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ARTICLE I. GENERAL PROVISIONS

An ordinance of Calhoun County, regulating and/or establishing: the location and use of buildings, structures, land, the height of buildings and other structures, and the size of yards, and development of land; standards for control of pollution and waste impacts, facilities, and equipment; the density distribution of population; development of land; creating districts and land development regulations for said purposes and establishing the boundaries thereof; defining certain terms used herein; providing for the method of administration and amendment; providing for a Board of Zoning Appeals; and, providing for the imposition of penalties for the violation of the provisions of this ordinance to be effective in Calhoun County, SC as designated on the Official Zoning Map.

1:1 Authority and Title

This Zoning and Development Code is adopted pursuant to authority granted in the South Carolina Local Government Comprehensive Planning Enabling Act of 1994, S.C. Code 1976, § 6-29. This Code may be cited as "**Calhoun County Zoning and Development Code 2025."**

1:2 Jurisdiction

The provisions of this Code shall apply to all land and improvements within the unincorporated areas of Calhoun County, South Carolina.

1:3 Purpose

The purpose of the Zoning and Development Code is to implement the land use element of the Comprehensive Plan for those purposes set forth in S.C. Code 1976, § 6-29.

1:4 Zoning Administrator

The administration of this Code shall be the responsibility of the Zoning Administrator. The Zoning Administrator shall have the authority to issue permits and make all decisions concerning compliance with this Code.

1:5 Applicability

No building, structure or land shall be used, occupied, or developed, and no building, structure or part thereof shall be erected, constructed, reconstructed, moved, structurally altered, enlarged, or extended unless in conformity with the regulations in this Code except permitted nonconforming uses.

1:6 Relationship to the Comprehensive Plan

The Comprehensive Plan is a general plan that articulates the long-term vision for growth and development throughout the County. The policies may be amended from time to time to meet the changing requirements of the County. Text and zoning map amendments to this Ordinance should maintain and enhance consistency with the Comprehensive Plan.

1:7 Minimum Requirements

The requirements of this Code are considered the minimum requirements for the promotion of the public health, safety, and general welfare of the County. All development or redevelopment shall occur in accordance with the regulations in this Code. No land, lot, building, structure, development, improvement, establishment, facility, or premises shall be used or developed for any purpose or in any manner other than in compliance with this Code.

1:8 Conflicting Provisions

In cases where two or more standards within this Code conflict with one another, the more restrictive standard shall be controlling, unless one of the provisions in conflict expressly states that it shall apply, control, or take precedence. Where it is possible to implement or construe a particular provision in more than one way, it shall be implemented or construed in the way that eliminates or minimizes conflicts with other provisions of this Ordinance. Whenever this Code imposes a more restrictive standard than required by any other statute, local ordinance or regulation, the provisions of this Code shall govern. Conversely, whenever any statute, local ordinance or regulation imposes a stricter standard than required by this Ordinance, the provisions of such statute, local ordinance or regulation shall govern.

1:9 Application of Private Deed Restrictions

Public regulation of land is entirely separate from and independent of private deed restrictions. This Code is not intended to modify, revoke, or repeal any easement, covenant, or other private agreement; however, where the regulations of this Code are more restrictive, the requirements of this Code shall be controlling. The County does not enforce the provisions of deed restrictions, covenants, or agreements between private or third parties.

1:10 Continuation of Violations

Any violation of previous versions of this Code shall continue to be a violation under this Code and shall be subject to the penalties and enforcement set forth in Section 12:5 Violations, unless the applicable use, development, improvement, construction, or activity complies with the provisions of this Code. Payment shall be required for any penalty assessed under the previous regulations, even if the original violation is no longer considered to be a violation under this Code.

1:11 Nonconformities

Any use, building, structure, development, improvement, or lot that legally existed on the effective date of this Code that does not meet all provisions set forth in this Ordinance shall be considered nonconforming and shall be controlled by Section 4:7, Nonconforming Uses and Structures.

1:12 Severability

If any division, section, paragraph, clause, provision, or portion of this Code is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Code shall remain in full force and effect. If any application of this Code to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure, land, or water not specifically included in said judgment.

1:13 Repeal of Conflicting Ordinances

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

1:14 Effective Date

The provisions of this Code represent a complete, newly adopted set of standards. The effective date of this new Code shall be one day following the passage of new applicable zoning maps for all jurisdictions protected by this Code.

ARTICLE II. DEFINITIONS

2:1 Interpretation

Words used in this ordinance shall have their customary and ordinary meanings as defined in a standard dictionary, except for specific words and phrases defined in this ordinance. The present tense includes the past and future tenses. Singular words shall include the plural, and plural words shall include the singular.

The word "person" includes an individual, a firm, association, partnership, trust, company, corporation or any other legal entity. The word "shall" is mandatory; the word "may" is permissive.

References to NAICS codes shall mean those codes assigned to businesses in the 1997 North American Industrial Classification System published by the federal Office of Management and Budget. NAICS codes may be listed in the tables of uses for each district as an aid in interpretation and determination of those specific uses included in a general class of uses.

2:2 Definitions

Abandonment. The status of a home or building that has been unoccupied for one year or is not healthful or safe for occupancy and shows evidence of abandonment, or that exhibits deterioration that would require repairs in excess of 50 percent of its current replacement value and is unoccupied.

Accessory Building. A building or use subordinate to and serving a principal building or use which is subordinate in area, extent or purpose to the principal building or use served; designed for the comfort, convenience or necessity of occupants of the principal use served; located on the same lot as the principal building or use served.

Accessory Building, Agricultural. A building subordinate to and separated from the principal building on a lot in a district in which agricultural use is a principal use and which is used for purposes customarily incidental to agricultural use, including animal shelters, pens, kennels, barns, silos, farm equipment sheds, manure stockpiles, and troughs.

Accessory Dwelling Unit (ADU). A secondary dwelling established in conjunction with, and clearly subordinate to, a primary dwelling unit on the same lot, whether a part of the same building as the primary dwelling unit or in a detached building.

Accessory Structure. A structure subordinate to and separated from the principal building on a lot, which is used for purposes customarily incidental to those of the main building. Structures will be considered accessory only when a principal structure has been constructed or permitted on the parcel where the accessory structure is to be located.

Accessory Use. A subordinate use which is incidental to, separated from, and customarily associated with the principal building or use and which is located on the same lot with the principal use.

Adult Business. An inclusive term used to describe collectively: adult bookstores, adult entertainment establishments, adult theaters, and sexual encounter establishments. ADULT BOOKSTORE. An establishment that has a substantial portion of its stock-in-trade and offers for sale, for any form of consideration, any one or more of the following: (1) Books, magazines, periodicals, or other printed matter, or photographs, films, motion pictures, video cassettes, slides, digital materials, or other visual representations that are characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas; or (2) Instruments, devices, or paraphernalia that are designed for use in connection with specified sexual activities.

Adult Entertainment Establishment. An establishment including, but not limited to, adult bookstores, adult cabarets, adult motion picture theaters, adult theaters, sexual encounter establishments and any other establishment which contains activities characterized by the performance, depiction, or description of "specified sexual activities," or "specified anatomical areas.

Adult Motion Picture Theater. An establishment where, for any form of consideration, films, motion pictures, video cassettes, slides, digital materials, or similar photographic reproductions are shown, and in which a substantial portion is devoted to the showing of material characterized by an emphasis on the depiction or description of specified sexual activities or specified anatomical areas.

Adult Theater. A theater, concert hall, auditorium, or similar establishment characterized by activities featuring the exposure of specified anatomical areas or by specified sexual activities.

Agricultural Processing. An agriculture-oriented industrial use that primarily involves the processing and packaging of raw agricultural products for distribution or sale as an intermediate or finished product, including packing sheds, mills for corn, rice, flour, and other crops, oil pressing, milk and dairy product processing, freezing, canning, dehydrating, and animal slaughtering and processing.

Agricultural Sales and Services. Agriculture-oriented retail and services providers that primarily sell materials related to agricultural production and farming, such as animal and livestock feed, fertilizers, pesticides, and tools and implements, as well as outlets for direct sale of agricultural products, such as roadside farm stands, farmers markets, and livestock markets.

Agriculture. Any land, building, structure, pond, impoundment appurtenance, machinery, or equipment that is used for the commercial production or processing of crops, trees, livestock, animals, poultry, honeybees, honeybee products, livestock products, poultry products, or products that are used in commercial aquaculture.

Agritourism. Activities conducted on a working farm, ranch, or other agricultural facility that offer opportunities to the general public or invited groups for education, entertainment, recreation, and/or active involvement in the farm operation.

Alley. A minor right-of-way used or intended to be used primarily for service access to the rear or side of properties otherwise abutting a street. An alley is not considered to be a street for purposes of this ordinance.

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.

Alternative Lending Institution. An establishment that provides short-term, high-interest personal lending services. These institutions include check cashing establishments (not including incidental check cashing), motor vehicle title lenders, pawnbrokers, payday lenders, deferred presentment services, bail bonding, and other similar businesses. This definition does not include banks, credit unions, savings and loan associations, precious metals dealers, or similar uses.

Animal and Pet Services. An establishment primarily engaged in providing services for household pets, such as grooming, daycare, and training. This use does not include veterinary services or commercial kennels.

Animal Hospitals and Veterinary Clinics. A facility for the prevention, treatment, surgery, cure, or alleviation of disease and/or injury in domestic animals and offices of licensed veterinary practitioners primarily engaged in the practice of veterinary medicine, dentistry, or surgery for animals, including overnight boarding indoors.

Antenna. Any device for radiating or receiving electromagnetic waves, including, but not limited to, radio, television, telephone, communication, microwave, and satellite dish antennas.

Apartment. A dwelling unit located in a triplex, quadplex, or multi-family dwelling, or an upper story dwelling in a mixed-use building.

***Area Gross*.** The entire area within the boundary lines of the property proposed for subdivision/development, including any areas to be dedicated or reserved for street and alley rights-of-way, stormwater management, utilities, and for public uses.

Area, Gross Floor (GFA). The total horizontal area of all floors of a structure.

Art Gallery. A place or establishment arranged for the display and exhibition of works of art by one or more artists and for the sale of works of art.

Art Studio. An establishment for the preparation, display, and sale of individually crafted artwork, jewelry, metal work, furniture, sculpture, pottery, leathercraft, hand-woven articles, and related items.

Artisan Workshops. An establishment where articles of artistic quality or effect or handmade workmanship are produced. Examples include candle making, furniture making, glass blowing, weaving, pottery making, woodworking, sculpting, painting, and other associated activities.

Assisted Living, Skilled Nursing, Continuing Care Retirement Facilities. A combination of housing, supportive services, personalized assistance, and health care designed to respond to the individual needs of those who need help with activities of daily living. The facility generally includes a central kitchen, dining, recreational, and other facilities, with separate dwelling units, bedrooms, or living quarters.

Automotive Impound Yards. An outdoor facility used for the temporary storage of vehicles, including the storage of vehicles towed and vehicles to be claimed by their owner. All vehicles stored in an impound yard must remain mechanically operable and licensed at all times. This term does not include Salvage Yards.

Automobile Service Station. [See NAICS Codes 447110 and 447190.] 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 or parts.

Banner. Any cloth, bunting, plastic, paper, or similar non-rigid material attached to any structure, staff, pole, rope, wire, or framing which is anchored on two or more edges or at all four corners; banners are temporary in nature and do not include flags.

Bed and Breakfast. [See NAICS Code 721191.] An owner occupied dwelling or portion thereof offering five or fewer guest rooms to transient lodgers in return for compensation, with or without meals. If meals are served, they shall be restricted to breakfast only. The use of a dwelling as a Bed and Breakfast Inn shall not be considered as an accessory use or a customary home occupation.

Billboard. A permanent, off-premises outdoor advertising sign or sign structure which is compliant with current SCDOT Outdoor Advertising regulations and has a current Outdoor Advertising Permit issued by SCDOT; such signs are prohibited under this ordinance in any location that is more than 600 feet from the right-of-way of Interstate 26.

Bingo Hall. An establishment primarily engaged in operating bingo games and may also include the sale of food and beverages, not including gambling establishments offering other games of chance, such as casinos.

Boarding House. [See NAICS Code 721310 - rooming and boarding houses.] A dwelling other than a motel or hotel in which rooms are rented, with or without meals, on a fee basis. A structure in which five (5) or more rooms are rented shall be classified as a hotel or motel.

Brewery, Craft. A facility that commercially produces less than 6,000,000 barrels of beer and similar beverages per year. Such facilities include all aspects of production and may have a tap room. A craft brewery is not considered a brewpub or a beverage manufacturing facility, and must adhere to all applicable state laws that regulate breweries.

Brewery, Craft, Retail. A facility that commercially produces less than 6,000,000 barrels of beer and similar beverages per year. Such facilities include all aspects of production and may have a tap room. These facilities may also host special events, outdoor events, or conduct retail sales.

Brew Pub. A restaurant, bar, or hotel that produces on the permitted premises a maximum of 2,000 barrels a year of beer for sale on the premises. A BREWPUB is not considered a craft brewery, brewery, or tap room and must adhere to all applicable state laws that regulate brewpubs.

Buildable Area*.* That portion of a lot which may be used or built upon in accordance with zoning district regulations.

Building*.* Any structure having a roof supported by columns or walls and which is designed for shelter, support or enclosure of persons, animals or property of any kind.

Building Frontage**.** The vertical wall area between the foundation and roof cornice on any side of a building facing a street and providing a customer entrance.

Building Line. A line establishing the minimum allowable distance between the nearest portion of any building, excluding steps, gutters, and similar features, and the front, side and rear property line when measured

Building Height**.** The vertical distance measured from the finished grade at the building line to the highest point of the roof or the average height of the roof as calculated in accordance with provisions of the International Building Code. perpendicularly thereto. The term "building line" means that line which represents the distance a building or structure must be set back from a lot line or a street right-of-way line.

Building line setback. The distance between the building line and the street line in a lot, tract, or parcel of land.

Buffer. A conserved, vegetated area intended to protect environmental and historic resources.

Bufferyard. A dedicated strip of land with natural or planted vegetation located adjacent to a property line and/or road right-of-way, or between uses, intended to separate and partially obstruct view of two adjacent land uses or properties from one another.

Campground. A site or parcel of land under one ownership with temporary or permanent buildings, tents, sites for parking of recreational vehicles, or other structures established or maintained as temporary living quarters, as well as accessory structures for cooking, dining, bathing, and recreation, operated for recreation, religious, education, or vacation purposes. A campground includes residential recreation camps, summer camps, and primitive campgrounds.

Carport**.** A roofed accessory structure providing space for the parking of motor vehicles and enclosed on not more than three (3) sides.

Cemetery. A place used, dedicated, or designated for the burial of the deceased, including any one or combination of: perpetual care cemeteries; burial parks for earth interment; mausoleums; columbaria; graves and graveyards; including abandoned cemeteries.

Churches and Religious Institutions. A building used for public assembly or worship regardless of denomination

or religious affiliation, including other ancillary activities, such as parsonages, offices, classrooms, day care, and recreation facilities.

Civic, Social, and Fraternal Organizations. *Establishments that organize and promote civic activities; support various causes through grantmaking and donations; advocate various social and political causes; promote and defend the interests of their members; and provide opportunities for their members to socialize.*

Clear Cutting. The clearing, cutting, or removal of all or a majority of trees and vegetation from a lot, parcel or tract of land.

Commercial Kitchens, Catering, and Banquet Services. Kitchen facilities for the preparation or catering of food to be served off-site and ancillary offices and other support facilities. This definition includes, commissary kitchens, and delivery-only restaurants.

Commissary. A permitted retail food establishment that is authorized and permitted by SCDHEC to provide a servicing area for mobile food units or mobile food pushcarts for the purposes of storage of food, supplies, and single-service articles. A commissary supports the following operations: food preparation; equipment and utensil washing; disposal of sewage and solid waste; potable water; and storage for mobile food service equipment.

Common Open Space*.* Land and/or water bodies used for recreation, amenity, or buffer. Where required for residential development, it shall be freely accessible to all residents of a development or project. It shall not be occupied by buildings or structures, drives, parking or street right-of-way; nor shall it include individual yards or lots of residential dwelling units. Underground utilities shall be allowed if they are not part of a septic tank system.

Communications Tower. A tower, pole, or similar structure which supports a telecommunications antenna operated for commercial purposes, above ground in a fixed location, freestanding, guyed, or on a building or other structures.

Community Residential Care Facility*.* An institution providing for a period exceeding 24 consecutive hours room, board, some personal assistance in feeding, dressing or other living activities to two or more individuals not related to the operator, including chemical abuse residential treatment facility or half-way house providing inpatient or detoxification services.

Comprehensive Plan. A document adopted by Calhoun County Council in accordance with S.C. Code Title 6, Chapter 29, Article 3, to address elements considered critical, necessary, and desirable to guide the development and redevelopment of its area of jurisdiction. The Comprehensive Plan includes an inventory of existing conditions, a statement of needs and goals, and implementation strategies with timeframes.

Conditional Use*.* A use permitted by the district regulations upon compliance with specified conditions without review by the Board of Zoning Appeals.

Conservation Subdivision*.* A detached single-family residential subdivision where a large percent of the land is reserved in perpetuity as Common Open Space.

Construction-related Offices and Storage. The temporary use of one or more buildings or a portion of a building for conducting the management and daily affairs of an active construction project and the indoor storage of construction-related materials. This does not include outdoor storage of construction-related materials (see Laydown Yard).

Convenience Store*.* A small retail establishment offering for sale prepackaged food products, household items, and other general merchandise, and which may offer gasoline for sale, but shall not offer any automobile

maintenance or repair services.

Crematorium. A facility containing properly installed, certified apparatus intended for use in the act of cremation of human or animal remains.

Critical Root Zone*.* The soil surrounding a tree that contains the tree's critical roots. Critical roots are the minimum amount of roots a tree needs for survival.

Crop Cultivation (Non-Commercial). A private facility for cultivation of fruits, and vegetables by one person or family that is not operated for commercial or retail sale of produce.

Cul-de-sac. A short street having one end permanently or temporarily terminated by a vehicular turnaround.

Day Care Center, Child and Adult. A home, center, agency, or place that provides custodial care to people not related to the operator, whether for compensation, reward, or otherwise, during part of any 24-hour period; does not include residential continuous care; and that is registered or licensed with the South Carolina Department of Social Services. This definition includes group day care homes.

Day Care Home*.* A home occupation (accessory use) in which a permanent occupant or resident owner of the dwelling provides for the care of up to six (6) children, including the day care provider's own children, at any one time. Only those residing in the home may be involved in the day-to-day operation. Day Care Homes must be registered with or licensed by the South Carolina Department of Social Services and shall comply with all state and local codes and/or ordinances regarding zoning, building, fire, and health.

Data Center. A facility containing one or more large-scale computer systems, located within a building or group of buildings, used for data storage and processing for off-site users. Key components of a data center include routers, switches, firewalls, storage systems, servers, and application-delivery controllers. Typical supporting equipment includes back-up batteries and/or power generators, cooling units, fire suppression systems, and enhanced security features. This definition includes cryptocurrency mining operations.

DBH*.* (Diameter at Breast Height) The diameter of a tree as measured at a point 4.5 feet above the tree's base.

Day Care Facility*.* A state licensed facility providing day care, for profit or nonprofit. This definition includes, but is not limited to, day nurseries, nursery schools, kindergartens, day care centers, group day care homes and family day care homes. It does not include education facilities for grades one or above, shopping center or office building, temporary care facilities, summer or day camps, or vacation Bible schools.

Density, Net*.* The number of dwelling units per net acre of developed land, excluding land devoted to streets, alleys, parks, playgrounds, schools or other public uses.

Density, Gross**.** The number of dwelling units located or proposed to be located on a parcel divided by the gross area of the parcel.

Density Bonus*.* An increase in the total number of dwelling units or lots permitted on a development site in exchange for the provision of performance standards.

Developer. A person, including a governmental agency, who intends to undertake any development and who has a legal or equitable interest in the property to be developed.

Development. Any man-made change to or subdivision of improved or unimproved real estate, including the construction of or substantial improvements to roads, public facilities, buildings or other structures that requires a permit or approval from the County. Development includes the placement of mobile homes, mining, dredging, filling, grading, paving, excavation, or drilling operations.

Distillery, Micro. A facility for the distilling, blending, and bottling of alcoholic liquors with an alcohol content greater than 17% that produces a maximum quantity of 125,000 cases per year. Such facilities include all aspects of production as well as administrative offices and a tasting room. A MICRO-DISTILLERY is not considered a beverage manufacturing facility, and must adhere to all applicable state laws that regulate microdistilleries.

Distillery, Micro, Retail. A facility for the distilling, blending, and bottling of alcoholic liquors with an alcohol content greater than 17% that produces a maximum quantity of 125,000 cases per year. Such facilities include all aspects of production as well as administrative offices and a tasting room. A MICRO-DISTILLERY is not considered a beverage manufacturing facility, and must adhere to all applicable state laws that regulate microdistilleries. These facilities also host special events, outdoor events, and/or conduct retail sales.

Duplex. A building located on a single lot, designed exclusively for residential purposes containing two dwelling units, either side-by-side or on different floors.

Dwelling. A building or portion thereof designed, occupied, or intended for human residential occupancy, not including a hotel, motel, rooming or boarding house.

Dwelling, Multi-family. A dwelling containing three or more separate dwelling units in one building. Apartments, tenements, condominiums, cooperatives and similar structures are multi-family dwellings.

Dwelling, Single Family Detached. A residential building, other than a mobile or manufactured home, containing not more than one dwelling unit, entirely surrounded by yards within the same lot, and designed, occupied or intended for occupancy by a single family unit.

Dwelling, Single Family Attached. A residential structure containing more than one dwelling unit in which the units are physically attached, and each has its own separate exterior entrance way and a separately owned lot.

Dwelling Unit. A single unit that provides complete independent living facilities for one or more persons, including provisions for living, sleeping, eating, cooking, and sanitation.

Easement. Any portion of a parcel subject to an agreement between the property owner and another party, including the public, a corporation, or another person or entity, which grants the other party the right to make limited use of that portion of the property for a specified purpose.

Event Venue. A commercial facility rented to individuals, groups, or organizations and used to host gatherings such as weddings, receptions, parties, meetings, and conferences. An event venue may be comprised of a permanent structure(s), temporary structure(s), uncovered outdoor gathering area(s), or any combination of these features. This definition does not include lodges, civic clubs, community centers, religious facilities, or publicly-owned facilities.

Family. One or more persons related by blood or marriage, or not more than five unrelated persons, occupying a single dwelling unit. Domestic employees may be housed on the premises.

Farm and Garden Supply with Equipment Sales and Service. A retail establishment that primarily sells goods and materials related to horticulture and agriculture, such as plants, animal and livestock feed, fertilizers, pesticides, tools and implements, and equipment. The facility may also provide ancillary equipment repair and service.

Farm Labor Housing. Any structure designed or constructed as seasonal accommodations for transient farm workers.

Farm and Produce Stands. A temporary use, building or structure, not to exceed a covered area of 1,500 square feet, from which agricultural products are sold by an individual vendor.

Farm Products. Horticultural, aquacultural, viticultural, forestry, floricultural, dairy, livestock, poultry, bee, and other products ordinarily produced on farms.

Farm Products, Value-Added. *A*ny product processed from a farm product, such as baked goods, jams, jellies, and soaps.

Farmer's Market. A temporary or permanent retail facility that is open to the public; that is operated by a governmental agency, a non-profit corporation, or one or more farmers' market vendors; and at which at least 75% of the vendors sell farm products or value-added farm products.

Farming, General (Cultivation of Field Crops, Orchards, Groves, etc.) A parcel used for agricultural production of crops or products such as vegetables, fruits, nuts, grain, flowers, and trees and includes treating and storing products raised on the premises.

Farm, Working. Active agricultural production operations of 10 or more acres where crop production, tree farming, timber harvesting, and livestock grazing are the primary activities; ancillary activities including Pick Your Own orchards or produce, Seasonal Produce Stands, Community Gardens, Community Supported Agriculture businesses, Riding Academies and Stable Leasing businesses may be permitted as Conditional Uses.

Farming, Indoor. A facility where field crops are grown entirely indoors.

Financial Institutions. Establishments primarily engaged in accepting demand and other deposits and making commercial, industrial, and consumer loans.

Flood Hazard Area (SFHA). Any area of the county subject to the 100-year flood and so designated on the current Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps.

Frontage. The distance for which property abuts one side of a street, road, highway, or other public way measured along the street right-of- way line.

Funeral Home. A building or part of a building used for human funeral services. FUNERAL HOMES may also contain facilities for embalming and other services used in the preparation of the dead for burial, the sale of caskets, funeral urns, and other related funeral supplies, and facilities for cremation.

Gas Station. A retail establishment where flammable or combustible liquids or gases used as fuel are stored and dispensed from fixed equipment into the fuel tanks of motor vehicles and may also offer sale of convenience items.

Greenhouses, Nurseries. Retail businesses whose principal activity is selling live plants and related products and that may have outdoor storage, growing, or display areas.

Gross Floor Area. The total horizontal area of all floors of a building, including exterior balconies and mezzanines, measured from the faces of the exterior walls.

Group Development. Two (2) or more buildings located on one or more parcels, developed with a common plan for the protection, maintenance and improvement of the parcels and stormwater facilities, and with access easements and rights in one or more of the parcels. Group Developments may be composed of residential uses, commercial/non-residential uses, or a combination of these uses.

Group Home, Rooming Houses. A residential structure used by more than five people who are not defined as a family, on a weekly basis or longer. These facilities typically provide common areas for recreation and dining, not including hotels or motels.

Half Street – A portion of the width of a street, usually along the edge or boundary of a development, where the remaining portion of the street is to be provided by the development of an adjacent property.

Hazardous or Nuclear Waste Storage or Treatment Facility. A commercial facility regulated by the state or federal government for the purpose of treating, storing or disposing of hazardous waste generated at any off-site location, not including incineration.

Health Clubs and Fitness Centers. Establishments primarily used for exercise, physical fitness, and recreation, including the use of exercise equipment and the offering of exercise classes. This use frequently includes locker rooms or changing rooms and may provide limited food and beverage service.

Height of Communication Tower. The distance from base structure at ground level to top of tower, including top-mounted attachments such as lightning rods.

Hog and Pig Farm. A land use specializing in the raising of hogs and pigs for consumption or product production.

Home Occupation. A customary occupation, profession, or trade carried on by an occupant of a single-family dwelling unit as an accessory use which is clearly incidental and subordinate to the residential character of the unit, and which does not involve more than 25% of the total floor area of the unit.

Hotel, Motel [See NAICS Code 721110.] A building or group of buildings designed and occupied as a temporary habitation for individuals containing five (5) or more guest rooms, furnishing customary services such as linen, housekeeping service, telephone, and use and upkeep of furniture.

Hunting and Fishing Club Facility. An area reserved for public or private hunting of wildlife and fishing, including accessory structures in support of those activities. May also provide services customarily related to hunting and fishing, as well as food and beverage facilities and overnight accommodations.

Impervious Surface. Surfaces that do not readily absorb rain. All buildings, parking areas, driveways, roads, sidewalks, and any areas covered with gravel, concrete and asphalt will be considered impervious surfaces within this definition. In addition, other areas determined by the Zoning Administrator to be impervious within the meaning of this definition will also be classed as impervious surfaces.

Independent Living Community. A residential senior housing option for older adults who don't require daily support or medical treatment. Residents live on their own and maintain independence but still have access to support services,programming, and activities as needed.

Industrial, Heavy. The assembly, fabrication, finishing, manufacturing, packaging, processing, or distribution of goods and materials by means that ordinarily have greater than average impacts on the use and enjoyment of adjacent property in terms of noise, fumes, odors, glare, health, and safety hazards, or that otherwise does not constitute "light manufacturing."

***Industrial, Light*.** The assembly, fabrication, or processing of goods and materials by means that ordinarily do not create noise, smoke, fumes, odors, glare, or health or safety hazards outside of the building or lot where the assembly, fabrication, or processing takes place; where the processing is housed entirely within a building, and not including hazardous material treatment and storage facilities, plating or enameling, or petroleum and gas refining.

Installation Permit. A permit issued by the county authorizing the setup and installation of a manufactured home in the county as a residential dwelling.

Institutional Use. A non-profit, public, or quasi-public use, such as a religious institution, library, public, or private school, hospital, or government-owned or government-operated facility

Junk, Salvage, Scrap, or Wrecking Yards. [See NAICS Code 423930.] Any use involving storage or processing of inoperable, unused, dismantled, or wrecked vehicles, equipment, or machinery or the storage or processing of scrap metal, waste paper, rags, food processing wastes, construction wastes, industrial wastes, secondhand building materials, or other scrap, salvage, waste, or junk materials.

Kennel, Commercial. A facility where dogs, cats, or other household pets are regularly boarded overnight, and where breeding, boarding, or selling of animals is conducted as a business. This includes the housing, keeping, and boarding of dogs, cats, or other household pets for animal adoption agencies.

Kennel, Private. A building or structure designed or arranged for the boarding and care of dogs, cats, or other household pets belonging to the occupant of the parcel are kept for the purposes of show, hunting, or as pets. This definition does not include fenced yards or dog houses with an area of 25 square feet or less.

Landscaped Area or Landscaping. An area that is permanently devoted to and maintained for the growing of trees, shrubbery, and ornamental grass.

Lane. A narrow public way for vehicular and pedestrian travel which provides the principal means of access to abutting property, but not including an alley.

Laydown Yard. A temporary outdoor area associated with an approved construction project where construction materials and equipment are stored while the associated construction project is active.

Livestock. Domesticated. Animals customarily kept by humans for the purpose of providing food, clothing, or work, such as cattle, sheep, goats, and fur-bearing animals, raised for home use or for profit. Dogs, cats, backyard chickens, pot-bellied pigs and other animals typically kept as household pets are not considered livestock.

Livestock Production. A land use involving the raising of domesticated animals, including cattle, sheep and goats, bees, fur-bearing animals, and animal aquaculture, for consumption or product production. Livestock production does not include the keeping of domesticated animals as household pets, such as dogs, cats, backyard chickens, and potbellied pigs.

Lot. A single parcel or tract of contiguous land defined by metes and bounds in a deed or plat recorded in the land records of Calhoun County intended as a unit for transfer of ownership or for building development or both.

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

Lot Depth. The mean horizontal distance between front and rear lot lines. If these lines are not parallel, the mean dimension shall be deemed to be the lot depth.

Lot, Double Frontage. A lot having a frontage on two nonintersecting roads, as distinguished from a corner lot.

Lot, Flag. A lot which is connected to a public or private right-of-way by a narrow strip of land which typically is wide enough only for a driveway, with the main buildable portion of the lot set back from the road, typically behind another parcel of land.

Lot, Interior. A lot other than a corner lot, with only one street frontage.

***Lot Line*.** A line dividing one lot from another or from a street or any public place.

Lot of Record. A lot or parcel of land, the plat or deed of which has been recorded at the Calhoun County Clerk of Court prior to the effective date of this code.

Lot Width. The distance between side lot lines measured at the front building line.

Low Impact Development (LID). An approach to land development (or re-development) that works with nature to manage stormwater as close to its source as possible. LID employs principles such as preserving and recreating natural landscape features, minimizing effective imperviousness to create functional site drainage that treats stormwater as a resource rather than a waste product.

Manufactured Home. A dwelling unit constructed off-site located on an individual lot with private yards on all four sides. The manufactured home must be manufactured after June 15, 1976 bearing certification of compliance by the Secretary of the Department of Housing and Urban Development (HUD). Sectional homes and "double wide homes" (consisting of two or more sections) must be factory-fabricated and designed specifically for the purpose of creating one single-family residence. A manufactured home is a structure that is transportable in one or more sections, which is at least eight feet in width or at least 40 feet in length or when erected on-site is 320 or more square feet, and which is built on a permanent chassis and is designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein.

Manufactured Home Park. A site or parcel of land under one ownership providing rented parking space for five or more manufactured homes used for dwelling units, including service buildings and facilities. Manufactured home sales or storage lots for unoccupied units are not manufactured home parks.

Manufactured Home Subdivision. The division of land into 4 or more Lots for the purpose of establishing a Manufactured Home on each lot.

Mass Grading. Large scale movement of earth which will support multiple lots and that alters the existing site topography by cutting and filling to achieve desired elevations and slopes.

Mini Warehouse. [See NAICS Code 493110.] A building or group of buildings on a fenced controlled access lot which contain individual locked compartments for storage of personal property.

Mixed Use Building. A structure that contains a ground floor devoted to non-residential uses and upper story dwellings.

***Mobile Food Unit*.** A fully enclosed mobile kitchen that prepares, cooks, or serves food as defined in SCDHEC Regulation 61-25: Retail Food Establishments and permitted by SCDHEC.

Meadow. An open field vegetated by grasses, wildflowers, or other non-woody plants.

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 1976, § 40-29-70, which is a 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, or travel trailer, camper, or similar recreational unit.

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 Southern Building Code standards for site built units. A mobile home, house trailer, or manufactured home is not a modular building.

Motor Vehicle, Recreational Vehicle, or Boat Storage. An indoor or outdoor facility for the overnight storage of motor vehicles, recreational vehicles, and/or boats.

Multi-family Dwelling. A building that contains three or more dwelling units. Triplexes and quadplexes are excluded from this definition of multi-family dwellings.

Multi-tenant Building or Development. A building or group of buildings on a parcel or a parcel with multiple buildings under common ownership, management, and control and whose occupants are distinct users that each occupy a portion of the multi-tenant building or development.

Mural. A picture or image, including but not limited to painted artwork, which is applied, constructed or attached on an exterior surface of a structure or wall, which does not advertise a business, goods, products or services, or otherwise convey a commercial message.

Neighborhood Amenity. A use classification for facilities offering sports and recreation activities for residents of a neighborhood, including tennis courts, swimming pools, parks, and play fields. Such facilities may also engage in services and provide ancillary indoor activities.

Nightclub* or *Tavern. An establishment used primarily for the serving of alcoholic beverages to the general public, and which may or may not offer entertainment and food service as accessory to the primary use.

Nonconforming Use. A term applied to lots, structures, uses of land or structures, and characteristics of use of land or structures which were lawful before the passage or amendment of this zoning ordinance, but which are prohibited by this ordinance or are not in compliance with the requirements of this ordinance.

Onsite Wastewater (OSWW) System. A system, generally consisting of a collection sewer, septic tank(s), and subsurface wastewater infiltration area, designed to treat and dispose of domestic wastewater through a combination of natural processes that ultimately result in effluent being transmitted through the soil, renovated, and ultimately discharged to groundwater. An onsite wastewater system shall also include an onsite wastewater system, as described above, for the treatment and disposal of greywater.

Open Fence. A fence that has, for each 1-foot wide segment extending over the entire length and height of the fence, at least 50% of the surface area in open spaces that afford direct views through the fence.

Overlay District. A zoning district that encompasses one or more underlying zones and that imposes additional more restrictive or less restrictive requirements than required by the underlying zone.

Parcel. Any existing piece of land formally described and recorded with block and lot numbers, by metes and bounds, by ownership, or in a manner as to specifically identify the dimensions and/or boundaries under common title that may be transferred according to applicable laws and ordinances without further surveying or platting being required.

Park. A public or private lot or facility for active or passive recreation, exercise, sports or similar activities, enhancement of natural features or beauty, but not including a commercially operated amusement park.

