use of Land | Applicants for Change and/or Relief from Ordinance Requirements | | | |
| Eligible Applicants | | Amendment Text | Map | Variance | Appeal |
| Property Owners | YES | NO | YES | YES | YES |
| Agent of Property Owner | YES | NO | YES | YES | YES |
| Option Holder | YES | NO | YES | YES | YES |
| Aggrieved Person/Party | NO | NO | NO | NO | YES |
| Zoning Administrator | NO | YES | YES | NO | NO |
| Planning Commission | NO | YES | YES | NO | YES |
| Town Council | YES | YES | YES | YES | YES |

Section 10-5 Application Procedures for Change or Relief

A. Administrative Examination

Upon receipt of an application, the Zoning Administrator shall examine it for completeness and shall, within ten (10) days, either return the application for

additional information or forward it to the responsible governmental authority for review and action.

B. Public Notice

1. All Applications

Public notice shall include announcing the application for change or relief in a newspaper of general circulation in the Town of Pageland at least 15 days prior to the time the application is scheduled for a public hearing. The notice shall state the nature of the change and the time, date, and place of the hearing.

2. Application for Zoning Map Change

In addition to the above, notice of an application for a map change (amendment) shall include posting the affected property. Such notice shall be posted at least 15 days prior to the hearing and shall indicate the nature of the change proposed, identification of the property affected, and time, date, and place of the hearing.

3. Application for a Variance

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 expressed interest.

C. Public Hearing

Pursuant to Section 6-29-760 of the South Carolina Code of Laws, the Planning Commission is hereby authorized to hold the required public hearing for changes to the Zoning Ordinance text or map. A public notice shall be published in a newspaper of general circulation in Pageland at least 15 days prior to the hearing. Notice of a rezoning public hearing shall be posted on or adjacent to the property affected with at least one notice being visible from each public thoroughfare that abuts the property.

D. Review and Action

1. *By the Planning Commission*

- (a) The Planning Commission shall act on a completed application within forty-five (45) days after receipt thereof to defer not more than 30 days

or to recommend either denial or approval. The decision shall be determined by a majority of those voting. Failure to act within said time frame shall constitute a recommendation of approval.

- (b) The Commission shall evaluate the proposed amendment and prepare a report and forward it, together with a recommendation, to Town Council for final action.

2. *By the Town Council*

The Pageland Town Council shall consider the recommendation of the Planning Commission and vote to approve, deny, or modify the proposed amendment, refer it back to the Planning Commission for further study, or take other action as it may deem necessary.

3. *By the Board of Zoning Appeals*

Applications for a variance or appeal shall be evaluated by the Board of Zoning Appeals in accord with the conditions prescribed by Section 9-3(E)(2) of this Ordinance.

E. Notification

All applicants for change or relief from the provisions of this Ordinance shall be notified in writing of final action.

An approved amendment by Town Council shall become effective immediately after such adoption and any such amendment to the zoning map shall be made by the Zoning Administrator within seven (7) days thereafter.

An approved variance or appeal shall be accompanied by an order of the Board of Zoning Appeals to direct the issuance of a permit.

F. Appeals

Any person who may have a substantial interest in any decision of the Board of Zoning Appeals or Town Council may appeal the decision to the Circuit Court in and for the County of Chesterfield by filing with the Clerk of Court a petition in writing setting forth plainly, fully and distinctly wherein such decision is contrary to law, or where land is the subject of a decision, by filing a notice of appeal with the Circuit Court accompanied by a request for pre-litigation mediation in accordance with Section 6-29-825 of the Code of Laws of South Carolina. Such appeal shall be filed within thirty (30) days after a decision of the respective body has been rendered.

G. Consideration of Denied Applications

Neither the Planning Commission, Town Council, nor the Board of Zoning Appeals shall reconsider an application for change or relief to the same lot, parcel, or portion thereof, within a period of one year from the date of final determination and notification.

Section 10-6 Application Requirements and Fees

All applications shall be filed on forms provided by the Town and contain or be accompanied by the information required in Table 6.

