

**CHAPIN UNIFIED ZONING & DEVELOPMENT ORDINANCE
STEERING COMMITTEE MEETING
Town Hall**

**August 18, 2022
2:00 P.M.**

AGENDA

1. Call to order
2. Freedom of Information Act Compliance
3. Approval of Minutes
 - a. July 20, 2022 meeting minutes
4. Planning Foundations Report
5. Draft Table of Contents
6. Definitions
7. Adjourn

**TOWN OF CHAPIN
UNIFIED DEVELOPMENT ORDINANCE COMMITTEE
MEETING MINUTES**

**Thursday July 20, 2022
2:00 P.M.**

Town Hall

Members Present: Planning Commission Members Rae Davis, William Lynch, Caleb Pozsik, and Yvonne Hudson

Members Absent: Charlie Banks

Staff Present: Public Affairs Director Nicholle Burroughs, Zoning Administrator Kevin Singletary

Staff Absent: Mayor Al Koon

Guests: Riccardo Giani - MRB Group (through Zoom)

Call to Order: Chair Davis called the meeting to order at 2:04 p.m. and acknowledged the appropriate notifications in compliance with the SC Freedom of Information Act had been met.

Approval of Minutes: Member Lynch moved to accept the June 30, 2022 minutes as presented. Member Pozsik seconded the motion. Minutes were approved unanimously.

Chair Rae Davis: Yes

Member Caleb Pozsik: Yes

Member Willam Lynch: Yes

Member Yvonne Hudson: Yes

Discussion on committee's "windshield survey": Mr. Giani briefly explained the purpose of the "windshield study" was to look at the surroundings in Town and notice elements that are good or bad. Members noted issues with the "lack of town center", no cohesive look especially in the main corridor through town, a mix of old and new buildings along major roads in and out of town, mix of residential and commercial, lack of public parking, and the inconsistency of site setbacks. Members noted a few positives with consistent architectural elements in pockets of development throughout town, opportunity for continuation of architectural elements, and areas where the design promotes a walkable community.

Draft Table of Contents: Mr. Giani explained to the group that this draft table of contents was developed to provide a point of reference when talking about zoning and where each element would be most appropriate. General discussion by members of the UDO committee resulted in a re-organization of the table of contents to better follow the land development process. Special attention was given to proposed article 4 and proposed article 10 and what order they are most appropriate in. The Director of Utilities also submitted comments for the group regarding incorporating infrastructure review in the process. Some categories were removed, while others were added. ZA Singletary noted several instances where elements in the ordinances would be changed by Town Council through resolutions to avoid having to change the ordinances with two readings and a public hearing every time. Mr. Giani provided input into the rationale behind what he developed and took input from the committee on what would work best for Chapin. Discussion also included where home business would be most appropriate in regard to rural zoning categories.

Discussion on Article 100 of the current zoning ordinance:

Mr. Giani presented this discussion to the group in order to determine whether the items in that article in the draft table of contents made sense. The group compared the draft table of contents with the current ordinances'

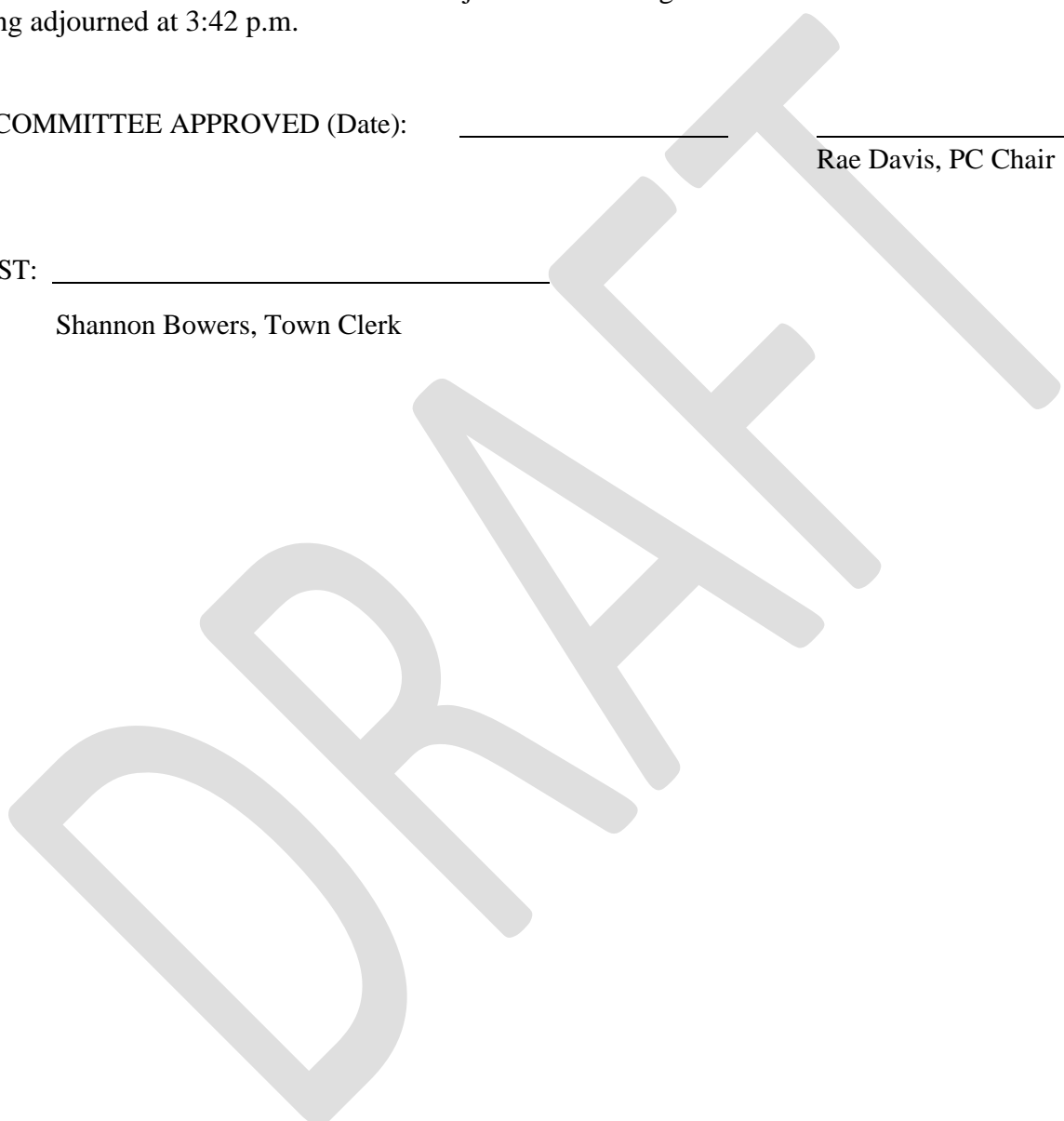
table of contents and determined that where those elements are placed in the draft table made sense for the document moving forward.