Parking lot. A public or private area, not in a street or alley, permanently reserved for temporary parking motor vehicles as a principal use or as an accessory to a commercial or industrial use.

Parking Space. An area, not in a street or alley, permanently reserved for the temporary storage of one (1) automobile and connected with a street or alley by a driveway which affords ingress and egress.

Pasture. Open, uncultivated land vegetated by perennial grasses used for grazing livestock or horses.

Perimeter Buffer. A bufferyard located along the exterior boundaries of a Rural Residential Site Plan Development.

Permanent Building. A structure on a separately constructed permanent foundation intended to remain in one location and last indefinitely.

Permitted Use. A use permitted outright by district regulations.

Permitting Agent* or *Licensing Agent. A person designated by resolution of the county to enforce this ordinance and to issue the required permits or licenses.

Planning Commission. The County Planning Commission, which was established in 1996 by resolution of the County Council pursuant to the provisions of the South Carolina Local Government Comprehensive Planning Enabling Act of 1994.

***Plat*.** A map prepared by a Registered Land Surveyor in accordance with the county's regulations and State statutes, that represents a tract or multiple tracts of land, and shows the boundaries and locations of individual properties and streets.

***Plat, Final*.** A plat of all or a portion of a subdivision in substantial conformance with the approved preliminary plan, in accordance with the County's regulations and the statutes of the State.

***Plat, Simple*.** A plat that shows a division of a parcel with no more than two (2) lots.

***Plat, Summary*.** A plat that shows a division of a parcel into multiple lots that does not require construction of a Public, Private Road or Unpaved Shared Drive.

***Plat of Record*.** An accurate graphical representation, neatly lettered and properly dimensioned, report of a survey made by a Registered Land Surveyor of a finite piece of land property, including pertinent data and appropriate information.

Poultry House. A land use specializing in the raising of chickens for consumption or commercial production.

Principal Structure or Use. A structure or use which is significant or primary rather than accessory.

Recreational Vehicle. A vehicular unit which is designed as a temporary dwelling for travel, recreational camping, and vacation use, and which may be self-propelled, pulled by another vehicle, or mounted on another vehicle; examples include, but are not limited to, park model trailers, tiny houses, travel trailers, camping trailers, truck campers, motor homes, fifth wheel trailers, and van conversions. A Recreational Vehicle does not include manufactured housing and is not considered a single-family dwelling.

Recreational Vehicle Park. A parcel of land on which two or more sites are established for parking a Recreational Vehicle for use as temporary living quarters for recreation or vacation purposes by campers, vacationers or travelers, regardless of whether or not a fee is charged.

Residence. A dwelling.

Retail and Service Establishments. Establishments primarily engaged in sales or service, including food and beverage.

Retreat Center. A use that provides for the operation of spiritual, cultural, or educational programs for single day or in-residence guest use, and may include sleeping accommodations for in-residence guests in a single building or cabins; shared kitchen, and eating area in a main building; limited kitchen facilities in cabins, meeting areas; bathrooms; accommodations for staff; managers, owners, and accessory buildings.

Preliminary Plan. A tentative plan showing a proposed subdivision design submitted to the Planning Commission for preliminary consideration and approval.

Reserve Strip. A strip of land adjacent to a public street or similar transportation right of way which has been reserved for the purpose of controlling access to the public way.

Right-of-Way. An area owned or maintained by the City, County, the State of South Carolina, federal government, a public utility, a railroad, or a private entity for the placement of utilities and/or facilities for the passage of vehicles or pedestrians, including roads, streets, pedestrian walkways, utilities, or railroads.

Riparian Buffer. A buffer along a watercourse that filters stormwater and stormwater runoff and provides wildlife habitat.

Roof line. The top of the parapet wall on flat roof buildings, or the fascia line of buildings with gable, hipped, or otherwise pitched roofs.

Rural Crossroads Business. A small commercial establishment located on a corner lot at the intersection of two arterial streets or an arterial street and a collector street. These street types are defined in Article 10.

Rural Residential Subdivision. A Minor Subdivision with specific design standards applied to preserve and maintain surrounding rural characteristics.

Screening. A method of visually shielding or obscuring one structure or use from another by fencing, walls, berms, or densely planted vegetation. The height of the screening shall be sufficient to block the view of the activity for which the screening is required.

Seasonal Sales. A temporary use where produce, agricultural products, and/or products associated with a traditionally accepted holiday are sold.

Setback. The depth or width of any required yard; the minimum distance between a structure and an adjacent lot or street; the area required to be unobstructed except for fences, flagpoles, clothes lines, bird houses or yard accessories.

Sexually Oriented Businesses. A commercial establishment devoted to erotic or sexual activity, including adult arcades, adult bookstores, adult video stores, adult cabarets, adult motels, adult theaters, escort agencies, nude or semi-nude model studios, and sexual encounter centers.

Sign. Any device designed to inform, advertise or attract attention such as a billboard, poster, painted surface, announcement, display, ribbon, pennant, flag, banner, illustration, or insignia, lighted or unlighted, stationary or moving.

Sign, Digital Display. The portion of a sign message made up of internally illuminated components capable of changing the message periodically; digital displays may include but are not limited to LCD, LED, or plasma displays.

Sign, Electronic Changeable Copy. A sign or portion thereof on which the copy or symbols change automatically through electrical or electronic means.

Sign, Flashing. A directly or indirectly illuminated sign or portion thereof that exhibits changing light or color effect by any means, so as to provide intermittent illumination that changes light intensity in sudden transitory bursts and creates the illusion of intermittent flashing light by streaming, graphic bursts showing movement, or any mode of lighting which resembles zooming, twinkling, or sparkling.

Sign, Freestanding. A sign mounted on one or more poles or supports standing directly upon the ground and being detached from any building or structure.

Sign, Marquee. A sign attached to or hung from a marquee and said marquee shall be known to mean a canopy or covered structure projecting from and supported by a building, when such canopy or covered structure extends beyond the building line.

Sign, Monument. A sign mounted directly on and supported by the ground. Monument signs must be constructed of masonry, stucco, wood, metal, or other durable materials; must be of consistent width from the ground to top of the sign; and the sign face or copy are must be contained within the width of the primary structure of the sign.

Sign, Moving. A sign in which any parts of the physical sign move, rotate, or are otherwise not static.

Sign, Off-Premises. A sign advertising a business, person, activity, goods, products, or services not located on the site where the sign is installed, or that directs persons to any location not on that site.

Sign, Projecting. A sign which is attached to the face or outside wall of a building which projects out at an angle there from and projects more than twelve inches beyond the face of such wall.

Sign, Roof. A sign that is mounted on the roof of a building or which is wholly dependent upon a building roof for support.

Sign, Shimmering. A sign which reflects an oscillating, sometimes distorted visual image.

Sign, Snipe. A sign tacked, nailed, posted, pasted, glued, or otherwise attached to trees, poles, stakes, fences, public benches, streetlights, or other objects, or placed on any public property or in the public right-of-way or on any private property without the permission of the property owner.

Sign, Temporary Yard. A temporary yard sign is any sign with a sign area of 12 square feet or less in RP, RN, RS and RM districts, or 32 square feet or less in all other districts, which is not designed or intended to be placed permanently.

Sign, Video Display. A sign that changes its message or background in a manner or method of display characterized by motion or pictorial imagery, which may or may not include text and depicts action or a special effect to imitate movement, the presentation of pictorials or graphics displayed in a progression of frames which give the illusion of motion, including, but not limited to, the illusion of moving objects, moving patterns or bands of light, or expanding or contracting shapes, not including electronic changeable copy signs. Video display signs include projected images or messages with these characteristics onto buildings or other objects, computer programmable, microprocessor controlled electronic displays, and any all-digital signs.

Sign, Wall. A sign painted on or attached to the exterior wall of a building, with the sign face parallel to the building wall, and projecting not more than 12 inches from the wall.

Single-Loaded Street. A Street that has Dwellings or other Structures abutting only one side of the Street, with the other side of the Street abutting Common Open Space or a required bufferyard.

Solar Installation. A ground-mounted photovoltaic solar facility with components and subsystems that generate electricity from sunlight, to be sold to a utility provider and an inter-connection with the local utility power grid. The area of the facility includes all the land inside the perimeter of the system, which extends to any fencing, land area required for setbacks, landscaping, and signage.

Special Exception Use. A use specifically permitted after review and approval by the Board of Zoning Appeals, subject to ordinance standards and additional conditions set by the Board of Zoning Appeals.

Street. A **roadway** for vehicular and pedestrian travel which provides the principal means of access to abutting property, but not including an alley. For the purpose of these regulations, the term "street" or "streets" shall also mean avenues, boulevards, alley, roads, lanes, and other public ways.

Street, Collector. A roadway designed to connect service streets with arterial streets or to provide a direct connection between two arterial streets and may be expected to carry moderate volume of traffic, having neither origin nor destination on the street.

Street, Commercial Service. A roadway that is predominately used to provide access to abutting commercial or industrial properties and designed to carry low volumes of traffic.

Street, Major Arterial. A roadway designed to serve statewide and interstate travel and connects urbanized areas, cities, and towns. It is designed to accommodate moderate to high volumes of traffic at moderate to high speeds.

Street, Minor Arterial. A roadway designed to link cities and towns, forming an integrated network providing interstate, intrastate and intra-county service. It is designed to accommodate moderate volumes of traffic at moderate to high speeds.

Street, Residential Service. A roadway which is used primarily for access to abutting residential properties.

Street, Service. A roadway located parallel to and adjacent to major thoroughfares and collector streets; and which provides access to abutting properties and protection from through traffic.

Street Right-of-Way. The distance measured perpendicular to the edges of land in common with front lot lines opposite sides of that land dedicated to public use or in public use.

Stub Street. A street that is designed to extend to the property line with a temporary barricade and has the intent to be extended to provide for future access and connectivity.

Structure. Anything constructed or erected, the use of which requires location of the ground, or attachment to something located on the ground, including buildings, mobile homes, travel trailers, signs, swimming pools, fences, and antennae, but excluding minor landscaping features such as ornamental pools, planters, bird baths, paved surfaces, walkways, driveways, recreational equipment, flagpoles, and mailboxes.

Subdivider. An individual, firm, association, syndicate, partnership, corporation, trust, or any other legal entity or agent therefore, that undertakes the activities covered by those regulations. The term "subdivider" includes the terms "developer" and "builder" even though the persons involved in successive stages of the project may vary.

Subdivision. All divisions of a tract of parcel of land into two or more lots, building sites, or other divisions for the purpose, whether immediate or future, of sale, lease, or building development, and includes all division of

land involving a new street or a change in existing streets, and includes re-subdivision which would involve the further division or relocation of lot lines of any lot or lots within a subdivision previously made and approved or recorded according to law; or, the alteration of any streets or the establishment of any new streets within any subdivision previously made and approved or recorded according to law, and includes combinations of lots of record; however, the following exceptions are included within this definition only for the purpose of requiring that the local planning agency be informed and have a record of the subdivisions:

1. The combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots are equal to the standards of the governing authority;
2. The division of land into parcels of five acres or more where no new street is involved and plats of these exceptions must be received as information by the planning agency, which shall indicate the fact on the plats;
3. The combination or recombination of entire lots of record where no new street or change in existing streets is involved; and
4. The partition of land by court decree.

Subdivision, Family. The division of a tract of land into two or more lots by a single or family owner where the property is sold or given to the children or relatives of the owner, where no new street dedication is involved, provided such lot sizes shall equal or exceed the standards set forth in these regulations and by SCDHEC and provided such resulting lots are directly accessible by means of a public road or by means of a legal and duly recorded ingress-egress easement, a minimum of 20 feet in width, which serves a maximum of two parcels which would constitute a dominant tenement. If a plat is recorded showing such easement, there must be a deed of conveyance which references the easement as shown on the plat in order to qualify as a duly recorded ingress and egress easement.

Subdivision, Major. The division of land into nine (9) or more lots at one time, or over a period of time, or any subdivision of land that includes the construction of a new street or new right of way, extension of a public water or sewer system or the installation of drainage improvement to facilitate residential lot construction.

Subdivision, Minor. *T*he division of land into eight (8) or less lots, at one time or over a period of time, which does not require construction of a new street with new right of way, the extension of a public water or sewer system or the installation of drainage improvement to facilitate residential lot construction. Applications for Minor Subdivisions must follow the Summary Plat process.

Telecommunications. The transmission, between or among points specified by the user, of information of the user's choosing, without change in the form or content of the information as sent and received.

***Temporary Use*.** A use established for a limited duration with the intent to discontinue such use upon the expiration of the time period.

Tourist (Guest) Home. A dwelling in which lodging is provided in not more than three (3) rooms for paid guests, with or without meals. A tourist home shall not be considered an accessory use or customary home occupation.

***Tract*.** An area, parcel, site, piece of land or property which is the subject of a development action.

Utility, Major. A use that provides services of a regional nature that normally entail the construction of new buildings or structures. Typical examples include power generating plants and sources; electrical switching facilities, stations and substations; water and wastewater treatment plants; and water towers.

Utility, Minor. A use that provides services that are necessary to support development within the immediate vicinity and that involve only minor structures. Typical examples include small facilities such as transformers, relay and booster devices; well water and sewer pump stations; and telephone exchanges.

Variance. Relief granted by the Board of Zoning Appeals from the strict application of zoning regulations in an individual case of unnecessary hardship based on factual findings required by law.

Yard. A required open space unoccupied and unobstructed by structures except those specifically permitted.

Yard, Front. A yard situated between the front building line and the front lot line extending the full width of the lot.

Yard, Rear. A yard situated between the rear building line and the rear lot line and extending the full width of the lot.

Yard, Side. A yard situated between the side building line and a side lot line and extending from the front yard to the rear yard.

Zoning District. Any portion of the area of unincorporated CalhounCounty in which the regulations governing the use of land, buildings, and structures are uniform for each class or kind of building, structure, or use.

ARTICLE III. ZONING DISTRICTS AND OFFICIAL ZONING MAP

3:1 Establishment of Base Zoning Districts

The following zoning base districts are hereby established in the unincorporated portions of Calhoun County:

Zoning District Name	Map Symbols
Multiuse Districts	
Agricultural District	AG
Office Residential	OR
Residential Use Districts	
Rural Preservation	RP
Rural Neighborhood	RN
Rural Residential	RR
Suburban Residential	RS
Single Family Residential	RSF
Multi-family Residential	RM
Commercial Districts	
Heavy Industrial	I-1
Light Industrial	I-2
Community Commercial	C-1
General Commercial	C-2
Limited Commercial	C-3
Planned Use Districts	
Planned Development	PD

Within each district, the regulations set forth herein shall apply uniformly to each class or kind of structure or land, except where such districts are overlapped by one (1) or more altered to accommodate the special needs of the overlay zone(s).

3:2 Establishment of the Official Zoning District Map

Calhoun County is hereby divided into land use (zoning) and development districts, as shown on the Official Zoning Map for Calhoun County, which together with all explanatory matter thereon, is hereby adopted by reference and declared to be part of this chapter. Additional areas may be defined and added from time to time by adoption by County Council, as provided for by Section 12:10 Amendments.

The zoning district map shall be maintained and made available in accordance with CHAPTER 29, ARTICLE 5, Local Planning - Zoning SECTION 6-29-760 of the South Carolina State Code of Laws.

3:3 Interpretation of Zoning District Boundaries.

The boundaries of the zoning districts established by this Ordinance are shown upon the map entitled "Zoning District Map for Calhoun County,"

3:3.1 Unless otherwise shown on the official zoning district map of Calhoun County, South Carolina, the boundary lines of districts coexist at lot lines, centerlines of creeks and streams, or corporate limit lines.

3:3.2 District boundary lines not coinciding with the above shall be determined by use of the scale of the official map unless actual dimensions are noted.

3:3.3 Where uncertainty exists regarding the boundaries as shown by the map, the Zoning Administrator shall interpret the district boundaries.

3:3.4 Whenever any street, alley, or other public way is vacated in the manner authorized by law, the zoning district adjoining each side of such street, alley or public way shall be automatically extended to the center of the street, alley, or public way vacated, and all area included in the street, alley, or public way vacated shall be subject to all appropriate regulations of the extended districts.

3:3.5 When a boundary line is located within a street or alley, easement, it shall be deemed to be in the center of the right-of-way of the street, alley, easement, and if the actual location of such street, alley, or easement varies slightly from the location as shown on the district map, then the actual location shall control.

3:3.6 Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks.

3:4 Reduction of Lot or Yard Area Prohibited

No lot or yard existing on the effective date of this ordinance shall be reduced in dimension or area below the applicable district minimum requirements. New lots or yards shall meet the applicable district minimum requirements.

3:5 District Regulations

Each zoning district has specific regulations controlling allowable uses, lot sizes, lot dimensions, building setbacks and height among other requirements. The requirements for each zoning district are listed in this section.

3:5.1 Rural Preservation District

RP	Rural Preservation District
PURPOSE The purpose of the Rural Preservation (RP) District is to recognize, support, and protect the rural character of Calhoun County by allowing for a range of agricultural, rural, and low-density residential uses. The district has a strong rural, pastoral feel. Natural elements such as tree lines, small ponds, pastures and crops are defining characteristics. Compatible low intensity uses that conserve farmlands, forest, and open space are permitted, and include uses such as houses on large lots, forestry, farming and farm-related activities.	**DIMENSIONAL STANDARDS**
Lot Size, minimum (acres)	3.00
Lot Size, minimum (Sq Ft)	130,680
Lot Width (ft)	400
Front Setback (ft)	150
Side Setback (ft)	50
Rear Setback (ft)	25
Maximum Building Height (ft)	35
Maximum Accessory Building Height (ft) [1]	25
Maximum Impervious Surface, percent	12%
[1] Maximum height for agricultural structures such as silos and grain elevators is 100 feet. [2] Minimum lot width may be reduced by 25% for lots with internal access to a shared private drive.	

3:5.1-1 Rural Preservation District Subdivision Standards

This section sets forth subdivision standards intended to protect and maintain the unique rural character of the district and to support harmonious development of land throughout the district.

Subdivisions in the Rural Preservation District may be conditionally approved provided that the applicant demonstrates compliance with the standards and criteria contained in this Section and the following:

A. The applicant protects and preserves environmental resources, natural and scenic features, and historic resources from further development with appropriate deeds or easements running with the land.
B. The subdivision complies with the Rural Residential Subdivision Standards in Section 9:11 of this Code.

3:5.1-2 ***Subdividing Lot of Record***. Any lot of record as of July 1, 2020 that is zoned RP by the adoption of this ordinance may be subdivided into not more than eight (8) lots; any further subdivision of the subject properties shall be consistent with the requirements of this Section and Section 9:11 Rural Residential Subdivisions.

3:5.2 Rural Neighborhood District

RN	Rural Neighborhood
PURPOSE The purpose of the Rural Neighborhood (RN) District is to preserve the existing rural character while providing for new single family residential dwellings in keeping with the surrounding rural neighborhood. This district permits uses typically found in rural residential areas including; agriculture, forestry, single family homes, home occupations, and places of worship. This district is located where some public utilities are generally unavailable.	**DIMENSIONAL STANDARDS**
Lot Size, minimum (acres)	1.50
Lot Size, minimum (Sq Ft)	65,340
Lot Width (ft)	250
Front Setback (ft) [1]	100
Side Setback (ft)	30
Rear Setback (ft)	25
Maximum Building Height (ft)	35
Accessory Building Setback (ft)	25
Maximum Accessory Building Height (ft)	15
Maximum Impervious Surface, percent	25

3:5.2-1 Rural Neighborhood District Subdivision Standards

This section sets forth subdivision standards intended to protect and maintain the unique rural character of the district and to support harmonious development of land throughout the district.

Subdivisions in the Rural Neighborhood District may be conditionally approved provided that the applicant demonstrates compliance with the standards and criteria contained in this Section and the following:

A. The applicant protects and preserves environmental resources, natural and scenic features, and historic resources from further development with appropriate deeds or easements running with the land.
B. The subdivision complies with the Rural Residential Subdivision Standards in Section 9:11 of this Code.

3:5.3 Rural Residential District

RR	Rural Residential
PURPOSE The purpose of the Rural Residential (RR) District is to preserve and maintain the existing rural residential character while providing for low intensity land uses that are consistent with a rural setting including; agriculture, forestry, single family homes, home occupations, and places of worship. This district is located where some public utilities are generally unavailable.	**DIMENSIONAL STANDARDS**
Lot Size, minimum (acres)	1.00
Lot Size, minimum (Sq Ft)	43,560
Lot Width (ft) [1]	200
Front Setback (ft) [2]	75
Side Setback (ft)	30
Rear Setback (ft)	25
Maximum Building Height (ft)	35
Accessory Building Setback (ft)	15
Maximum Accessory Building Height (ft)	15
Maximum Impervious Surface, percent	25%
[1] Minimum lot width may be reduced by 25% for lots with internal access to a shared private drive.	

3:5.3-1 Rural Residential District Subdivision Standards

This section sets forth subdivision standards intended to protect and maintain the unique rural character of the district and to support harmonious development of land throughout the district.

Subdivisions in the Rural Residential District may be conditionally approved provided that the applicant demonstrates compliance with the standards and criteria contained in this Section and the following:

C. The applicant protects and preserves environmental resources, natural and scenic features, and historic resources from further development with appropriate deeds or easements running with the land.
D. The subdivision complies with the Rural Residential Subdivision Standards in Section 9:11 of this Code.

3:5.3-2 ***Subdividing Lot of Record***. Any lot of record as of July 1, 2020 that is zoned RP by the adoption of this ordinance may be subdivided into not more than eight (8) lots; any further subdivision of the subject properties shall be consistent with the requirements of this Section and Section 9:11 Rural Residential Subdivisions.

3:5.4 Suburban Residential District

RS	Suburban Residential
PURPOSE The purpose of this district is to provide for typical single-family subdivision development. It provides reasonable safeguards for areas that are in the process of development with predominantly single-family dwellings but are generally still rural in character. This district permits development with a medium density community character and includes incentives for open space conservation. Residential development options for this district include Conservation Subdivisions and conventional subdivision development. This district is appropriate for areas that have adequate public services, utilities, and infrastructure to serve new development.	**DIMENSIONAL STANDARDS**
Lot Size, minimum (acres)	0.57
Lot Size, minimum (Sq Ft)	25,000
Minimum Lot Width (ft)	100
Front Setback (ft) [1]	50
Side Setback (ft)	25
Rear Setback (ft)	25
Maximum Building Height (ft)	35
Accessory Building Setback (ft)	10
Maximum Accessory Building Height (ft)	15
Maximum Impervious Surface, percent	30

3:5.4-1 Minimum Lot Size Reduction

The minimum lot size provided in this Section may be reduced in accordance with Table 8.1 when approved as part of a Conservation Subdivision.

3:5.4-2 ***Lot Width Reduction.*** The minimum lot width provided in this Section is waived when approved as part of a Conservation Subdivision.

3:5.4-3 ***Minimum Setback Reduction*****.** The minimum setbacks provided in this Section may be reduced when approved as part of a Conservation Subdivision. Setbacks for Conservation Subdivisions are as follows:

1. Front: 20 feet
2. Side: 5 Feet
3. Rear: 5 Feet

3:5.4-4 Bufferyard Required Along Existing Roads

In addition to the side and rear 30 foot perimeter bufferyard required for all Major Subdivisions, a minimum bufferyard of 100 feet in width (as measured from the edge of existing public right-of-way abutting the subdivision) shall be required.. A meadow or pasture may satisfy this requirement if lots and houses are effectively screened from view from the public right of way.

3:5.4-5 Density Bonus for Design Performance

Major subdivisions designed in accordance with Section 9:9 Subdivision Design Performance Incentives may be eligible for a 35% density bonus.

3:5.5 Single Family Residential District

RSF	Single Family Residential
PURPOSE This district is intended to permit residential subdivision development with medium to relatively high housing densities and includes incentives for open space conservation. Residential development options for this district include Conservation Subdivisions and conventional subdivisions. Lot sizes are set to encourage development and promote housing variety with options for families, and active adults. This district is appropriate for areas that have adequate public services, utilities and infrastructure to serve new development, including public water, sewer, road infrastructure and schools.	**DIMENSIONAL STANDARDS**
Lot Size, minimum (acres)	0.34
Lot Size, minimum (Sq Ft)	15,000
Minimum Lot Width (ft)	70
Front Setback (ft) [1]	30
Side Setback (ft)	10
Rear Setback (ft)	10
Maximum Building Height (ft)	35
Accessory Building Setback (ft)	10
Maximum Accessory Building Height (ft)	20
Maximum Impervious Surface, percent	35

3:5.5-1 Minimum Lot Size Reduction

The minimum lot size provided in this Section may be reduced in accordance with Table 8.1 when approved as part of a Conservation Subdivision.

3:5.5-2 ***Lot Width Reduction.*** The minimum lot width provided in this Section is waived when approved as part of a Conservation Subdivision.

3:5.5-3 ***Minimum Setback Reduction*****.** The minimum setbacks provided in this Section may be reduced when approved as part of a Conservation Subdivision. Setbacks for Conservation Subdivisions are as follows:

1. Front: 20 feet
2. Side: 5 Feet
3. Rear: 5 Feet

3:5.5-4 Bufferyard Required Along Existing Roads

In addition to the side and rear 30 foot perimeter bufferyard required for all Major Subdivisions, a minimum bufferyard of 100 feet in width (as measured from the edge of existing public right-of-way abutting the subdivision) shall be required.. A meadow or pasture may satisfy this requirement if lots and houses are effectively screened from view from the public right of way.

3:5.5-5 Density Bonus for Design Performance

Major subdivisions designed in accordance with Section 9:9 Subdivision Design Performance Incentives may be eligible for a 35% density bonus.

3:5.6 Multifamily Residential

RM	Multifamily Residential				
PURPOSE The purpose of the RM District is to provide for a full range of residential types to meet future housing needs and provide alternatives to single-family housing. This district is appropriate for areas where diverse housing types and density will not adversely impact existing or future development. It also applies to existing multifamily and mixed-use residential areas.	**DIMENSIONAL STANDARDS**				
	Single Family Detached	Manufac-tured Home	Duplex	Single Family Attached	Multi-family
Lot Size, minimum (acres)	0.23	0.23	0.18	0.05	1.00
Lot Size, minimum (Sq Ft)	10,000	10,000	8,000	1,800	20,000
Minimum Lot Width	40	40	30	20	200
Front Setback (ft) [1]	30	30	30	20 [2]	30
Side Setback (ft)	8	8	8	15[3]	20
Rear Setback (ft)	20	20	20	20	20
Maximum Building Height (ft)	35	35	35	35	40[2]
Accessory Building Setback (ft)	5	5	5	20	20
Maximum Accessory Building Height (ft)	25	15	25	15	25
Maximum Impervious Surface, percent	25	20	25	80	60
[2] Multifamily structures are limited to 2 stories.					
[3] Side setbacks apply to all end units.					

3:5.6-1 Minimum Lot Size Reduction

The minimum lot size provided in this Section may be reduced to 7,500 sf when approved as part of a Conservation Subdivision.

3:5.6-2 ***Lot Width Reduction.*** The minimum lot width provided in this Section is waived when approved as part of a Conservation Subdivision.

3:5.6-3 ***Minimum Setback Reduction*****.** The minimum setbacks provided in this Section may be reduced when approved as part of a Conservation Subdivision. Setbacks for Conservation Subdivisions are as follows:

1. Front: 20 feet
2. Side: 5 Feet
3. Rear: 5 Feet

3:5.6-4 Bufferyard Required Along Existing Roads

In addition to the side and rear 30 foot perimeter bufferyard required for all Major Subdivisions, a minimum bufferyard of 100 feet in width (as measured from the edge of existing public right-of-way abutting the subdivision) shall be required.. A meadow or pasture may satisfy this requirement if lots and houses are effectively screened from view from the public right of way.

3:5.6-5 Density Bonus for Design Performance

Major subdivisions designed in accordance with Section 9:9 Subdivision Design Performance Incentives may be eligible for a 35% density bonus.

3:5.7 Agricultural District

AG	Agricultural District
PURPOSE The purpose of the Agricultural (AG) District is to recognize, support, preserve and protect large contiguous areas of prime agricultural lands and soils for farming uses and other supportive and compatible uses.	**DIMENSIONAL STANDARDS**
Lot Size, minimum (acres)	5.00
Lot Size, minimum (Sq Ft)	217,800
Lot Width (ft)	400
Front Setback (ft)	150
Side Setback (ft)	50
Rear Setback (ft)	25
Maximum Building Height (ft)	40
Maximum Accessory Building Height (ft) [1]	25
Maximum Impervious Surface, percent	8%
[1] Maximum height for agricultural structures such as silos and grain elevators is 100 feet. [2] Minimum lot width may be reduced by 25% for lots with internal access to a shared private drive.	

3:5.7-1 Agricultural District Subdivision Standards

This section sets forth subdivision standards intended to protect and maintain the unique agricultural character of the district and to support harmonious use of land throughout the district.

Subdivisions in the Agricultural Overlay District may be conditionally approved provided that the applicant demonstrates compliance with the standards and criteria contained in this Section and the following:

C. The applicant protects and preserves environmental resources, natural and scenic features, and historic resources from further development with appropriate deeds or easements running with the land.
D. The subdivision complies with the Rural Residential Subdivision Standards in Section 9:11 of this Code.
E. Mass grading is prohibited.

3:5.8 Office Residential District

OR	Office Residential
PURPOSE The purpose of the Office Residential (OR) District is to accommodate low-impact, flexible uses of properties in transitional areas along major roads, where a variety of residential and non-residential uses already exist. Uses in the OR district are limited to low impact commercial uses such as banks, offices, and print shops. Most educational and civic uses are permitted, including schools and places of worship.	**DIMENSIONAL STANDARDS**
Lot Size, minimum (acres)	0.46
Lot Size, minimum (Sq Ft)	20,000
Minimum Lot Width (ft)	100
Front Setback (ft) [1]	30
Side Setback (ft) [2]	10
Rear Setback (ft) [2]	20
Maximum Building Height (ft)	30
Accessory Building Setback (ft)	5
Maximum Accessory Building Height (ft) [1]	15
Maximum Impervious Surface, percent	70%

[1] An additional 15 feet of setback is required on Collector Roads and an additional setback of 25 feet is required on Arterial Roads, as defined by the South Carolina Department of Transportation's Highway Functional Classification System. See Section 6:XX for a list of Collector and Arterial Roads.

3:5.9 Community Commercial District

C-1	Community Commercial
PURPOSE The purpose of the Community Commercial (C-1) District is to accommodate community-scale commercial development to serve adjacent areas while not having an adverse impact on those adjacent areas. Regional "big-box" retail stores of 40,000 square feet or more are not permitted in this district. Roadways classified as either collector or arterial are suitable for Community Commercial District designation.	**DIMENSIONAL STANDARDS**
Lot Size, minimum (acres)	NA
Lot Size, minimum (Sq Ft)	NA
Lot Width (ft)	NA
Front Setback (ft) [1]	30
Side Setback (ft)	12
Rear Setback (ft)	20
Maximum Building Height (ft)	25
Accessory Building Setback (ft)	same as primary structure
Maximum Accessory Building Height (ft) [1]	15
Maximum Impervious Surface, percent	70%
[1] An additional 15 feet of setback is required on Collector Roads and an additional setback of 25 feet is required on Arterial Roads, as defined by the South Carolina Department of Transportation's Highway Functional Classification System. See Section 6:XX for a list of Collector and Arterial Roads.	

3:5.10 General Commercial District

C-2	General Commercial
PURPOSE The purpose of the General Commercial (C-2) district is to accommodate regional commercial development to serve the county and adjacent areas. C-2 zoning should be limited to areas along arterial roads, and should be well buffered or separated from residential uses. This district is appropriate for large supermarkets, large shopping centers and retail stores.	**DIMENSIONAL STANDARDS**
Lot Size, minimum (acres)	NA
Lot Size, minimum (Sq Ft)	NA
Lot Width (ft)	NA
Front Setback (ft) [1]	30
Side Setback (ft)	10
Rear Setback (ft)	20
Maximum Building Height (ft)	45
Accessory Building Setback (ft)	same as primary structure
Maximum Accessory Building Height (ft) [1]	15
Maximum Impervious Surface, percent	70%

[1] An additional 15 feet of setback is required on Collector Roads and an additional setback of 25 feet is required on Arterial Roads, as defined by the South Carolina Department of Transportation's Highway Functional Classification System. See Section 6:XX for a list of Collector and Arterial Roads.

3:5.11 Limited Commercial District

C-3	Limited Commercial
PURPOSE The purpose of the Limited Commercial (C-3) district is to provide a transition between commercial and industrial uses. All of the uses permitted in this district shall be conducted in such a manner that no noxious odor, fumes, smoke, dust, or noise will be admitted beyond the property line of the lot on which the use is located. A variety of commercial and service uses that fit within the low-impact intent of this district are permitted under C-3 zoning.	**DIMENSIONAL STANDARDS**
Lot Size, minimum (acres)	NA
Lot Size, minimum (Sq Ft)	NA
Lot Width (ft)	NA
Front Setback (ft) [1]	30
Side Setback (ft)	10
Rear Setback (ft)	20
Maximum Building Height (ft)	45
Accessory Building Setback (ft)	same as primary structure
Maximum Accessory Building Height (ft) [1]	25
Maximum Impervious Surface, percent	70%

[1] An additional 15 feet of setback is required on Collector Roads and an additional setback of 25 feet is required on Arterial Roads, as defined by the South Carolina Department of Transportation's Highway Functional Classification System. See Section 6:XX for a list of Collector and Arterial Roads.

3:5.11-1 Design Standards

A. ***Aesthetic Character***. Buildings shall have architectural features that provide visual interest and incorporate vertical and horizontal articulation that breaks down large monolithic walls into smaller components. All exterior walls over one hundred (100) feet in linear length shall incorporate three different patterned changes at an interval of no more than thirty (30) feet, either horizontally or vertically. Patterned changes may include the following: color changes, texture change, material change, and wall projections or recesses, at least two (2) feet in depth. At least one of the changes must occur horizontally.

B. ***Roofs***. Rooflines shall be varied with a change in height every one hundred (100) linear feet in the building length. Parapets, mansard roofs, gable roofs, hip roofs, or dormers shall be used to conceal flat roofs and rooftop equipment from public view. Alternating lengths and designs may be acceptable and can be addressed in the Development Plan.

C. ***Building Materials.*** Predominant exterior building materials shall be of high quality materials. These include, without limitation: Brick, wood, sandstone, other native stone, and tinted, textured, concrete

masonry units. Predominant exterior building materials shall not include the following: Smooth-faced concrete block, tilt-up concrete panels, and pre-fabricated steel panels

D. ***Entrances for Larger Buildings***. Each commercial structure exceeding 25,000 square feet of space shall have two entrances. The two entrances must be located on two different exterior walls that would be most appropriate for access from adjacent parking areas.

E. ***Entryways.*** Each building on a site shall have clearly defined, highly visible customer entryways featuring no less than three of the following: Canopies or porticos, overhangs, recesses/projections, arcades, raised corniced parapets over the door, peaked roof forms, arches, outdoor patios, display windows, planters, wing walls, and any other architectural detail or feature that accentuates the entryways for the public.

F. ***Windows.*** Each commercial structure not exceeding 25,000 square feet shall incorporate windows into their design. Each exterior wall with an entrance shall have transparent windows between the height of three feet and eight feet above the walkway grade for no less than forty (40) percent of the horizontal length of the exterior wall. Windows shall be recessed and should include visually prominent sills, shutters, or other forms of framing.