Section 10-7 Required Permits

No building or development activity, including the following, shall be commenced until all required permits have been issued:

- A. Building activity not specifically exempt by this Ordinance.
- B. Changing the use of any part of a structure or lot, including any increase in the number of families or dwelling units occupying a building or lot.
- C. Installation of any sign for which a permit is required.
- D. The establishment of a temporary use.
- E. Electric or gas utility companies and/or cooperatives extending service or utilities to a given site.

No building, structure or land shall be used, nor shall any building, structure or land be converted, wholly or in part to any other use, until all applicable and appropriate licenses, certificates, and permits have been issued certifying compliance with the requirements of this Ordinance and related codes and regulations.

No permits inconsistent with the provisions of this Ordinance shall be issued unless accompanied by an approved variance.

The provisions of this Section shall not apply to the necessary construction, replacement or maintenance by a public utility of its outside plant facilities, including such items as poles, crossarms, guys, wire, cable, and drop.

Section 10-8 Types of Required Permits

One or more of the following permits shall be required in advance of any land alteration or development in the Town of Pageland:

- Building Permit
- Sign Permit
- Occupancy Permit

Failure to obtain a required permit shall be a violation of this Ordinance and punishable under Section 10-15.

Section 10-9 Building Permits

A building permit shall be required of all proposed building and/or development activity unless expressly exempt by the International Building Code.

| Table 6 Information Required to Support Application | |
|--|--|
| Type of Application | Information Required (Requirements are Cumulative) |
| Land Development | <ol style="list-style-type: none"> 1. All information required of General Property and Closing Surveys, in accord with the <u>Minimum Standards Manual for the Practice of Land Surveying in South Carolina</u>, promulgated under authority of the Code of Laws of South Carolina, 1976, 40-21-110; 2. Minimum front, side, and rear setback lines and zoning classification; 3. Proposed buffer areas, screening, and landscaping plan; 4. Land within floodplain; 5. Location of all proposed structures, including freestanding signs; 6. Required off-street parking; and, 7. All information specified by Article 4, Conditional Uses, as applicable. |
| Amendment | <ol style="list-style-type: none"> 1. Draft new text to be added and existing text to be deleted; and, 2. State reason(s) for change. |
| Variance | <ol style="list-style-type: none"> 1. State nature of variance; 2. Provide evidence of unnecessary hardship; and, 3. State necessity of variance. |
| Appeal | State reason(s) for appeal, with specific reference to action being appealed. |

Section 10-10 Sign Permits

Where a sign permit is required by Article 6 of this Ordinance, the permit application shall be accompanied by the following:

- A. Identification of landowner and/or leaseholder of property on which the sign is to be erected, including street address.
- B. Name and address of owner of the sign.
- C. Site plan sketch with dimensions (non-professionally drafted plan is acceptable) showing the location of the sign with respect to the property and right-of-way lines, building and setback lines, and buildings, parking areas, existing freestanding signs, and buffer areas.
- D. Correct size, shape, configuration, face area, height, nature, number, and type of sign to be erected, including the size of letters and graphics.
- E. The value of the sign and sign structure.
- F. Signs exceeding thirty-six (36) square feet in area shall be accompanied by a drawing and written certification from a registered South Carolina engineer or architect that the sign is structurally sound and safe, does not constitute a hazard to persons or property on the premises, on adjoining property, or in the vicinity, and that the sign is in compliance with all building or other construction codes and the requirements of this Ordinance.
- G. The Zoning Administrator may waive any of the informational requirements listed above deemed unnecessary to process an application.

Section 10-11 Occupancy Permits

It shall be unlawful to use or occupy or permit the use of occupancy of any building or premises, or both, or parts thereof hereafter created, erected, changed, converted, or wholly or partly altered or enlarged in its use of structure until an Occupancy Permit has been issued stating that the proposed use of the building or land conforms to the requirements of this Ordinance and the International Building Code.

Section 10-12 Inspections for Compliance

The Zoning Administrator may make or require inspections of any land disturbing activity, construction or maintenance requirement to ascertain compliance with the provisions of this Ordinance and to ascertain compliance with approved permit applications, plats, plans, and/or certificates.