Mr. Giani stated that updating regulatory language, modernize the ordinance language, and capturing definitions not in the current ordinance would be discussed at the next meeting. He stated that he will have a zoning planning report complete for review at the next meeting as well. The next meeting is tentatively scheduled for August 18, 2022 at 2:00 p.m.

Adjournment: Member Pozsik moved to adjourn the meeting. Member Hudson seconded the motion. Meeting adjourned at 3:42 p.m.

UDO COMMITTEE APPROVED (Date): _____
Rae Davis, PC Chair

ATTEST: _____
Shannon Bowers, Town Clerk



July 25, 2022

Kevin Singletary
Zoning Administrator
Town of Chapin
157 NW Columbia Avenue
Chapin, SC 29036

**RE: PLANNING FOUNDATIONS REPORT – UNIFIED DEVELOPMENT ORDINANCE REWRITE
MRB GROUP PROJECT NO. 3950.22015.000**

Dear Mr. Singletary:

The purpose of a planning foundations report is to highlight previously adopted local and regional planning documents and to align the goals of those relevant plans with the creation of the new Unified Development Ordinance for the Town of Chapin. This is essential in the process as it ensures compliance with these comprehensive planning documents that are the product of valuable public input and public official support. Collectively, these prior plans and studies provide foundational insights into the opportunities and challenges that Chapin presently faces.

Comprehensive Plan, Envision Chapin 2021

This plan identified a series of challenges, opportunities and imperatives in Chapin:

- A large portion (91%) of the housing stock within the Town of Chapin is single family, detached units. The community desires high quality design in developments, including the provision of well-planned multi-family and mixed density residential units within developments.
- Engaging the greater Chapin community outside of the physical city limits is crucial, as the Town has opportunities of annexation while preserving the unique identity of the Town through well-planned and responsible growth.
- Flooding and stormwater remain key considerations when facilitating growth, as new development should incorporate combinations of green and gray infrastructure so that development can be cohesive with natural resources and sensitive environments, such as Lake Murray.
- The main corridors for Chapin, Columbia Avenue and Chapin Road are quickly becoming congested. There is a need for more connectivity in the Town to provide multiple alternative routes to relieve congestion, effectively deliver emergency services, and enhance streetscapes. Additionally, this goal of connectivity directly relates to incorporation of multi-modal connectivity in the development of the Town Center zoning district.

As this plan was most recently adopted, the Town is just beginning the implementation of the goals and objectives of the plan, a major portion of which is the adoption of a Unified Development Ordinance.

Economic Development Strategic Plan

Referenced in the Envision Chapin Comprehensive Plan, the Economic Development Strategic Plan includes the following priorities:

- Regional planning
- Marketing Chapin Business and Technology Park
- Creating a value proposition that will encourage annexation
- Supporting small business development
- Enacting a hospitality tax to fund marketing the Town
- Adding a marketing and events staff person

Although not all of these priorities can be implemented with the UDO alone, the UDO will play a significant role in developing and regulating economic centers such as the Chapin Technology Park, and other areas of the Town that organically develop into institutional centers or office parks.

Lexington County Comprehensive Plan

Similar to Chapin, but more recently, Lexington County has adopted “Grow With Us” a new comprehensive plan that will guide future actions and public investments. This plan references goals for annexations, connectivity, economic development, recreation, and relevant resiliency aspects. These factors are heavily related to responsible growth and effective allocation of land use, meaning that the regulatory documents like the Unified Development must align with this regional guiding document.

SCDOT Statewide Transportation Improvement Program

The achievement of the connectivity goals relies on the cooperation between the Town, County, and State, as most of the public rights-of-ways in the Town are owned and maintained by the State or County. The Statewide Transportation Improvement Program (STIP) is already planning for the enhancement of the main corridors in Chapin, specifically Columbia Avenue. Street design and connection requirements in the UDO along these corridors, and adjacent collector streets, must have an ear to the STIP to ensure compliance with State street design standards and planned initiatives.