G. ***Signage***. All signs in the Limited Development District shall be subject to the following standards:
    1. Materials for signs shall complement the color, material, and overall character of the primary site architecture;
    2. Signs shall be constructed of high-quality durable materials that are suitable for exterior use, and shall be finished to withstand corrosion;
    3. Freestanding signage shall incorporate architectural elements of the site with a distinguished base, middle, and top components of the sign, and shall be sufficiently landscaped at the base.
    4. Exposed pole supports are not permitted;
    5. Building mounted illuminated signs shall be halo lit or composed of channel letters only;
    6. Cabinet signs, Off-premise signs, or Billboards are not permitted;
    7. No blinking or flashing lights shall be permitted

3:5.11-2 Site Design

A. ***Parking***. Parking areas shall provide safe, convenient, and efficient access for vehicles and pedestrians. No more than sixty (60) percent of the off-street parking spaces for the entire property shall be located between a single exterior wall and a public or private right-of-way. Off-street parking shall be screened by vegetation if located in the front or side yard area.

B. ***Outdoor Storage, Trash Collection, Loading Areas and Utility Areas.*** Areas for outdoor storage, truck parking, trash collection and compaction, loading, or any other similar activities shall:
    1. Be screened so as to not be visible from the right from any public or private right-of-way; and
    2. Not be located within twenty (25) feet of any public or private street, sidewalk, or internal pedestrian way.

C. ***Access***. Ingress and egress points to a property shall be minimized whenever possible. Limiting the amount of Curb cuts should not be, and in the case of major thoroughfares shall not be, at less than three hundred-foot intervals except where a tract of land would be rendered unusable by the strict application of this section of this chapter.

D. ***Seasonal Inventory and Sales.*** Non-enclosed areas for the storage and sale of seasonal inventory shall be permanently defined and screened with walls and/or fences. Materials, colors, and designs of screening walls, fences, and covers shall conform to those used as predominant materials and colors on the building

E. ***Sidewalks***. Sidewalks shall be provided as follows:
    1. Sidewalks at least six (6) feet in width shall be provided along all sides of the lot that abut a public or\private right-of-way.
    2. Continuous internal sidewalks, no less than five (5) feet in width, shall be provided from the public sidewalk or right-of-way to all customer entrances.

3. Sidewalks shall connect to any existing sidewalk network nearby and focal points of pedestrian activity such as, but not limited to, street crossings, building and store entry points, and shall feature adjoining landscaped areas that include trees, shrubs, flower beds, ground covers.
4. Sidewalks, no less than five (5) feet in width, shall be provided along the full length of the building along any exterior wall featuring a customer entrance, and along any exterior wall abutting public parking areas.
5. Sidewalks adjacent to buildings shall provide weather protection features such as awnings or arcades within thirty (30) feet of all customer entrances, constructed parallel to the exterior wall of the building.
6. Walkways shall provide safe access from parking lots to entrances. Walkways shall be marked and distinguished from driving surfaces through the use of durable, low maintenance surface materials such as thermoplastic paint, pavers, bricks, or scored concrete to enhance pedestrian safety and comfort, as well as the attractiveness of the walkways.

F. ***Driveway Connections***. Each commercial structure with off-street parking must provide a vehicular connection to each undeveloped adjacent property that shares at least fifty (50) feet of property line. At a minimum, vehicular connections must be at least twenty-four (24) feet wide. If connections are required for more than one adjacent property, the developer should employ some type of traffic calming measure (such as speed humps, traffic circles, curvilinear driving aisles, or indirect access) between connections.

G. ***Public Spaces.*** Each structure with greater than 25,000 square feet of commercial space shall contribute to the establishment of enhancement of community and public spaces by providing one amenity per 25,000 square feet of commercial space (up to a maximum of two amenities) from the following list:
   1. Patio/seating area;
   2. Community greenspace
   3. Pedestrian plaza with benches;
   4. Window shopping walkways;
   5. Outdoor play area;
   6. Kiosk area;
   7. Water feature

3:5.12 Heavy Industrial District

I-1	Heavy Industrial
PURPOSE The purpose of the Heavy Industrial (I-1) District is to provide appropriate locations for general industrial uses, including higher-impact uses that are not suitable in newer industrial areas in the county. Uses may include veterinary hospitals, kennels, institutional laundry and dry cleaning facilities, welding shops, crematoria, and lumber mills. The I-1 district includes all uses permitted in the I-2 district as well as higher impact industrial uses, and provides for the protection of existing industry and industrial sites from encroachment by incompatible land uses.	**DIMENSIONAL STANDARDS**
Lot Size, minimum (acres)	1.00
Lot Size, minimum (Sq Ft)	43,560
Lot Width (ft)	200
Front Setback (ft) [1]	50
Side Setback (ft) [2]	30
Rear Setback (ft) [2]	30
Maximum Building Height (ft) [4]	None
Accessory Building Setback (ft)	30
Maximum Accessory Building Height (ft)	30
Maximum Impervious Surface, percent	80%

[1] An additional 15 feet of setback is required on Collector Roads and an additional setback of 25 feet is required on Arterial Roads, as defined by the South Carolina Department of Transportation's Highway Functional Classification System.

3:5.13 Light Industrial District

I-2	Light Industrial
PURPOSE The purpose of the Light Industrial (I-2) district is to ensure that Calhoun County can successfully recruit and retain desirable, lower-impact industries to support continued economic development. This district provides for clean, attractive industrial sites suitable for marketing to industries seeking to establish or expand operation in South Carolina. The I-2 district excludes industries that are not suitable for location in the most desirable industrial parks and industrial areas of the county, and provides for the protection of existing industry and industrial sites from encroachment by incompatible land uses.	**DIMENSIONAL STANDARDS**
Lot Size, minimum (acres)	1.00
Lot Size, minimum (Sq Ft)	43,560
Lot Width (ft)	200
Front Setback (ft) [1]	50
Side Setback (ft) [2]	30
Rear Setback (ft) [2]	30
Maximum Building Height (ft) [4]	None
Accessory Building Setback (ft)	30
Maximum Accessory Building Height (ft)	30
Maximum Impervious Surface, percent	80%

[1] An additional 15 feet of setback is required on Collector Roads and an additional setback of 25 feet is required on Arterial Roads, as defined by the South Carolina Department of Transportation's Highway Functional Classification System.

3:5.14 PD, Planned Development District

3:5.14-1 Purpose

The Planned Development (PD) District promotes innovative design within developments by permitting a mixture of different types of housing with compatible commercial uses, shopping centers, office parks and other mixed use developments. Flexibility and creativity in the design, character and quality of the development and preservation of natural and scenic features or open spaces is made possible through the development and approval of a detailed plan which describes the specific uses, densities, and other requirements for development. The approved plan constitutes the district regulations for a particular planned development.

3:5.14-2 Intent

Within PD Zones, regulations adapted to such unified planning and development are intended to accomplish the purposes of zoning and other applicable regulations to an equivalent or higher degree than where such regulations are designed to control unscheduled development on individual lots, to promote economical and efficient land use, provide an improved level of amenities, foster a harmonious variety of uses, encourage creative design, and promote a better environment. In view of the substantial public advantages of planned unit development, it is the intent of these regulations to promote, encourage or require development in this form where appropriate in location, character and timing. PD zones may not be established unless non-residential uses (e.g., office or commercial uses) are included within the proposed development.

3:5.14-3 Permitted Uses

Any use or combination thereof meeting the objectives of this section may be established in this district upon review and approval by the Planning Commission and County Council. Once approved, the proposed use(s) and no others shall be permitted in the district. Such uses shall be identified and listed on the basis of retail, office, wholesale, residential multifamily, residential single-family detached, manufacturing, etc. The list of approved uses shall be binding on the applicant and any successor in title, so long as the PD zoning applies to the land, unless otherwise amended by ordinance.

3:5.14-4 Establishment of PD Districts

PD Districts shall be established by the same procedures as for amendments generally, in accord with Section 12:10 of this ordinance. Additionally, each PD District shall be identified by the prefix PD and a file number assigned by the Planning Commission together with whatever other identification may be determined necessary and appropriate.

3:5.14-5 Minimum Area Required

Minimum area requirements for establishing a PD on the zoning district map shall be five (5) acres.

3:5.14-6 General Design, Dimensional, and Development Standards

A. ***Residential Density.*** Residential density shall not exceed fourteen (14) units per acre.
B. ***Overall Site Design.*** Overall site design shall be harmonious in terms of landscaping, enclosure of principal and accessory uses, size of structures, street patterns, and use relations. Variety in building types, heights, facades, setbacks and size of open spaces shall be encouraged.
C. ***Parking and Loading.*** Parking, loading and other requirements for each PD zone shall comply with the requirements of off-street parking and loading regulations of this chapter.
D. ***Bufferyards.*** Bufferyards shall be required for peripheral uses only, and shall be provided in accord with the minimum requirements for adjacent uses. Buffer yards are not required for internal use, but common landscaping is encouraged.
E. ***Private Streets.*** Private streets are permitted in an approved PD; provided such streets meet the design and construction standards of the county's land development regulations.
F. ***Open Space Requirements.*** A minimum of twenty-five (25) percent open space is required in all Planned Developments. More than 25% is encouraged.

3:5.14-7 Application Process

A. ***Pre-application Conference.*** Prior to filing an application for approval of a Planned Development District the applicant shall make a request to the Zoning Administrator for a pre-application conference. The Zoning Administrator shall conduct the pre-application conference to discuss the PD procedures and guidelines with the applicant. The applicant shall submit a preliminary development plan. The Zoning Administrator or his/her agent shall review the plan for completeness and compliance with the comprehensive plan and shall notify the applicant in writing of any deficiencies or discrepancies. Any recommendations for changes shall be recorded in writing, with reasons therefore, shall become part of the record of the application. Applicants shall indicate in writing their agreement and reasons therefore, and such response by applicant shall also be included in the record.

B. ***Applications;*** *Materials to be Submitted.* Following the conclusion of the pre-application conference, a formal written submittal for a Planned Development District rezoning request shall be submitted to the Zoning Administrator. Applications for Planned Development amendments shall be submitted as for other amendments. Materials submitted with the application or on subsequent request by the Zoning Administrator shall include plans, maps, studies and reports which may reasonably be required to make the determinations called for in the particular case and to include the items designated below. At least three (3) copies of the following shall be submitted for necessary referrals and records as provided.

1. A legal description and map of the property drawn to scale which shall include the land area within the PD district, the use and present zoning classification of the designated area, the zoning classification and use of all abutting districts within 200 feet of the subject property, and all public and private rights-of-way and easements bounding and intersecting the designated area which are proposed to be continued, created relocated and/or abandoned.

2. A Preliminary Development Plan, drawn at a scale of not less than one (1) inch per 200 feet, and a written description of the proposed development. The Preliminary Development Plan and the written description shall show or stipulate the general location, arrangement, extent and character for the following where applicable:

    a. Adjacent roadways and road names
    b. Land uses by type, including the gross acreage or square footage of each proposed use;
    c. Structures or building envelopes by type of use, maximum height of structures, maximum gross floor area for each land use, and land coverage of buildings and impervious areas;
    d. Architectural style of buildings including conceptual elevations and building materials;
    e. Development schedule
    f. Open spaces, preservation areas, landscaping, buffers, and purpose, ownership, management and use of such areas
    Development signage plan
    Development lighting plan
    Location and ownership and maintenance of roads, drives, common spaces, stormwater facilities.

C. ***Actions by Planning Commission and County Council.*** Action by the Planning Commission and County Council may approve the application, to include specific modifications to the application, or to deny the application. If the application is approved, the applicant shall be required to proceed in accord with the approved Preliminary Development Plan as supplemented or modified in the particular case, and shall conform to any time or priority limitations established for initiating and/or completing the development in whole or in specified stages. If the application is denied, the applicant shall be notified in writing, stating the reasons for such denial.

3:5.14-8 Administrative Action

After a Planned Development District has been established, no building permit shall be issued therein unless and until the Zoning Administrator has approved a Final Development Plan and reports for the development as a whole or for stages or portions thereof deemed satisfactory in relation to total development. The form and content of such Final Development Plans and reports shall be as prescribed in this ordinance, the land development regulations, or related regulations, generally or for a particular PD District shall be observed.

A. Approval of a Final Development Plan generally, provided that any requirements concerning the order and location in which building permits are to be issued in the particular PD District shall be observed.
B. Except as provided below, Final Development Plans and reports shall be binding on the applicants and any successors in title, so long as PD district zoning applies to the land.

3:5.14-9 Changes in Approved Preliminary Development Plan.

Minor changes in approved Preliminary Development Plans may be accommodated by the Zoning Administrator on application by the applicant, but only upon making a finding that such changes are:

A. In accord with all applicable regulations in effect at the time of the amendment creating the PD District, as modified in the amending section; or
B. In accord with all applicable regulations currently in effect, without modification.

3:5.14-10 Criteria for Defining Minor Changes to approved Preliminary Development Plan

The Zoning Administrator shall use the following criteria to determine if a change is major or minor:

A. Any increase in intensity of use shall constitute a modification requiring County Council action. An increase in intensity of use shall be considered to be an increase in usable floor area, an increase in the number of dwelling or lodging units, or an increase in outside land area devoted to sales, displays or demonstrations.
B. Any change in parking areas resulting in an increase or reduction of five (5) percent or more in the number of spaces approved shall constitute a change requiring county council action.
C. Structural alterations significantly affecting the basic size, form and style of a building, as shown on the approved plan, shall be considered a change requiring County Council consideration.
D. Any reduction in the amount of open space resulting in a decrease of more than five (5) percent or any substantial change in the location or characteristics of open space, shall constitute a change requiring County Council consideration.
E. Any change in use from one use group to another shall constitute a change requiring County Council consideration.
F. Substantial changes in pedestrian or vehicular access or circulation shall constitute a change requiring County Council consideration.
G. Changes other than indicated above shall be considered major changes and shall be made only by creating a new PD or other map amendments.

3:5.14-11 Final Development Plan Approval

Final Development Plan approval is an administrative action. No public notice or hearing is required in connection with approval proceedings on Final Development Plans or changes in approved plans. The Zoning Administrator may hold meetings with such notice as he deems appropriate, in connection with such actions.

3:5.14-12 Expiration of Time Limits on PD Amendments

If actions required in any amendment establishing a PD District are not taken within the time limit set, the Zoning Administrator shall review the circumstances and recommend to County Council:

A. That PD zoning for the entire area be continued with revised time limits; or

B. That PD zoning be continued for part of the area, with or without revised time limits, and the remainder be rezoned to an appropriate category; or
C. That the entire district be rezoned from PD to an appropriate category. Such recommendations shall include proposals for appropriate action in respect to any legal instruments in that case.

ARTICLE IV. USE REGULATIONS

4:1 Purpose

The purpose of the use regulations established by Article 4, uses permitted in each district are defined herein.

4.2 Principal Uses

Permitted principal uses by district are listed in Table 4.1, Use Table. Permitted principal uses are grouped into six use categories: agricultural, residential, recreation, civic and institutional, commercial, and industrial. Certain zoning overlay districts may restrict or expand the permitted principal uses listed in the underlying zoning district. Certain uses are subject to additional requirements, as described in Section 4:5 General Use Conditions.

4:3 Principal Use Table

The Principal Use Table depicts the zoning districts and the land uses allowed in each district. This table is provided for convenience only. Reference must be made to the words of the ordinance itself. In the event of a conflict, the words of the ordinance shall govern.

The following table key applies to Table 4.1 and 4.2:

A. Uses Permitted by Right. A "P" indicates that a use is allowed by right in the respective district. Such uses are subject to other applicable regulations of this Zoning Ordinance.
B. Conditional Uses. A "C" indicates a use that is allowed conditionally in the respective district, provided that it meets the additional listed standards contained in Section 4:5 Conditional Uses are subject to other applicable regulations of this Zoning Ordinance.
C. Special Exceptions. An "S" indicates that a use is allowed only if reviewed and approved as a Special Exception, in accordance with the Special Exception Review Procedures of Section 12:7.3– Special Exceptions and upon compliance with general conditions in the regulations. Special Exception uses are subject to all other applicable regulations of this Zoning Ordinance.
D. *Uses Not Allowed*. A blank cell in the Use Table indicates that a use is not allowed in the respective district.

4:3.1 ***Determination of Use.*** In the case of a principal use not listed in the table, the Zoning Administrator may make a determination whether such use is substantially similar to a listed use.

Table 4.1 Principal Uses														
		Zoning Districts												
Use	**NAICS**	**RP**	**RR**	**RN**	**RS**	**RSF**	**RM**	**AG**	**OR**	**C-1**	**C-2**	**C-3**	**I-1**	**I-2**
Animal Care and Training														
Animal Shelters	812910												P	P
Cattery	812910							P		P	P			
Animal Hospital and Veterinary Clinic	541940							P	P	P	P	P	P	P
Horse Riding Academy	611620	P						P						
Horse Stables, Commercial	713990	S						S						
Animal and Pet Services (without outdoor kennels, runs, or play areas)	812910	C						C	P	P	P	P		
Animal and Pet Services (with outdoor kennels, runs, or play areas)	812910							C		P	P	P		
Animal Auction House								C					C	
Business Services														
Automatic Teller Machines	522100								P	P	P	P	P	P
Bank, Savings and Loan, Credit Union	522100								P	P	P	P	P	P
Business Incubator Centers	561400								P	P	P	P	P	
Data Centers	518210												S	S
Dry Cleaning or Laundry, Institutional	812320									P	P	P	P	
Mini Warehouses	531130									C	C	C		
Office -- Business and Professional	541000								P	P	P	P		P
Print Shop	323111								P	P	P		P	P
Uniform, Linen or Towel Supply Business	812331										P	P	P	P
Civic, Education, and Government														
Churches and Religious Institutions	813110	P	P	P	P		P	P	P	P	P	P		
Civic, Social and Fraternal Organizations	813410	P						P	P	P	P	P		
Emergency Service, Fire, Police, EMS	922100	P	P	P	P	P	P	P	P	P	P	P	P	P
Governmental Facilities and Operations	922100							S	P	P	P		P	P
Library	611700								P	P	P			
Music Instruction	611600							P	P	P	P			
Post Office	491110							P	P	P	P		P	

Table 4.1 Principal Uses														
		Zoning Districts												
Use	**NAICS**	**RP**	**RR**	**RN**	**RS**	**RSF**	**RM**	**AG**	**OR**	**C-1**	**C-2**	**C-3**	**I-1**	**I-2**
Schools, Colleges, Technical, Vocational	611000	S	S				S		P	P	P	P		P
Schools, Elementary and Middle	611000	S	S	S	S	S	S		S	S	S	S		
Schools, High School	611000	S	S	S	S	S	S		S	S	S	S		
Construction and Trades														
Cabinet or Carpentry Shop	337100							P			P	P	P	P
Electronics and Home Appliance Repair	811211									P	P	P	P	P
Equipment Sales and Repair	tbd										P	P		P
Gunsmith	811490							P		P	P	P		
Landscape Business	561730							P		P	P	P		
Locksmith	561622									P	P	P		
Monuments and Tombstone Sales	327991										P	P		
Pest Control Business	561710										P	P		
Plumbing, HVAC, Mechanical Contractor	238220										P	P		P
Sign Painting and Manufacturing	339950										P	P	P	P
Welding Shop	811310							P					P	P
Entertainment and Recreation														
Amusement or Theme Park	713110										S	S		
Amusements - Commercial	713120									P	P	P		
Arena, Stadium, Exhibition Hall	531100										S			
Auditorium	711310										S	S		
Bingo Hall									P	P	P	P		
Bowling Alley	713900									P	P	P		
Broadcast Studio, Radio or TV	515100								P	P	P	P		
Community Theater or Concert Hall	711300									P	P	P		
Driving Range	713910									P	P	P		
Fairgrounds	713100							S		P	P	P		
Golf Courses	713910		P	P	P	P	P		P	P	P	P		
Shooting Range, Gun Club. Outdoor		S						P			S	S		
Hunting and Fishing Club Facility		S						P						
Indoor Recreation (Skate, Pool, Gym)	713910									P	P	P		
Motion Picture Theater	512131										C	C		
Museum	712110								P	P	P	P		
Music Studio	512240								P	P	P	P		
Recreation, Indoor (Skate, Pool, Gym)	713910									P	P	P		

Table 4.1 Principal Uses														
		Zoning Districts												
Use	**NAICS**	**RP**	**RR**	**RN**	**RS**	**RSF**	**RM**	**AG**	**OR**	**C-1**	**C-2**	**C-3**	**I-1**	**I-2**
Recreation, Outdoor (swim, baseball, etc.) Public	713900	**S**	**S**	**S**	**S**	**S**	**S**		**P**	**P**	**P**		**P**	
Event Venue	531120	**C**						**C**	**C**	**C**	**C**		**C**	
Farming, Agriculture and Horticulture														
Agricultural Crops and Trees	111000	**P**	**P**	**P**				**P**	**P**	**P**	**P**	**P**	**P**	**P**
Agricultural Sales and Service		**P**						**P**			**P**	**P**		**P**
Hog Farms	112200							**C**						
Greenhouse, Nursery Wholesale	111400	**P**						**P**			**P**	**P**		
Poultry Houses, Commercial	112300							**S**					**P**	
Livestock Domesticated	112000	**C**	**C**	**C**				**P**						
Livestock Processing	311611							**C**					**C**	**C**
Livestock Production		**P**						**P**						
Health Care														
Assisted Living, Skilled Nursing, Continuing Care Retirement Community	623312						**P**		**P**	**P**	**P**	**P**		
Hospital	622110								**P**	**P**	**P**	**P**		**P**
Laboratories	621511								**P**		**P**	**P**	**P**	**P**
Medical Office	621000								**P**	**P**	**P**	**P**		
Manufacturing and Mining														
Armory	423910												**P**	**P**
Automobile or Metal Salvage	423100												**S**	**S**
Automobile Impound Yard													**S**	**S**
Industrial/Manufacturing, Light													**P**	**P**
Industrial/Manufacturing, Heavy	310000												**P**	
Primary Metal Industries	331100												**P**	
Quarries and Mining Operations	210000												**C**	
Sawmills	321113							**P**					**P**	
Salvage Yards, Appliances, Building mat'l	423920												**S**	**S**
Personal Services														
Barber or Beauty Shop	812110								**P**	**P**	**P**	**P**		
Body Piercing and Body Branding	812199										**S**	**S**		
Clothing Alterations	811490								**P**	**P**	**P**	**P**		
Dance Studio	711100								**P**	**P**	**P**	**P**		
Day Care Center, Child/Adult	624410	**C**					**C**		**C**	**C**	**P**	**P**		
Day Care Center in a Church	624410	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**		
Funeral Home	812210								**P**	**P**	**P**	**P**		

Table 4.1 Principal Uses														
		Zoning Districts												
Use	**NAICS**	**RP**	**RR**	**RN**	**RS**	**RSF**	**RM**	**AG**	**OR**	**C-1**	**C-2**	**C-3**	**I-1**	**I-2**
Health Club/Fitness Center									P	P	P	P		
Laundromat, Self-Service	812310								P	P	P	P		
Dry Cleaner	812320									P	P	P		
Photography Studio	541900						P		P	P	P	P		
Sexually Oriented Businesses											S			
Tattoo Parlors	812199										S			
Public Utilities and Essential Services														
Cemetery	812220	P	P					P			P	P		
Communications Towers	517312	C	C	C	C	C	C	C	C	C	C	C	C	C
Crematorium	812220												P	P
Hazardous or Nuclear Waste Storage	562211												S	
Landfill, Sanitary	562212												C	C
Landfill, Inert													C	C
Prisons		S											S	
Recycling Convenience Center	562920	P	P				P	P	P	P	P	P	P	P
Resource Recovery	562920												S	S
Solar Installations, Utility Scale	221114	C						C					C	C
Utility, Minor (substations, pump stations, etc.)	220000	C	C	C	C	C	C	C	C	C	C	C	C	C
Utility, Major	221000		C	C	C	C	C		C	C	C	C	C	C
Residential Uses														
Dwelling, Manufactured Multi-section	na	C	C				C	C						
Dwelling, Manufactured Single-section	na	C	C				C	C						
Dwelling, Multifamily	na						P							
Dwelling, Single Family Attached	na						P		P					
Dwelling, Single Family Detached	na	P	P	P	P	P	P	P	P					
Dwelling, Two-Family (duplex)	na						P		P					
Dwelling, Accessory Unit (ADU)	na	C	C	C	C	C	C	C	C					
Group Living, Rooming Houses								P	P					
Independent Living Community							P	P	P					
Manufactured Home Park	na						C							
Restaurants and Lodging														
Bed and Breakfast	721191	C	C				C	C	C					
Brewery, Craft										P	P	P	P	P
Brewery, Craft, Retail										P	P	P		

Table 4.1 Principal Uses															
		Zoning Districts													
Use	**NAICS**	**RP**	**RR**	**RN**	**RS**	**RSF**	**RM**	**AG**	**OR**	**C-1**	**C-2**	**C-3**	**I-1**	**I-2**
Brew Pub										**P**	**P**	**P**		
Coffee Shop, Bakery or Cafe, no drive-thru	722515									**P**	**P**	**P**		
Catering Establishment	722320							**P**		**P**	**P**	**P**		
Hotel or Motel	721110									**P**	**P**	**P**		
Retreat Center or Vacation Camp	721214	**S**						**S**	**S**					
Nightclub or Tavern	722410										**C**	**C**		
Recreational Vehicle Park or Campground	721211	**C**						**C**			**C**			
Restaurant or Cafe with drive-thru service	722500									**P**	**P**	**P**		
Restaurant without drive-thru service	722500									**P**	**P**	**P**		
Retail Trade														
ABC Store (Liquor Sales)	445300										**C**	**C**		
Auto, Boat, RV Sales, Service or Rental	441100										**P**	**P**		
Convenience Store, without gas sales	447100							**P**		**P**	**P**	**P**		
Dry Cleaning or Laundry, Retail	812310									**P**	**P**	**P**		
Feed and Seed Sales	444220							**P**		**P**	**P**	**P**		
Flea Market	453310										**C**	**C**		
Florists, Flower and Gift Shops	453100							**P**		**P**	**P**	**P**		
Garden Center	444220							**P**		**P**	**P**	**P**		
Gas Station	447100							**S**		**P**	**P**	**P**	**P**	**P**
Lumber Yard	444100							**P**			**P**	**P**	**P**	
Mail Order House	454100										**P**	**P**	**P**	
Manufactured Home Sales	453930										**P**	**P**		
Pawn Shop, Loan Office, or Title Lender	522298										**C**	**C**		
Plant Nursery or Greenhouse, Retail	444220							**P**		**C**	**P**	**P**		
Retail Store over 40,000 square feet	440000										**P**	**P**		
Retail Store	440000									**P**	**P**	**P**		
Rural Crossroads Businesses	722500	**C**	**C**	**C**			**C**	**C**	**C**	**C**	**C**	**P**	**C**	**C**
Shopping Center	440000									**C**	**P**	**P**		
Vehicle Services and Repair														
Automobile Impound Yard													**S**	**S**
Automobile or Tire Service Facility	811198										**P**	**P**	**P**	**P**

Table 4.1 Principal Uses															
		Zoning Districts													
Use	**NAICS**	**RP**	**RR**	**RN**	**RS**	**RSF**	**RM**	**AG**	**OR**	**C-1**	**C-2**	**C-3**	**I-1**	**I-2**
Automobile Repair Shop	811100							**P**			**P**	**P**		
Automobile Wash or Detail Shop	811192							**P**		**P**	**P**	**P**		
Vehicle Race Tracks and Testing Tracks	711212										**C**	**C**	**C**	**C**
Trim Shop or Upholstery Shop	811121							**P**			**P**			
Truck Terminal or Truck Repair Facility	484100							**P**					**P**	**P**
Wholesale Trade														
Auction House/Auction Lots	453998							**C**			**C**	**C**		
Gas Sales, commercial and industrial	454310							**P**					**P**	**P**
Wholesaling, Warehousing, Distribution	420000										**P**	**P**	**P**	**P**
Temporary Uses														
Community Farmer's Market	445230							**P**		**P**	**P**	**P**		
Farm Stand or Produce Stand								**P**		**P**	**P**	**P**		
Fireworks Stands, Temporary	453998							**C**		**C**	**C**	**C**		
Seasonal Sales (Christmas Trees, Pumpkins, Halloween)								**P**		**P**	**P**	**P**		

4:4 Accessory Uses and Structures

4:4.1 Generally

Accessory uses listed in **Table 4.2** are allowed by right in conjunction with a principal use unless otherwise stated in this Zoning Ordinance. Also, unless otherwise stated, accessory uses are subject to the same regulations as the principal use and the regulation of this Section.

A. Accessory uses and structures are permitted by district as listed in Table 4.2 Permitted Accessory Uses and Structures by Zoning District.
B. Accessory uses and structures are subject to additional requirements, as described in Article 4.
C. Accessory uses and structures shall be subject to approval by the Zoning Administrator.

4:4.2 Accessory Uses

Accessory uses shall be:

A. Clearly incidental and subordinate to a permitted principal use in terms of area and function;
B. Customarily found in connection with the principal use;
C. Located on the same lot as the principal use; and
D. Owned or operated by the same person as the principal use.

4:4.3 Accessory Structures

Accessory structures shall:

A. Comply with the maximum number, setback, and height requirements in the applicable zoning district, except those structures subject to Section 4:5.14 Communication Towers and Antennas;
B. Not be located within platted or recorded easements or over underground utilities;
C. Be subordinate in area and size to the principal building (except for agricultural structures);
D. Meet all other applicable standards of this Ordinance when taken together with the principal building or use; and
E. Not be constructed prior to the time the principal building is constructed (except for community gardens and agricultural uses).

4:4.4 Minor Accessory Structures

Minor accessory structures, such as storage or potting sheds, workshops, or greenhouses, shall:

A. Comply with Section 4:4 Accessory Uses and Structures;
B. Comply with the maximum number, setback, and height requirements in the applicable zoning district;
C. Not be within platted or recorded easements or over underground utilities;
D. Not be constructed prior to the time the principal building is constructed (except for community gardens and agricultural uses).

4:4.5 Accessory Uses and Structures Table Key

A. Permitted by Right. A “P” indicates a permitted accessory use or structure in the respective district. The use and structure are also subject to all other applicable requirements of this Ordinance.
B. Conditional. A “C” indicates additional conditional use requirements associated with the accessory use or uses within a district. The use and structure are also subject to all other applicable requirements of this Ordinance.
C. Prohibited. A blank cell indicates the accessory use is not permitted in the respective district.

Table 4.2 Permitted Accessory Uses
Permitted Uses [P], Conditional Uses [C], and Special Exception Uses [S] by Zoning District

		Zoning Districts													
Use	**NAICS**	**RP**	**RR**	**RN**	**RS**	**RSF**	**RM**	**RM**	**AG**	**OR**	**C1**	**C2**	**C3**	**I1**	**I2**
Outdoor Recreation (swimming pool, game courts, etc.	713900	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**		**P**	**P**	**P**		
Event Venue	531120	**C**							**C**			**C**	**C**		**C**
Air Strip		**P**	**P**						**P**					**P**	**P**
Agricultural Crops and Trees	111000	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**
Chickens, Residential	112000	**P**	**C**	**C**	**C**				**P**						
Livestock, Domesticated	112000	**P**	**C**	**C**					**P**						
Horse Stables, Residential		**P**	**C**	**C**	**C**	**C**			**P**						
Plant Nursery or Greenhouse, Wholesale	111400	**P**							**P**			**P**	**P**	**P**	**P**
Recreational Vehicles		**C**	**C**	**C**	**C**	**C**			**C**						
Solar Panels, Commercial	na						**C**		**C**	**C**	**C**	**C**	**C**	**C**	**C**
Solar Panels, Residential Dwelling	na	**C**	**C**	**C**	**C**	**C**	**C**	**C**	**C**	**C**					
Solar Panels, Industrial	na													**C**	**C**
Day Care Home	624410	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**					
Cemetery	812220	**P**							**P**						
Communications Towers	517312	**S**							**S**			**S**	**S**	**S**	**P**
Utility, Minor (substations, pump stations, etc.)	220000	**C**	**C**	**C**	**C**	**C**	**C**	**C**	**C**	**C**	**C**	**C**	**C**	**P**	**P**
Dwelling, Accessory Unit (ADU)	na	**C**	**C**	**C**	**C**	**C**	**C**	**C**	**C**						
Home Occupations	na	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**					
Kennel, Private		**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**						
Farm Stand or Produce Stand	445230	**P**	**P**						**P**		**P**	**P**	**P**		
Recreation, Community Amenity	713990	**P**	**P**	**P**	**P**	**P**	**P**	**P**	**P**	P					

4:5 General Use Conditions

4:5.1 Purpose

The purpose of this Article is to ameliorate the impact and improve the siting of certain land uses, whose characteristics could adversely affect surrounding property and environmental conditions. Toward this end, standards over and above those set forth elsewhere by this chapter are imposed by this article.

4:5.2 Applicability

The following condition use requirements specified in this section shall apply to Principal Uses in any zoning district where the uses are conditionally allowed or allowed by Special Exception.

4:5.3 ABC Store, Liquor Sales

May not be located within 1,000 foot radius of schools or places of worship, churches any religious institutions.

4:5.4 Amusement or Theme Park

Requires traffic study (traffic impact assessment at each surrounding intersection) by licensed traffic engineer.

4:5.5 Animal and Pet Services (With or Without Outdoor Kennels, Runs, or Play Areas)

Requires written approval of all property owners within 1,000 foot radius of the subject parcel.

4:5.6 Arena, Stadium, Exhibition Hall

Requires traffic study (traffic impact assessment at each surrounding intersection) by licensed traffic engineer.

4:5.7 Auction House/Auction Lots

Must be completely enclosed with no outdoor tables or display area.

4:5.8 Auditorium

Requires traffic study (traffic impact assessment at each surrounding intersection) by licensed traffic engineer.

4:5.9 Automotive Wrecking, Appliances, Building Materials Salvage and Junkyards

Owing to the environmental consequences and potential impact of automotive wrecking, salvage, open yard storage of used appliances and junkyards the following conditions apply:

A. Such uses shall be located no closer than five hundred (500) feet to any residential use, church, school, historical place or public park.
B. No material because it is discarded and incapable of being reused in some form shall be placed in open storage.
C. No material shall be placed in open storage in such a manner that it is capable of being transferred out by wind, water, or other causes.
D. All paper, rags, cloth and other fibers, and activities involving the same other than loading and unloading shall be within fully enclosed buildings.
E. All materials and activities not within fully enclosed buildings shall be enclosed by appropriate screening on all sides visible from the road or street serving the facility and an opaque cyclone fence on the remaining unexposed boundaries.
F. No such use shall front on or be visible from a major thoroughfare as designated on the official major thoroughfares map.
G. Any salvage or junkyard existing on the effective date of this chapter shall have twelve (12) months within which to comply fully with subsections (2) though (5) above. Failure to do so will constitute a violation punishable as prescribed by this chapter.

4:5.10 Bed and Breakfast

Requires written approval of all property owners within 300-foot radius of subject parcel

4:5.11 Body Piercing and Body Branding Establishments

All body piercing establishments shall be located no closer than 1,500 feet, measured in a straight line, from the following uses:

1. Adult Day Care;
2. Child Day Care;
3. Educational Institution (public or private);
4. Public Facility (library, park, playground, recreational facility, etc.);
5. Religious Institution;
6. RS or RM zoning district;
7. Drinking establishment;
8. Another body piercing, body branding, or tattoo parlor.