Section 10-13 Expiration of Permits

If the work described in any building or sign permit has not begun within one year from the date of issuance thereof, said permit shall expire. It shall be cancelled and written notice shall be given to the owner/developer, unless extended by the Zoning Administrator upon application by the owner/developer.

Section 10-14 Complaints Regarding Violations

Whenever a violation of this Ordinance occurs or is alleged to have occurred, the Zoning Administrator shall record and investigate such complaint and take such action as provided by this Ordinance. Complaints may be filed in writing or verbally, stating fully the cause and basis thereof.

Section 10-15 Penalties for Violations

Where any building, structure, or sign is erected, constructed, reconstructed, altered, converted, or maintained, or any building, structure, sign, or land is used in violation of this Ordinance, the Zoning Administrator may, in accord with the provisions of Section 56-7-80 of the South Carolina Code of Laws 1976, as amended, issue an Ordinance summons or institute injunction, mandamus, or other appropriate action or proceeding to prevent such unlawful activity; to correct or abate the violation; or, to prevent the occupancy of the building, structure, or land.

Any person violating any provision of this Ordinance shall, upon conviction, be guilty of a misdemeanor and shall be fined as determined by the court for each offense. Each day such unlawful erection, construction, reconstruction, alteration, conversion, maintenance, or use continues shall be deemed a separate offense.

ARTICLE 11

DEFINITIONS

Section 11-1 General Terms

Except as specifically defined herein, all words used in this Ordinance have their customary dictionary definitions. Words in the present tense include the future tense. Words used in the singular include the plural and words used in the plural include the singular.

For the purposes of this Ordinance, certain words or terms used herein are defined as follows:

- A. The word "Town" means the Town of Pageland, South Carolina.
- B. The words "Town Council" mean the Town Council of the Town of Pageland, South Carolina.
- C. The word "shall" is always mandatory.
- D. The word "may" is permissive.
- E. The word "lot" includes the words "plot" or "parcel."
- F. The word "person" includes a firm, association, organization, partnership, trust company, or corporation, as well as an individual.
- G. The word "used" or "occupied" as applied to any land or building shall be construed to imply that said land or building is in actual use or occupancy and shall be construed to include the words "intended," "arranged," or "designed to be used or occupied." An intended project shall be defined as one where substantial monies have been spent toward the goal of the project.
- H. The word "map" or "zoning map" shall mean the Official Zoning Map of the Town of Pageland, South Carolina.
- I. The words "Planning Commission" refers to the Planning Commission for the Town of Pageland and the words "Board of Zoning Appeals" refers to the Board of Zoning Appeals for the Town of Pageland.

Section 11-2 Definitions

Alley – A secondary way which affords access to the side or rear of abutting property.

Alteration of Building – Any change in the supporting members of a building (such as bearing walls, columns, or girders); any addition or reduction to a building; any change in use; or any relocation of a building from one location or position to another.

Animal Shelter, Domestic – 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.

Automobile Service Station – Buildings and premises on any parcel or lot where gasoline, oils, and 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 vehicle parts; and where the following services may be rendered, and no other:

- (1) sale and servicing of spark plugs, batteries, and distributors
- (2) tire repair and servicing, but no recapping
- (3) 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
- (4) washing and polishing
- (5) grease and lubrication
- (6) exchanging fuel oil pumps and installing fuel lines
- (7) minor servicing and replacing of carburetors
- (8) emergency wiring repairs
- (9) adjusting and repair of brakes;
- (10) minor adjustment of engines, not involving removal of the head and/or crank case, or racing the motor
- (11) sale of cold drinks and packaged foods, as accessory only to the principal operation

Bed and Breakfast Home – A dwelling whose primary purpose is as the personal residence of the owner-operator, providing accommodation for compensation with no more than seven guestrooms. Only breakfast or an afternoon tea or social may be provided to overnight guests of the bed and breakfast home.

Bed and Breakfast Inn – A residence occupied by the establishment manager providing accommodation for compensation with no more than seven guestrooms. Only breakfast or an afternoon tea or social may be provided to overnight guests of the bed and breakfast inn.