Irmo-Chapin Recreation Commission (ICRC) Strategic Master Plan

In their recent 10-year Plan, the ICRC is prioritizing the delivery of dynamic, inclusive and safe recreational programs, proactive efforts to obtain and protect facilities, and to be good stewards of their resources. Whether its publicly funded, or a requirement in the development review process, open and green spaces should be incorporated throughout the Town as they are often called the “lungs” of cities and are essential for the quality of life for Town residents.

Chapin, Swansea, and Batesburg – Leesville Bike and Pedestrian Master Plan

The Lexington Comprehensive Plan highlights the gap in funding utilized for pedestrian and bicycle connections throughout the County. As the County looks to close this gap in the near future, Chapin has set the goal in to use hospitality tax revenues to increase multi-modal mobility. Continued coordination with the County and nearby municipalities to expand these types of connection will only enhance the livability of the area.

Lexington County’s Stormwater Management Ordinance

The application of the County’s Stormwater Management Ordinance will play a crucial role in the development around the natural resources in the region. Poor development can introduce pollutants from roadways and sediments from development or erosion into to Lake Murray, leading to the decline in water quality. These types of issues need to be considered in the development process as early as possible to ensure that these effects are not negatively impacting properties and resources adjacent to development.

Water Master Plan

When reviewing infrastructural requirements for developments, the UDO should directly reference the goals and priorities of the recently adopted 2021 Water Master Plan. This plan details that all new water distribution lines be designed at the same size, regardless of water source. Compliance with the plan is intended to be developer driven, as the public bodies alone cannot fund water system improvements. A regulatory requirement that can directly implement a goal of this plan is to require all new development and incentivize existing properties to connect to the water system, lessening the number and reliance on individual wells.

Sincerely,

Riccardo Giani
Senior Planning Associate

Table of Contents draft – Exhibit A

- A. Table of Contents
 - a. How to use this Code
 - b. Article Descriptions
- 1. General Provisions
 - a. Title and Authority
 - b. Purpose and Intent
 - c. Jurisdiction and applicability
 - d. Transitional provisions
 - e. Vested Rights
 - f. Severability
- 2. Decision Making Bodies
 - a. Town Council
 - b. Zoning Administrator
 - c. Planning Commission
 - d. Architectural Review Board
 - e. Board of Zoning Appeals
 - f. Coordination with other governing bodies
- 3. Zoning Map and Districts
 - a. Purpose and Intent
 - b. Zoning Map
 - i. Changes due to Annexation
 - c. District Descriptions
 - d. Dimensional Standards
- 4. Land Use Provisions
 - a. Applicability
 - b. Permitted Use Table
 - c. Number of Principal Building Per Lot
 - d. Residential Uses – Additional/Conditional Use Standards
 - i. Conditional Uses – Residential
 - 1. Waterfront lots
 - 2. Bed and Breakfasts
 - 3. Minor and Major Home Occupation
 - ii. Special Exception Standards
 - 1. List all uses and conditons in residential zones (Day Cares, etc.)
 - e. Commercial Uses – Additional/Conditional Use/Special Exception Standards
 - f. Industrial Uses – Additional/Conditional Use/Special Exception Standards
 - g. Sexually-Oriented Businesses (Need legal review/rewrite)
 - h. Forestry, agriculture, horticulture uses
 - i. Telecommunications
 - j. Accessory uses and structures
 - k. Temporary uses
- 5. Land Development Standards
 - a. General Lot Standards (lot access, corner lots, double/triple frontage, orientation)
 - b. Overlay District Maps and Applicability
 - c. Improvement requirements
 - i. Size and zoning district of development
 - d. Street and Sidewalks

- i. SCDOT/County Standards
- 6. Architectural Review/Design Standards
 - a. Residential
 - b. Commercial
 - c. Industrial
 - d. Overlay Districts
- 7. Landscaping and Tree Preservation
 - a. Applicability
 - b. Planting and Protection
 - c. Tree Removal
 - d. Perimeter landscaping, buffer, screening
 - e. Green/Open space standards
- 8. Parking and Lighting standards
 - a. Parking lot design
 - b. Parking diagram
 - c. Pedestrian pathways/connection in large developments
 - d. Exemptions – Town Center
 - e. Lighting
- 9. Signs
 - a. Freestanding signs
 - b. Attached Signs
 - c. Temporary Signs
 - d. Sign exemptions
 - e. Prohibited Signs
- 10. Development Review Procedures
 - a. Zoning Permit (used as example for whole section)
 - i. Applicability
 - ii. Application Requirements
 - iii. Decision making body
 - iv. Advertising requirements
 - b. Certificate of Compliance
 - c. Certificate of Appropriateness
 - d. Certificate of Occupancy
 - e. Subdivision Review
 - i. Minor vs Major? (Based on acreages or number of lots created)
 - ii. Preliminary Plan
 - iii. Subdivision Plat
 - f. Design review
 - i. Applicability
 - 1. Residential, exceeds “X” acres/units
 - 2. All new commercial construction, addition, and retrofit exceeding “X” percentage of assessed value.
 - ii. Minor vs Major (Based of sq. ft. of new development)
 - 1. Applicability: Commercial or nonresidential development
 - g. Administrative Adjustment
 - i. 10% relief to any numerical standard based on criteria
 - h. Special Exception
 - i. Variance
 - j. Amendments and Rezonings

11. Nonconformities

- a. Uses
- b. Lots
- c. Structures
- d. Signs

12. Violations and Enforcement

- a. Administrative Appeals
- b.