4:5.11-1 Exclusion of Home Occupation. Body piercing establishments are not allowed as a home occupation.

4:5.11-2 Required Permits. Body piercing or body branding establishments shall require any permits required by SCDHEC, and any other federal, state or local governmental department or agency which has rules and regulations governing these types of uses.

4:5.12 Chickens, Accessory, Residential

Requires written approval of all property owners within a 300 foot radius of the subject parcel. Total number of chickens shall not exceed seven (7). Roosters are prohibited

4:5.13 Communications Antennas Co-location Only

This section establishes use conditions and requirements for the co-locating wireless antennas on existing towers or structures. The County endeavors to provide for the ever expanding communications needs while protecting the residential areas and associated land uses from the potential adverse impacts of towers and antennas.

Co-locating antennas on existing towers or structures with modifications consistent with the General Use Conditions for Communication Towers and Antennas listed in Section 4:5.14 and provided co-location is accomplished in a manner consistent with the following:

A. The antenna, as measured from the lowest grade, does not extend more than the maximum allowed building height for the zone wherein the structure is located.
B. The antenna complies with all applicable FCC and FAA regulations.
C. The antenna complies with all applicable building codes.
D. Any tower modifications or reconstructions to accommodate the co-location of an additional antenna is of the same tower type as the existing tower unless the Zoning Administrator allows reconstruction as a monopole.
E. An existing tower may be modified or rebuilt to a taller height provided that it does not exceed the maximum allowed tower height established by the applicable zoning district. the general use conditions provided in Section 4:5.14.
F. A tower which is being rebuilt to accommodate the co-location of an additional antenna may be moved temporarily onsite within fifty (50) feet of its existing location, provided only one (1) tower will remain on the site.

4:5.14 Communication Towers and Antennas

This section establishes general use conditions for the siting of wireless communications towers and antennas. The County endeavors to provide for the ever expanding communications needs while protecting the residential areas and associated land uses from the potential adverse impacts of towers and antennas. Other purposes of this section include:

A. Provide guidelines that allow for the siting of cellular towers within Calhoun County.
B. Discourage the location of towers in residential areas.
C. Minimize the total number of towers located throughout the community.
D. Strongly encourage the joint use of new and existing tower sites as a primary option rather than the construction of additional single-use towers.
E. Encourage the location of towers and antennas in areas where the adverse impact on the community is minimal.
F. Encourage the users of towers to configure them in a way that minimizes the adverse visual impact of the towers and antenna through careful design, siting, landscape screening and innovative camouflaging techniques.
G. Enhance the ability of the providers of telecommunications services to provide services to the community quickly, effectively and efficiently.
H. Avoid potential safety hazards and damage to property from tower failure through engineering and careful siting of tower structures.

4:5.14-1 Applicability

The general use conditions in this section apply to new towers and antennas. All new towers or antennas in Calhoun County shall be subject to these regulations.

Exemptions. The following uses are exempt from these requirements.

A. ***Antennas Co-locating on Existing Towers and Structures***. This section shall not govern the installation of antennas co-located on existing towers and structures that do not increase the height of the tower.
B. ***Amateur Radio Station Operators/Receive Only Antennas***. This section shall not govern the installation of any antenna owned and operated by an amateur radio operator and used exclusively for private noncommercial purposes.
C. ***Pre-existing Towers or Antennas***. Pre-existing towers and antennas shall not be required to meet the requirements of this section unless moved or replaced.

4:5.14-2 Conditionally Approved Towers

New towers may be conditionally approved by the Zoning Administrator if they are consistent with the General Conditions listed in this section and the following:

1. The proposed tower does not exceed the maximum tower height established by the applicable zoning district.
2. The proposed tower is not closer in proximity to adjacent towers than allowed.
3. The Zoning Administrator has certified that co-location with an existing tower or attachment to an existing structure is not feasible.
4. The proposed tower is to be built using monopole or guyed construction.

4:5.14-3 Permits Required

Prior to the erection of a communication tower within the unincorporated area of Calhoun County, a Conditional Use Permit and Building Permit must be obtained from the Zoning Administrator and Building Codes Official. Prior to the issuance of a building permit, the Building Codes Official or his designee must approve the proposed construction or erection of a communications tower subject to the standards of this section.

4:5.14-4 Application Requirements

An application for a building permit for a communications tower or antenna shall include the following information:

A. A scaled site plan showing the location of the tower, guy, anchors (if any), buildings and other structures or improvements, parking, driveways and fences. Adjacent land uses shall also be noted on the site plan, with precise measurements noted between the proposed tower and any surrounding residential structures.

B. Elevation drawing(s) shall clearly show the height and design of the tower, and the materials to be used, including color.
C. Documentation indicating that co-location on existing towers or buildings in the vicinity of the proposed tower was attempted by the applicant but found unfeasible, with reasons noted.
D. Documentation showing the structural capability of the communication tower to accommodate co-location and willingness of the tower owner to allow co-location of the tower.
E. Inventory of existing sites. Each applicant for an antenna and/or tower shall provide to the Zoning Administrator an inventory of its existing towers, antennas or sites approved for towers or antennas that are either within the jurisdiction of the county or within one mile of the border thereof, including specific information about the location, height and design of each tower. The Zoning Administrator may share such information with other applicants applying for administrative approvals or conditional use permits under this section or other organizations seeking to locate antennas within the jurisdiction of the county; provided, however, that the Zoning Administrator is not, by sharing such information, in any way representing or warranting that such sites are available or suitable.
F. Any other information as requested by staff or by the Board of Zoning Appeals to allow adequate review of approval criteria, including a line of sight analysis showing potential visual and aesthetic impacts. For instance, photographs may be required with the tower superimposed to assess visual impact. Additionally, the proposed tower's FAA study number may be required.
G. Any information of an engineering nature that the applicant submits, whether civil, mechanical, or electrical, shall be certified by a licensed professional engineer.

4:5.14-5 General Use Conditions

A. ***Height***. The height of a freestanding or guyed communication tower shall not exceed 300 feet. A tower and/or antenna mounted on an existing building, water tank, or structure other than a freestanding or guyed tower must not extend more than twenty (20) feet above the highest part of the structure.
B. ***Minimum Setback from Residential Structures/Districts.*** One (1) foot setback for each foot in height of the proposed tower, plus fifty (50) feet measured from the base of the tower. This requirement may be waived by the owner(s) of the residential structure. In the case of a tower and/or antenna on a building, the setback must be measured from the base of the building.
C. ***Minimum Setback for Fall Zone.*** A communication tower must be located such that adequate setbacks are provided on all sides to prevent the tower's fall from encroaching onto adjoining properties. The fall zone shall be determined by an engineer certified by the State of South Carolina in a letter which includes the engineer's signature and seal.
D. ***Accessory Building Setbacks***. Guy wires and accessory buildings must satisfy the minimum zoning district setback.
E. ***Historic and Scenic Property.*** A communication tower must not adversely affect any property listed in the National Register of Historic Places, State Heritage Preserves, State or National Parks, or any road or river that has been officially designated a scenic road or river.
F. ***Co-Location Required.*** New antennas are required to co-locate on existing towers, structures, buildings unless sufficient evidence is provided that existing towers, structures, buildings, are not available for use or structurally capable of supporting the proposed antenna.
G. ***Certification of Unavailability of Existing Towers for Co-Location.*** For the purpose of co-location review, the applicant shall submit satisfactory written evidence (such as correspondence, agreements, contracts, etc.) that alternative towers, buildings, or other tall structures are not available for use within the tower applicant's tower site search area that are structurally capable of supporting the intended antenna or meeting the applicant's necessary height criteria, providing a location free of interference from other communication towers, or available at the prevailing market rate (as determined by county staff communications with persons doing business with the industry).
H. ***Future Co-Location Opportunity.*** A communication tower shall be constructed for future co-location opportunities subject to engineering capabilities of that design. The tower's owner must submit documentation of his/her willingness to allow other users to co-locate on the tower at the prevailing

market rate (as determined by county staff communications with persons doing business with the industry).

I. ***Screening.*** A minimum of a six (6) foot non-climbable fence shall be placed around the tower and any associated building. Guy wires may be fenced separately.

J. ***Lighting.*** A communications tower shall only be illuminated as required by the Federal Communications Commission or the Federal Aviation Administration. Nighttime strobe lighting shall not be incorporated unless required by the Federal Communications Commission, Federal Aviation Administration, or other regulatory agency.

K. ***Signage.*** A communication tower shall not include signs on any portion of the tower, except as is required by applicable state or federal law, rule or regulation. However, signs for the purpose of identification, warning, emergency function and/or contact information may be placed as required by standard industry practices.

L. ***Aesthetics.*** Towers and antennas shall meet the following requirements:

1. Applicants must provide camouflaging such as man-made trees, clock towers, bell steeples, light poles or similar alternative-design mounting structures that camouflage or conceal the presence of antennas or towers, or provide documentation as to why camouflage is not feasible.
2. The tower shall either maintain a galvanized steel finish or meet the applicable standards of the FAA. If the tower is not to be camouflaged by an alternative tower structure, the tower is to be painted a neutral color so as to reduce visual obtrusiveness.
3. Whether a tower is camouflaged or not at a tower site, the design of the buildings and related structures shall, to the extent possible, use materials, colors, textures, screening and landscaping that will blend them into the natural setting and surrounding buildings.
4. If an antenna is installed on a structure other than a tower, the antenna and supporting electrical and mechanical equipment must be a neutral color that is identical to or closely compatible with the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible.
5. Existing mature tree growth and natural landforms on the site shall be preserved to the maximum extent possible.

M. ***State or Federal Requirements.*** All towers must meet or exceed current standards and regulations of the FAA, FCC, and any other agency of the state or federal government with authority to regulate towers and antennas. If such standards and regulations are changed, then the owners of the towers and antennas governed by this section shall bring such towers and antennas into compliance with such revised standards and regulations within six months of the effective date of such standards and regulations, unless a different compliance schedule is mandated by the controlling state or federal agency. Failure to bring towers and antennas into compliance with such revised standards and regulations shall constitute grounds for the removal of the tower or antenna at the owner's expense.

N. ***Building Codes; Safety Standards.*** To ensure the structural integrity of towers, the owner of a tower shall ensure that it is maintained in compliance with standards contained in applicable state and local building codes. If, upon inspection, the county concludes that a tower fails to comply with such codes and standards and constitutes a danger to persons or property, then upon notice being provided to the owner of the tower, the owner shall have 30 days to bring such tower into compliance with such standards. Failure to bring such a tower into compliance within said 30 days shall constitute grounds for the removal of the tower or antenna at the owner's expense.

O. ***Tower Abandonment.*** A communication tower that is not used for communication purposes for more than 120 days (with no new application on file for any communication user) is presumed to be out of service and the owner of such tower must notify the Zoning Administrator and remove the tower within sixty (60) days.

P. **Proximity of the tower to residential structures and residential district boundaries**. Towers shall be a minimum of five hundred (500) feet from existing residential, public, school, or church areas.

F. The Zoning Administrator may reduce the burden on the applicant of one or more of these criteria if the applicant demonstrates that the goals of this section are better served thereby.

4:5.15 Event Venue, Accessory Use

A. Improved parking areas (paved or gravel) and paved access drives must provide a minimum number of parking spaces indicated by Table 6.1 of this code.
B. All event venues are subject to review and approval by the Fire Marshall.

4:5.16 Event Venue, Principal Use

A. Requires traffic study (traffic impact assessment at each surrounding intersection) by licensed traffic engineer approved by the SCDOT.
B. Subject to all other use, parking, and district requirements listed in this code.
C. Subject to review and approval by the Fire Marshall.

4:5.17 Farm Animals, Livestock, Barns, Accessory Use, Residential

Excludes raising pigs and hogs.

4:5.18 Farm Animals, Livestock, Barns, Principal Use

See definition. Excludes raising pigs and hogs

4:5.19 Fireworks Stands, Temporary

A. Subject to a Temporary Use Permit and all temporary use and district requirements listed in Section 4:8.
B. Requires plan review by Fire Marshall prior to issuance of permit to operate.

4:5.20 Flea Market

Must be completely enclosed with no outdoor tables or display area.

4:5.21 Hazardous Waste and Nuclear Waste Disposal Sites

All hazardous and nuclear waste disposal sites are declared by this chapter to be incompatible with prevailing environmental conditions, and existing and planned development in Calhoun County. All such uses are therefore prohibited, and no such sites shall be permitted in the future without a comprehensive environmental impact statement, and approval by County Council.

4:5.22 Horse Stables, Private - Accessory Use

Owing to environmental consequences of keeping horses in residential areas, and elsewhere in the community, horse stables, pens and areas for keeping horses shall meet the following requirements:

A. The lot or parcel shall have a minimum width of one hundred (100) feet and a minimum area of one (1) acre for the first three (3) horses or horse stalls, plus an additional twenty thousand (20,000) square feet for each additional horse or horse stall;
B. The lot must be designed and maintained to drain so as to prevent ponding and propagation of insects;
C. The lot must be designed and maintained so as to prevent the pollution by drainage of adjacent streams and other water bodies;
D. The premises must be maintained in a sanitary condition through the proper use of lime and pesticides;
E. The premises must be maintained by keeping manure piles in covered containers at least fifty (50) feet from any dwelling or any pool, patio or other recreational structure on an adjoining lot and at least twenty-five (25) feet from any property line.
F. All manure must be removed at least twice weekly so as to prevent propagation of flies and creation of odors;
G. All grain on the lot must be stored in rodent proof containers;

H. All feed spillage on the lot must be promptly removed so as to prevent attraction of flies, rodents and birds and creation of odors;
I. The exercise and training areas on the lot must be dampened so as to prevent dust; and
J. Prompt veterinary care and services must be provided for sick horses and sick horses shall be removed promptly when deemed necessary by a licensed veterinarian selected by the county.

4:5.23 Horse Stables, Private or Commercial

Owing to environmental consequences of keeping horses in residential areas, and elsewhere in the community, horse stables, pens and areas for keeping horses shall meet the following requirements:

A. The lot or parcel shall have a minimum width of one hundred (100) feet and a minimum area of one (1) acre for the first three (3) horses or horse stalls, plus an additional twenty thousand (20,000) square feet for each additional horse or horse stall;
B. The lot must be designed and maintained to drain so as to prevent ponding and propagation of insects;
C. The lot must be designed and maintained so as to prevent the pollution by drainage of adjacent streams and other water bodies;
D. The premises must be maintained in a sanitary condition through the proper use of lime and pesticides;
E. All manure must be removed at least twice weekly so as to prevent propagation of flies and creation of odors;
F. All grain on the lot must be stored in rodent proof containers;
G. All feed spillage on the lot must be promptly removed so as to prevent attraction of flies, rodents and birds and creation of odors;
H. The exercise and training areas on the lot must be dampened so as to prevent dust; and
I. Prompt veterinary care and services must be provided for sick horses and sick horses shall be removed promptly when deemed necessary by a licensed veterinarian selected by the county.

4:5.24 Landfill, Inert

Due to consideration for the public health and safety and potential pollution of the environment, any such uses proposed for Calhoun County shall comply with the following supplemental development standards:

A. All such uses shall be licensed to operate in the county by the South Carolina Department of Health and Environmental Control.
B. Such uses may be located up to but no closer than one hundred (100) feet from any property line, except such landfills shall not be located closer than three hundred (300) feet from any dwelling, school building, day care center, religious, recreational or medical facility.
C. No materials shall be placed in open storage or areas in such a manner that it is capable of being transferred out by wind, water or other causes.
D. All materials and activities shall be screened in such fashion as not to be visible from off-site. The provisions of this subsection may be waived by the Zoning Administrator where such facility will be utilized for a period not to exceed ninety (90) days.
E. The site shall be restored and revegetated on completion of use as a landfill.

4:5.25 Landfill, Sanitary

Due to consideration for the public health and safety and potential pollution to the environment resulting from sanitary landfills, any such uses proposed for Calhoun County shall comply with the following supplemental development standards:

A. ***Proximity Requirements.*** No such use shall be located within two thousand five hundred (2,500) feet of any existing residential, recreational, religious, educational, medical or public use (measured in a straight line).
B. ***Geotechnical Certification.*** A geotechnical engineering firm shall render a written opinion that, to their best professional judgement, the rock formations being used to contain the waste are impermeable and that the surrounding ground water sources will not be contaminated.
C. ***Drainage and Sediment Control.*** A drainage and sedimentation plan shall accompany the request,

showing all offsite runoff.

D. ***Buffer and Landscaping Required.*** The facility shall be enclosed by a bufferyard and landscaping on all sides visible from the road or street serving the facility and an opaque cyclone fence on the remaining unexposed boundaries.
E. ***Decommissioning and Restoration.*** The site shall be restored and vegetated on completion of use as a landfill.
F. ***SC-DHEC License Required.*** All such uses shall be licensed to operate in the county by the South Carolina Department of Health and Environmental Control.

4:5.26 Manufactured Housing, Mobile Homes

4:5.26-1 Applicability

The requirements of this section shall apply to all Manufactured Homes and Mobile Homes located in Calhoun County.

Exceptions. It shall be unlawful for any person to cause or allow any mobile or manufactured home located in individual locations or in parks to be parked, located, placed, maintained, or used for business, living or other purposes on any street, alley, park, county property, or private property

within the boundaries of the county except in conformance with these regulations, with the following exceptions:

1. These regulations shall not apply to modular, prefabricated, or unitized dwellings permanently affixed to the ground on permanent foundations
2. In the event of a disaster, manufactured homes or travel trailers placed in the county to provide emergency housing relief shall be allowed a period of time not to exceed 60 days to comply with the provisions of this chapter. Similarly, in the event of such disaster, manufactured homes or travel trailers used for medical relief shall be exempt from the provisions of this chapter.
3. Unoccupied manufactured homes that are principally for sale or resale on a manufactured home dealership lot are exempt from these regulations.
4. In the event of expansion or enlargement of a mobile/manufactured home park existing at the time of adoption of the ordinance from which this chapter is derived, all of the terms and conditions of this chapter shall apply to the expanded or enlarged portions of such parks.

A. ***Mobile Home Nonconforming Structure; Removal Required.*** A mobile home, as defined in section 2:2.50, manufactured prior to June 15, 1976, or manufactured after June 15, 1976 without certification of compliance with HUD standards, is declared a nonconforming structure. All nonconforming mobile homes shall be removed from the unincorporated areas of the County when they have been vacant for a period of six (6) months. The Zoning Administrator may grant an extension of not more than six (6) months in an individual case.

4:5.26-2 Manufactured Housing Design and Installation Standards

All manufactured multi-section and single-section homes shall meet the following:.

A. All mobile homes and manufactured homes shall comply with South Carolina Uniform Standards Code for Manufactured Housing, S.C. Code 1976, § 40-29-5 et seq., and with Chapter 79 of the South Carolina Code of Regulations.

B. ***Skirting.*** All mobile homes or manufactured homes, whether on temporary or permanent foundations, shall have a skirting or a curtain wall, unpierced except for required ventilation and access door. It must be installed and maintained so that it encloses the area under all manufactured homes and any additions, to ground level. Porches and decks shall be enclosed with wood lattice or similar materials. The foundation skirting or curtain wall may be of brick, masonry, or vinyl or similar durable materials designed and manufactured for permanent outdoor installation. Material used for skirting shall be erected so as not to create a fire hazard and maintained in a good state of repair.
C. ***Ventilation.*** The under-floor space between the bottom of the floor joists and the earth under any

building (except space occupied by a basement or cellar) shall be provided with ventilation openings through foundation walls or exterior walls. The minimum net area of ventilation openings shall not be less than 1 square foot for each 150 square feet of under-floor space area. One such ventilating opening shall be within 3 feet (914 mm) of each corner of said building.

D. ***Crawl Space Access.*** An access opening 18 inches by 24 inches with lockable access door shall be provided to the under-floor space.

E. ***Driveways.*** An all-weather surface driveway from the adjacent access road to the manufactured home is required.

F. ***Parking.*** Off-street parking for a minimum of two vehicles per home is required. Driveways shall be sufficient in size to park a minimum of two vehicles without vehicles encroaching into the road.

G. ***Setbacks.*** Minimum setbacks are required in accordance with the zoning district in which the manufactured home is located. Setbacks for each zoning district are specified in the District Regulations for each district in Article 3.

H. ***Orientation.*** The manufactured home shall be located so that the main entry door faces the street on which the manufactured home is located. An all-weather walkway shall be installed from the street, driveway or sidewalk adjoining neighboring lots to the front door. The manufactured home must be oriented on the lot so that its long axis is parallel with the street. However, a perpendicular or diagonal placement may be permitted if the orientation is consistent with other manufactured homes within an existing or newly approved manufactured home park here the home is to be located.

I. ***Inspections.*** Newly installed manufactured home shall be subject to all permit and inspection requirements of county building and planning department prior to occupancy.

4:5.26-3 Certification

All mobile homes and manufactured homes shall comply with South Carolina Uniform Standards Code for Manufactured Housing, S.C. Code 1976, § 40-29-5 et seq., and with Chapter 79 of the South Carolina Code of Regulations. Failure to bring a unit into compliance with the South Carolina Uniform Standards Code for Manufactured Housing and with all other Calhoun County Ordinances within 60 days after notice of deficiencies shall be a violation and subject to penalties as provided in the Calhoun County Code.

4:5.26-4 Permit Application Required

Individuals desiring to place and occupy a mobile home, manufactured home, or mobile office for the first time or to move from one site to another within the unincorporated area of the county must obtain an installation permit from the county permitting agent. The installation permit shall be obtained prior to placement on the proposed site. Zoning approval, DHEC approval, moving permit, and copy of license of the installer shall be required prior to permitting. Applications for permits shall be filed with the permitting agent on a form to be developed by the permitting agent. The cost of the permit shall be set by the county council. Permits shall expire six months after the date of issue.

4:5.26-5 Water Supply and Waste Disposal

The water supply and waste disposal systems of all mobile homes and manufactured homes shall be inspected and/or approved by the state department of health and environmental control (SCDHEC) before an installation permit may be issued. In the case of an existing waste disposal system, a written certification, by a septic tank contractor licensed by SCDHEC, of the systems existence and suitability shall be accepted in place of specific approval by SCDHEC.

4:5.26-6 Abandonment and Storage

A. Any manufactured home determined to be abandoned shall be considered unsafe and unhealthful and shall be required to be removed by its owner or the owner of the land on which it is located. If this is not done by the owner or landowner, the county may remove the manufactured home the expense of which shall be charged to the owner or landowner. Prior to removing an abandoned home the county shall give 30 days' written notice to the owner of a right to cure the defect. The notice shall be sent by regular mail to the last address available for real property tax purposes. The county shall not be required by this chapter to remove abandoned homes.
B. Under no conditions shall a manufactured home in any condition be permitted for storage use in the county.

4:5.26-7 Property Owner Consent

No manufactured home, mobile home, or mobile office shall be permitted to be located on property owned by someone other than the manufactured home, mobile home, mobile office owner without written consent of the property owner, a copy of which shall be on file with the building official.

4:5.26-8 License Required for Manufactured Home

As required in S.C. Code 1976, § 31-17-320, within 15 days of bringing a manufactured home into Calhoun County or the purchase of a manufactured home in Calhoun County for dwelling purposes, the rental agent or person in possession shall obtain a license from the Calhoun County Tax Assessor.

A. ***Exceptions.*** No license shall be required for manufactured homes held by dealers for resale, nor shall this article apply to manufactured homes licensed by the South Carolina Department of Transportation.
B. ***Validity of License; Display of Decal; Fee.*** Per requirements of S.C. Code 1976, § 31-17-340, a manufactured home license issued by the licensing agent shall be valid until title to such manufactured home is transferred to a new owner or until the manufactured home is relocated. The license shall be evidenced by a decal to be delivered to the owner or his agent on such form as shall be prescribed by the South Carolina Department of Revenue and shall be displayed on the manufactured home so as to be clearly and readily visible from the outside. The fee for a manufactured home license shall be $5.00. The fee shall be collected by the licensing agent issuing the license and shall be paid into the general fund of the county.
C. ***New License Required Upon Transfer.*** Per S.C. Code 1976, § 31-17-350, if the title to a manufactured home is transferred to a new owner, the new owner or his agent shall, within 15 days after the date of such transfer, obtain a new license from the licensing agent.

4:5.26-9 Moving Permit; Certificate Concerning Taxes; Notice to Electricity Provider

A. If the manufactured home is to be relocated, the owner shall, prior to relocation, obtain a moving permit from the permitting agent. Before issuing a moving permit, the permitting agent shall require a certificate from the county treasurer that there are no unpaid taxes due on the manufactured home and if taxes have not yet been assessed for the calendar year in which the move is being made, the assessor shall provide the county auditor with an assessment and the auditor shall apply the previous year's millage, and a zoning approval from the permitting agent if moved within the county.
B. If the manufactured home is to be removed beyond the boundaries of the county, any taxes that have been assessed for that calendar year shall be paid in full, and if taxes have not yet been assessed for the calendar year in which the move is being made, the assessor shall provide the county auditor with an assessment and the auditor shall apply the previous year's millage.
C. Per S.C. Code 1976, § 31-17-350, the county treasurer shall collect such taxes before issuing the requisite certificate to the licensing agent.
D. Per S.C. Code 1976, § 31-17-360, the licensing agent shall promptly notify the electricity provider that a permit has been issued.
E. The permit required by this section is not required of manufactured home dealers when they are moving a manufactured home from their sales lot to a customer's lot, but the manufactured home dealer is not relieved from obtaining any permit required from the department of transportation for the relocation.
F. *Moving Permit; Accompany Home During Move; Responsibility to Display.*
    1. The moving permit shall accompany the manufactured home or mobile home while it is being moved.
    2. The moving permit shall be designed and displayed in accordance with regulations issued by the state department of revenue.
    3. It shall be the responsibility of the transporter that the required moving permit is properly displayed and accompanies the home while it is being moved.

G. Moving Permit; Submission to Licensing Agent of New County; New License Required; Copy of Receipt to New County.
    1. Per S.C. Code 1976, § 31-17-380, if the relocation is from one county to another, the owner, rental agent, or person in possession of the home, within 15 days after the home is relocated, shall submit the moving permit to the licensing agent of the county in which the home is relocated and obtain a new license pursuant to S.C. Code 1976, § 31-17-320.
    2. The licensing agent issuing the moving permit shall promptly furnish the licensing agent of the county to which the home is being transported with the following:

a. A copy of the certified license application or permit;
b. A copy of the paid tax receipt from the county from which the home is being moved; and
c. A copy of the certificate of title; or a copy of the completed application for a certificate of title submitted to the department of public safety.

4:5.26-10 Copy of Applications, Permits Given to County Assessor and Auditor

Per S.C. Code 1976, § 31-17-390, a copy of all license applications and moving permits must be furnished to the county assessor and the county auditor within ten days of issuance.

A. Submission to County Auditor, Copy of Application for Title; Penalties.

1. Contemporaneously with the submission of an application for a certificate of title on a mobile or manufactured home as required by the S.C. Code 1976, § 56-19-240, the person submitting the application shall provide to the county auditor a copy of the completed application submitted to the department of public safety.
2. It is unlawful for a person applying for a title for a mobile or manufactured home to fail to provide a copy of the application to the county auditor.
3. A person who violates the provisions of this section is guilty of a misdemeanor and, upon conviction, must be punished by a fine of not less than $100.00 nor more than $500.00, or imprisonment for not more than 30 days.

4:5.27 Manufactured Home Parks

4:5.27-1 Purpose

The purpose of this section is to establish regulations for the development and design of Manufactured Home Parks and well as the installation of Manufactured Homes within a park development to encourage high quality manufactured home parks within Calhoun County and to ensure an orderly, sound, sanitary environment for residents of such homes and to ensure that such Manufactured Home Parks will contribute to the general welfare of all county residents.

4:5.27-2 Applicability

The requirements of this Section shall apply to all Manufactured Home Parks located in Calhoun County. In addition, all Manufactured Home use conditions listed in Section 4:5.26 shall also apply.

4:5.27-3 Development Standards

The following standards shall apply to the manufactured home park and individual units within the park.

A. ***Minimum Park Size.*** Five (5) Acres
B. ***Minimum Pad Site Size for Each Manufactured Home.*** 10,000 square feet.
C. ***Maximum Density.*** Two (2) units per gross acre. If public sewer is available the maximum density is four (4) units per gross acre.
D. **Setbacks.** A Fifty (50) foot perimeter setback is required from all external lot lines.
E. Minimum Unit Separation. Individual manufactured homes shall have a minimum separation of fifty (50) feet.
F. ***Mass Grading Prohibited.*** The Manufactured Home Park site shall be developed in a manner that preserves natural topography, existing tree cover, and natural features. For this reason, mass grading and clearcutting trees is prohibited.
G. ***Access***. No individual manufactured home site shall have direct access to a public street or highway. All manufactured home sites shall have access to an all weather interior street which is not less than 30 feet in width having a paved surface not less than 20 feet in width. If parallel parking is provided, streets shall have a paved surface of 28 feet with a 5-foot right-of-way on each side.
H. ***Driveways.*** An all-weather surface driveway from the adjacent access road to the manufactured home is required.

I. ***Parking.*** Off-street parking for a minimum of two vehicles per home is required. Driveways shall be sufficient in size to park a minimum of two vehicles without vehicles encroaching into the road. One space for each park site employee shall be provided at each service building or recreation area.

J. ***Bufferyards.*** A minimum 50 foot bufferyard shall be provided adjacent to all perimeter property lines.

K. Recreation Space. A minimum of 200 square feet of usable open space for each manufactured home site shall be provided in the manufactured home park. For purposes of this section, "Usable Open Space" shall be construed to mean parks, open space, and recreation amenities. When the anticipated population shall include children, a play area shall be provided of no less than 400 square feet.

L. ***Landscaping and Screening***. A continuous visual screen must be provided along the side and rear exterior lot lines where any RV Park is adjacent to a residential use and/or district. An opaque screen consisting of evergreen trees and shrubs minimum height of six (6) feet above grade shall be used for the purpose of screening. Evergreen shrubs and trees shall be at least four (4) feet in height at the time of planting and capable of forming a continuous opaque screen at least eight (8) feet in height within two (2) years.

M. ***Utility Requirements***. Each manufactured home site in a manufactured home park shall be provided with approved water and sewer/septic service meeting the approval of DHEC. All electric services shall be located underground.

N. ***Recreation Areas and Open Space***. Twenty percent (20%) of the gross acreage of the Manufactured Home Park must be set aside as a Recreation Area and Usable Open Space. For purposes of this section, "Usable Open Space" shall be construed to mean easily accessible parks, lawns, wooded areas and recreation amenities such as picnic shelters, walking pathways, playgrounds, or similar improvements. Playgrounds, if provided, shall be no less than 400 square feet.

O. ***Orientation and Placement.*** Individual manufactured homes shall be located so that the main entry door faces the street on which the manufactured home is located. An all-weather walkway shall be installed from the street, driveway or sidewalk adjoining neighboring lots to the front door. The manufactured home must be oriented so that its long axis is parallel with the street. However, a perpendicular or diagonal placement may be permitted if the orientation is consistent with other manufactured homes within an existing manufactured home park where the home is to be located.

P. ***Patio or Deck***. For each manufactured home there shall be constructed a permanent patio located adjacent to or attached to the manufactured home pad. The patio shall be at least 16 square feet in area of concrete or masonry construction. Each patio shall have sufficient gradient to direct drainage away from the manufactured home pad. The patio shall not be within 5 feet of the property line. In lieu of the patio, a treated wood deck of the same dimensions may be used.

Q. ***Operating Requirements***. The operator of each manufactured home park shall comply with all SCDES rules and regulations governing the sanitation and operation of manufactured home parks.

R. ***Garbage Disposal***. Durable garbage containers with tight fitting covers shall be required for each site for the disposal of all garbage and rubbish. Collection will be on a weekly basis to ensure the containers shall not overflow. All individual containers shall be stored and screened from view except on collection day. In lieu of individual containers, a 20 cubic yard dumpster for every 20 manufactured homes may be provided. Refuse shall not be disposed of within the park. All dumpsters shall be enclosed and screened with shrubbery, and be located no closer than thirty (30) ft from any external property line.

S. ***Dead-End Roads***. Closed dead-end roads shall not exceed 300 feet in length and be constructed with an approved 35 foot radius cul-de-sac or hammerhead style turn-around with approved turning area for fire apparatus.

T. ***Street Lighting***. All streets within the park shall be lighted at night. All street lights and security lights shall be full cutoff fixtures, directing light downward to prevent light trespass to adjacent properties.

U. ***Storage Area***. On each manufactured home site, a space shall be designated for a storage building for the purpose of storing furniture, refuse containers, tools, outdoor equipment, and other such items. Such facilities shall be provided in convenient proximity to all Manufactured Homes, and may consist of individual buildings or structures which are shared by several units. They shall be of such design and construction as to enhance the appearance of the premises and shall be of durable, weather resistant materials. Storage buildings will only be permitted in locations designated on the approved manufactured home park plans.

V. ***Street Names***. Permanent street names approved by the Planning Commission shall be assigned to each road with the development.

4:5.27-4 Nonconforming Manufactured Home Parks

Manufactured home parks which were lawfully in existence and operating at the time of adoption of this ordinance and which do not conform to requirements set forth in this Article shall be considered nonconforming. Nonconforming parks may not be expanded, enlarged or altered unless the following conditions are met.

A. There is a previously approved site plan on file with the County that identifies the number and location of the pad sites for expansion, in which case the park may only be expanded if in accordance with the previously approved plans.
B. The number of units in a nonconforming park shall not exceed the maximum number of units originally approved for the manufactured home park.
C. Units in a nonconforming park may be replaced provided that homes encroaching into the setback not be located any closer to the property line than the prior unit. In no case shall a unit be placed closer than twenty-five (25) feet from a property line. If at any time a nonconforming manufactured home park is reduced to one (1) unit for a period exceeding six (6) months, the park shall not be reestablished unless it conforms to all requirements in this Article.

4:5.27-5 Site Plan Approval

Prior to construction of a new manufactured home park or enlargement of a manufactured home park existing at the time of adoption of this Ordinance, a development plan approved by South Carolina Department of Health and Environmental Control (DHEC) shall be submitted to the Zoning Administrator in accordance with the schedule and fees for Preliminary Subdivision Plans. The Zoning Administrator shall send copies of the plan and attachments to the appropriate public officials and agencies for their review and recommendations and review the proposed development for conformance with all applicable regulations before issuing a zoning permit.