Boarding House – Any dwelling in which three (3) or more persons either individually or as families are housed for rent with or without meals.

Body Piercing - Any method of piercing of the human skin of one person by another person with the intention of inserting any object including, but not limited to jewelry. For the purposes of this Ordinance, the term body piercing shall also include any process of marking or disfiguring the skin or other tissue of any person by branding or scarification but shall not include the piercing of the fatty lobe of the ear by an ear-piercing gun designed solely for that purpose or physician-authorized surgical procedures. This definition of body piercing includes that process commonly referred to as implantation.

Buffer – A strip of land, improved by landscaping, berms, walls, or fences, or any combination thereof, designed to mitigate the extent of higher intensity land uses on neighboring lower intensity uses. A buffer is an area in which no activity is allowed other than passive recreation and necessary utility and maintenance functions such as transmission lines, underground conduits, or irrigation. The buffer area is described by a linear measurement from the property line inward and will vary depending on the nature of the activity and its location.

Buildable Area – 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 – Any structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of persons or property.

Building, Accessory – A subordinate structure on the same lot and detached from 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, domestic animal shelters, pool houses, etc., when detached from the principal building, and carports attached to the principal building when at least 75 percent open or unenclosed.

Building, Principal – 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.

Camper – A mobile home, tent, trailer, or other self-contained vehicle, designed for recreational purposes, made of metal or other materials, mounted on two or more wheels and either self-propelled or rigged for towing, provided such vehicle is less than thirty (30) feet in length and is not used for residential purposes within the Town of Pageland.

Canopy Tree – A deciduous tree that forms the top layer of vegetation in a forest. Examples of such trees include oaks, hickories, maples, poplars, and others.

Conditional Use – A use of land or structure which is permitted in a district under conditions specified in the Zoning Ordinance.

Day Care Services – Day care services shall mean and include any home, center, agency, or place, however styled, where children, elderly, handicapped or other persons not related to the operator are received for custodial care, whether for compensation, reward, or otherwise during part of or all day or night and upon any number of successive days or nights.

Density – The number of dwelling units per acre of land developed or used for residential purposes. Unless otherwise clearly stated, density requirements in this Ordinance are expressed in dwelling units per net acre; that is, per acre of land devoted to residential use and common open space exclusive of land utilized for streets, parks, playgrounds, school grounds, or other public uses.

Developer – An individual, partnership, or corporation (or agent therefor) that undertakes the activities covered by these regulations.

Development – 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.

Driveway – 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.

Dwelling – One or more rooms providing complete living facilities for one family, including kitchen facilities or equipment for cooking or provisions for same, and including a room or multiple rooms for living, sleeping, bathing, and eating. (Also known as a “dwelling unit”)

Dwelling, Apartment – (See definition for “dwelling, multi-family.)

Dwelling, Attached – A dwelling unit attached to one or more other dwelling units by common vertical walls.

Dwelling, Detached – A single dwelling unit other than a manufactured home, surrounded by open space or yards and which is not attached to any other dwelling by any means.

Dwelling, Duplex – A detached house designed for and occupied exclusively as the residence of not more than two families, each living as an independent housekeeping unit.

Dwelling, Group – A dwelling unit occupied by five or more individuals unrelated by blood, marriage, adoption, or guardianship living together as a single housekeeping unit.

Dwelling, Manufactured Home – A factory built home built after the enactment of and bearing a label of compliance with the Federal Manufactured Home Construction and Safety Standards Act, effective June 15, 1976 (HUD Code).

Dwelling, Mobile Home – A factory built home built prior to enactment of the Federal Manufactured Home Construction and Safety Standards Act, effective June 15, 1976.

Dwelling, Multi-Family – A dwelling or group of dwellings on one lot containing separate living units for three or more families, but which may have joint services or facilities.

Dwelling, Patio Home – 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, Single Family – A building containing one dwelling unit that is not attached to any other dwelling by any means and is surrounded by open space or yards.

Dwelling, Townhouse – A series of attached 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 Unit – (See “dwelling.”)