13. Definitions

14. Appendix

- a. NAICS Codes
- b. Street
- c. Map of street classifications with street design standards
- d. Ground disturbance Fees

201. Definitions

1. **ACCESSORY STRUCTURE:** A structure detached from a principal building located on the same lot and customarily incidental and subordinate to the principal building or use. Swimming Pools are considered accessory structures.
2. **ACCESSORY USE:** A use of land or of a building or portion thereof customarily incidental and subordinate to the principal use of the land or building and located on the same lot with the principal use.
3. **ADULT DAYCARE CENTER:** A facility that provides supervision, therapy, and social development activities for impaired adults, licensed according to regulations by DHEC.
4. **ALLEY:** A service roadway providing a secondary means of public access to abutting property and not intended for general traffic circulation.
5. **AUTHORITY, HORTICULTURAL/LANDSCAPE:** Any individual or source, licensed, registered, decreed or otherwise acknowledged as capable of providing expert information and reference in horticultural science and/or landscape design and maintenance.
6. **AUTOMOBILE SERVICE STATION:** (See NAICS Code 4471) Use involving the sale of gasoline, lubricating oils, merchandise such as tires, batteries, auto parts, minor repairs, and may include limited sale of groceries or carwashes, but may not include storage of dismantled or wrecked vehicles for parts
7. **BAR:** Premises used primarily for the sale or dispensing of liquor by the drink for on-site consumption and where food may be available for consumption on the premises as accessory to the principal use.
8. **BED AND BREAKFAST:** An owner-occupied house or portion thereof, where short-term (no more than a week at a time) lodging rooms and meals are provided. No more than four (4) guest rooms can be available for accommodations and breakfast service in such an establishment at any one time.
9. **BERM:** Any hill or slope which represents a change of elevation of at least two (2) feet at a slope of between twenty-five (25%) and fifty (50%) percent and which is covered with an appropriate stabilizing vegetation.
10. **BOARDING HOUSES:** Same as "Rooming and Boarding Houses."
11. **BREWERY:** A brewery that produces more than 15,000 Barrels of beer a year, and/or sells at 100% of its beer off site
12. **BUFFER:** Open spaces, landscaped areas, fences, walls, berms, or any combination thereof used to physically separate or screen one use or property from another so as to visually shield or block noise, lights, or other nuisances.
13. **BUFFER YARD:** A strip of land, improved by landscaping or fences, or both, designed to mitigate the extent of higher intensity land uses on neighboring lower intensity uses.

14. **BUILDING:** Any structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of any individual, animal, process, equipment, goods, or materials of any kind.
15. **CHANGE OF USE:** Any use that substantially differs from the previous use of a building or land.
16. **CHILD DAY CARE CENTER:** Any agency, institution, center, or other place, however styled and whether operated under public auspices, as a private business, or by an established religious denomination, in which are received for temporary custodial care apart from their parents, part of the day or all of the day or night, and upon any number of successive days, one or more children not related to the persons providing such temporary custodial care.
17. **CHURCH:** Any building or structure, or group of buildings or structures, that by design and construction are primarily intended for conducting organized religious services and associated accessory uses.
18. **CIVIC ORGANIZATION:** See "Club, lodge . . ."
 18. **CLUB, LODGE, CIVIC OR FRATERNAL ORGANIZATION, FRATERNITY, SORORITY:** An incorporated or unincorporated association for civic, social, cultural, religious, literary, political, or like activities, operated for the benefit of its members and not open to the general public.
19. **CONDITIONAL USE:** A use permitted in a particular zoning district upon showing that such use in a specified location will comply with all the conditions and standards for the location or operation of the use as specified in the Zoning Ordinance and authorized by the approving agency.
20. **CORNER LOT:** See "Lot, corner."
21. **CURB CUT:** The opening along the curb line at which point vehicles may enter or leave the roadway.
22. **DECORATIVE CURBING:** Parking or storage lot pavement curbing usually constructed of stone or unit masonry and designed to control surface drainage and serve as a barrier to vehicular traffic.
23. **DEVELOPED LOT:** Any lot which has been developed with buildings or other improvements, or for which development approval, such as a final plat approval, a zoning permit, or a certificate of occupancy, had been issued before the effective date of this Ordinance.
24. **DISPLAY AREA OR LOT:** Any unenclosed area used for the display of merchandise.
25. **DISTRICT:** A part, zone, or geographic area within which the provisions and regulations of this Ordinance apply uniformly to each class or kind of structure or land.
26. **DRINKING PLACE** (See NAICS Code 7224) Establishment primarily engaged in retail sale of alcoholic drinks for consumption on premises. Sale of food may account for a substantial portion of receipts.