4:5-27.6 Site Plan Requirements

The plan shall be drawn by a registered engineer/surveyor of the state of South Carolina to scale of not less than 100 feet to 1 inch and shall contain the following information:

A. Names and locations of adjoining development, subdivisions, streets and the location and ownership of adjoining undeveloped property;
B. Boundaries of the tract to be developed with all bearings and distance indicated;
C. Existing zoning classification of the site. The name of development and surveyor or engineer;
D. The name and address of the owner;
E. The date of the survey and plat preparation, north arrow and graphic scale;
F. A surveyor's certificate of accuracy, certifying that the error of closure of the boundary is no greater than a ratio of 1:5,000;
G. Acreage chart summarizing total acreage, usable open space, recreation amenities, streets, ponds, wetlands, and undevelopable areas, as applicable; and
H. A statement regarding how water and sanitary sewer or septic service will be provided

I. Property lines; rights-of-way, easements and streets, railroads, utility transmission lines, storm sewers, ditches and culverts, sanitary sewers and water mains, bridges, and buildings;
J. Trees 24" DBH and greater that are to remain, including their Critical Root Zones;
K. Size and location of existing structures;
L. Zoning and land uses on adjacent properties;
M. Forested areas, marshes, watercourses, ponds, and any other similar features;.
N. Contours showing the topography of the site at a vertical interval of two (2) feet,
O. 100-year floodplain, accompanied by the high water elevation, if available;
P. The location of any historic sites, cemeteries, archaeological sites, burial grounds which merit protection Protective measures shall be listed on the plan in a narrative form with ownership and location identified in the notes. These measures shall be in accordance with the laws, ordinances, and regulations of the State of South Carolina, or Federal Government; and
Q. Existing cemeteries shall be deeded as a separate lot.. A minimum twenty (20) foot wide private or public access easement shall be provided. Cemeteries shall be fenced in a manner to protect the cemetery and control access.
R. Street rights-of-way, pavement widths, centerline road radii, grades, street names, street profiles and roadway sections;
S. The location and size of manufactured home pad sites.
T. Location of proposed trails, pathways, greenways and proposed trail surface;
U. Usable Open Space and recreation amenities;
V. A landscaping plan showing all required bufferyards, and proposed plantings, entrance features, screening, fencing, hedges, and existing trees and critical root zone to be preserved.
W. A lighting plan showing all proposed street light locations and photometric values, including cut sheets on poles and fixtures.
X. Plans prepared by an engineer for sanitary sewers, storm sewers and water lines showing connections to existing systems; proposals for developing new water supply, storm drainage, and sewage disposal systems; storm and sanitary sewer profiles, and sizes.
Y. Easements and rights-of-way including locations, dimensions, and purposes.
Z. Minimum building setback lines along the street right-of-way and rear and side property lines.
AA. Storage areas, and areas to be used for purposes other than residential, if any, with the purpose, location, and dimensions of each indicated.
BB. The location of dumpsters if applicable.
CC. The location of fire hydrants if applicable.
DD. Drainage Plan. Stormwater Management and Sedimentation and Erosion Control Plans shall be submitted to the County/SCDHEC and approved prior to final approval being granted by the Zoning Administrator.
EE. Development phasing limits.

4:5.28 Mini Warehouses

Due to the need to integrate miniwarehouses into the urban fabric of the community, the following standards shall be observed:

A. *Size.* Mini Warehousing sites shall not exceed two (2) acres.
B. *Lot Coverage.* Lot coverage of all structures shall be limited to fifty (50) percent of the total area.
C. *In/Out.* Vehicular ingress-egress shall be limited to one (1) point for each side of property abutting any street lot line.
D. No business activities other than rental of storage units shall be conducted on the premises.
E. *Bufferyards and Screening.* Mini warehouses shall meet the bufferyard requirements for office and commercial uses with less than 0.25 floor area ratio.

4:5.29 Motion Picture Theater

Traffic study (trip generation and traffic impact assessment at each surrounding intersection) by licensed traffic engineer required.

4:5.30 Prisons

A proposed siting of a prison shall be subject to the following requirements, as well as any special conditions imposed by the Board of Zoning Appeals to secure public health, safety and acceptance:

A. Full disclosure of all emergency procedures and an analysis of the adequacy of those procedures, where applicable.
B. Special bufferyard and screening requirements as described in Article 8.
C. Environmental Assessment as prescribed by the National Environmental Policy Act of 1969 (NEPA), where necessary to adequately evaluate the impact of such uses.)

4:5.31 Quarries and Other Mining Operations, Resource Recovery Facilities, Solid Waste Storage and Transfer Facilities, Waste Tire and Treatment Sites, and Composting Facilities

In keeping with the goals of the state's Solid Waste Policy and Management Act of 1991: to reduce the amount of solid waste being received at public landfills and incinerators and to promote recycling of waste resources; and to promote land use compatibility in the process, the above referenced facilities, where proposed for the county, shall meet the following siting and location criteria:

A. No such use, required to be located in the I-1 District, shall be located closer than one thousand (1,000) feet to any residential district, church, school, historical place or public park or within four hundred (400) feet of an existing residential use.
B. No material shall be placed in open storage or areas in such a manner that it is capable of being transferred out by wind, water or other causes.
C. All materials and activities shall be screened in such fashion as not to be visible from off-site. Screening may be accomplished by any combination of fences, walls, berms or landscaping in order to be fully screened from view. Where plants are to be used, they shall be evergreens of sufficient size to accomplish buffering and screening at the time of installation.
D. Any resource recovery facility engaged in the production, processing, or disposal of materials defined as "hazardous waste", as defined by S.C. Code 1976, § 44-56-20, shall only be located in the I-1 District and shall be subject to the same locational restrictions of Section 4:5-21 Hazardous Waste and Nuclear Waste Disposal Sites.

4:5-32 Recreational Vehicles

Recreational Vehicles are not permitted or allowed for use as a permanent residence and shall be used for temporary recreational housing, and shall not be occupied for more than 90 days in any calendar year.

A. ***Storage***. Recreational vehicles shall not be parked, stored or located in the front yard in any residential district where conditionally permitted.
B. ***Electric Hookup***. In any residential district, recreational vehicles shall not have a dedicated electrical supply source or separate electrical meter.

4:5-33 Recreational Vehicle Parks (RV Parks)

Camps and recreational vehicle (RV) parks, when conditionally permitted in a zoning district shall comply with the standards in this section.

4:5-33.1 Occupancy

Recreational Vehicle Parks are considered temporary occupancy, therefore no individual recreational vehicle or trailer shall be occupied or remain in a park for more than 90 days per year.

4:5-33.2 Permitted Vehicles

RV Parks shall only be for the use of travel trailers, pickup campers, coaches, motor homes, camping trailers, other vehicular accommodations, park model units and on-site rental cabins.

4:5-33.3 Design Requirements

A. ***Minimum Park Size*.** Parks shall be situated on a parcel of at least five (5) contiguous acres that are undivided by road rights-of-way or public dedication.
B. ***Density*.** Total number of RV sites in the park shall be limited to no more than eight (8) sites per acre.
C. ***RV Parking Site Minimum Dimensions.*** Each site in the park shall have a minimum area of eight hundred (800) square feet in area and at least twenty-five (25) feet wide
D. ***Minimum Setbacks.*** RV Parks shall have a minimum perimeter setback of fifty (50) feet along all front, side and rear property lines. RV's or other structures shall not be located within the perimeter setback area.
E. ***Minimum Separation.*** No part of any travel trailer, motor home, camping trailer or other unit shall be placed closer than thirty (30) feet from another RV or building
F. ***Bufferyards.*** A minimum 50-foot wide bufferyard shall be required around the entire perimeter of the park.
G. **Landscaping and Screening.** A continuous visual screen must be provided along the side and rear exterior lot lines where any RV Park is adjacent to a residential use and/or district. An opaque screen consisting of evergreen trees and shrubs minimum height of six (6) feet above grade shall be used for the purpose of screening. Evergreen shrubs and trees shall be at least four (4) feet in height at the time of planting and capable of forming a continuous opaque screen at least eight (8) feet in height within two (2) years.

4:5-33.4 Operating Requirements

A. ***Zoning Permit Required.*** The owner/operator shall be required to have a zoning permit to operate any approved RV park in the County. A zoning permit may be issued to the owner/operator only after the Zoning Administrator reviews plans for compliance with the requirements of this ordinance.
B. The operator of each recreational vehicle park shall comply with all SCDHEC and County regulations governing the sanitation and operation of manufactured home parks. The park owner/operator shall maintain a record of length of stay of each recreational vehicle within the park and to notify each visitor of the County regulations governing occupancy and length of stay.
C. ***Garbage Disposal.*** Durable, watertight, refuse containers, with fly-tight covers sufficient to contain all refuse, shall be provided at each service building and sanitary waste station, or at a central storage area

readily accessible and located not more than five hundred (500) feet from any site or picnic site. Refuse containers shall be provided at a rate of eight cubic feet or 60 gallons for each five sites or equivalent thereof if containers are provided at individual sites. All camp trash and debris must be disposed of by a private qualified third- party provider.

4:5-34 Rural Crossroads Business

This use is limited to retail sales establishments 2,500 square feet or less in size and located on a corner lot at the intersection of two arterial streets or an arterial street and a collector street. Gas sales are limited to 3 pumps or less.

4:5-35 Sexually Oriented Businesses

The provisions of this ordinance have neither the purpose nor effect of imposing a limitation or restriction on the content of any communicative materials, including sexually oriented materials. Similarly, it is not the intent nor effect of this ordinance to restrict or deny access by adults to sexually oriented materials protected by the First Amendment, or to deny access by the distributors and exhibitors of sexually oriented entertainment to their intended market. Neither is it the intent nor effect of this ordinance to condone or legitimize the distribution of obscene material.

A. ***Classification.*** Sexually oriented businesses are classified as follows:
   1. Adult arcades.
   2. Adult bookstores or adult video stores.
   3. Adult cabarets.
   4. Adult motels.
   5. Adult motion picture theaters.
   6. Adult theaters.
   7. Escort agencies.
   8. Nude model studios.
   9. Sexual encounter centers.

B. ***Permit and/or License Required.*** A person commits a misdemeanor if he operates a sexually oriented business without a valid permit and/or license issued by the county for the particular type of business.
   1. An application for a permit and/or license must be made on a form provided by the appropriate county department.
   2. The application must be accompanied by a sketch or diagram showing the configuration of the premises, including a statement of total floor space occupied by the business. The sketch or diagram need not be professionally prepared but must be drawn to a designated scale or drawn with marked dimensions of the interior of the premises to an accuracy of plus or minus six (6) inches.
   3. The applicant must be qualified according to the provisions of this chapter and the premises must be inspected and found to be in compliance with the law by the health department, fire department, and Building Official.
   4. If a person who wishes to operate a sexually oriented business is an individual, he must sign the application for a permit and/or license as the applicant. If a person who wishes to operate a sexually oriented business is other than an individual, each individual who has a ten (10) percent or greater interest in the business must sign the application for a permit and/or license as applicant. If a corporation is listed as owner of a sexually oriented business or as the entity which wishes to operate such a business, each individual having a ten (10) percent or greater interest in the corporation must sign the application for a permit and/or license as applicant.
   5. The fact that a person possesses other types of state or county permits and/or licenses does not exempt him from the requirement of obtaining a sexually oriented business permit and/or license.

C. ***Issuance of Permit and/or License.*** The Zoning Administrator shall approve the issuance of a permit and/or license to an applicant within thirty (30) days after receipt of an application unless he finds one (1) or more of the following to be true:

1. An applicant is under eighteen (18) years of age.
2. An applicant or an applicant's spouse is overdue in his payment to the county of taxes, fees, fines and penalties assessed against him or imposed upon him in relation to a sexually oriented business.
3. An applicant has failed to provide information reasonably necessary for issuance of the permit and/or license or has falsely answered a question or request for information on the application form.
4. An applicant is residing with a person who has been denied a permit and/or license by the county to operate a sexually oriented business within the preceding twelve (12) months, or residing with a person whose license to operate a sexually oriented business has been revoked within the preceding twelve (12) months.
5. The premises to be used for the sexually oriented business have not been approved by the health department, fire department and/or the building official as being in compliance with applicable laws and ordinances. If any of the required inspections have not been completed in the forty-five-day period after application submittal, the zoning administrator shall, upon written request of the applicant, issue a sexually oriented business permit contingent upon successful completion of the required inspection, provided that, along with the written request for the contingent permit, the applicant submits written documentation that it requested the inspections in a timely manner and that all other requirements for issuance of the permit have been satisfied. For purposes of this subsection, a request for an inspection shall be deemed to be "timely" if requested between sixty (60) and thirty (30) days prior to expiration of the permit. An inspection is not timely if done prior to sixty (60) days before expiration. The contingent permit shall be immediately deemed null and void if the applicant fails any inspection.
6. The permit and/or license fee required by this ordinance has not been paid.
7. An applicant of the proposed establishment is in violation of or is not in compliance with any of the provisions of this ordinance. The permit and/or license, if granted, shall state on its face the name of the person or persons to whom it is granted, the expiration date, and the address of the sexually oriented business.
8. The permit and/or license shall be posted in a conspicuous place at or near the entrance of the sexually oriented business so that it may be easily read at any time.

D. ***Fees.*** The annual fee for a sexually oriented business permit and/or license is one thousand five hundred dollars ($1,500.00).

E. ***Inspection.*** An applicant, or permittee and/or licensee shall permit representatives of the sheriff's department, health department, fire department, planning and development department, or other county or state departments or agencies to inspect the premises of a sexually oriented business for the purpose of insuring compliance with the law, at any time it is occupied or open for business. A person who operates a sexually oriented business or his agent or employee commits a misdemeanor if he refuses to permit such lawful inspection of the premises at any time it is occupied or open for business.

F. ***Expiration of Permit and/or License.*** Each permit and/or license shall expire one (1) year from the date of issuance and may be renewed only by making an application as provided by subsection (c) above. Application for renewal should be made at least thirty (30) days before the expiration date, but not more than sixty (60) days before the expiration date, and when made less than thirty (30) days before the expiration date, the expiration of the permit and/or license will not be affected. It is the responsibility of the applicant to ensure that he meets these deadlines. When the Zoning Administrator denies renewal of a license, the applicant shall not be issued a permit and/or license for (1) year from the date of denial. If subsequent to denial, the Zoning Administrator finds that the basis for denial of the renewal permit and/or license has been corrected or abated, the applicant may be granted a permit and/or license if at least ninety (90) days have elapsed since the date denial became final.

G. ***Suspension***. The Zoning Administrator shall suspend a permit and/or license for a period not to exceed thirty (30) days if he determines that a permittee and/or licensee or an employee of a permittee and/or licensee has:
    1. Violated or is not in compliance with any section of this ordinance.
    2. Engaged in 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 chapter.
    4. Knowingly permitted gambling by any person on the sexually oriented business premises.

H. ***Revocation***. The Zoning Administrator shall revoke a permit and/or license if a cause of suspension in subsection (h) above occurs and the permit and/or license has been suspended within the preceding twelve (12) months. The county Zoning Administrator shall revoke a permit and/or license if he determines that:
    1. A permittee and/or licensee gave false or misleading information in the material submitted to the zoning administrator during the application process.
    2. A permittee and/or licensee or an employee has knowingly allowed possession, use or sale of controlled substances on the premises.
    3. A permittee and/or licensee or an employee knowingly allowed prostitution on the premises.
    4. A permittee and/or licensee or an employee knowingly operated the sexually oriented business during a period of time when the permittee's and/or licensee's permit and/or license was suspended.
    5. A permittee and/or licensee 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 and/or licensed premises.
    6. A permittee and/or licensee is delinquent in payment to the county or State for any taxes for fees past due.
    7. When the Zoning Administrator revokes a permit and/or license, the revocation shall continue for one (1) year and the permittee and/or licensee shall not be issued a sexually oriented permit and/or license for one (1) year from the date revocation became effective. If subsequent to revocation the county zoning administrator finds that the basis for the revocation has been corrected or abated, the applicant may be granted a permit and/or license if at least ninety (90) days have elapsed since the date the revocation became effective.

I. ***Transfer of Permit and/or License***. A permittee and/or licensee shall not transfer his permit and/or license to another, nor shall a permittee and/or licensee operate a sexually oriented business under the authority of permit and/or license at any place other than the address designated in the application.

J. ***Location of Sexually Oriented Businesses***. Owing to the seriously objectionable operational characteristics of sexually oriented or adult uses, and the deleterious effect of such uses on existing businesses and/or residential areas around them, the location of such uses shall be limited to the ~~UD~~ and ID districts, and shall be subject to the supplemental siting criteria of this section. No such use shall be located within one thousand five hundred (1,500) feet (measured in a straight line) of:
    1. A residential use.
    2. A church or religious institution.
    3. Public or private schools and educational facilities.
    4. Public parks and recreational facilities.
    5. Any other sexually oriented businesses.

K. ***Access***. Such use shall have direct access off collector or arterial streets only.

L. ***Measurement***. For the purpose of this chapter, measurement shall be made in a straight line, without regard to intervening structures or objects, from the nearest portion of the building or structure used as a part of the premises where a sexually oriented business is conducted, to the nearest property line of the

premises of church or public or private elementary or secondary school, or to the nearest portion of a residential lot, or the nearest exterior wall of another sexually oriented business. Any sexually oriented business lawfully operating on the effective date of this ordinance that is in violation of this subsection shall be deemed a nonconforming use. The nonconforming use will be permitted to continue for a period not to exceed two (2) years, unless sooner terminated for any reason or voluntarily discontinued for a period of thirty (30) days or more. Such nonconforming use shall not be increased, enlarged, extended or altered except that the use may be changed to a conforming use. If two (2) or more sexually oriented businesses are within one thousand five hundred (1,500) feet of one another and otherwise in a permissible location, the sexually oriented business which was first established and continually operating at a particular location is the conforming use and the later-established business(es) is nonconforming.

4:5.35-1 Additional Regulations for Adult Motels

Evidence that a sleeping room in a hotel, motel, or a similar commercial establishment has been rented and vacated two (2) or more times in a period of time that is less than ten (10) hours creates a rebuttable presumption that the establishment is an adult motel as that term is defined by this chapter.

A person commits a misdemeanor if, as the person in control of a sleeping room in a hotel, motel, or similar commercial establishment that does not have a sexually oriented permit and/or license, rents or subrents a sleeping room to a person and, within ten (10) hours from the time the room is rented, rents or subrents the same sleeping room again.

4:5-35-2 Regulations Pertaining to Exhibition of Sexually Explicit Films or Videos

A person who operates or causes to be operated a sexually oriented business, other than an adult motel, which exhibits on the premises in a viewing room of less than one hundred fifty (150) square feet of floor space, a film, video cassette, or other video reproduction which depicts specific sexual activities or specified anatomical areas, shall comply with the following requirements:

A. Upon application for a sexually oriented permit and/or license, the application shall be accompanied by a diagram of the premises showing a plan thereof specifying the location of one or more manager's stations and the location of all overhead lighting fixtures and designating any portion of the premises in which patrons will not be permitted. A manager's station may not exceed thirty-two (32) square feet of floor area. The diagram shall also designate the place at which the permit will be conspicuously posted, if granted. A professionally prepared diagram in the nature of an engineer's or architect's blueprint shall not be required; however, each diagram shall be oriented to the north or to some designated street or object and should be drawn to a designated scale or with marked dimensions sufficient to show the various internal dimensions of all of the interior of the premises to an accuracy of plus or minus six (6) inches. The county zoning administrator may waive the foregoing diagram for renewal applications if the applicant adopts a diagram that was previously submitted and certifies that the configuration of the premises has not been altered since it was prepared.
B. The application shall be sworn to be true and correct by the applicant.
C. No alteration in the configuration or location of a manager's station may be made without the prior approval of the zoning administrator or his designee.
D. It is the duty of the owners and operator of the premises to ensure that at least one (1) employee is on duty and situated in each manager's station at all times that any patron is present inside the premises.
E. The interior of the premises shall be configured in such a manner that there is an unobstructed view from a manager's station of every area of the premises to which any patron is permitted access for any purpose excluding restrooms. Restrooms may not contain video reproduction equipment. If the premises has two (2) or more manager's stations designated, then the interior of the premises shall be configured in such a manner that there is an unobstructed view of each area of the premises to which any patron is permitted access for any purpose from at least one (1) of the manager's stations. The view required in this subsection must be by direct line of sight from the manager's station.
F. It shall be the duty of the owners and operator, and it shall be the duty of any agents and employees present in the premises, to ensure that the view area specified in subsection (5) remains unobstructed by

any doors, walls, merchandise, display racks or other materials at all times and to ensure that no patron is permitted access to any area of the premises which has been designated as an area in which patrons will not be permitted in the application filed pursuant to subsection 7:19.13.1 of this section.

G. No viewing room may be occupied by more than one (1) person at any time.

H. The premises shall be equipped with overhead lighting fixtures of sufficient intensity to illuminate every place to which patrons are permitted access at an illumination of not less than one (1.0) footcandle as measured at the floor level.

I. It shall be the duty of the owners and operator and it shall also be the duty of any agents and employees present in the premises to ensure that the illumination described above is maintained at all times that any patron is present in the premises.

J. ***Exemptions.*** Exempt from these requirements is any person appearing in a state of nudity who do so in modeling class operated:

1. By a proprietary school, licensed by the State of South Carolina; a college, junior college, or university supported entirely or partly by taxation;
2. By a private college or university which maintains and operates educational programs in which credits are transferable to a college, junior college, or university supported entirely or partly by taxation; or
3. In a structure which has no sign visible from the exterior of the structure and no other advertising that indicates a nude person is available for viewing; and where in order to participate in a class a student must enroll at least three (3) days in advance of the class; and where no more than one (1) nude model is on the premises at any one (1) time.

4:5-36 Shopping Centers

Maximum 40,000 square feet in any one individual retail space.

4:5-37 Solar Installations, Utility Scale

All regulations in the zoning ordinance shall apply unless expressly allowed or modified in the below standards and requirements.

4:5-37.1 Applicability

This Section applies to all Solar Installations, including any device, structure or part of a device or structure (i.e., array, panel, etc.) installed for the purpose of the collection, inversion, storage, and distribution of solar energy to a utility provider. Solar panels and related equipment that are accessory uses installed on the rooftop or in other permitted locations of residences, commercial buildings, or industrial buildings are exempt from these provisions.

4:5-37.2 Design Standards

A. ***Separation from Other Land Uses.*** Documentation shall be submitted to show the required separation from adjacent land uses. A minimum of 500 feet is required between the Solar Installation and incorporated areas and platted subdivisions; this minimum separation must be measured as the distance between the security fence of the Solar Installation and the property boundary. A minimum of 500 feet is required between the Solar Installation and any existing structure on the property of churches, schools, hospitals, and residences; this minimum separation must be measured as the distance between the security fence of the Solar Installation and the edge of the identified structure.

B. ***Setbacks.*** The security fence of the Solar Installation shall be set back a minimum of 250 feet from all residential or commercial property lines, 150 feet from public rights-of-way, and 75 feet from all other property lines, and the required buffer area shall be located between the property line and security fence; setback from adjacent property may be reduced to not less than 75 feet if the adjacent property owner executes a written waiver or easement permitting a setback reduction, except that setback reductions from public rights-of-way will not be permitted.

C. ***Adjacent Parcel Access.*** Solar Installations shall not landlock (prohibit vehicle access to) any adjacent property without written approval from the adjacent landowner affected.

D. ***Interior Vehicular Access.*** Interior drives or roads in the Solar Installation must be maintained using existing native soils. Gravel drives shall be allowed only in the following instances:

1. Access to the interior of the solar installation for the purposes of installation, routine maintenance, and decommissioning of critical equipment.
2. Access routes to facility substation and inverter pads.
3. At the time of decommissioning, existing gravel drives will be removed and backfilled. Landowners may request that any or all gravel drives be left in place.

E. ***Grading.*** The design of the Solar Installation must minimize land disturbance so that the site may be restored to crop production at a future time; graded areas should not exceed 10 percent of the total land area of the Solar Installation. Disturbance of up to 20 percent of the total land area is allowed, provided that existing topsoil in those areas is stripped, stockpiled in a location protected from erosion, and then re-spread in the disturbed areas prior to equipment installation.

F. ***Planting.*** All areas within the security fence of the Solar Installation must be planted with seed mixes approved by Clemson University's Solar Habitat program, and maintained in an environmentally sound manner. Solar sites shall comply with the SC Solar Habitat Act and be a Certified Solar Habitat Site as administered by Clemson University and achieve a score of 70 on the Certified Solar Habitat Scorecard.

G. ***Existing Mature Vegetation.*** Existing mature trees and shrubs must be maintained for a minimum of 50' in width in setback areas. Dead trees and shrubs may be removed within the setback area. If existing mature vegetation does not exist in the setback area, the setback area on the interior of the buffer yard may be maintained as crop land, pasture, or native grasses and native plants. Existing wetland areas shall be protected.

H. ***Bufferyards.*** A continuous vegetative buffer yard shall be installed or retained on all sides of the development, must be on the exterior of the security fence, must be maintained for the life of the Solar Installation, shall be designed by a landscape architect registered in South Carolina and must consist of one of the types of buffers defined below:

1. Existing mature vegetation with an average height of 8 feet and with a mix of plants sufficient to provide an opaque year-round screen.
2. Where existing vegetation does not exist or does not achieve year-round opaqueness, a double row of offset evergreen trees installed with an 8 feet minimum height and achieving opaqueness within 3 years of installation, or a soil berm with evergreen trees and/or shrubs that provides a minimum height of 8 feet of opaque screening above the existing grade will be permitted.
3. An alternative buffer approach that utilizes the full width of the setback shall be considered, which utilizes a combination of existing vegetation and/or successional re-growth vegetation with native plantings and is divided into zones. Figures 1 and 2 display the approach for this alternate buffer approach.

I. ***Maintenance of Bufferyards.*** All new plantings must include an irrigation system that must be maintained until all plant materials are fully established and thriving; dead or diseased plant materials shall be replaced within 60 days of notification by the county.

J. ***Riparian Buffers.*** An undisturbed streamside buffer of vegetation must be maintained within 100 feet (measured horizontally) on both sides of any perennial stream on the site of a Solar Installation; the first 50 feet of buffer must be existing trees or must be left undisturbed, with the ability to trim larger trees for shade management, for the life of the project to allow natural reforestation; the next 50 feet of streamside buffer may be maintained as turf grass, pasture, or hay field, or may be intermittently mowed to encourage native grasses, forbs and other native plants. Temporary sediment control measures may also be installed in the outer 50 feet of this buffer.

K. ***Decommissioning Plan.*** Prior to building permit approval, the applicant must include a decommissioning plan that describes the anticipated life of the Solar Installation, the estimated decommissioning costs in

current dollars (less salvage value estimates for Solar Installation equipment and materials), the method for ensuring that funds will be available for decommissioning and restoration, and the anticipated manner in which the Solar Installation project will be decommissioned and the site restored. Following a continuous six-month period in which no electricity is generated or sold, the permit holder will have one year to complete decommissioning of the Solar Installation. Decommissioning includes removal of solar panels, buildings, cabling, electrical components, and any other associated facilities below grade as described in the decommissioning plan. Prior to building permit approval, the applicant must provide the County with a performance guarantee (surety or performance bond,issued by an insurance carrier licensed in the State of South Carolina and carrying an A.M. Best rating of not less than "A", certified check or irrevocable letter of credit) in the amount of 125% of the estimated decommission cost or $50,000.00, whichever is greater. Estimates shall be determined by an engineer licensed to practice in South Carolina and shall be updated every 5 years.

L. ***Utility Interconnection.*** The applicant must provide a utility interconnection application once submitted to the utility, and proof of payment prior to facility construction. Once constructed, the project must provide a copy of the signed certification of completion from the electric utility prior to issuance of the certificate of occupancy for the system.

M. ***Fee-in-Lieu Agreement.*** Any fee-in-lieu agreement related to County taxes shall not be superseded by future state or federal legislation.

N. ***Other Site Development Requirements.*** The Solar Installation must comply with the additional provisions enumerated below.

1. Solar panels are to be located and situated so glare is not a hazard to traffic or residences; a statement from a qualified engineer experienced with Solar Installations must be submitted with the building permit application.
2. Except for poles, lines, and other equipment necessary to connect the solar Installation to the electrical utility grid, including communications and data collection equipment, no structure shall achieve a height of greater than 15 feet.
3. Access to the site must be controlled by a wildlife-friendly fence of a height that meets the NEC without the use of barbed wire.
4. The site must adhere to the applicable sections of the National Electric Code and International Building Code at time of construction and throughout the operation of the site.
5. Power inverters and other sound producing equipment must be no less than 750 feet from any existing dwelling unit at the time of construction of the Solar Installation, with at least 100 feet of solar racking installed between the inverter and the fence.
6. The applicant must demonstrate that the Solar Installation shall not unreasonably interfere with the view of, or from publicly accessible sites of significant public interest such as public parks, rivers and other historic or natural resources.
7. The applicant must obtain liability insurance, including offsite property damage coverage for adjacent property or properties, to cover legal liability for damage or other adverse impacts to the adjacent property owners. Liability insurance coverage shall be issued by an insurance carrier licensed in the State of South Carolina and carrying an A.M. Best rating of not less than "A".

4:5-38 Solar Panels, Accessory Use (Residential, Commercial, Industrial)

Must be roof mounted, or ground installed in the side or rear yard meeting all setbacks and district regulations.

4:5-39 Stockyards, Slaughterhouses, Poultry Houses, Commercial Hog Farms, Commercial Kennels, and Livestock Auction Houses

The above-referenced uses shall be located no closer than one thousand (1,000) feet to any residential use. No incineration of animals or animal refuse shall be permitted.

A. ***Bufferyard and Landscaping***. Bufferyards are required in accordance with Article 8. For the purposes of bufferyard requirements, these uses shall be considered Industrial uses.

4:5-40 Tattoo Parlors

A. All tattoo parlors shall be located no closer than 1,500 feet, measured in a straight line, from the following uses:
    1. Adult Day Care;
    2. Child Day Care;
    3. Educational Institution (public or private);
    4. Public Facility (library, park, playground, recreational facility, etc.);
    5. Religious Institution;
    6. Residential zoning district;
    7. Drinking establishment;
    8. Another body piercing, body branding, or tattoo parlor.
    9. ***Exclusion of Home Occupation.*** Tattoo parlors are not allowed as a home occupation.

B. Tattoo parlors shall require any permits required by SCDHEC, and any other federal, state or local governmental department or agency which has rules and regulations governing these types of uses.

4:5-41 Utilities, Minor (Pump Stations, Switching Facilities, etc.)

Allowed only to serve the immediate vicinity.

A. ***Bufferyards and Landscaping***. A continuous 30-foot vegetative bufferyard shall be installed or retained on all property lines. Bufferyards, shall be located on the exterior of the security fence and must be maintained for the life of the facility. Landscaping and screening with the buffer yard shall consist of one of the options below:
B. Existing mature vegetation with an average height of 8 feet and with a mix of plants sufficient to provide an opaque year-round screen.
C. Where existing vegetation does not exist or does not achieve year-round opaqueness, a double row of offset evergreen trees installed with an 8 feet minimum height and achieving opaqueness within 3 years of installation, or a soil berm with evergreen trees and/or shrubs that provides a minimum height of 8 feet of opaque screening above the existing grade will be permitted.

4:5-42 Vehicular Race and Testing Tracks

Vehicular race and testing tracks are declared by this chapter to be incompatible with residential development. Additionally, such use(s) has the potential of negatively impacting many nonresidential uses. As a result, any such proposed use shall comply with the following development standards:

A. No such use shall be located within two thousand five hundred (2,500) feet of any residential use (measured in a straight line).
B. Dirt tracks shall be located no closer than one (1) mile from any residential use.
C. Buffer yards specified between industrial and residential uses~~ in the RS District~~ shall be provided along all property lines.
D. Proposed facilities shall have direct access off collector or arterial streets only.

4:5-43 Utility, Major (Power Generation, Wastewater Treatment Plants/Facilities, Spray Fields, Incinerators

A proposed siting of any of the above uses shall be subject to the following requirements, as well as any special conditions imposed by the planning commission to secure public health, safety and acceptance:

A. Full disclosure of all emergency procedures and an analysis of the adequacy of those procedures, where applicable.

B. Special bufferyard and screening requirements as described in Article 8.
C. Environmental Assessment as prescribed by the National Environmental Policy Act of 1969 (NEPA), where necessary to adequately evaluate the impact of such uses.)

4:6 Uses Approved by Special Exception

4:6.1 Purpose

The purpose of this section is to ensure compatibility with other nearby uses and to promote the health, safety, morals, and general welfare of the citizens of the county.

4:6.2 Applicability

This section applies to all uses identified as Special Exception Uses, identified with an "S" in " Table 4.1 Use Table", and listed in this Section. Special Exception Uses listed in this section shall comply with all general use conditions listed in Section 4:5, zoning district requirements, and any additional conditions required by the Board of Zoning Appeals in their consideration.

4:6.3 List of Uses Requiring Special Exception Approval

The following list of uses require approval of the Board of Zoning Appeals before a zoning permit is issued.

A. Body Piercing and Body Branding Establishments
B. Data Centers
C. Hazardous Waste and Nuclear Waste Disposal Sites
D. Power Plant
E. Prisons
F. Retreat Center or Vacation Camp
G. Sexually Oriented Businesses
H. Tattoo Parlors;

4:7 Nonconforming Uses or Structures

4:7.1 Applicability

Any principal or accessory use, structure, lot of record, sign, or tower that was lawfully established before the effective date of this Ordinance and no longer complies with this Ordinance is considered nonconforming. Nonconformities shall be allowed to continue subject to the provisions of this Chapter.

4:7.2 Determination of Nonconformity Status

The burden of establishing that a nonconformity lawfully exists shall be on the owner of the property on which the purported nonconformity is located.

4:7.3 Certificate of Zoning Compliance

Uses or structures made nonconforming by this ordinance may not continue without a Certificate of Zoning Compliance issued by the Zoning Administrator which shall state that the use or structure was in existence at the time of adoption or amendment of this ordinance. The certificate of zoning compliance shall specify the features which are nonconforming, and may be used to establish a vested interest in continuation of the nonconformity.

4:7.4 Nonconforming Uses

Nonconforming structures or land uses are declared to be incompatible with permitted uses in the districts established by this ordinance. It is the intent of this ordinance to allow nonconformities to continue until they are removed, but not to encourage their survival. The lawful use of any structure or land on the effective date of this ordinance may be continued subject to the following regulations:

A. A nonconforming structure or use shall not be changed to any other nonconforming structure or use.
B. A permitted use in a structure which is on a nonconforming lot or which does not meet minimum yard requirements may be converted to another permitted use without enlargement.

C. A nonconforming structure shall not be repaired, altered or rebuilt except in conformity with this ordinance after sustaining damage or deterioration exceeding fifty (50%) percent of the appraised market value of the structure for tax purposes at the time of application for a permit. The Zoning Administrator may grant a waiver for single family residential structures.
D. A nonconforming structure or use shall not be extended, enlarged, or intensified except in conformity with this ordinance; provided, however, a nonconforming use may be extended throughout any parts of a building which were manifestly arranged or designed for such use at the time of adoption or amendment of this ordinance, but the use shall not be extended outside the building.
E. A nonconforming use shall not be reestablished after vacancy, abandonment, or discontinuance for a period of six 6) consecutive months. The Zoning Administrator may grant a waiver for single family residential structures.
F. Nothing in this section shall prevent work on a structure which is necessary to protect public safety upon the order of the Zoning Administrator.
G. Ordinary repairs to a nonconforming structure, such as repairs to interior non-bearing walls, fixtures, wiring or plumbing to meet building codes may be permitted, provided the cubic content of the structure is not increased.

4:7.5 Change of Use

A. A nonconforming use shall not be changed to or replaced with another use unless that use conforms to the requirements of all County Ordinances.
B. A change in occupancy or ownership shall not, by itself, constitute a change of use.
C. If the use is changed to, or replaced by a conforming use, it shall lose its nonconforming status.