Dwelling, Zero Lot Line – 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 home.

Family – One or more persons related by blood, marriage, adoption, or guardianship, and not more than four (4) persons not so related, except that nine (9) mentally or physically handicapped persons for whom care is provided on a 24-hour basis shall be construed to be a family, in accord with the provisions of Section 6-7-830 of the South Carolina Code of Laws, including approval or licensing of the home in which they are located by a state agency for that purpose.

Family Day Care Home – A family day care home is one in which care is given by a family member and no others during the day only for one to six children or adults, including the day care owner’s own children or parents.

Federal Manufactured Home Construction and Safety Standards – 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 conditioning, thermal, and electrical systems.

Fence – A structural device erected to delineate a boundary or serve as an architectural element, barrier, or screen. The term “wall” shall be interchangeable with fence.

Flag – Any fabric, banner, or bunting containing distinctive colors, patterns, or symbols, used as a symbol of a government, political subdivision, or other entity.

Garage, Private – (As defined by the International Building Code)

Garage, Public – (As defined by the International Building Code)

Home Occupation – Any occupation conducted for gain within a dwelling by a member or members of the family residing in the dwelling.

Junk and/or Salvage – Any materials consisting of waste, discarded, or salvage matter which is bought, sold, exchanged, stored, baled, packed, or disassembled for profit, trade, or hire, and shall include any vehicle damages so as not to comply with state or federal safety regulations, incapable of self-propulsion or partially dismantled if retained on the premises for more than 72 hours whether for repair or not. The term “junk” 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, nonworking major appliances, and other old ferrous or non-ferrous material.

Junk and/or Salvage Yard – Any premises where salvage or junk as defined herein are found and have been permitted to remain with the consent of the owner, lessee, or person(s) responsible for maintenance of such premises.

Lot – A parcel of land considered as a unit. The terms “lot,” “lot of record,” “property,” or “tract,” whenever used in this Zoning Ordinance, are interchangeable.

Lot, Corner – A lot located at the intersection of two or more streets.

Lot of Record – A lot, the boundaries of which are filed as legal record.

Lot Area – The area contained within the boundary line of a lot.

Lot Line – A line bounding a lot which divides one lot from another or from a street or any other public or private space.

Manufactured Home Park – A lot or parcel with space, improvements and utilities for the long-term parking of two (2) or more mobile or manufactured homes which may include services and facilities for the residents.

Mini-Warehouse – 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 and wares. Shipping containers, whether attached or detached, shall not be permitted for use as mini-warehouses.

Modular Building Unit or Modular Structure – 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 (SC Code Section 23-43-10), said building unit or structure may be located in any of the Town’s several zoning districts.

Nonconformity – A nonconformity is any lot of record, use, building, structure, design element, or vegetation in existence prior to the effective date of this Zoning Ordinance, but which fails, by reason of such adoption, revision, or amendment, to conform to the present requirements of the Zoning Ordinance.

Non-Residential Use – A principal use of land for other than residential purposes (i.e. commercial, industrial, institutional).

Open Space – Open space is any parcel or area of land or water, essentially unimproved and set aside, dedicated, designated, or reserved for public or private use or enjoyment or for the use and enjoyment of owners, occupants, and their guests. Open space shall include recreational area, greenways, and wooded areas.

Parcel – A land area. bounded by property lines, that is recognized as such by the Chesterfield County Tax Assessor’s Office.

Sexually-Oriented or Adult Uses – For purposes of this Ordinance, adult uses shall mean and include the following:

- (1) **Adult Arcade** – 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 (5) 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.”