27. **DRIVE-THRU RESTAURANT:** Any eating or drinking establishment which, by its structural design, site characteristics or manner of food service encourages consumption of food or beverages in automobiles on the premises or upon public streets adjacent thereto.
28. **DWELLING:** A structure or portion thereof that is used exclusively for human habitation.
29. **DWELLING, ACCESSORY:** An auxiliary dwelling unit located within an accessory structure of a primary dwelling unit on the lot. Includes, but is not limited to dwelling units in guest houses, carriage houses, pool houses, and above or beside a garage.
30. **DWELLING, MULTIFAMILY:** A building containing three (3) or more dwelling units, including units that are located one over the other.
31. **DWELLING, SINGLE FAMILY DETACHED:** A building containing not more than one (1) dwelling unit, not physically attached to any other principal structure, and specifically excluding mobile homes.
32. **DWELLING, TWO FAMILY DETACHED:** A building on a single lot containing two (2) dwelling units, each of which is totally separated from the other by an unpierced wall extending from ground to roof or an unpierced ceiling and floor extending from exterior wall to exterior wall, except for a common stairwell exterior to both dwelling units. This Two Family Detached Dwelling is not physically attached to any other principal structure.
33. **DWELLING UNIT:** One or more rooms, designed, occupied, or intended for occupancy as a separate living quarter, with cooking, sleeping, and sanitary facilities provided within the dwelling unit for the exclusive use of a single family maintaining a household.
34. **EASEMENT:** A grant of one or more of the property rights by the property owner to and/or for use by the public, a corporation, or another person or entity.
35. **ENCROACHMENT:** Any architectural feature, structure or structural element, such as a gallery, fence, garden wall, porch, stoop, balcony, bay window, terrace or deck, that breaks the plane of a vertical or horizontal regulatory limit extending into a setback.
36. **ENLARGEMENT:** An increase in the size of an existing structure or intensity of use, including physical size of the property, building, parking, and other improvements.
37. **FAIR MARKET VALUE:** The value of a structure or parcel based upon one of the the following:
 - a Value listed in the Lexington County's Tax Assessor data.
 - b The value listed in a professional appraisal not older than 1 year.
38. **FAMILY:** One (1) or more persons living together as a single housekeeping unit.
39. **FENCE:** An artificially constructed barrier of any material or combination of materials erected to enclose, screen, or separate areas.

40. **FLOOR AREA, GROSS:** The sum of the gross horizontal areas of the several floors of a building from the exterior face of exterior walls, or from the centerline of a wall separating two (2) buildings, but excluding any space where the floor-to-ceiling height is less than six (6) feet.

41. **FOOTCANDLE:** The unit of illumination when the foot is the unit of length.
42. **FOSTER HOMES:** A foster home provides substitute family care for a child or children by a family group consisting of a male and female foster parent other than the child's own parents, blood relatives or legal guardian, in return for a monetary remuneration for such care. A foster home must be authorized or licensed by the Lexington County Department of Social Services, Alston Wilkes, church sponsored homes, and others to be considered as a foster home under the provisions of this Ordinance, and any unauthorized or unlicensed use shall be prohibited. In no case shall more than two (2) foster children be housed in a single bedroom or room designated for sleeping purposes.
40. **FRATERNAL ORGANIZATION, FRATERNITY:** See "Club, lodge . . .".
41. **FREESTANDING SIGN:** See "Sign, Freestanding."
42. **GARAGE:** A deck, building, or parking structure, or part thereof, used, or intended to be used for the parking and storage of vehicles.
43. **GRADING:** Any stripping, cutting, filling, or stockpiling of earth or land, including the land in its cut or filled condition, to create new grades.
44. **GROUND COVER:** Any plant material which serves to prevent soil erosion by covering large areas of ground, and which does not grow beyond twelve (12) inches in height.
45. **GROUP HOME:** A nonprofit or for-profit boarding home for the sheltered care of four (4) or more persons with special needs, which, in addition to providing food and shelter, may also provide some combination of personal care, social or counseling services, and transportation, unless otherwise specified with another definition in this Ordinance.
46. **GROUP HOUSING DEVELOPMENT:** A single lot of record upon which is erected more than one (1) building containing dwelling units, and all the structures thereon; or a single lot upon which is erected a single structure designed to contain more than four (4) dwelling units on the first-floor level thereof or designed to contain more than eight (8) dwelling units throughout; except that high rise apartments are not defined as group housing developments.
47. **GROSS FLOOR AREA:** The sum of the gross horizontal areas of the several floors of a building or structure from the exterior face of exterior walls, or from the centerline of a wall separating two (2) buildings, but excluding any space where the floor-to-ceiling height is less than six (6) feet.
48. **HISTORIC TREES:** Any tree having a tree circumference greater than 75 inches.
49. **HOME OCCUPATION:** An accessory use of a dwelling unit for gainful employment by providing for or selling a profession/occupation offering the sale of services and/or goods created and/or assembled on the premises or repair of goods. A home occupation is incidental to the primary use of the building as a residence.

50. **HOTEL:** (See NAICS Code 721111) A building in which lodging for pay is offered to public, with or without meals, for transient or permanent guests, including motel or tourist court containing five (5) or more guest rooms.
51. **IN-HOME CHILD DAY CARE CENTER:** An in the home child day care center, which is operated by a resident of the home and in which are received for temporary custodial care apart from their parents, part of the day or all of the day or night, and upon any number of successive days, up to six (6) children, not related to the persons providing such temporary custodial care.
52. **IN-HOME ADULT DAYCARE CENTER:** A facility that provides supervision, therapy, and social development activities for no more than (six) 6 impaired adults, in the home of the proprietor, licensed according to regulations by DHEC.
53. **INTENSITY OF USE:** The number of dwelling units per acre for a residential development and the amount or degree of activity for commercial and manufacturing development.
54. **JUNK:** Any scrap, waste, reclaimable material, or debris, whether or not stored, for sale or in the process of being dismantled, destroyed, processed, salvaged, stored, baled, disposed, or other use or disposition.
55. **JUNK, SALVAGE, SCRAP, OR WRECKING YARDS:** (See NAICS Code 31-33) Any use involving storage or processing of inoperable, disused, dismantled, or wrecked vehicles, equipment, or machinery or the storage or processing of scrap metal, waste paper, rags, food processing wastes, construction wastes, manufacturing wastes, secondhand building materials, or other scrap, salvage, waste, or junk materials.
56. **KENNEL:** A commercial establishment in which dogs or domesticated animals are housed, groomed, bred, boarded, trained, or sold, all for a fee or compensation.
57. **LOT:** A designated parcel, tract, or area of land established by plat, subdivision, or as otherwise permitted by law, to be separately owned, used, developed, or built upon.
58. **LOT, CORNER:** Any lot which is bounded on two or more consecutive sides by road rights of way which intersect at an angle of 135 degrees or less.
59. **LOT FRONTAGE:** The front of an interior lot shall be construed to be the portion nearest the street. For the purpose of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to streets shall be considered frontage and yards shall be provided upon that basis. The phrase "street frontage" shall be interpreted to have the same meaning as the phrase "lot frontage."
60. **LOT OF RECORD:** A lot defined by plat or described by metes and bounds which has been duly recorded with the County.