4:7.6 Discontinuance or Abandonment of a Nonconforming Use

A. For purposes of this section, the term vacated or discontinued is synonymous with the removal of equipment, structures or other aspects of such nonconforming use, or discontinuance of electric power. When seeking relief under this section it shall be the responsibility of the owner, manager, or tenant of a nonconforming use to establish the existence of such use prior to the effective date of this ordinance.
B. Operation only of an accessory use to the principal nonconforming use during the 3-month period shall not constitute continuation of the principal nonconforming use.

4:7.7 Temporary Nonconforming Uses

A temporary use permit may be issued by the Zoning Administrator for appropriate periods of time not to exceed 12 month increments for a nonconforming structure or use incidental to building construction or land development upon the condition that the structure or use be removed upon expiration of the permit.

4:7.8 Dwellings on Nonconforming Lots of Record

In any district in which single family dwellings are permitted, notwithstanding limitations imposed by other provisions of this ordinance, a single-family dwelling and customary accessory buildings may be erected on any single lot of record on the effective date of this ordinance, provided setback requirements of the district are met. The Zoning Administrator may approve up to a twenty-five (25) percent reduction in minimum building setbacks for nonconforming lots of record.

4:8 Temporary Uses and Structures

4:8.1 General Purpose and Intent.

To allow for the establishment of certain temporary uses of limited duration, provided that such uses are discontinued upon the expiration of a prescribed time period.

4:8.2 General Standards for all Temporary Uses and Structures.

All temporary uses and structures shall meet the following requirements, unless otherwise specified in this section.

A. All temporary uses shall obtain a temporary use permit.
B. Temporary uses shall not involve the construction or alteration of any permanent building or structure.
C. The temporary use shall not be detrimental to property or improvements in the surrounding area or to the public health, safety, or general welfare.
D. The temporary use shall not have substantial adverse impacts on nearby residential uses.
E. Permanent alterations to the site are prohibited.
F. If the property is developed, the site of the temporary use and structure shall be located in an area that supports the temporary use without encroaching into, or creating a negative impact upon, existing bufferyards; open space; landscaping; pedestrian and vehicular traffic movements (including emergency vehicle access); and parking space availability.
G. If the property is undeveloped, the site of the temporary use and structure shall be located in an area with sufficient land area to enable the temporary use to function adequately, including any parking and traffic movement that may be associated with the temporary use, without disturbing sensitive or protected resources, including required bufferyards.
H. The temporary use shall not violate any applicable conditions of approval that apply to the principal use on the site. Off-street parking shall be adequate to accommodate the proposed temporary use.
I. All approved temporary signs associated with the temporary use shall be removed when the activity ceases.
J. All applicable permits and inspections have been issued and approved.

ARTICLE V. PARKING REGULATIONS

5:1 Purpose

The purpose of this chapter is to ensure the provision of off-street parking in sufficient quantity to satisfy the demand generated by any given land use, and subsequently reduce the impact of development (requiring parking) on the public transportation system. Standards in this section also provide for other related site improvements including; landscaping, buffering and screening between uses, lighting, and loading.

5:2. Standards for Parking and Loading

5:2.1 ***Off-street Parking Requirements***. Off-street automobile storage and parking space shall be provided on every lot on which any of the following uses are hereafter established. The number of parking spaces provided shall be at least as great as the number specified in Table 5.1 for the particular use(s). When application of said provision results in a fractional space requirement the next larger requirement shall prevail.

A. The parking space requirements for a use not specifically listed in Table 5.1 shall be the same as for a listed use of similar characteristics of parking demand generation.
B. Except for shopping centers, mixed uses, uses with different parking requirements occupying the same building or premises, or in the case of joint use of a building or premises by more than one use having the same parking requirements, the parking spaces required shall equal the sum of the requirements of the various uses computed separately.
C. Whenever a building or use, constructed or established after the effective date of these regulations is changed or enlarged in floor area, number of employees, 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.

Table 5.1 Parking Requirements		
Use	**Minimum Parking Spaces**	
Agricultural Crops and Trees	-	none required
Plant Nursery or Greenhouse, Wholesale	6.00	plus 1 per 5,000 sq ft GFA
Farm Animals, Livestock, Barns	-	none required
Hog Farms	-	tbd based on site plan
Poultry houses, 100 or more birds	-	tbd based on site plan
Quarries	3.50	1,000 sq ft GFA office
Utilities (substations, pump stations, etc.)	-	none required
Public Utility (treatment plant, etc.)	-	tbd based on site plan
Power Plant	-	tbd based on site plan
Solar Farms	-	none required
Plumbing, HVAC, Mechanical Contractor	1.25	1,000 sq ft GFA
Group Industrial Development	1.25	1,000 sq ft GFA
Industrial Plants and Factories	1.25	1,000 sq ft GFA
Stockyard, Slaughterhouse, Animal Auction	2.50	1,000 sq ft GFA
Print Shop	2.50	1,000 sq ft GFA
Monuments and Tombstone Sales	1.25	1,000 sq ft GFA

Primary Metal Industries	1.25	1,000 sq ft GFA
Cabinet or Carpentry Shop	1.25	1,000 sq ft GFA
Sign Painting and Manufacturing	1.25	1,000 sq ft GFA
Wholesaling, Warehousing, Distribution	6.00	plus 1 per 5,000 sq ft GFA
Automobile or Metal Salvage	3.50	1,000 sq ft GFA office
Armory	1.25	1,000 sq ft GFA
Salvage Yards, appliances, building mat'l	3.50	1,000 sq ft GFA office
Retail Store over 40,000 square feet	3.50	1,000 sq ft GFA
Retail Store under 40,000 square feet	3.50	1,000 sq ft GFA
Shopping Center	4.00	1,000 sq ft GFA
Auto, Boat, RV Sales, Service or Rental	2.50	1,000 sq ft GFA
Lumber Yard	3.50	1,000 sq ft GFA
Feed and Seed Sales	2.50	1,000 sq ft GFA
Garden Center	2.50	1,000 sq ft GFA
Plant Nursery or Greenhouse, Retail	2.50	1,000 sq ft GFA
Convenience Store	4.00	1,000 sq ft GFA
ABC Store (Liquor Sales)	4.00	1,000 sq ft GFA
Automobile Fueling Station	3.00	per service bay
Florists, Flower and Gift Shops	2.50	1,000 sq ft GFA
Flea Market	3.50	1,000 sq ft GFA
Manufactured Home Sales	3.50	1,000 sq ft GFA
Auction House/Auction Lots	3.50	1,000 sq ft GFA
Fireworks Stands, Temporary	4.00	1,000 sq ft GFA
Mail Order House	6.00	plus 1 per 5,000 sq ft GFA
Gas Sales, commercial and industrial	1.25	1,000 sq ft GFA
Truck Terminal or Truck Repair Facility	3.00	per service bay
Automobile Storage, Wrecked/Damaged	3.50	1,000 sq ft GFA office
Post Office	4.00	1,000 sq ft GFA
Motion Picture Theater	1.00	per 3 seats
Music Studio	1.00	1,000 sq ft GFA
Broadcast Studio, radio or TV	1.00	1,000 sq ft GFA
Communications Towers	-	none required
Data Centers	1.25	1,000 sq ft GFA
Automatic Teller machines	1.00	per site
Bank, Savings and Loan, Credit Union	3.30	1,000 sq ft GFA
Pawn Shop	2.50	1,000 sq ft GFA
Arena, Stadium, Exhibition Hall	1.00	3 seats [1]
Special Event Facility	1.00	3 seats [1]

Mini Warehouses	1.00	per 10 storage units
Office—Business and professional	3.50	1,000 sq ft GFA
Photography Studio	2.50	1,000 sq ft GFA
Veterinary Office, Clinic, or Hospital	5.00	1,000 sq ft GFA
Business Incubator Centers	3.50	1,000 sq ft GFA
Locksmith	2.50	1,000 sq ft GFA
Pest Control Business	2.50	1,000 sq ft GFA
Landscape Business	2.50	1,000 sq ft GFA
Landfill, Hazardous or Nuclear Waste	-	tbd based on site plan
Landfill, inert or household garbage	-	tbd based on site plan
Recycling Convenience Center	-	tbd based on site plan
Resource Recovery	-	tbd based on site plan
Schools, Colleges, technical, vocational	5.00	per classroom
Schools, elementary and middle	2.00	per classroom
Schools, high school	7.00	per classroom
Music Instruction	2.50	1,000 sq ft GFA
Riding Academy, Horse	2.50	per stall
Library	1.20	1,000 sq ft GFA
Medical Office	3.50	1,000 sq ft GFA
Laboratories	2.50	1,000 sq ft GFA
Hospital	1.00	per bed [2]
Nursing Care Facility	1.00	per bed [2]
Community Residential Care Facility	3.00	per 5 beds
Assisted Living Facility	1.00	per bed [2]
Day Care Center	5.00	1,000 sq ft GFA
Day Care Center in a Church	5.00	1,000 sq ft GFA
Day Care Home	4.00	off street spaces
Dance Studio	5.00	1,000 sq ft GFA
Motor Sports and Race Tracks	20.00	per acre
Race Tracks and Testing Tracks	20.00	per acre
Community Theater or Concert Hall	1.00	3 seats
Auditorium	1.00	3 seats
Museum	1.20	1,000 sq ft GFA
Fairgrounds	20.00	per acre of site
Amusement or Theme Park	20.00	per acre of site
Amusements—Commercial	5.00	1,000 sq ft GFA
Outdoor Recreation (swim, tennis, baseball)	15.00	1,000 sq ft GFA
Indoor Recreation (skate, pool, gym)	4.00	1,000 sq ft GFA

Bowling Alley	5.00	per lane
Golf Courses	4.00	per tee
Driving Range	1.00	per tee
Horse Stables, commercial	2.50	per stall
Recreation, as a community amenity	-	based on specific uses
Hotel or Motel	1.10	per room
Bed and Breakfast	1.00	per bedroom
Recreational Vehicle Parks	1.50	per site
Catering Establishment	2.50	1,000 sq ft GFA
Nightclub or Tavern	10.00	1,000 sq ft GFA
Restaurant	10.00	1,000 sq ft GFA
Rural Crossroads Businesses	4.00	1,000 sq ft GFA
Automobile Repair Shop	3.00	per bay
Trim Shop or Upholstery Shop	3.00	per bay
Automobile Wash or Detail Shop	3.00	per bay
Automobile or Tire Service Facility	3.00	per bay
Electronics and Home Appliance Repair	2.50	1,000 sq ft GFA
Welding Shop	1.25	1,000 sq ft GFA
Clothing Alterations	2.50	1,000 sq ft GFA
Gunsmith	2.50	1,000 sq ft GFA
Barber or Beauty Shop	2.50	1,000 sq ft GFA
Body Piercing and Body Branding	2.50	1,000 sq ft GFA
Tattoo Parlors	2.50	1,000 sq ft GFA
Funeral Home	5.00	plus 1 per 4 seats in chapel
Cemetery	-	none required
Crematorium	1.25	1,000 sq ft GFA
Dry Cleaning or Laundry, Retail	2.50	1,000 sq ft GFA
Laundromat, self-service	3.50	1,000 sq ft GFA
Dry Cleaning or Laundry, Institutional	1.25	1,000 sq ft GFA
Uniform, Linen or Towel Supply Business	1.25	1,000 sq ft GFA
Animal Shelters	5.00	1,000 sq ft GFA
Cattery	2.50	1,000 sq ft GFA
Dog Kennel with Outside Runs	2.50	1,000 sq ft GFA
Pet Grooming and/or Boarding (Indoor)	2.50	1,000 sq ft GFA
Churches and other places of worship	1.00	per 3 seats
Civic, Social and Fraternal Organizations	3.30	1,000 sq ft GFA
Emergency Service, Fire, Police, EMS	4.00	1,000 sq ft GFA
Governmental Facilities and Operations	4.00	1,000 sq ft GFA

Dwelling, manufactured multi-section	2.00	per dwelling
Dwelling, manufactured single-section	2.00	per dwelling
Dwelling, Multifamily	1.50	first BR + .5 per add'l BR
Dwelling, Single-Family Attached	2.00	per dwelling
Dwelling, Single-Family Detached	2.00	per dwelling
Dwelling, two-family (duplex)	2.00	per dwelling
Home Occupations	-	none required
Manufactured Home Park	2.00	per site
Equipment Sales and Repair	2.50	1,000 sq ft GFA
Sexually Oriented Businesses	-	based on specific use

Parking Notes:
[1] Or one space per 30 square feet of assembly area without seats
[2] Plus additional spaces for office and administrative square feet

5:3 ADA Accessible Parking Spaces

A. When off-street parking is required for any nonresidential use, ADA accessible parking shall be included when calculating the overall parking requirements for a building or use, based on the following formula:

Number of Required Spaces	**Number of Accessible Spaces Reserved For ~~Handicapped Persons~~**
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
501 and over	2% of total required

B. ADA accessible parking spaces shall measure twelve (12) feet by twenty (20) feet and shall be located as close as possible to ramps, walkways, and entrances.
C. Parking spaces should be located so that physically handicapped persons are not compelled to wheel or walk behind parked cars to reach entrances, ramps or walkways.

5:4 Reduction of Off-Street Parking Spaces

Off-street parking facilities at the effective date of this chapter shall not subsequently be reduced to an amount less than that required under this chapter for a similar new building or new use. Off-street parking facilities provided to comply with the provisions of this chapter shall not subsequently be reduced below the requirements of this chapter, except that by reason of reduced floor area or capacity or change in requirements that a reduction in off-street parking is reasonable and consistent with the public welfare.

5:5 Land to Provide Parking

The land to provide parking must be on the same site as the use it is intended to serve; however, street separation is permissible.

5:6 Design and Construction Standards

5:6.1 Applicability. The requirements of this section shall not apply to patio homes, duplexes, mobile homes, semi-detached dwellings, or outdoor recreational uses or any uses in the RM District.

5:6.2 Drainage and Maintenance. Off-street parking facilities shall be properly graded for drainage to prevent damage to abutting property and/or public streets. 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.

5:6.3 Separation from Walkways and Streets. Landscaping, curbing, fencing or other approved barriers to vehicular movement shall be provided along property boundaries to control entrance and exit of vehicles or pedestrians, and separate off-street parking spaces from sidewalks and streets. All parking spaces shall be designed so that vehicular movement onto a public street is in a forward motion.

5:6.4 Surfacing and Marking. Parking lots twenty (20) or more spaces shall be surfaced with asphalt or concrete, and shall be marked by painted lines, curbs or other means to indicate individual spaces. However, such requirements may be waived on an individual basis by the planning commission for rural churches, certain industrial uses, and uses not catering to the public.

5:6.5 Parking and Aisle Dimensions. Parking stalls shall be not less than nine (9) feet by nineteen (19) feet, except that a maximum of twenty percent (20) 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 aisle widths shall be as follows:

A. 90 degree parking: 24 feet
B. 60 degree parking: 20 feet
C. 45 degree parking: 15 feet

5:7 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 uses. It is recommended that lighting fixtures be "dark sky" friendly and offer reasonable uses of outdoor lighting for nighttime safety, utility, security, and enjoyment while preserving the ambiance of the night. Energy conservation is encouraged. Care should be taken to minimize glare and obtrusive light by limiting outdoor lighting that is misdirected, excessive, or unnecessary.

5:8 Joint Use of Off-Street Parking Lots

Up to fifty (50) percent of the parking spaces required for: (1) theaters, public auditoriums, bowling alleys, dance halls, clubs, churches and religious institutions may be provided and used jointly by: (2) financial institutions, offices, retail stores, repair shops, service establishments, and similar uses not normally open, used, or operated

during the same hours as those listed in (1); provided however, that written agreement assuring their retention for such purposes shall be properly drawn and executed by the parties concerned, approved as to form and content by the county attorney, and shall be filed with the application for a building permit.

5:9 Off-street Loading

All uses shall provide off-street loading areas sufficient for their requirements.
Such space shall insure that no vehicle being loaded or unloaded in connection with normal operations will stand in or project onto a public street or sidewalk. Off-street loading and unloading areas shall in all cases be located on the same lot or parcel of land as the structure they are intended to serve.

ARTICLE VI. SIGNAGE REGULATIONS

6:1 Purpose

The purpose of these regulations is to protect the dual interest of the public and the advertiser. They are designed to promote public safety and welfare, minimize unnecessary distractions for motorists, reduce visual clutter along roadways, promote a positive community image, and ensure the maintenance of landscape quality and environmental preservation, while satisfying the needs of sign users for efficient and adequate identification, communication and advertising.

6:2 Applicability

This chapter regulates the number size, placement and physical characteristics of signs, exempts certain signs, prohibits certain signs, and requires permits for certain signs. From and after the adoption of this chapter, no sign may be erected in the unincorporated area of the county unless it conforms with the requirements of this article.

6:2.1 Exempt Signs. The following signs shall be allowed without a sign permit and shall not be included in the determination of the type, number, or area of permanent signs allowed within a zoning district, provided such signs comply with the regulations in this section.

A. One (1) sign or plate attached to the wall of each building, not more than one (1) square foot in area.
B. Signs of duly constituted governing bodies, including traffic regulatory devices, legal notices and warnings at railroad crossings.
C. Signs on the interior side of window glass, which do not exceed 20 square feet or 20 percent of the window area, whichever is less.
D. One (1) freestanding or monument sign per lot, not to exceed six (6) square feet in area, and are not more than six (6) feet in height above the adjacent grade.
E. One (1) portable business entrance sign, typically an A-frame or sandwich style sign, located within 15 feet of the main entrance to a business, not to exceed 6 (6) square feet in area per side, provided that the sign does not obstruct walkways or any other point of access or egress.
F. One (1) sign may be displayed while a premise is being marketed for sale, rent, or lease, or while the premise is being developed; such signs shall be secured to the ground, and shall not exceed 6 square feet in area on each of two sides, and shall not exceed 6 feet in height.
G. Signs required by law.
H. Signs of 2 square feet or less that designate reserved or priority parking areas within a lot.
I. Directional entrance and exit signs, not to exceed 4 square feet, at each permitted commercial driveway and entrances to drive through services.
J. Murals which are not signs, placed by or with the permission of a property owner on a wall or building.
K. *Temporary Yard Signs*, *Residential*:
    1. Maximum total sign area of 12 square feet per lot
    2. Maximum area of an individual sign is 6 square feet.
    3. Maximum of 2 temporary yard signs are allowed per lot.
    4. Temporary yard signs may be installed for a period not exceeding 60 consecutive calendar days, up to 2 times per 12-month period.
    5. No internal or external illumination of temporary yard signs is permitted.

L. *Temporary Signs*, *Commercial:* temporary signs must meet the following standards:
    1. Lots are granted up to 32 square feet of temporary yard sign area per street frontage without a permit.
    2. The number of temporary yard signs allowed on a lot is unrestricted.

3. Temporary yard signs may be used for a period not exceeding 60 consecutive calendar days, up to 2 times per any 12-month period. Additional posting time may be allowed, provided a temporary activity on the site is continuing or an emergency circumstance warrants the additional signage duration for a public purpose.

M. *Political Signs.* During the 60-day period before a public election or referendum, there is no limit on the number of temporary yard signs that are permitted in addition to the temporary yard signs permitted under parts (1) and (2) above, subject to the following standards:
   1. One sign may be up to 32 square feet and may not exceed a height of 7 feet; all other additional signs must not exceed 6 square feet per sign face and are limited to a height of 4 feet measured from grade to the top of the sign face.
   2. Signs cannot be located on public property or in public rights-of-way. Signs must be confined wholly to placement on private property, with permission of the property owner. Violations may result in immediate removal of the signs without notice.
   3. Signs must be removed within 5 days after the election or referendum, provided that the Zoning Administrator may extend this timeframe in the event of a runoff election.

6:3 Prohibited Signs

A. Any sign which displays intermittent or flashing illumination or lights of changing degrees of intensity including all, flashing signs, and shimmering signs.
B. Electronic changeable copy signs and digital display signs that change images or messages more often than once each 10 seconds.
C. Signs employing motion and any sign that creates the illusion of motion using video or electronic means.
D. Any sign or advertising device painted on a fence, power or telephone pole, tree, stone or any natural object.
E. Signs placed with the primary purpose of providing a sign not otherwise allowed for by this chapter.
F. Abandoned signs.
G. Roof signs.
H. Signs that extend above the roof line of a building.
I. Signs within the public right of way, except those placed under the authority of duly authorized government agencies.
J. Snipe signs.
K. Off-Premises signs, except billboards with 600 feet of the right-of-way of Interstate 26 that comply with this ordinance and are permitted under SCDOT Outdoor Advertising regulations.
L. Signs that exhibit statements, words, or pictures of obscene or pornographic subjects as determined by Calhoun County.
M. Any sign that promotes illegal activity.
N. Billboards in any location that is more than 600 feet from the right-of-way of Interstate 26.

6:4 Permitted Signs

The following signs are allowed, subject to the issuance of a sign permit by the county and compliance with the applicable development standards of this Section:

A. *Signs permitted in the RP, RR, RN, RS and RM Districts.* The following signs and no others may be established or erected in the RP, RR, RN, RS and RM Districts,
   1. One (1) monument sign for each nonresidential use permitted by such district, and if illuminated is done so by indirect or muted lightings.

2. One (1) monument sign for each subdivision, multifamily, group housing or mobile home park project or entrance, thereto, provided the sign area does not exceed forty (40) square feet in area nor fifteen (15) feet in height, and if illuminated is done so by indirect or muted lighting.

B. *Signs permitted in the RU, OR, C-1, C-2, SD, I-1, and I-2 Districts.* The following signs and no others shall be permitted in the above-referenced districts:
   1. All signs designated as permitted or exempt by Section 7:2.1, together with the conditions specified herein.
   2. Freestanding or monument signs for nonresidential uses, under the following conditions:

6:4.1 Allowable Area. Signs are allowed one (1) square foot of sign face per lineal foot of street frontage for the first one hundred (100) feet; and one-quarter (1/4) square foot of sign face for each lineal foot of street frontage in excess of one hundred (100) feet, up to a maximum of two hundred (200) square feet.

6:4.1-1 Exception. A maximum of three hundred seventy-eight (378) square feet allowable sign area is allowed along the interstate corridor within 660 feet of the I-26 right-of-way.

6:4.2 Number of Signs. One (1) freestanding or monument sign is allowed for each developed site, lot or parcel. Where a site or parcel fronts on more than one street, one (1) additional freestanding sign is permitted for each additional street upon which it fronts. Such signs are not permitted on undeveloped lots or parcels. Where two (2) or more detached buildings occupy the same lot or parcel, each may have one (1) freestanding sign, provided the total sign area does not exceed the allowable limits specified by 2.(b)(1) of this section, based on the total lineal street frontage of the site or parcel on which they are to be located. Where two (2) or more attached businesses or buildings occupy the same site or parcel, i.e., shopping center, only one (1) freestanding or monument sign for the aggregate businesses shall be permitted per street frontage.

6:4.3 Height of Signs. No freestanding sign shall exceed thirty-five (35) feet in height, except for an area paralleling and extending six hundred sixty (660) feet from the right-of-way of Interstate Highway 26 where signs may be erected to a height of fifty (50) feet.

6:4.4 Building Mounted Signs. Permanent signs attached to buildings, under the following conditions:

A. ***Allowable Area.*** If there is no freestanding or monument sign on the site, one and one-half (1½) square feet of sign area shall be permitted for each lineal front foot of the principal building, up to a maximum of 200 square feet. If there is a freestanding or monument sign on the site, one wall sign or awning sign not larger than 50 square feet is permitted. For buildings with frontage on two or more streets, a second wall or awning sign not larger than 50 square feet is permitted.
B. ***Types of Building Mounted Signs.*** Wall, projecting, marquee, and awning signs are allowed.

6:4.5 Number of Signs. There is no limit on the number of signs if within the total allowable area limit. However, only one (1) projecting sign is allowed per building frontage, and shall be allowed only if there is no freestanding sign on the same site frontage; except for shopping centers, which may have one (1) attached building sign for each business use, plus allowable freestanding or monument signs.

6:5 Temporary Signs

Temporary signs may be permitted according to the following conditions:

A. ***Pennants, Flags, Wind Feathers, and Fluttering Devices.*** These and similar exhibits to announce grand openings and mark special occasions; provided such exhibits are removed within thirty (30) days of the day they are permitted, and the total area of such devices and exhibits does not

exceed 200 square feet; further provided that no exhibit shall be permitted more than once in each calendar year.

B. ***Portable Signs***. Up to 50 square feet on each of two sides, provided that no permanent sign is in place on the subject parcel, site, or business; portable signs must be removed within three (3) months of the day they are permitted; no more than one (1) portable sign is permitted for each nonresidential use; and no such sign shall permitted within six (6) months of the time that a permitted portable sign has been removed from the premises. Portable signs are not permitted on residential or undeveloped lots or parcels.

C. ***Property Marketing Signs***. Up to two (2) post-mounted signs may be displayed while the premise is being marketed for sale, rent, lease, or while the premise is being developed; such signs shall be secured to the ground with 4x4 wood poles or equivalent, and shall not exceed 40 square feet in area nor 10 feet in height.

D. ***Banners***. Banners not exceeding 40 square feet, may be permitted for a period not to exceed 60 days per calendar year.

E. ***Weekend Directional Signs***. Weekend Directional Signs shall be allowed in all districts subject to the following conditions:

1. Weekend directional signs may be placed along a route to a weekend event to guide traffic to the event.
2. Sign area shall not exceed 4 square feet, and shall be 3 feet or less in height.
3. Signs may not be placed within 25 feet of an intersection or driveway, and shall not be placed in the road right of way.
4. Written permission must be obtained from each property owner where signs are to be placed by the applicant.
5. No sign shall be placed more than two (2) miles from the referenced location or use.
6. Signs shall not be placed before 12:00 p.m. on Friday and shall be removed not later than 8:00 a.m. the following Monday.

6:6 Location Standards

All signs allowed by this chapter shall comply with the standards of this section.

A. ***Visual Area Clearance***. No sign shall be located so as to obstruct travel vision at street or driveway intersections.

B. ***Vehicle Area Clearance***. When a sign extends over an area where vehicles travel or are parked, the bottom of the sign structure shall be at least fourteen (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 sidewalks, walkways or other spaces accessible to pedestrians, the bottom of the sign structure shall be at least eight and one-half (8½) feet above ground.

D. No signs including traffic signs and similar regulatory notices except those of a duly constituted governing body shall be located within any road right-of-way; no part of a sign, while permitted, shall be located closer than five (5) feet to any property line or within ten (10) feet of a public right-of-way, and shall not be placed in such way as to obstruct a 25-foot sight triangle at any driveway or street intersection.

6:7 Sign Materials

Signs must be constructed of durable materials, with structural elements of steel, aluminum, masonry, or similar, and with sign faces of steel, aluminum, plastic, or wood, suitably finished, maintained in good condition and not permitted to fall in disrepair.

6:8 Sign illumination

Signs when illuminated by direct lighting shall have such lighting shielded so as not to directly shine on abutting properties or in the line of vision of public using the streets or sidewalks, such that not more than 0.3 foot candles of light are detectable at any adjoining property boundary.

6:8.1 Digital Display Signs and Electronic Changeable Copy Signs. Digital display signs and electronic changeable copy signs shall be designed to automatically adjust luminance at sunrise and sunset, so that sign luminance does not exceed 5,000 nits in daytime and 250 nits at night; these standards shall be certified by a qualified engineer.

6:9 Sign Measurement

6:9.1 Sign Face Area. The area 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 (1) side of a double-faced or V-shaped, freestanding sign is counted.

A. For signs on a base material and attached without a frame, such as a wood board or plexiglass panel, the dimensions of the base material are to be used unless it is clear that part of the base contains no sign related display or decoration.
B. For signs constructed of individual pieces attached to a building wall, sign area is determined by a perimeter drawn around all the pieces.
C. For sign structures containing multiple modules oriented in the same direction, the modules together are counted as one (1) sign face.
D. The maximum surface area visible at one time of a round or three-dimensional sign is counted to determine sign area.
E. 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.

6:9.2 Clearances. Clearances are measured from the grade directly below the sign to the bottom of the sign structure
enclosing the sign face.

6:9.3 Building Frontage. Building frontage is derived for each ground floor occupant's qualifying exterior walls.

6:9.4 Height and Width. Sign height and width is determined by measuring the entire structure in which the sign face is mounted.

6:10 Removal and Maintenance of Signs

A. The lawful use of any permanently mounted sign existing at the time of the enactment of this chapter may be continued although such use does not conform with the provisions of this chapter, except that those declared abandoned shall be removed within ninety (90) days of the effective date of this chapter.
B. Any existing sign which is subsequently abandoned shall be removed, and any existing sign exceeding the allowable face area, and which is subsequently destroyed or damaged to the extent of fifty (50) percent or more of its replacement cost, shall be removed or brought into conformity with these regulations.
C. Any nonconforming sign which is not permanently mounted shall be removed or brought into conformity no later than six (6) months following the effective date of this chapter.
D. Any sign with broken or damaged sign faces or panels, damaged cabinets, peeling paint, missing copy, or visible light sources shall be repaired by the sign owner in a manner consistent with the requirements of this ordinances within ninety (90) days of written notification from Calhoun County; failure to make said timely repairs will result in the sign being determined abandoned.
E. An order under this section shall be issued in writing to the owner of any abandoned sign, improperly maintained sign, or nonconforming sign, or to the owner of the building or the premises on which such sign is located, to comply within a stated period of time. Upon failure to comply with such notice, the county may remove the sign and any costs of removal incurred in the process may be collected in a manner prescribed by law.

ARTICLE VII. COMMERCIAL DESIGN STANDARDS

7:1 Intent

These commercial design standards are intended to address the overall design of commercial development as it relates to the following areas: landscaping and open space; access to major thoroughfares; building and facility design, placement and orientation, pedestrian accessibility, and interconnectivity.

7:2 Purpose

The purpose of these commercial design standards are to both protect and enhance the character, appearance, and image of Calhoun County, and improve the appearance of vehicular use areas and property abutting public rights-of-way; to protect, preserve and promote the aesthetic appeal, scenic beauty, character and value of land in the county; to ameliorate nuisances between adjacent land uses, and to promote land use compatibility; to promote public health and safety through reduction of noise pollution, storm water runoff, air pollution, visual pollution, and artificial light glare; and to provide as part of all high density residential projects sufficient open space and recreational areas for the inhabitants of such projects.

7:3 Applicability

No new commercial, multi-family residential or industrial development, building, structure, use, parking, or vehicular use area shall hereafter be created, expanded, enlarged or used which do not meet the requirements set forth in this Article.

7:3.1 ***Expansions or Enlargement of Existing Use.*** The provisions in this Article shall apply to existing uses, structures, buildings, vehicle uses areas that are expanded or enlarged over 50 percent gross floor/use area. not to the existing use, area, building or structure. For expansions or enlargements of less than 50% of gross floor/use area, these standards shall only apply to the portion of the structure, building, use, vehicle use areas subject to the expansion.

7:3.2 ***Exemptions.*** These requirements are not intended to apply to:

1. Single family Residential Uses
2. Manufactured Homes
3. Silvicultural or Agricultural Uses.
4. Existing Uses Structures, Buildings, Vehicle Use Areas
5. Existing uses, structures, buildings, vehicle use areas, where expansion or enlargement is less than 50 percent of gross floor/use area.

7:4 Permit Required

Any necessary zoning, development or building permits for new commercial, multifamily residential, or industrial projects shall be obtained prior to the commencement of any clearing, grading, tree removal or construction on a site.

7:5 Site Plan and Landscaping Plan Required

An engineered site plan and landscaping plan prepared by a registered landscape architect shall be submitted as part of the application for a building permit. The plan shall:

A. Designate building, vehicle use, storage, solid waste, lighting, landscape areas, stormwater facilities, bufferyards, and open space areas, and any such information necessary to determine compliance with this Article.
B. Plans shall designate the specific design and type of open space and indicate the location of plant materials, decorative features, recreational facilities.

C. Specify the manner in which open space shall be perpetuated, maintained and administered.

7:6 Landscaping Standards

Landscaping shall be provided as follows:

A. Along the outer perimeter of a use, where required by the bufferyard provisions of this Article, to separate incompatible land uses.
B. Within the interior, peninsula or island type landscaped areas shall be provided for any open vehicular use area containing more than twenty (20) 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 designated to soften and compliment the building site.
C. Along the exterior walls of all structures exclusive of paved pedestrian ways or loading areas, a landscaped strip of at least five (5) feet wide shall be required.
D. All projects are encouraged when possible to leave borders and natural vegetation in place.

7:7 Open Space Standards

A. ***Multifamily Development*.** A minimum of 200 square feet of usable open space for each dwelling unit shall be provided in multifamily developments. For purposes of this section, "Usable Open Space" shall be construed to mean parks, open space, and recreation amenities such as clubhouse, swimming pool, or similar improvements. When the anticipated population shall include children, a play area shall be provided of no less than 400 square feet.

7:8 Preservation of Open Space

Land designated as open space may not be separately sold, subdivided or developed. Excess land designated as open space may be developed in the future. Open space areas shall be maintained so that their use and enjoyment as open space are not diminished or destroyed. Open space areas may be owned, preserved and maintained as required by this section by any of the following mechanisms or combinations thereof:

A. Common ownership of the open space by a property owner's association or horizontal property regime which assumes full responsibility for its maintenance.
B. Dedication to and acceptance by the county.
C. Deed restricted, private ownership which shall prevent development and/or subsequent subdivision of the open space land and provide the maintenance responsibility.
D. In the event that any private owner of common open space fails to maintain same, the county may in accordance with the open space plan and following reasonable notice and demand that deficiency of maintenance be corrected, enter the open space to maintain same; the cost of such maintenance shall be charged to those persons having the primary responsibility for maintenance of the open space.
E. Open space not in common ownership shall be perpetually maintained by the owner(s) having title to such open space.

7:9 Bufferyard Standards

These bufferyard standards offer the developer several options, each of which is calculated to "buffer" to an equivalent degree through distance (setbacks) and/or density (mass).

The unique feature of the bufferyard is that it is flexible. It may vary in distance and density based on: (1) what is proposed, (2) what is existing on the adjacent property, and (3) the type of bufferyard selected from one of the three prescribed by the bufferyard illustrations.

7:9.1 ***Location of Bufferyards.*** Bufferyards shall be located on the outer perimeter of a lot or parcel, extending to the lot or parcel boundary line. Bufferyards shall not be located on any portion of an existing public or private street or right-of-way; however, they may occupy part or all of any required front, side or rear yard setback. Where required, bufferyards shall be developed as an integral part of the proposed use.

7:9.2 ***Determination of Bufferyard and Screening Requirements.*** To determine the buffer yard required between adjacent parcels, the following procedure shall be followed:

A. Identify the proposed land use.
B. Identify the use of land adjacent to the proposed use.
C. Determine the bufferyard required on each boundary (or segment thereof) of the proposed land use by referring to the table of bufferyard requirements and illustrations contained in this section which specify the buffer yard options between a proposed use and the existing adjacent use.
D. Where an existing use includes undeveloped land, the bufferyard requirements of this section shall apply only to that segment of the property line separating the two (2) uses.

7:9.3 ***Bufferyard Specifications.*** Tables 7.1, 7.2, 7.3, and 7.4 in this section specify the buffer type, minimum buffer width, and quantity of plant materials required by each bufferyard type. The requirements are stated in terms of the width of the bufferyard and the number of plants required per one hundred (100) linear feet of bufferyard.