- (2) **Adult Bookstore or Adult Video Store** – 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
- a. Books, magazines, periodicals or other printed matter, or photographs, films motion pictures, video cassettes or video reproductions, slides or other visual representations which depict or describe “specified sexual activities” or “specified anatomical areas;” or
 - b. 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.”
- (3) **Adult Cabaret** – A nightclub, bar, restaurant or similar commercial establishment which regularly features:
- a. Persons who appear in a state of nudity; or
 - b. Live performances which are characterized by the exposure of “specified anatomical areas” or by “specified sexual activities; or
 - c. Films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the description of it as “specified sexual activities” or “specified anatomical areas.”
- (4) **Adult Motel** – A hotel, motel, or similar commercial establishment which:
- a. Offers accommodations to the public for any form of consideration; provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, 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; or
 - b. Offers a sleeping room for rent for a period of time that is less than ten hours; or

- c. Allows a tenant or occupant of a sleeping room to surent the room for a period of time that is less than ten hours.
- 5. **Adult Motion Picture Theater** – A commercial establishment where, for any form of consideration, films, motion pictures, video cassettes, slides, or similar photographic reproductions are regularly shown which are characterized by the depiction or description of “specified sexual activities” or “specified anatomical areas.”
- 6. **Adult Theater** – 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.”
- 7. **Sexual Encounter Center** – A business or commercial enterprise that, as one of its primary business purposes, offers for any form of consideration:
 - a. Physical contact in the form of wrestling or tumbling between persons of the opposite sex; or
 - b. 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 semi-nude.

Sign – Any object, device, display, or structure, or part thereof, situated outdoors or indoors, that is used to advertise, identify, display, or direct 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.

Sign Area – The entire advertising area of a sign excluding any framing, trim, or moulding, and the supporting structure.

Sign Types

- 1. **Abandoned Sign** – A sign structure that does not contain a sign for more than 120 days, or a sign not in use for 120 continuous days, or a sign advertising an organization or event no longer occupying the site on which the sign exists or to which it refers.
- 2. **Animated Sign** – Any sign that uses movement or change of lighting to depict action or creates a special effect or scene.

3. **Awning, Canopy, or Marquee Sign** – A sign that is mounted or painted on or attached to an awning, canopy or marquee.
4. **Banner** – A sign made of lightweight fabric or similar material that is permanently mounted to a pole or a building by a permanent frame at one or more edges. An official flag and a corporate flag shall not be considered banners for the purposes of this Ordinance.
5. **Building Sign** – Any sign attached to any part of a building.
6. **Changeable Copy Sign** – A sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged without altering the face or the surface of the sign. A sign on which the message changes more than eight (8) times per day shall be considered an animated sign and not a changeable copy sign for purposes of this Ordinance.
7. **Freestanding Sign** – Any non-movable sign not affixed to a building.
8. **Incidental Sign** – A sign, generally informational, that has a purpose secondary to the use of the zoned lot on which it is located, such as “No Parking,” “Entrance,” “Loading Only,” and other similar directives. No sign with a commercial message legible from a position off the zoned lot on which the sign is located shall be considered incidental.
9. **Pennant Sign** – Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move in the wind.
10. **Permanent Sign** – A sign attached to a building, structure, or the ground in some manner and made of materials intended for more than short term use.
11. **Political Sign** – A temporary sign announcing or supporting political candidates or issues in connection with any nation, state, or local election.
12. **Portable Sign** – A sign that is not permanently affixed to a building, structure, or the ground.
13. **Projecting Sign** – A sign that is wholly or partly dependent upon a building for support and which projects more than 12 inches from such building.
14. **Roof Sign** – A sign that is mounted on the roof of a building or which is wholly dependent upon a building for support and which projects above the

point of a building with a flat roof, the eave line of a building with a gambrel, gable, or hip roof or the deck line of a building with a mansard roof.

15. **Temporary Sign** – A sign that is used only for a short period of time and is not permanently mounted.
16. **Wall Sign** – Any sign attached to and within six Inches of a wall, painted on the wall surface, or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building, and which displays only one sign surface.
17. **Window Sign** – 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.

Specified Anatomical Areas – The male genitals in a state of sexual arousal and/or the vulva or more intimate parts of the female genitals.

Specified Sexual Activities – Includes any of the following:

1. The fondling or other erotic touching of human genitals, pubic region, buttocks, anus or female breasts;
2. Sex acts, nor or perverted, actual or simulated, including intercourse, oral copulation, or sodomy;
3. Masturbation, actual or simulated; or
4. Excretory functions as part of or in connection with any of the activities set forth in 1 – 3 above.