61. **LOT, INTERIOR:** A lot other than a corner lot, with only one (1) frontage on a street.
62. **LOT, REVERSE FRONTAGE:** A through lot that is not accessible from one of the parallel or nonintersecting streets upon which it fronts.
63. **LOT, THROUGH:** A lot that fronts upon two (2) parallel streets or that fronts upon two (2) streets that do not intersect at the boundaries of the lot.
64. **LOT AREA:** The total area within the lot lines of a lot, excluding any street right-of-way.
65. **LOT LINE:** A line of record bounding a lot that divides one lot from another lot or from a public or private street or any other public space.
66. **LOT LINE, REAR:** The lot line opposite and most distant from the front lot line. In the case of triangular or otherwise irregularly shaped lots, a line ten (10) feet in length entirely within the lot, parallel to and at a maximum distance from the front lot line.
67. **LOT WIDTH:** The distance between straight lines connecting front and rear lot lines at each side of the lot, measured across the rear of the required front yard, provided however, that width between side lot lines at their foremost points (where they intersect with the street line) shall not be less than 80% of the required lot width; in the case of lots fronting on a cul-de-sac, the width between side lot lines at their foremost points shall not be less than twenty (20) feet.
68. **MANUFACTURED HOME:** Factory-built, single-family structures that meets the National Manufactured Home Construction and Safety Standard Act. (42 U.S.C. Section 5401), commonly known as the HUD Code.
69. **MANUFACTURED HOME PARK:** A lot providing rented parking space for five or more manufactured homes used for dwelling units, including service buildings and facilities. Manufactured home sale or storage lots for unoccupied units are not manufactured home parks.
70. **MINIWAREHOUSE** (See NAICS Code 531130) A building or group of buildings on a fenced, controlled access lot which contain individual locked compartments for storage of personal property.
71. **MICRO-BREWERY:** A brewery that produces 15,000 Barrels or less of beer a year, and sells at least 25% of its beer on site. May include a restaurant and/or taproom.
72. **MOBILE HOME:** A structure manufactured prior to June 15, 1976 or manufactured after June 15, 1976 without certification of compliance with HUD standards pursuant to S.C. Code §4029-70, which is movable or portable dwelling unit over thirty (30) feet in length constructed to be towed on its own chassis, without permanent foundation, consisting of a single or two or more connected components. The term does not include prefabricated, modular or unitized dwelling on a permanent foundation, travel trailer, camper or similar recreation unit.

73. **MODULAR BUILDING.** A structure consisting of two or more prefabricated components designed to be transported to a lot and placed on a permanent foundation, and which is certified by the South Carolina Building Codes Council as conforming to the Southern Building Code standards for site-built units. A mobile home, house trailer, or manufactured home is not a modular building.
74. **MOTEL:** (See NAICS Code 72111) A building or buildings in which lodging, with or without meals, is offered to the public for consumption, including a hotel, tourist court, or inn.
75. **MULTI-FAMILY DWELLING:** See “Dwelling, Multi-family.”
76. **MULTI-TENANT SIGN:** A freestanding sign, having one (1) to four (4) faces, designated to provide identification (name and nature only) of more than (2) activities of businesses identified located on a single premise. All such signs shall be compatible and aligned.
77. **NET ACRE:** Net acre refers to the total area of land available for development including setbacks, not necessarily the total area of a property itself. Net acre includes local access roads, parking areas, footpaths and local recreational open space such as children’s play areas and amenity space. It does not include open space, drainage land, regional roads and land used for other public facilities. In relation to housing sites, net acre excludes main roads, buffer zones, structural landscaping, other uses such as local shops, school sites where required, and general open space and, wherever possible, features of natural heritage interest.
78. **NONCONFORMING:** A term applied to lots, structures, uses of land or structures, and characteristics or use of land or structures which were lawful before the passage or amendment of this Ordinance, but which are prohibited by this Ordinance or which are not in compliance with the requirements of this Ordinance. For more details see Section 405.
79. **OFF-PREMISES SIGN:** See “Sign, Advertising.”
80. **OFF-STREET LOADING:** Designated areas located adjacent to buildings where trucks may load and unload cargo.
81. **OFF-STREET PARKING:** An area adequate for parking an automobile with room for opening doors on both sides, together with properly related access to a public street arranged so that no maneuvering incidental to parking shall not be on any public street and so that an automobile may be parked or not parked therein without moving any other automobile.
82. **OPEN SPACE:** Unless otherwise defined in this Ordinance, 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 of land adjoining or neighboring such open space.
83. **OUTPARCEL:** A parcel of land designed on an approved commercial group development site plan or determined as such by the Zoning Administrator. An outparcel shall be secondary in nature to the

primary commercial development. It shall contain one or two buildings, and be independent of the total development in that its parking requirement shall meet the standard of the zoning district in which the outparcel is located, and its driveways, walkways, landscaping, and lighting are also unique to the building on the site.