7:10 Required Plantings

To determine the exact amount of required plantings, first determine the "plant unit multiplier". To do this, take the linear footage of the bufferyard and divide it by 100. (example: If a bufferyard is (65) linear feet: the "plant unit multiplier" would be .65.) Next, in order to determine the required number of plantings, multiply the "plant unit multiplier" by each separate number of required plantings required by each bufferyard type (refer to Tables 7.1, 7.2, & 7.3 in this section). All determined required plantings shall be rounded up to the next greatest whole number.

A. The exact placement of required plants shall be the decision of the developer except that evergreen (or conifer) plant materials shall be planted in clusters rather than singly in order to maximize their chances of survival and increase screening.
B. No required plantings and/or approved substitutions for the required plantings shall be located so as to obstruct travel vision at street or driveway intersections.
C. All bufferyard areas not devoted to plants shall be seeded with lawn grass or suitable ground cover.

Table 7.1 Bufferyard Type Required

	Existing Adjacent Use					
Use	**Ag. Vacant**	**SF**	**MF**	**Office**	**Commercial**	**Industrial/ Utilities**
Commercial, Business Services, Entertainment and Recreation, Restaurants and Lodging	**2**	**2**	**2**	**1**	**1**	**1**
Office, Civic, Education, Government, Healthcare, Personal Services	**1**	**2**	**1**	**1**	**1**	**2**
Industrial, Utilities, Animal Care/Training, Construction and Trades, Manufacturing, Mining, Farming and Agriculture	**2**	**3**	**3**	**3**	**3**	**2**
MF, Multi-family Residential	**1**	**1**	**1**	**1**	**1**	**1**

Table 7.2 Bufferyard Widths	
Bufferyard Type	**Minimum Bufferyard Width Between Adjacent Property**
(1)	Twenty-five (25) feet
(2)	Fifty (50) feet
(3)	Seventy-five (75) feet

Table 7.3 Bufferyard Plants Required	
Bufferyard Type	**Required Plant Units per 100 linear ft.**
(1)	3 Canopy Trees
	6 Understory Trees
	12 Evergreen/Conifers
	24 Shrubs
(2)	4 Canopy Trees
	6 Understory Trees
	12 Evergreen/Conifers
	24 Shrubs
(3)	4 Canopy Trees
	8 Understory Trees
	16 Evergreen/Conifers
	32 Shrubs

E*xample:* If a land use requires 1.25 canopy trees for every 100' of bufferyard, then the developer should provide 2 canopy trees for every 100' of bufferyard.

7:10.1 ***Parking Lot Landscaping and Street Bufferyards.***
Applicability. All parking areas in excess of five spaces are subject to the following standards:

A. Street Bufferyards. A Street Bufferyard with a minimum width of twenty-five (25) feet shall be required between parking areas and adjacent public right-of-way and streets. Trees and shrubs are required in the street bufferyard lot yard as follows:
    1. Trees Required at the rate of one canopy or shade tree for every twenty-five (25) liner feet of the required street bufferyard. Two understory trees may be substituted for every one shade tree when powerlines prevent the planting of shade trees.
    2. Small shrubs are required in addition to trees and at a rate of three (3) shrubs for every 20 linear feet of planting yard. Shrubs located within the street bufferyard shall not exceed a mature height of 3.5 feet.

B. Parking Area Interior Landscape. Landscaping within the interior of parking areas is important for aesthetics and also functional in that landscaping helps to moderate heat, glare, wind and other climatic effects produced by paved areas. Interior parking areas are to be landscaped as follows:

1. Interior Islands.
    a. No more than 12 consecutive parking spaces may be provided without a landscape interior island.
    b. Interior islands must be distributed evenly throughout the parking lot.
    c. An interior island abutting a single row of parking spaces must be a minimum of 9 feet in width and 150 square feet in area. Each island must include 1 canopy tree and shrubs or groundcover plantings for full coverage of the island at the time of maturity.
    d. An interior island abutting two rows of parking spaces must be a minimum of 9 feet in width and 300 square feet in area. Each island must include 2 canopy trees and shrubs or groundcover plantings for full coverage of the island at the time of maturity.
    e. If Interior islands are designed to allow for stormwater runoff capture, plantings shall be of a species known to thrive in periodically wet soil conditions.

4. Median Islands.
    a. A landscape median island must be provided between every 4 single parking rows.
    b. A median island must be at least 6 feet wide.
    c. A median island must contain shrubs or groundcover plantings for full coverage of the island at the time of maturity.

7:10.1 ***Minimum Plant Size****.*

A. Trees. Trees planted to meet landscaping requirements shall have a minimum caliper of 2 l/2" measured 6" above ground at the time of planting; understory trees must have a minimum caliper of 1 1/2" measured 6" above ground.

B. Evergreen shrubs used for the purpose of screening between uses shall be sufficiently sized to ensure screening at the time of installation. However, seedling plants may be used where berms or structures are required as part of the bufferyard. Landscape materials that are used for screening shall be of a size that allows growth to the desired height and opacity within one year.

Table 7.4. Plant Materials in Bufferyards

Plant Materials Type	Planting in Bufferyards, Abutting Structures	
	Fences, Berms	All Other Plantings
Canopy tree:		
Single stem	1½-inch caliper	2½-inch caliper
Multi-stem clump	6 feet (height)*	10 ft. (height)*
Understory tree:	4 feet (height)*	1½-inch caliper
Evergreen/conifer:	3 feet (height)*	5 ft. (height)*
Shrub:		
Deciduous	15 inches (height)*	24 inches (height)*
Evergreen	12 inches (height)*	18 inches (height)*

* No caliper requirements.

7:10.2 ***Plant Classification****.* Four basic plant types, adapted to local conditions, are specified for installation in bufferyards.

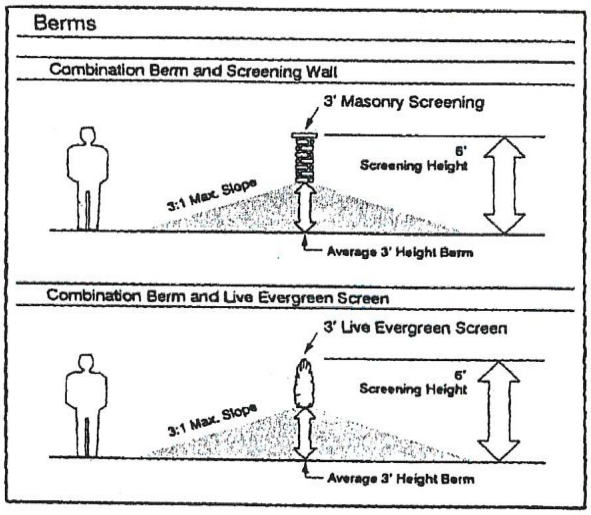
A. ***Canopy Trees****:* Large deciduous trees with a mature height of thirty (30) feet or greater. Examples include Hickory, Oaks, Blackgum, Magnolia, Bald Cypress, Birch, Ash, Willow, Poplar, Beech, Walnut. and Maples.

B. ***Understory Trees****:* Deciduous trees or large shrubs with a mature height of ten (10) to thirty (30) feet. Examples include Fruit Trees, Sourwoods, Dogwoods, Redbud, Crepe Myrtles, and Holy Trees.
C. ***Evergreen/Conifers****:* Trees or large shrubs that reach at least (10) feet in height at maturity, and have grown foliage during all seasons of the year. Examples include Junipers, Cedars, Pine, False Cypress, Green Giant Arborvitae, and Japanese Cryptomeria.
D. ***Shrubs****:* Prostrate or upright woody plants, evergreen or deciduous, with a mature height often less than (10) feet. Examples include Juniper, Ligustrum, Azalea, Camelia, Boxwood and Photinia.
E. Small Shrubs: Japanese Holly, Globe Arborvitae, Creeping Juniper, Plum Yew, Gardenia, Dwarf Spirea, Abelia, Weigela

7:10.3 ***Species Diversity****.* Diversity among required plant material is mandatory for visual interest and to reduce the risk of losing a large population of plants due to disease. No more than 50% of any plant unit requirement may be of a single species for any buffer yard type.

7:10.4 ***Bufferyard Substitutions****.*

A. Any existing plant material which otherwise satisfies the requirements of this section may be counted toward satisfying all such requirements.
B. Where, owing to existing land use, lot sizes, configurations, topography, or circumstances peculiar to a given piece of property the buffer yard requirements of this section cannot reasonably be met, the developer 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.
C. Fences shall be wooden or other durable or opaque material approved by the Zoning Administrator.
D. Chain-link fences with wood, plastic, or metal strips are expressly prohibited. However, a chain-link fence with an evergreen hedge is acceptable.
E. Berms may be substituted for the required bufferyard plantings provided the berm or any combination of berm, fence, and/or plantings provides an opaque screen that is six-foot high for a type 1 or 2 buffer yards and eight-foot high for type 3 buffer yards. Berms shall not be permitted adjacent to a street or public right-of-way and shall not interrupt or block required pedestrian or vehicular access and connections between uses and existing or required sidewalks. Berms must parallel property lines when utilized

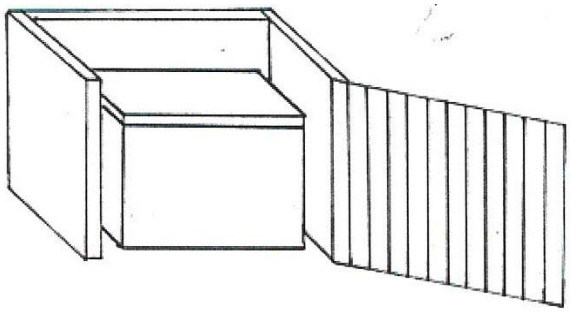


7:11 Outside Storage

Any proposed commercial, industrial or other nonresidential use with over five hundred (500) square feet of outside storage area for materials to be sold, salvaged, stored and the like shall meet bufferyard requirements for Industrial/Utilities category around the outside storage area. Other uses on the site, if any, shall carry the

appropriate bufferyard classification specified by Table 7.1.

7:12 Screening Containers and Dumpsters. All exterior dumpsters or exterior garbage containers (excluding containers or groups containers with a combined capacity of less than six (6) cubic yards) shall be screened on all but one side by a fence or wall, or other suitable opaque enclosure. The average height of the enclosure shall be one (1) foot more than the height of the container but shall not be required to exceed eight (8) feet in height. The open side shall have an opaque access gate. Waste receptacles shall be located to the side or rear of buildings and shall be obscured from street visibility to the greatest extent possible.



7:13 Equipment Screening.

A. *Roof-Mounted Equipment.* Equipment that is visible from the public realm must be screened from view by a parapet wall or other type of suitable screen as determined by the Zoning Administrator..
B. *Ground Equipment*. Equipment must be located in the side or rear yard. All equipment visible from a street must be fully screened by an opaque wall or fence or other type of suitable screen as determined by the Zoning Administrator.

7:14 Fences and Walls, Appearance.

All fences and walls located in the side or rear bufferyard must have a finished side that is facing adjoining property. The interior side of the fence or wall may be finished as the owner deems appropriate. Where fences or walls are proposed by the developer, they shall be established along the inside line of the bufferyard, toward the proposed use, except for ornamental fences or fences to the rear of the property, which may be built on the property line. Security fences and walls also may be established along the outer perimeter of the lot, with approval of the Zoning Administrator.

7:15 Use of Bufferyards

A bufferyard may be used to meet open space requirements and for passive recreation; however, existing trees and vegetation preserved to meet the requirements of this section may be removed. All other uses, including; building equipment, dumpsters, outdoor storage, loading areas and parking are prohibited in the bufferyards.

7:16 Required Maintenance

The maintenance of required buffer yards shall be the responsibility of the property owner. And all such yards shall be properly maintained so as to assure continued buffering. Failure to do so is a violation of this chapter and may be remedied in the manner prescribed for other violations.

7:17 Access to Major Thoroughfares

No street or driveway shall enter a major thoroughfare as designated on the official major thoroughfares map at a point nearer than three hundred (300) feet from an existing thoroughfare, street, alley or driveway except where a tract of land would be rendered unusable by the strict application of this chapter.

ARTICLE VIII. SUBDIVISION DESIGN STANDARDS

8:1 Purpose

To establish minimum requirements for parcels of land in the application of this Code and provide mechanisms for the transfer of land ownership.The design standards in this article shall be considered minimum requirements; however, higher standards are to be encouraged in design. Subdivision design should carry out the purpose of the comprehensive plan and these regulations, but not be limited to the minimum requirements.

8:2 Applicability

The standards in this Article apply to all subdivisions and projects.

8:3 General Design Standards

All proposed subdivisions shall be designed to facilitate the most advantageous development of the entire County and shall:

A. Take advantage of and be adjusted to the contours of the land so as to produce usable building sites and streets of reasonable gradients;
B. Consider the suitability of the land and its capability to support and maintain the proposed development;
C. Consider site constraints, such as: topography, special flood hazard areas, erosion control, wetland preservation, stormwater management, tree preservation; wildlife habitat, historical, archaeological resources, and land use relationships/proximity.
D. Protect and preserve large open spaces, wooded areas, and wetlands and arrange open spaces in an integrated and connected manner rather than sectioning off multiple smaller open space areas.
E. Arrange new lots so that building locations preserve and fit within the natural topography;

8:3.1 Conformance with Comprehensive Plan. All proposed land and subdivision development must conform to the approved comprehensive plan, map, and other regulations and resolutions of the county.

8:4 Sites and Lots

Every newly created lot requires approval as either a Major Subdivision, Minor Subdivision**,** or Simple Plat. For procedural information on the subdivision process, see Article 12.

8:4.1 *Site*. A site is a single lot or group of connected lots owned or functionally controlled by the same person or entity, assembled for the purpose of development. b. A site must abut a primary street.

8:4.2 *Street Access Required.* Except as otherwise specifically provided, no building shall be located, used or occupied on a lot without direct vehicular and pedestrian access to a street.

8:4.3 *Lot Requirements*. A lot must meet the requirements of the zoning district. Each new lot created through the subdivision process must meet the dimensional standards for the zoning district in which it is located and should be generally developable under the standards of this Code, The Administrator or Planning Commission may request modifications to a subdivision plat to address developability concerns prior to approval. Exceptions include, but are not limited to, lots platted for open space, common areas, and other lots identified on the plat as not intended for development. Consistent with the provisions in Article 3, no applicable lot can be less than the minimum width required by the zoning district.

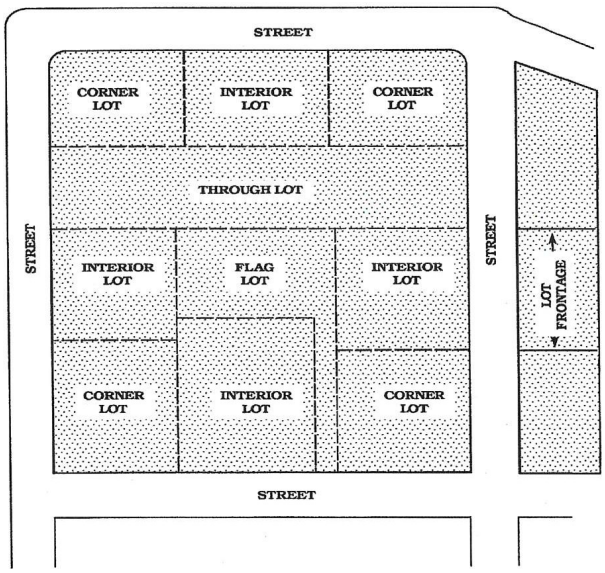
8:4.4 *Lot Configuration.* The developer shall demonstrate adequate attention to the following aspects of lot design:

A. Lot size, width, depth, shape, grade, and orientation to streets;

B. Relationship of residential lots to adjoining nonresidential development, existing or proposed;
C. Building setback lines;
D. Separation of residential lots from major thoroughfares, railroads, and other possible incompatible land uses; and
E. Separation and proper screening of new development from adjacent existing development and streets. Suitable natural or commercial grade materials of sufficient height shall be used in the construction of the required buffers.

8:4.5 ***Types of Lots.***

Figure 8.1: Illustration of Types of Lots



8:4.6 ***Flag Lots Prohibited.*** Lots with less than three acres within the primary lot area and an access corridor less than fifty (50) feet in width shall be identified as Flag Lots and shall not be permitted in the unincorporated areas of Calhoun County except under extenuating circumstances which would otherwise prohibit the use of such property.

8:5 Major Subdivisions

8:5.1 Applicability

This section applies to all Major Subdivisions that result in nine (9) or more lots or any subdivision of land that includes the construction of new street or new right of way, extension of a public water or sewer system or the installation of drainage improvement to facilitate residential lot construction.

Exceptions. This section does not apply to Minor Subdivisions that result in eight (8) or fewer lots with existing street access.

8:5.2 General Design Standards for Major Subdivisions

8:5.3 Bufferyards

Adequate screening of the subdivision and protection of waterways through riparian bufferyards is required for all Major Subdivisions. Bufferyards shall follow the requirements of this Section.

8:5.4 ***Perimeter Bufferyard.*** A perimeter bufferyard of at least 30 feet in width is required along all property lines comprising the exterior boundary. This bufferyard shall be either platted separately from the individual lots and under ownership of the HOA or there shall be deed restrictions applied to the individual lots to ensure the bufferyard is protected from removal.

8:5.5 ***Open Decorative Fence***. An open decorative fence is required along the property line adjacent to the existing public right-of-way that:

1. Is five (5) feet or less in height; and
2. Is constructed of wood, metal (other than chain-link), or a combination of wood and metal.

8:5.6 ***Riparian Bufferyards***. Undisturbed, natural vegetative riparian buffers shall be required along both banks of all streams and along all impoundments. The buffer shall be a variable width buffer with an average width of at least 50 feet, and a minimum width of 30 feet. All land disturbing activity is prohibited within a riparian bufferyard.

8:5.7 ***Perimeter Bufferyard Planting Requirements.*** All required perimeter bufferyards shall meet the following planting requirements.

A. Include plantings of a variety of trees and shrubs at the following rates per 100 linear feet.
   1. Three (3) Canopy Trees
   2. Six (6) Understory Trees
   3. Twelve (12) Evergreen/Conifers
   4. Twenty-four (24) Shrubs

B. All required plantings shall be rounded up to the next greatest whole number.
C. The exact placement of required plants shall be the decision of the developer except that evergreen (or conifer) plant materials shall be planted in clusters rather than singly in order to maximize their chances of survival and increase screening.
D. No required plantings and/or approved substitutions for the required plantings shall be located so as to obstruct travel vision at street or driveway intersections.
E. All bufferyard areas not devoted to plants shall be seeded with lawn grass or suitable ground cover.
F. Existing vegetation may count towards the required number of plant units if it is surveyed and depicted on all development plans.

8:5.8 Tree Preservation

Trees 24 inches DBH and greater shall be considered protected trees within a proposed Major Subdivision, subject to the following requirements:

A. Protected trees that are in good health may be considered for removal only if:
   1. The tree's structure, age, species, and tolerance to subdivision construction activities, or the surrounding soil properties indicate that the tree is diseased or dying or otherwise presents a safety hazard; or
   2. Removal of the tree will help protect a better quality tree; or
   3. Removal of the tree is necessary to meet minimum regulatory requirements for water (including fire suppression), wastewater, or transportation infrastructure necessary to serve the proposed neighborhood.
B. The Critical Root Zone of each protected tree shall be protected before, during, and after construction of the subdivision. The Critical Root Zone has a radius of 1 foot for each 1 inch DBH of the tree. Structures, driveways, parking, material storage, clearing/grading activity, filling, and ditching in the Critical Root Zone are prohibited. Where possible, Common Open Space shall be planned around protected trees. Lot owners are responsible for maintaining protected trees in good health and shall not remove a protected tree unless the lot owner first demonstrates to the

Zoning Administrator that it is diseased or dying or otherwise presents a safety hazard. Protected trees may be pruned if the pruning follows ANSI A300 Standards.

8:5.9 Landscaping

Landscaping meeting the requirements of this section shall be observed for all Major Subdivisions.

A. At least two trees with a minimum caliper of 2½ inches shall be planted in the front yard of every residential lot within the subdivision.
B. Existing, healthy trees may count towards this requirement.

8:5.10 Subdivision Development Access

Two points of street access are required for any subdivision with 50 or more lots. One additional point of access is required for each additional 100 lots. Cul-de-sacs, or dead end streets, may not exceed 20 percent of total street system length

8:5.11 Sidewalks

If sidewalks are present on existing exterior roads, or proposed to be installed as part of the development, an interior 5-foot wide sidewalk shall be provided along one side of all interior streets greater than 600 feet in length. All interior sidewalks shall connect to the existing exterior sidewalk network. A minimum curb lawn of 3 feet is required between the sidewalk and back of the concrete curb or back of the edge of pavement when no curb exists.

8:5.12 Multi-use Trails

For subdivisions located within 1 mile radius of a public school, library or park, a paved multi-use trail not less than 10 feet wide shall be required to be constructed along the existing public road frontage within the required bufferyard. The multiuse trail shall be set back from the edge of pavement not less than 25 feet. If the trail is located outside of the public road right-of-way, an access easement shall be duly established and recorded with the Final Plat.

8:5.13 Homeowners Association

Homeowners associations shall be established for all Major Subdivisions. Homeowners associations shall be responsible for maintenance of all Common Open Space, greenways, private roads, landscaping, buffering, screening, irrigation, stormwater facilities, and associated improvements, as applicable, within neighborhoods subject to an approved Rural Residential Site Plan.

8:6 Major Subdivision Subtypes

There are two (2) basic subtypes of Major Subdivisions to allow for a variety of development options and to advance the goals of the Comprehensive Plan and to ensure that subdivision development is in keeping with the goals of the district and character of the surrounding area. This section provides for the design requirements for each Major Subdivision subtype. The two subtypes are listed herein.

1. Standard Subdivisions
2. Conservation Subdivisions

8:7 Standard Subdivisions

Standard Subdivision are subject to all the general design standards for Major Subdivisions and may, but are not required to have Common Open Space.

8:8 Conservation Subdivision

A Conservation Subdivision is a residential subdivision that is designed to have an overall smaller development footprint. It conserves substantial amount of land as common open space for recreational enjoyment and preserves critical natural, cultural, and scenic resources by allowing a reduction in lot sizes without an increase in the overall density of lots.

8:8.1 Purpose

The purpose of Conservation Subdivision design is to minimize development's impact on the surrounding environment, conserve land recreational opportunities and to preserve critical natural resources, including wildlife corridors, forests,, scenic vistas, natural drainage ways, and natural topography, by allowing for development to occur according to the nature of the terrain.

8:8.2 Intent

The intent of Conservation Subdivision development is to:

A. ***Reduced Development Footprint.*** Reduce overall land area disturbed by development, minimizing impact to soils, trees, streams, and natural topography.
B. preserving natural resources.
C. ***Environmental Protection*****.** protect and preserve large contiguous land areas containing natural resources like wetlands, forests, and wildlife habitats.
D. **Land Conservation.** Conserve a portion of the land as common open space, which can be used for recreation or scenic enjoyment.
E. ***Recreation***. Provide common open space accessible to residents for recreation and enjoyment.
F. ***Stormwater Management*****.** Improve stormwater management efforts by reducing impervious surfaces such as roads, drives reducing water runoff.
G. ***Water Quality***. Improve water quality by designing open space areas to handle stormwater runoff naturally, reducing the need for extensive engineered systems and improving water quality.
H. ***Cost Effective.*** Reduce infrastructure costs and long-term infrastructure maintenance costs.

8:8.3 Conservation Subdivision Design Standards

8:8.4 ***Minimum Tract Size***. The minimum original tract area for a Conservation Subdivision shall be five (5) acres. The minimum area shall consist of contiguous parcels, not divided by an existing public or private road or a recreational or navigable body of water.

8:8.6 ***Minimum Lot Width***. There is no minimum lot width.

8:8.7 ***Setbacks.*** No structures shall be erected within 50 feet from any external lot line of any Conservation Subdivision. Front, side, and rear setbacks for internal lots may be reduced by 50% but in no case shall be less than 20 feet in the front and 5 feet on the side and rear lot lines. Front setbacks from existing roads will be consistent with the requirements outlined in the appropriate zoning district.

8:8.8 ***Permitted Density.*** The overall number of dwellings allowed in a Conservation Subdivision is determined by the zoning district.

8:8.8 ***Lot Size Reduction***. To provide flexibility in design and to achieve common open space, minimum lot sizes may be reduced from the zoning district required minimum as an incentive for land conservation. Eligible lot reduction shall be in accordance with the following table.

Table 8.1 Lot Size Allowable Lot Size Reduction

Common Open Space Conserved	Allowed Minimum Lot Size Reduction
10% of predevelopment tract size	10%
20% of predevelopment tract size	20%
30% of predevelopment tract size	30%
40% of predevelopment tract size	40%
50% of predevelopment tract size	50%

8:8.9 ***Lot Layout*****.** In order to preserve the community character, exterior lots and and dwellings on existing roads are required to face the existing public road and adhere to the front setback requirements provided for in the zoning district, or maintain the established front setback for properties along the same road.

8:8.10 ***Riparian Buffers.*** Riparian buffers shall be provided along all classes of streams.

8:8.11 ***Lot Access*****.** All lots shall only be accessed by interior roads or shared private drives providing rear loaded driveways. When shared private drives are used to provide access to lots in a Conservation Subdivision, they shall be established by means of a legal and duly recorded ingress-egress easement, Shared private drives shall be constructed of an all-weather surface in accordance with Section 9:11.1.

8:8.12 Required Common Open Space

In a Conservation Subdivision common open spaces shall be designated on the plat and conserved in perpetuity. The amount of common open space conserved shall be a minimum of 10% of the required common open shall follow the regulations in this Section.

A. ***Location****.*
   1. Common Open Space within shall be contiguous where possible and connected by a greenway trail system.
   2. Common Open Space shall be located adjacent to other Common Open Space, greenways, significant natural areas, preserved lands, parks, trails, and similar lands on abutting properties and easily accessible to all residents in the subdivision.

B. ***Substantial Proportions and Dimensions.*** Land dedicated as Common Open Space shall be consistent with the purpose and intent of this section

C. ***Composition of Common Open Space****.*
   1. Natural areas and wildlife habitat, including undevelopable natural areas may comprise up to 75% of the required Common Open Space.
   2. Active and passive recreational areas may comprise up to 50% of required Common Open Space.
   3. Landscaped areas and required perimeter buffers may comprise up to 15% of required Common Open Space.
   4. Fenced stormwater facilities shall not count toward minimum common open space requirement. Recreational lakes or ponds used for stormwater management may be included in the land designated as common open space.

D. ***Types of Common Open Space***.

1. Preserved natural areas are areas of undisturbed vegetation or wildlife habitat. Forest land and riparian buffers are specific types of natural areas. Maintenance of natural areas is limited to removal of litter, dead trees and brush. Natural watercourses, considered to be open spaces, are to be maintained as free-flowing and devoid of debris. Stream channels shall be maintained so as not to alter flood levels. Preserved natural areas shall not contain impervious or paved surfaces. All other dedicated open space not dedicated for active recreation shall be preserved as wildlife habitat.

2. Recreational areas are designed for specific active recreational uses such as tot lots, tennis courts, swimming pools, ballfields and similar uses. Recreational areas shall be accessible to all residents of the development. Maintenance is limited to ensuring that there exist no hazards, nuisances, or unhealthy conditions.
    a. Greenways are linear greenbelts linking residential areas with other open space areas. These greenways may contain bicycle paths, footpaths, and bridle paths. Connecting greenways between residences and recreational areas is encouraged. Maintenance is limited to ensuring that there exist no hazards, nuisances, or unhealthy conditions.

    b. Landscaped areas and lawns, community greens with or without trees and shrubs shall be mowed regularly to insure neatness and landscaped areas shall be trimmed, cleaned and weeded regularly.

3. Greenways, Trails and Pathways Required.

a. A greenway and trail system is required within Common Open Spaces. Greenways, trails and pathways may be located within natural areas, recreational areas, and bufferyards.

b. Greenways, trails and pathways shall be a minimum of 8 feet in width.

c. Greenways, trails and pathways shall be curvilinear in design.

d. Greenways, trails and pathways may be unpaved if such systems are not dedicated sidewalks.

4. ***Conservation of Common Open Space****.* Land designated as "common open space" may not be separately sold, subdivided or developed. Open space areas shall be maintained so that their use and enjoyment as open space are not diminished or destroyed.

8:8.13 Open Space Ownership, Dedication, and Management

A. ***Ownership of Open Space***. The owner and developer, or subdivider, shall select land dedicated for open space purposes and type of ownership. Type of ownership may include, but is not necessarily limited to, the following:

1. The County, subject to acceptance by the governing body;
2. Other public jurisdictions or agencies, subject to their acceptance;
3. Non-profit or quasi-public organizations committed to the protection and conservation of open space, subject to their acceptance;
4. Homeowner or cooperative associations or organizations; or
5. Shared, undivided interest by all property owners within the subdivision.

B. ***Maintenance of open space***. The person(s) or entity identified above, as having the right to ownership or control over open space, shall be responsible for its continuing upkeep and proper maintenance.

8:9 Subdivision Design Performance Incentives

To further advance the goals of the comprehensive plan and encourage exceptional design, Major Subdivisions which meet the performance criteria in this section shall be eligible for a reduction in minimum lot size in certain

zoning districts.

8:9.1 Design Incentives for Conservation Subdivisions

In addition to the design flexibility provided in Conservation Subdivisions, the County encouraged the inclusion of the following design features, infrastructure and amenities.

8:9.2 Parks

Subdivisions that include publicly accessible parks with active recreation such as ball fields, playgrounds, dog parks, and game courts constructed on land controlled by the developer shall be eligible for a 30 percent increase in lot density for Conservation Subdivisions or a 30 percent reduction in minimum lot size for Standard SubdivisionsPublicly accessible parks, Publicly accessible parks shall be have a separate dedicated access drive and not rely on interior residential subdivision streets for access. Public parking shall be provided in accordance with Article 5 of this Code.

8:9.3 Open Space

Standard Subdivisions that provide 35 percent of gross development site area in preserved open space that includes an unpaved trail system for bikes, joggers, walkers shall be eligible for a 15 percent reduction in lot size. Required bufferyards, stormwater facilities, shall not be included in open space calculations.

8:9.4 Sidewalks

Subdivisions that include sidewalks constructed along both sides of all interior residential streets less greater than 600 linear feet in length shall be eligible for a 15 percent increase in lot density for Conservation Subdivisions or a 20 percent reduction in minimum lot size for Standard Subdivisions. The sidewalk shall conform with the design standard provided in Section 10:13 Sidewalks.

8:9.5 Multi-use trails

Subdivisions that include a paved multi-use trail not less than 10 feet wide constructed the entire length of the existing public road frontage within the required bufferyard shall be eligible for a 20 percent increase in lot density for Conservation Subdivisions or a 20 percent reduction in minimum lot size for Standard Subdivisions.
The multi-use trail shall be set back from the edge of pavement not less than 25 feet. If the trail is located outside of the public road right-of-way, an access easement shall be duly established and recorded with the Final Plat.

8:9.6 Amenity Fishing Ponds

Subdivisions that include a fishing pond accessible to all residents of the subdivision shall be eligible for a 20 percent reduction in minimum lot size for 20 percent increase in lot density for Conservation Subdivisions or a 20 percent reduction in minimum lot size for Standard Subdivisions.

8:9.7 Neighborhood Swimming Pool

Subdivisions that include a neighborhood swimming pool accessible to all residents of the subdivision shall be eligible for 20 percent increase in lot density for Conservation Subdivisions or a 20 percent reduction in minimum lot size for Standard Subdivisions. Swimming pools shall have a minimum dimension of 25 meters long by 19 meters wide. Parking shall be provided in accordance with Article 6 of this Code.

8:9.8 Maximum Lot Reduction or Density Bonus

In no case shall the maximum lot reduction or density increase exceed 60%

8:10 Minor Subdivisions

8:10.1 Applicability

This *Section applies to t*he division of land into eight (8) or less lots, at one time or over a period of time, which

does not require construction of a new street with new right of way, the extension of a public water or sewer system or the installation of drainage improvement to facilitate residential lot construction. Applications for Minor Subdivisions must follow the Summary Plat process.

8:10.2 Minor Subdivision Subtypes

There are two basic subtypes of Minor Subdivisions to allow for a variety of options and to advance the goals of the Comprehensive Plan and to ensure that subdivisions are in keeping with the goals of the district and character of the surrounding area. This section provides for the design requirements for each Minor Subdivision subtype. The two subtypes are listed herein.

1. Standard Minor Subdivision
2. Rural Residential Subdivisions

8:10.3 Standard Minor Subdivision

8:10.3-1 Design Standards

8:10.3-2 Access. Minor Subdivisions creating five (5) lots or less may access individual lots directly from existing public road via private driveway. When 6-8 lots are created, access shall be provided via a shared private drive by means of a legal and duly recorded ingress-egress easement, a minimum of 40 feet in width. Such shared private drive shall provide access to rear loaded driveways to allow for homes to face existing public road. A combination of lot access from both direct driveways and shared private drives may be permitted, but in no case shall the number of direct private drives on a public road exceed five (5). All lots served by a shared private drive shall have public road frontage and comply with the minimum lot width as required by the zoning district regulations.

***8:10.3-3 Shared Private Drives*.** When shared private drives are used to provide primary access to lots in a Rural Residential Subdivision, they shall be not less than 40 feet wide and established by means of a legal and duly recorded ingress-egress easement, Shared private drives shall be constructed of a paved surface not less than 20 feet in width in accordance with Section 10:11-1.

8:10.3-4 Minimum Driveway Separation. Minimum driveway separation for private drives encroaching on public roads shall be 175 linear feet as measured from near edge to near edge of adjacent driveways.

***8:10.3-5 Lot Size*.** Minimum lot size for Rural Residential Subdivisions are subject to the minimum lot dimensional requirements in the zoning district as listed in Article3.

8:10.3-6 Lot Orientation. Newly created lots shall be oriented towards existing road frontages. Residential dwellings shall face the road.

8:10.3-7 Mass Grading Prohibited. Mass grading and clearcutting trees for Rural Residential Subdivisions is prohibited.

8:11 Rural Residential Subdivisions

8:11.1 Purpose

The purpose of this section is to ensure new subdivisions in the rural areas are compatible with the rural character of the surrounding area, maintain existing rural development patterns, viewsheds, and open spaces, and to

minimize the effects of new residential construction so that it is harmonious with the established surroundings and does not negatively impact existing roads, infrastructure and utilities.

8:11.2 Design Standards

8:11.3 *Lot Size*. Minimum lot size for Rural Residential Subdivisions are subject to the minimum lot dimensional requirements in the zoning district as listed in Article3.

8:11.4 Lot Orientation. Newly created lots shall be oriented towards existing road frontages. All homes shall face the public road.

8:11.5 Access. Minor Subdivisions creating five (5) lots or less may access individual lots directly from existing public roads via private driveway. When 6-8 lots are created, access shall be provided via a shared private drive by means of a legal and duly recorded ingress-egress easement, a minimum of 40 feet in width. Such shared private drive shall provide access to rear loaded driveways to allow for homes to face existing public roads. A combination of lot access from both direct driveways and shared private drives may be permitted, but in no case shall the number of direct private drives on a public road exceed five (5). All lots served by a shared private drive shall have public road frontage and comply with the minimum lot width as required by the zoning district regulations.