Street – Any thoroughfare or space more than 18 feet in right-of-way width, which has been dedicated, deeded or designated for vehicular traffic, public or private.

Street, Arterial – A street with signals at important intersections and stop sign on side streets, and which collects and distributes traffic.

Street, Collector – A street that penetrates neighborhoods and collects and distributes traffic between lower order residential access streets and higher order arterials.

Street, Residential Access – A street designed principally to provide vehicular access to abutting residential property.

Structure – (As defined by the International Building Code)

Structural Alteration – 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.

Travel Trailer or Recreational Vehicle – A structure that (1) 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 (2) 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.

Understory Tree – A small deciduous tree that forms the layer of vegetation under the canopy trees in a forest. Examples of such trees include dogwoods, sourwoods, fruit trees and others.

Use, Accessory – (See Building, Accessory)

Use – 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, Principal – The primary purpose for which land is used.

Variance – A modification of the area requirements of this Ordinance, granted by the Board of Zoning Appeals.

Yard – An open space that lies between the principal or accessory building or buildings and the nearest lot line. Such yard is unoccupied and unobstructed from the ground upward except as may be specifically provided by this Ordinance.

Yard, Front – 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 – A yard extending the full width of the lot in the area between the rear lot line and the rear building line.

Yard, Required – 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 Ordinance.

Yard – A yard extending the full length of the lot in the area between the side lot line and a side building line.

Zoning District – A specifically delineated area or district in the Town within which regulations and requirements govern the use, placement, spacing and size of land and buildings.

ARTICLE 12

LEGAL STATUS PROVISIONS

Section 12-1 Conflict with Other Laws

Whenever the regulations of this Ordinance require a greater width or size of yard or require a greater percentage of lot to be left unoccupied or impose other more restrictive standards than are required in or under any other statutes, the requirements of this Ordinance shall govern. Whenever the provisions of any other statute require more restrictive standards than are required by this Ordinance, the provisions of such statute shall govern.

Section 12-2 Validity

Should any section or provision of this Ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not affect the validity of the Ordinance as a whole or any part thereof which is not specifically declared to be invalid or unconstitutional.

Section 12-3 Repeal of Conflicting Ordinances

All ordinances and parts of ordinances in conflict herewith are repealed to the extent necessary to give this Ordinance full force and effect.

Section 12-4 Effective Date

This Ordinance shall take effect and be in force from and after the date of its adoption by the Mayor and Town Council of the Town of Pageland.

ENACTED AND ORDAINED into Ordinance this _____ day of _____, 2019.

Mayor,

Clerk/Treasurer, Linda Long

A twenty-foot permanent easement must be provided along the entire distance of the lot along the front property line for utilities and other Town usage.

HC Highway Commercial District. The HC District is intended to provide service to the community and the traveling public. These uses normally require more space for display, driveways and parking and are located on major transportation routes such as the Pageland Bypass.

Ordinance Changes

5/4/2021 – Ordinance 427 – An ordinance to amend the Pageland Zoning Ordinance Sections Articles 2, 2-1 Establishment of Districts, Article 3 Table 1; Schedule of permitted and conditional uses, & off street parking requirements, by zoning districts and Table 2 schedule of lot area yard setback, impervious surface area, and height requirements, by zoning district.

Establishment of districts is hereby amended to include the General Residential Restricted District (GRR).

5/20/2021 – Ordinance 430 – An ordinance to amend Article 3 Table 1: Schedule of Permitted and Conditional Uses, & Off – Street Parking Requirements, by Zoning Districts of the Town of Pageland Zoning Ordinance.

Now, Therefore be it Ordained by the Town Council in Meeting Called that the Pageland Zoning Ordinance is hereby Amended to Restrict Manufactured Homes and Manufactured Home Parks to the General Residential (GR) District Only.

First Reading 5/4/2021, Second Reading/Approval 6/15/2021

3/1/2022 Ordinance 455 – An ordinance to amend ordinance 427 to allow for Townhomes to be constructed within the GR-R General Residential Restricted Zoning. First Reading 2/15/2022, Second Reading/Approval 3/1/2022.