84. **OVERLAY DISTRICT:** A zoning district that encompasses one or more underlying zones and that imposes additional requirements above that required by the underlying zone.
85. **OWNER:** An individual, firm, association, syndicate, partnership, or corporation having sufficient proprietary interest to seek development of land.
86. **PARCEL:** A contiguous lot or tract of land owned and recorded as the property of the same persons or controlled by a single entity.
87. **PARK:** An area or facility intended to be used for recreation, exercise, sports, or similar activities, or an area intended to enhance the enjoyment of natural features or natural beauty, but specifically excluding commercially operated amusement parks.
88. **PARKING AREA:** Any public or private area, under or outside of a building or structure, designed and used for parking motor vehicles including parking lots, garages, private driveways, and legally designated areas of public streets.
89. **PARKING LOT:** A public or private open lot for parking motor vehicles as a principal use or as an accessory use to a commercial use.
90. **PERMITTED USE:** A use permitted “as of right” by district regulations.
91. **PERSONAL SERVICES:** Establishments primarily engaged in providing services involving the care of a person or his or her personal goods or apparel. These include the following: laundries, beauty and barber shops, shoe repair, and health clubs.
92. **PLANNED DEVELOPMENT DISTRICT:** An area of land, in which a variety of housing types and/or related commercial and manufacturing facilities are accommodated in a preplanned environment under more flexible standards, such as lot sizes and setbacks, than those restrictions that would normally apply under these regulations. The procedure for approval of such development contains requirements in addition to those of the standard subdivision, such as building design principles, and landscaping plans. See Section 519, 520, & 521 for more details.
93. **PLAT:** (1) A map representing a tract of land showing the boundaries and location of individual properties and streets; (2) a map of a subdivision or site plan.
94. **PRINCIPAL STRUCTURE OR USE:** A structure or use which is significant or primary rather than accessory.
95. **PROHIBITED USE:** A use that is not permitted in a zone district.

96. **PUBLIC HEARING:** A meeting announced and advertised in advance and open to the public, with the public given an opportunity to talk and participate.
97. **RESIDENCE:** A dwelling.
98. **RESTAURANT:** An establishment where food and drink are prepared, served, and consumed primarily within the principal building.
99. **RETAIL SALES:** Establishments engaged in selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods.
100. **RETAIL TOBACCO & ALTERNATIVES STORE:** Means any establishment whose primary purpose is to sell or offer for sale to consumers, but not for resale, tobacco products and paraphernalia, alternative nicotine products, electronic smoking devices, e-liquid, and vapor products (each as defined in S.C. Code Sec. 16-17-501, as amended effective 4/26/19), in which the sale of other products is merely incidental (based upon the totality of the circumstances, including, but not limited to the retail establishment's business filings, business name and signage, marketing and other advertisements, and the percentage of revenue and inventory directly related to the sale of such products and in which the entry of persons under the age of eighteen (18) is restricted by state law.
- Establishments which fall under the definition of Retail Tobacco & Alternatives Store shall be allowed only in Interstate Commercial Zoned Districts, and they must be located no less than five hundred feet from any church, school, residence, park, or other Retail Tobacco & Alternatives Store.
101. **RIGHT-OF-WAY:** A strip of land acquired by reservation, dedication, forced dedication, prescription, or condemnation and intended to be occupied by a road, crosswalk, railroad, electric transmission lines, oil or gas pipeline, water line, sanitary storm sewer, and other similar uses.
102. **ROAD FRONTAGE:** Any strip of land adjacent to a public road right-of-way.
103. **ROOMING AND BOARDING HOUSE:** (See NAICS Code 721310) Any dwelling, other than a hotel or motel, in which three (3) or more persons who are not members of the owner's or operator's family are housed or lodged in rooms used or intended to be used for living and sleeping but not for cooking or eating purposes, for compensation, with or without meals being provided. Any dwelling in which such accommodations are offered in four (4) or more rooms shall be considered to be a hotel or motel.
104. **SALVAGE YARD:** Same as "Junk Yard."
105. **SATELLITE DISH ANTENNA:** A device incorporating a reflective surface that is solid, open mesh, or bar configured and is in the shape of a shallow dish, cone, horn, or cornucopia. Such device shall be used to transmit and/or receive radio or electromagnetic waves between terrestrially and/or orbitally based uses. This definition is meant to include but not be limited to what are commonly referred to as satellite earth stations, television reception only satellite dish antennas, and satellite microwave antennas.

106. **SCRAP YARD:** Same as “Junk Yard.”
107. **SCREEN FENCE OR WALL:** For the purposes of the landscaping requirements, any structure which stands at least six (6) feet high at its lowest point, is between sixty-seven percent (67%) and one hundred percent (100%) opaque, and is designed and constructed as a permanent improvement for the purpose of blocking view.
107. **SCREENING:** A method of visually shielding or obscuring one abutting or nearby structure or use from another by fencing, walls, berms, or densely planted vegetation.
108. **SETBACK LINE:** The setback line is the same as the depth or width of any required yard. Note that such line defines the Minimum distance between any structure and an adjacent lot boundary and is not necessarily the same as the building line, which is the distance between the actual structure and an adjacent lot boundary.
109. **SEXUALLY-ORIENTED BUSINESS:** See [Section 600](#) for definitions and regulations.
110. **SHOPPING CENTER:** A group of commercial establishments planned, constructed, and managed as a total entity, with customer and employee parking provided on-site, provision for goods delivery separated from customer access, aesthetic considerations and protection from the elements, and landscaping and signage in accordance with an approved plan.
111. **SHRUB:** Any hard-wooded perennial plant of a species which normally reaches a height between twelve (12) inches and eight (8) feet, and which is between eighty (80%) and one hundred percent (100%) opaque, at maturity.
112. **SIGN:** Any object, device, display, or structure, or part thereof, which is used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event, or location by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination, or projected images, with certain exceptions as enumerated in Section 900.
113. **SIGN, OFF-PREMISES ADVERTISING:** Any sign which relates in its subject matter to products, accommodations, services, or activities sold or offered elsewhere than upon the premises on which such sign is located, and as further defined in Section 900.
114. **SIGN, BUSINESS:** A sign that directs attention to a business or profession conducted, or to a commodity or service sold, offered, or manufactured or to an entertainment offered on the premises where the sign is located, and as further defined in Section 900.
115. **SIGN, DIRECTORY:** A sign listing the tenants or occupants of a building or group of buildings and that may indicate their respective professions or business activities.

116. **SIGN, FREESTANDING:** A sign which is permanently affixed to the ground and which is not a part of a building or other structure.
117. **SIGN, GROUND OR MONUMENT-TYPE:** A freestanding sign which extends from the ground or is attached directly to the ground generally for the entire length of its bottom sign face dimension or which has a support which places the bottom of the sign twelve (12) inches or less from the ground.
118. **SIGN, NONCONFORMING:** Any sign that was legally in existence prior to this Ordinance and made illegal by this Ordinance.
119. **SIGN, PORTABLE:** A sign that is not permanent, affixed to a building, structure, or the ground.
120. **SIGN, PYLON:** A freestanding sign supported by one or more structures or poles that are placed on, or anchored in, the ground, or other surface and otherwise separated from the ground more than twelve (12) inches by air, generally over seven (7) feet in height, and that is independent from any building or other structure.
121. **SITE PLAN:** The development plan for one or more lots on which is shown the existing and proposed conditions of the lot, including topography, vegetation, drainage, flood plains, wetlands, and waterways; landscaping and open spaces; walkways; means of ingress and egress; circulation; utility services; structures and buildings; signs and lighting; berms, buffers, and screening devices; surrounding development; and any other information that reasonably may be required in order that an informed decision can be made by the approving authority.
122. **SOLAR ENERGY SYSTEM:** A complete design or assembly consisting of a solar energy collector, an energy storage facility (where used), and components for the distribution of transformed energy (to the extent they cannot be used jointly with a conventional energy system). Passive solar energy systems are included in this definition.
123. **SOLAR SKY SPACE:** The space between a solar energy collector and the sun that must be free of obstructions that shade the collector to an extent which precludes its cost-effective operation.
124. **SOLAR SKY SPACE EASEMENT:** A right, expressed as an easement, covenant, condition, or other property interest in any land or other instrument executed by, or on behalf of any landowner that protects the solar skyspace of an actual, proposed, or designated solar energy collector at a described location by forbidding or limiting activities or land uses that interfere with access to solar energy.
125. **SPECIAL EXCEPTION:** A use permitted in a particular zoning district upon showing to the Board of Appeals that such use in a specified location will comply with all the conditions and standards for the location or operation of the use as specified in this Ordinance and authorized by the Board of Appeals.
126. **STREET:** A public thoroughfare designed to provide the principal means of access to abutting property, or designed to serve as a roadway for vehicular travel, or both, but excluding alleys.

- 127.**STRUCTURE:** Anything constructed or erected, the use of which requires location on the ground, or attachment to something having location on the ground, including for purposes of this Ordinance: buildings, mobile homes, travel trailers, signs, swimming pools, fences, and antenna, but excluding from definition as structures minor landscaping features such as ornamental pools, planting boxes, bird baths, paved surfaces, walkways, driveways, recreational equipment, flagpoles, and mailboxes.
- 128.**THOROUGHFARE:** Any major arterial road; one of the principal routes into and through the community.
- 129.**TRAVEL OR CAMPING VEHICLE:** A vehicular portable structure designed as a temporary dwelling for travel or recreational use.
- 130.**TRUCK STOP:** Any building, premises, or land in which or upon which a business, service, or industry involving the maintenance, servicing, storage or repair of commercial vehicles is conducted or rendered, including the dispensing of motor fuels or other petroleum products directly into motor vehicles and the sale of accessories or equipment for trucks and similar commercial vehicles. A truck stop also may include overnight accommodations and restaurant facilities primarily for the use of truck crews.
- 131.**YARD:** A required open space unoccupied and unobstructed by structures except those specifically permitted.
- 132.**YARD, FRONT:** A yard situated between the front building line and the front lot line extending the full width of the lot.
- 133.**YARD, REAR:** A yard situated between the rear building line and the rear lot line and extending the full width of the lot.
- 134.**YARD, SIDE:** A yard situated between the side building line and the side lot line and extending for the front yard to the rear yard.
- 135.**ZONE:** A specifically delineated area or district within which uniform regulations and requirements govern the use, placement, spacing, and size of land and buildings.
- 136.**ZONING ADMINISTRATOR:** The person designated by Town Council to administer this Ordinance. This person may or may not be an employee of the Town.