8:11.6 Minimum Driveway Separation. Minimum driveway separation for private drives encroaching on public roads shall be 175 linear feet as measured from near edge to near edge of adjacent driveways.

***8:11.7 Shared Private Drives*.** When shared private drives are used to provide primary access to lots in a Rural Residential Subdivision, they shall be not less than 40 feet wide and established by means of a legal and duly recorded ingress-egress easement, Shared private drives shall be constructed of a paved surface not less than 20 feet in width in accordance with Section 9:11.1.

8:11.8 Mass Grading Prohibited. Mass grading and clearcutting trees for Rural Residential Subdivisions is prohibited.

ARTICLE IX. STREET DESIGN STANDARDS

9:1 Purpose

To establish minimum design requirements and construction standards for streets and drives proposed to serve new development. The design standards in this article shall be considered minimum requirements; however, higher standards are to be encouraged in design. Street design should carry out the purpose of the comprehensive plan and these regulations, but not be limited to the minimum requirements.

9:2 Applicability

These design and construction standards apply to all new proposed streets, roads, and drives constructed to serve new development.

9:3 Design Standards

9:3.1 ***Conformity to Existing Maps or Plans.*** The location and width of all proposed streets shall be in conformity with official plans and maps of the county and with existing or amended plans of the Planning Commission.

9:3.2 ***Design.*** All streets shall be designed in conformance with the latest edition of the South Carolina Roadway Design Manual, Chapter 14, Local Roads and Streets, as published by South Carolina Department of Transportation.

9:3.3 ***Public Streets.*** All streets which are to be dedicated shall be public streets and shall be opened to the exterior property lines of the development unless permanently terminated by a vehicular turnaround or an intersection with another street.

9:3.4 ***Continuation of Adjoining Streets.*** Proposed streets shall be coordinated with the street system in the surrounding area and provide for the continuation of principal streets.

9:3.5 ***Reserve Strips.*** Reserve strips controlling access to streets shall be prohibited except where their control is placed with the county under conditions approved by the Planning Commission.

9:3.6 ***Residential Streets.*** Residential streets shall be laid out so their use by through traffic will be discouraged in that three-way intersections, "T" intersections, shall be used as much as possible.

9:3.7 ***Service Streets with Major Thoroughfares.*** Where a subdivision abuts or contains an existing or proposed major arterial road, the Planning Commission may require service streets, reverse frontage with screen planting line, deep lots, or such other treatment as may be necessary for adequate protection of residential properties and to afford separation of through and local traffic.

9:3.8 ***Service Streets with Highways and Railways.*** Where land to be subdivided borders or contains a railroad right-of-way or limited access highway right-of-way, the planning commission may require a service street approximately parallel to and on each side of such right-of-way, at a distance suitable for the appropriate use of the intervening land. Such distances shall also be determined with due regard for the requirements of approach grades and future grade separations.

9:3.9 ***Street Jogs.*** Street jogs with centerline offsets of less than 200 feet shall be avoided.

9:3.10 ***Intersections.*** The centerlines of no more than two streets shall intersect at any one point. Streets shall be laid out to intersect as nearly as possible at right angles, and no street shall intersect any other street at less than 60 degrees. The maximum grade approaching intersections shall not exceed five percent for a distance of not less

than 100 feet from the centerline of said intersection. The radius of edge of pavement or face of curb shall be not less than 32 feet at the intersection of collector streets and major thoroughfares.

9:3.11 ***Property Lines at Intersections.*** Property lines at street intersections shall provide for a sight triangle with sides of 25 feet; sight triangles shall meet SCDOT requirements at any intersection with a state road.

9:3.12 ***Grade.*** Unless necessitated by unusual topographic conditions and approved by the Planning Commission, the minimum grade on any street shall be one percent. The maximum grade shall not exceed ten percent.

9:3.13 ***Right-of-Way***. Street rights-of-way shall be not less than the following:

Alley	20 feet	
Collector street	60 feet	
Commercial service street	60 feet	
Cul-de-sac	100 feet	(diameter)
Major thoroughfare	80 feet	
Residential service street	50 feet	
Residential street	50 feet	

9:4 Pavement Widths

Pavement widths shall be not less than the following:

Alley	20 feet	
Collector street	36 feet	
Commercial service street	36 feet	
Cul-de-sac	80 feet	(diameter)
Major thoroughfare	52 feet	
Residential service street	22 feet	
Residential street	22 feet	
Shared Private Drive	20 feet	

9:5 Cul-de-sacs

Dead-end streets designed to be permanently terminated shall not exceed 600 feet in length, except where no other access is practical due to topographic reasons. Such streets shall be provided at the end with a circular turnaround. A minimum turnaround shall have a radius of not less than 50 feet at the property line and not less than 40 feet at the curb line.

9:6 Temporary Dead-end Streets

Temporary dead-end streets which extend for a greater distance than 300 feet shall be provided with a temporary turnaround having a diameter of 80 feet, or other suitable turnaround.

9:7 Half Streets

Half streets are prohibited. Whenever a street is planned adjacent to the boundary of the proposed development, the entire street right-of-way shall be platted within the proposed development.

9:8 Street Names

No street names shall be used which will duplicate or be confused with existing streets. Street names shall be subject to the approval of the Planning Commission.

9:9 Additional Right-of-Way

Where streets in existing subdivisions do not meet the standard for maintenance of the state department of transportation, and residents wish to dedicate said streets for public maintenance and acceptance, property owners abutting on said streets shall provide a minimum of one-half, measured from the centerline of the existing right-of-way, of the total right-of-way required by these regulations.

9:10 Alley Design Standards

When alleys are provided they shall not be less than 20 feet in width and fully paved.

9:10.1 ***Intersections.*** Alley intersections and sharp changes in alignment should be avoided, but where necessary, the curve radius shall permit safe vehicular movement.

9:10.2 ***Dead Ends.*** Dead-end alleys should be avoided, but where necessary shall be provided with adequate turnaround facilities at the dead end, as determined by the Fire Marshall.

9:11 Shared Private Drives

Shared private drives shall be created with a deeded access easement not less than 40 feet in width and have a pavement width of not less than 20 feet. Shared private drives are required for Minor Subdivisions creating six (6) or more lots. In no case shall a shared private drive exceed 600 feet.

9:11.1 ***Unpaved Shared Private Drive***. An unpaved shared private drive constructed of an all-weather surface not less than 20 feet wide is required for access to any lot that does not have a minimum of 40 feet of frontage on a public or private road. An unpaved shared private drive may be permitted as primary access to enable the creation of a family subdivision.

9:12 Blocks

9:12.1 ***Length.*** The lengths, widths, and shapes of blocks shall be determined with due regard for the following:

A. Provision of adequate building sites available to the special needs of the type of use contemplated.
B. Needs for convenient access, circulating control and safety of street traffic.
C. Limitations and opportunities of topography.
D. If, for residential use, blocks shall not be longer than 2,400 feet, and shall not be less than 400 feet in length, measured along the centerline of the block.

9:12.2 ***Pedestrian Crosswalks.*** Pedestrian crosswalks, not less than ten feet wide, may be required in blocks longer than 600 feet to provide reasonable circulation or access to schools, playground, shopping centers, transportation, and other community facilities.

9:12.3 ***Width.*** Blocks should be of sufficient width to allow for two tiers of lots of appropriate depth.

9:13 Sidewalks

When required, sidewalks shall be a minimum of five (5) feet wide on residential streets and have a minimum width of six (6) feet along collector or arterial roads. A minimum curb lawn of 3 feet is required between the sidewalk and back of the concrete curb or back of edge of pavement when no curb exists.

9:14 Paving Requirements

Except as otherwise provided, these regulations require that streets and alleys in all developments in the County are paved. In cases where paving is to be provided, such paving shall be accomplished in accordance with existing state and local standards. In such cases where paving is not to be provided by the developer, appropriate notation shall be shown on the final plat prior to recording.

9:15 Construction Standards for Public and Private Streets and Roads

In addition to all the design standards previously listed, the following construction standards are required:

9:15.1 ***Clearing and Grubbing.*** All work shall be required to conform to requirements and standards as set forth in the "Clearing and Grubbing" section of the most recent edition of SCDOT specifications.

9:15.2 ***Subgrade.*** Subgrade shall be constructed as specified in the "Subgrade" section, in the SCDOT specifications, or sound, undisturbed residual soils. In fill areas, all subgrade soils shall be compacted in accordance with the "Construction Requirements" section of the SCDOT specifications.

9:15.3 ***Base Course.*** A granular base or an asphaltic base course may be used. Granular base course shall be a graded aggregate base course meeting SCDOT specifications. An asphaltic base may be used in place of or in conjunction with granular bases. The asphalt base shall be a hot laid asphalt aggregate base course or a hot laid asphalt binder course as specified in SCDOT specifications. Material shall be placed and constructed in accordance with the requirements set forth in the appropriate sections of the most current edition of the SCDOT specifications.

9:15.4 ***Surface Course.*** The surface course shall be hot laid asphaltic concrete surface course, type C or latest equivalent approved by the SCDOT and conforming to SCDOT specifications.

9:15.5 ***Restrictions on Asphalt Paving Work.*** No surface asphalt paving shall be installed on a wet surface or when the weather conditions are otherwise unfavorable. To pave the binder and/or surface course, temperature must be 45 degrees Fahrenheit and rising in the shade. The asphalt shall be delivered and placed in accordance with the SCDOT specifications, with the exception that prime must be cured for a minimum of 24 hours if used. The asphalt shall be delivered to the spreader at a temperature between 250 degrees Fahrenheit and 325 degrees Fahrenheit and, with the exception of sand asphalt mixture for base course construction, within 20 degrees Fahrenheit of the temperature set at the plant. Where prime coat is used, the prime coat must cure for a minimum of 24 hours prior to paving and shall be applied as specified in the SCDOT specifications. Prime will be used at the discretion of the County Engineer or his/her authorized representative and not required if stone base is paved within 24 hours of being set up and approved. Final surface course shall be applied 90 days after the first surface course or once 25 percent of the homes within that phase of the subdivision have been constructed, whichever is greater. In order to apply the final surface course prior to this requirement and ensure no construction traffic damage to the final surface, a thicker alternate paving standard may be approved on a case by case basis.

9:16 Required Thickness of Base, Binder and Surface Courses

9:16.1 ***Residential Streets.*** If graded aggregate base course is used, the compacted thickness of the stone base course shall be six inches, with a 2½-inch hot laid asphalt binder course and a 1½-inch type C surface course. If a hot laid asphalt aggregate base course is used, the compacted thickness of the asphaltic base course shall be three

inches, with a 1½-inch initial surface course, and another 1½-inch final surface course to be placed as required in this Article.

9:16.2 ***Non-residential Streets.*** If graded aggregate base course is used, the compacted thickness of the stone base course shall be eight inches, with a four-inch hot laid asphalt binder course placed in two lifts, and a 1½-inch type C surface course. If hot laid asphalt aggregate base course is used, the compacted thickness of the asphaltic base course shall be six inches placed in two lifts, with a 1½-inch surface course.

9:16.3 ***Unpaved Roads.*** Where unpaved roads are approved, the road shall be constructed according to Appendix D of this Code. In subdivisions in rural and predominantly agricultural locations, the Planning Commission may allow existing streets and roads be left unpaved, and may approve new unpaved streets and roads, provided that the unpaved street or road does not provide a connection for through traffic to a paved public street, not more than ten lots are to be created by the subdivision, and no lot in the proposed subdivision is smaller than one acre.

A. ***Considerations.*** Prior to making such recommendations, the Planning Commission must consider the following:
    1. Density and lot size of proposed, adjacent, and likely future development.
    2. Soils and topography of development.
    3. Drainage and erosion control.

9:16.4 ***Unpaved Specifications.*** The specifications for the construction of unpaved roads are set forth in Appendix D of this Code.

9:17 Curbs and Gutters

In residential subdivisions where the average lot size is one-third acre or less, curbs and gutters shall be required. While concrete curbs and gutters shall be required in high-traffic areas, asphalt curbs or valley gutters may be permitted in areas of less intensive activity and traffic when installed according to previously approved plans and profiles. When curb and gutters are required, they shall be constructed in accordance with methods described in the current SCDOT Manual of Standard Specifications For Road Construction. Under no circumstances shall standards less than the applicable standards of the county be allowed. The Planning Commission may also require the installation of curb and gutters in developments and subdivisions devoted to commercial or industrial use, if it is determined that such installation is necessary for public safety and convenience.

9:18 Culverts and Bridges

All culverts and bridges shall be constructed to the standards and requirements set forth by the state department of transportation.

9:19 Street Signs

The developer shall place street name signs and stop signs which meet SCDOT specifications at all street intersections within the development. In addition, the developer shall place other directional and warning signs at all locations within the subdivision, where required by SCDOT design standards.

9:20 Drainage Improvements

The developer shall make improvements within the right-of-way areas as may be required to properly cause the drainage water to flow along and within the limits of the right-of-way. The nature and extent of the right-of-way and improvements necessary to properly handle the drainage water to be discharged along the right-of-way will be determined by the county in accordance with good engineering practices.

ARTICLE X. RECREATIONAL VEHICLE PARK REGULATIONS

10:1 Purpose

The purpose of this section is to establish regulations for the development and design of Recreational Vehicle Parks to encourage high quality recreational vehicle parks within Calhoun County and to ensure an orderly, sound, sanitary environment for recreational vehicles and to ensure that such RV Parks will contribute to the general welfare of all county residents.

10:2 Applicability

The requirements of this Section shall apply to all Recreational Vehicle Parks located in Calhoun County.
In addition, all Recreational Vehicle Park use conditions listed in Section 4:5 shall also apply.

10:3 Development Standards

A. ***Mass Grading Prohibited.*** The RV Park site shall be developed in a manner that preserves natural topography, existing tree cover, and natural features. For this reason, mass grading and clearcutting trees for RV park development is prohibited.
B. ***Access***. Each park must have a minimum direct frontage of one hundred and fifty (150) feet on a public street. All individual RV sites shall have access to an all weather interior street/drive. No individual recreational vehicle site shall have direct access to a public street.
C. ***Streets and Drives.*** All streets and drives within RV Parks shall be private and not public.
D. ***Street/Drive Width.*** Two-way drives shall be minimum twenty (20) feet wide***.*** All one-way drives shall be minimum twelve (12) feet wide.
E. ***Street/Drive Construction***. All access drives and streets shall be constructed with a minimum four (4) inch compacted stone travel-way with and capable of supporting the weight of fire fighting vehicles.
F. ***Dead-End Streets/Drives***. Closed dead-end roads shall not exceed 300 feet in length and be constructed with an approved 35 foot radius cul-de-sac or hammerhead style turn-around with approved turning area for fire apparatus.
G. ***Parking.*** Each RV site shall have a stabilized and compacted vehicular parking pad or packed gravel, paving, or other suitable material. At least one (1) RV site must be ADA accessible. When permanent units (cabins) are provided, at least one (1) unit must be ADA accessible.
H. ***Water and Wastewater***. Parks shall provide water and septic/sewer hookup at each campsite. Centrally located wastewater dump stations where RVs can connect empty their holding tanks may be used in place of individual wastewater hookups. The water supply and waste disposal systems of all RV Parks shall be inspected and/or approved by the State Department of Environmental Services (SCDES) before a zoning permit may be issued.
I. ***Electricity***. Electricity shall be run underground and provided to each RV site.

10:4 Site Plan Approval

Prior to construction of a new recreational vehicle park or enlargement of a recreational vehicle park existing at the time of adoption of this Ordinance, a development plan approved by South Carolina Department of Environmental Services (SCDES) shall be submitted to the Zoning Administrator in accordance with the schedule and fees for Preliminary Subdivision Plans. The Zoning Administrator shall send copies of the plan and attachments to the appropriate public officials and agencies for their review and recommendations and review the proposed development for conformance with all applicable regulations before issuing a zoning permit.

10:5 Site Plan Requirements

The plan shall be drawn by a registered engineer/surveyor of the state of South Carolina to scale of not less than 100 feet to 1 inch and shall contain the following information:

10:5.1 General Plan Information. The general information included with the Recreational Vehicle Park Plan is as follows:

A. Names and locations of adjoining development, subdivisions, streets and the location and ownership of adjoining undeveloped property;
B. Boundaries of the tract to be developed with all bearings and distance indicated;
C. Existing zoning classification of the site.
D. The name of development and surveyor or engineer;
E. The name and address of the owner;
F. The date of the survey and plat preparation, north arrow and graphic scale;
G. A surveyor's certificate of accuracy, certifying that the error of closure of the boundary is no greater than a ratio of 1:5,000;
H. Acreage chart summarizing total acreage, recreation amenities, streets/drives, ponds, wetlands, and undevelopable areas, as applicable; and
I. A statement regarding how water and sanitary sewer or septic service..

10:5.2 Existing Site Data. The Recreational Vehicle Park Plan shall include the following data:

A. Property lines; rights-of-way, easements and streets, railroads, utility transmission lines, ditches and culverts, sanitary sewers and water mains, bridges, and buildings;
B. Size and location of existing structures;
C. Zoning and land uses on adjacent properties;
D. Forested areas, marshes, watercourses, ponds, and any other similar features;.
E. Contours showing the topography of the site at a vertical interval of two feet, or as required by the Planning Commission;
F. 100-year floodplain, accompanied by the high water elevation, if available;
G. The location of any historic sites, cemeteries, archaeological sites, burial grounds which merit protection Protective measures shall be listed on the plan in a narrative form with ownership and location identified in the notes. These measures shall be in accordance with the laws, ordinances, and regulations of the State of South Carolina, or Federal Government; and

10:5.3 Proposed Site Data. The Recreational Vehicle Park Plan of the proposed development site shall provide the following data:

A. Street or drive pavement or all weather surface widths and street names.
B. The location and size of RV sites.
C. A landscaping plan showing all required bufferyards, and proposed plantings, screening, and existing trees and critical root zone to be preserved.
D. A lighting plan showing all proposed park light locations and photometric values, including cut sheets on poles and fixtures.
E. Plans showing connections to existing systems; proposals for developing new water supply and wastewater disposal systems.
F. Minimum setback lines along the front, rear and side property lines.
G. Storage areas, and areas to be used for purposes other than residential, if any, with the purpose, location, and dimensions of each indicated.
H. The location and type of garbage disposal container.

ARTICLE XI. ZONING ADMINISTRATION AND PROCEDURES

11:1 Zoning Administrator

11:1.1 This ordinance shall be administered and enforced by the designated Zoning Administrator who shall have all powers and duties authorized by statute or ordinance.

11:1.2 The duties of the Zoning Administrator shall include:

A. Interpretation of the terms and provisions of this ordinance;
B. Administration of this ordinance by the issuance of permits and certificates, including the collection of authorized fees;
C. Processing applications for appeals to the Board of Zoning Appeals from decisions of the Zoning Administrator, variances and special exceptions;
D. Preparation of the record for appeal to circuit court from decisions of the Board of Zoning Appeals;
E. Maintenance of a current zoning map, amendments to the zoning ordinance, and all public records related to zoning and planning;
F. Enforcement of the zoning ordinance, investigation and resolution of zoning complaints;
G. Administrative assistance to the Board of Zoning Appeals;
H. Such other duties as may be authorized.

11:2 Zoning Permits

11:2.1 ***Permits Required.*** No building, sign or structure shall be erected, moved, enlarged, altered or demolished without a zoning permit issued by the Zoning Administrator. No zoning permit shall be issued by the Zoning Administrator except for a use which is in conformity with the provisions of this ordinance or for a use authorized by order of the Board of Zoning Appeals.

11:2.2 ***Fees for Permits.*** A fee established by the County Council shall be paid for each zoning permit or certificate of zoning compliance issued by the Zoning Administrator.

11:2.3 ***Applications for Permits.*** Applications for zoning permits shall be accompanied by plans in duplicate drawn to scale showing the actual dimensions and shape of the lot to be used, the sizes and locations of existing structures on the lot, the location and dimensions of a proposed structure or alteration. The application shall include such other information as may be required by the Zoning Administrator to determine conformance with this ordinance, including existing or proposed buildings or alterations, existing or proposed uses of buildings and land, number of families, housekeeping units, rental units, existing conditions on adjacent property. One copy of the plans shall be returned to the applicant with the signed approval or disapproval of the Zoning Administrator noted on the copy within thirty days.

11:2.4 ***Expiration of Permits.*** If the work described in a zoning permit has not begun within six (6) months from the date of the permit, or within the time specified in a special exception, the permit shall expire and be void upon written notice by the Zoning Administrator.

11:3 Certificates of Zoning Compliance

11:3.1 ***Certificates Required.*** It shall be unlawful for any person to use occupy or permit the use or occupancy of any building or property hereafter created, erected, changed, converted, altered or enlarged, in whole or in part, until a certificate of zoning compliance has been issued by the Zoning Administrator stating that the proposed use conforms to the requirements of this Code.

11:3.2 ***Temporary Uses.*** Certificates of zoning compliance may be issued and renewed by the Zoning Administrator for permitted temporary uses for the times permitted by zoning district regulations.

11:4 Conditional Use Review Procedures

Prior to issuing a zoning permit, The Zoning Administrator shall review the application and determine if the proposed use complies with the requirements and conditions outlined in Section 4:5.4 Conditional Use Requirements.

11:5 Violations

11:5.1 ***Misdemeanor; Penalties.*** It shall be unlawful for any person to use property, or to construct, alter, enlarge or demolish any structure without a permit or permits required by this ordinance. Conviction for violation of this ordinance is punishable as a misdemeanor under the general penalty provisions of the County Ordinance.

11:5.2 ***Withholding Permits.*** The Zoning Administrator shall deny a zoning permit for any use or work which fails to comply with this ordinance. The Zoning Administrator or other appropriate official shall withhold all other County permits for work which violates this ordinance.

11:5.3 ***Complaints.*** A written complaint specifying facts showing a violation of this ordinance filed by any person shall be investigated by the Zoning Administrator. Upon determination that a violation has occurred, the Zoning Administrator shall take appropriate enforcement action authorized by this ordinance.

11:5.4 ***Stop Work Orders.*** The Zoning Administrator is authorized to issue a stop work order pursuant to S.C. Code 1976, § 6-29-950(A) requiring work to cease until specified code violations are corrected. Failure to comply with a stop work order of the Zoning Administrator is a misdemeanor punishable under the general penalty provisions of County Ordinance. Issuance of a stop work order may be appealed to the Board of Zoning Appeals.

11:5.5 ***Ordinance Summons.*** The Zoning Administrator is authorized to issue an ordinance summons pursuant to County Ordinance provisions for violations of this Code.

11:5.6 ***Arrest Warrant.*** The Zoning Administrator, with concurrence of the County Attorney, is authorized to request the issuance of an arrest warrant for violations of this ordinance.

11:5.7 ***Injunction.*** The Zoning Administrator shall submit a request to the County Attorney for institution of a civil action seeking an injunction prohibiting violation of this ordinance when appropriate.

11:6 Board of Zoning Appeals

11:6.1 ***Board Established.*** A Board of Zoning Appeals is hereby established which shall consist of five (5) members appointed by County Council for staggered terms of three (3) years. A vacancy shall be filled for the unexpired term in the same manner as the original appointment. Members of the board may be removed by Council for cause.

11:6.2 ***Officers.*** The board shall elect or reelect one of its members as chairperson for a term of one year. The Board may elect other officers as provided by its rules of procedure. The board shall appoint a secretary who may be an officer of the County approved by the County Administrator or a member of the board.

11:6.3 ***Rules of Procedure.*** The board shall adopt rules of procedure for the conduct of its meetings and hearings. A majority of the board shall constitute a quorum. Meetings of the board shall be held at the County Courthouse Annex building at the call of the chairperson or at such times as the board may determine. Public notice of all hearings shall be published in a newspaper of general circulation in the county and shall be posted on the bulletin board at the County Courthouse Annex building. Notice of hearings on appeals for variances or special exceptions shall also be posted on or adjacent to property affected, with at least one notice visible from each public street abutting the property. The chairperson may administer oaths and compel attendance of witnesses by subpoena. The board shall keep minutes of its proceedings, showing the vote of each member on each question, or if absent or failing to vote by reason of conflict, and shall keep records of its examinations and other official actions filed in

the office of the secretary of the board as public records.

11:7 Powers and Duties of Board of Zoning Appeals

11:7.1 ***Appeal from Zoning Administrator****.* Any person aggrieved by a decision of the Zoning Administrator may appeal that decision to the Board of Zoning Appeals in writing on a form provided by the Zoning Administrator within fifteen (15) days after actual notice of the decision. An appeal stays the implementation of the decision of the Zoning Administrator unless he certifies to the board that a stay would cause imminent peril to life or property. The board may affirm or reverse, wholly or in part, or may modify the decision by a written order separately stating findings of fact and conclusions of law.

11:7.2 ***Variances****.* An owner or authorized agent may appeal to the board on a form provided by the Zoning Administrator for a variance from the requirements of this code when the strict application of regulations would result in unnecessary hardship. A variance may be granted if the board makes all of the following findings and conclusions in a written order:

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 the variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance;
E. The effect of the variance would not allow the establishment of a use not otherwise permitted in the zoning district; would not extend physically a nonconforming use of the land; and would not change the zoning district boundaries shown on the official zoning map.
F. The fact that property may be utilized more profitably, should a variance be granted, may not be considered grounds for a variance. In granting a variance, the board may attach to it such conditions regarding the location, character, or other features of the proposed building, structure, or use as the board may consider advisable to protect established property values in the surrounding area, or to promote the public health, safety, or general welfare.
G. Failure to begin or complete an action for which a variance is granted within the time limit specified as a condition of the variance shall void the variance.

11:7.3 ***Special Exceptions****.* An owner or authorized agent may appeal to the board on a form provided by the Zoning Administrator for a special exception for a use permitted by district regulations as a special exception after review, subject to applicable criteria.

The Board of Zoning Appeals shall review and evaluate each application for a use by special exception with respect to all applicable development standards contained herein and elsewhere in this Code. At the conclusion of its review, the Board of Zoning Appeals may prescribe appropriate conditions and safeguards to relieve or reduce adverse impact of a special exception and to protect the character of the area.

The Board shall consider the following factors in determining whether a special exception should be granted, in addition to specific criteria in district regulations:

A. Traffic impact;
B. Vehicle and pedestrian safety;
C. Potential impact of noise, lights, fumes, or obstruction of air flow on adjoining property;
D. Adverse impact of proposed use on aesthetic character of the area; and
E. Orientation and spacing of improvements or structures.

11:7.4 ***Notice of Action***. Following the consideration of a Variance or Special Exception Use application, the BZA acting through the Zoning Administrator shall issue a notice of action and, if approved, shall issue a zoning permit. If an application is conditionally approved the zoning permit shall list any contingencies,, conditions, modifications, imposed by the Board of Zoning Appeals, and such contingencies and modifications shall be made part of the

zoning permit. If denied, the applicant shall be notified in writing with the reasons for denial of the application. Upon receipt of a "notice of denial", the applicant may appeal the decision to circuit court as described in Section 11:9

11:8 Fees for Appeals to Board

A fee of in accordance with the adopted Fee Schedule be paid for each appeal to the Board of Zoning Appeals from a decision of the Zoning Administrator, for a variance or special exception.

11:9 Appeal to Circuit Court

A person having a substantial interest in a decision of the Board of Zoning Appeals, or an officer of the County authorized by County Council, may appeal to circuit court by petition for review on grounds that the decision is contrary to law, filed with the clerk of court and secretary of the board within thirty (30) days after the decision of the board is mailed. Within thirty (30) days after receipt of notice of filing a petition, the Zoning Administrator or secretary of the board, with assistance of the County Attorney, shall file with the clerk of court a certified copy of the board proceedings, including a transcript of evidence and findings and conclusions of the board.

11.10 Amendments

11:10.1 An amendment to the zoning ordinance text or zoning map may be initiated by adopted motion of County Council, adopted motion of the Planning Commission, or the Zoning Administrator. An amendment to the zoning map for changing a zoning district designation of property may be initiated by the owner of the property affected or by an agent authorized by the owner in writing.

11:10.2 An identical amendment to the district designation of the same or a portion of the same property for which a rezoning has been denied shall not be initiated more often than once in each twelve (12) month period after denial unless the planning commission determines either: (1) there has been a substantial change in the character of the area, or (2) evidence or factors exist which were not considered in previous deliberations which might substantially alter the basis for the planning commission recommendation.

11:10.3 A zoning map amendment shall be initiated by an owner or agent on an application form provided by the Zoning Administrator, accompanied by required documents and information, and a filing fee established by resolution of County Council.

11:10.4 A complete application for amendment must be received at least two (2) weeks prior to a Planning Commission meeting in order to be considered at the meeting.

11:11 Minimum District Size

No amendment shall be initiated which would create a new zoning district with an area of less than two (2) acres; provided, the minimum area for a proposed amendment to a PD (Planned Development) district shall be five (5) acres. The minimum requirement does not apply to extension of an existing district.

11:12 Amendment Procedure

11:12.1 The governing body must adopt amendments to the ordinance text or zoning maps in the same manner it adopted the original ordinance. In general, the following procedural steps are required.:

A. Amendment shall be initiated pursuant to Section 12:10 Amendments.
B. Amendment ordinance shall be prepared in written form required by County Code.
C. The proposed text or map amendment shall be referred to the Planning Commission for review and recommendation. The Planning Commission shall not conduct a public hearing, but the property owner may be allowed to present oral or written comments. If oral or written comments are taken, the commission shall give other interested members of the public ten days' notice and allow them to

comment in the same fashion. Review shall include a determination of whether the proposed amendment is in conformity with the comprehensive plan. The Planning Commission shall file with the County Council its report and recommendation on the proposed amendment within thirty (30) days after receipt.

D. Public Hearing. The County Council shall conduct a public hearing on all text and map amendments.
E. Notice of Public Hearing. Newspaper notice of the public hearing before County Council shall be published at least fifteen (15) days prior to hearing. The public hearing shall be scheduled for a date after the Planning Commission recommendation is due.
F. Notices of public hearing shall be posted on or adjacent to property to be rezoned, with one notice visible from each street bordering the property. Posted notices shall contain letters not less than one (1) inch in height.
G. Notices of public hearing shall be mailed to all adjacent landowners and to groups which have filed a written request for notices.
H. The County Council may introduce an amendment ordinance for first reading and hold a public hearing on the same date. Planning commission recommendation shall be reviewed and considered, but it shall not be binding on the County Council.
I. County Council may adopt or reject the amendment ordinance on second reading at least six days after first reading. Map amendments may be adopted or rejected for all or any portion of the property; however, a zoning district designation which was not included in the public notices shall not be adopted. An amendment may be withdrawn in writing by the initiator at any time prior to final action by the County Council. A withdrawn amendment is not subject to the twelve (12) month limitation in Section 13:10.2
J. All amendments shall be noted and placed in the copy of the zoning ordinance maintained by the Zoning Administrator and in the official copy of the County Code maintained by the Clerk to Council. Map amendments shall be reflected on the Official Zoning Map.

ARTICLE XII. LAND DEVELOPMENT AND SUBDIVISION PROCEDURES

12:1 Purpose

The regulations contained herein are designed to:

A. Require and provide for harmonious, orderly and progressive land development;
B. Promote the public health, safety, economy, good order, appearance, convenience and general welfare of the county through the control and regulation of the subdivision and development of land.
C. Encourage economically sound and stable land development;
D. Coordinate proposed development with existing development and with official county plans for future development;
E. Ensure the provision of adequate facilities for transportation, water, sewage, education, recreation and other public requirements in subdivisions;
F. Ensure the proper surveying, legal description, and monumentation of subdivided land; and
G. Promote the public health, safety, and general welfare of the county.

12:2 Applicability

This Article applies to all Subdivisions and Group Developments within the limits of Calhoun County. No street or other public way or land shall be accepted or maintained; nor shall any water lines, sewer, street lighting or similar improvements be extended or connected; nor shall any permits be issued by any department of the county for construction of a building or other improvement be established hereafter which do not meet the requirements set forth in this Article.

12:2.1 ***Exemptions***. Exempt Subdivisions do not require review by the Planning Commission and are reviewed by staff at the time of application submission. Exempt Subdivisions include:

A. Survey plats (whether newly performed or historical) showing existing lots of record that do not create roads or shared drives;
B. Mortgage plats (used for purchasing property);
C. Lot line adjustments where the total number of lots is not increased and the resultant lots meet the requirements of the Calhoun County Development Code;
D. Combination or recombination of entire lots of record that do not involve the creation of new streets or changes in existing streets;
E. Division of land into parcels of 5 acres or more where no new street is involved;
F. Division of land by order of probate court or master in equity based on settlement of an estate; and
G. Division of land for public utility purposes.

12:3 General Provisions

12:3.1 ***Interpretation of Subdivision Jurisdiction.*** Where uncertainty exists with respect to the boundary of the development jurisdiction of the county, the location of such boundary shall be determined by scaling the distance on the official copy of the map.

12:3.2 ***Land Subject to Flooding.*** Chapter 34 of the Calhoun County Code of Ordinances shall govern all proposed development and land use in flood hazard areas of the county.

12:3.3 ***Authorized Representative***. Each application must identify on the application form an Authorized Representative, including phone number and email address. All communication regarding the project will be directed to that person. In the event that the Authorized Representative is not available, an alternate may be identified on the application.

12:3.4 ***Filing Fees.*** At the time of submission of the application, the applicant shall pay to the county planning administrator a fee in the amount required by the most recent fee schedule adopted by Calhoun County Council, to defray administrative costs.

12:3.5 ***Survey Accuracy***
Surveys shall be performed in compliance with the latest adopted Standards of Practice Manual for Surveying in South Carolina, maintained by the Board of Registration for Professional Engineers and Surveyors, Division of Professional and Occupational Licensing, S.C. Department of Labor, Licensing and Regulation, as published at Chapter 49, Article 4 of the S.C. Code of Regulations.

12:3.6 Planned Public Use. Where a proposed park, playground, school, and other public use shown in the Comprehensive Plan is located in whole or in part in a proposed development, the Planning Commission may require the reservation of such area for a period not exceeding 90 days from the date of approval of the development plan or preliminary subdivision plan, to give the public body the opportunity to acquire the property.

12:3.7 ***Electronic Submission.*** Unless otherwise required in a specific section or subsection of this ordinance. all plans and plats subject to the requirements specified herein and submitted for review and recording, shall be accompanied by an electronic copy, as specified by the Electronic Submission Standards and Procedures described below.

A. The electronic information submitted will be for inclusion into the County GIS system. Disclaimers and limiting statements may be placed in electronic submissions, provided such disclaimers do not direct liability to the County or create indemnification by the County to the party submitting electronic files

B. Submitted files shall contain, at a minimum, parcels, rights of way, ground control points, street centerlines, easements, lot numbers, lot dimensions, road names, and easement types as are shown on the submitted, printed document. All undeveloped areas shall be identified with letters and notes stating their purpose and maintenance responsibility.

12:3.8 ***Time Limit.***
Review and approval or disapproval by the Planning Commission or staff if authorized, must be accomplished within 60 days of the date of receipt of Preliminary Subdivision Plan. Failure of the designated authority to act within 60 days of receipt of development plans or Preliminary Subdivision Plans with all documentation required by these regulations is deemed to constitute approval and the developer must be issued a letter of approval and authorization to proceed based on the plans and supporting documentation presented. The 60-day time limit may be extended by mutual agreement.

12:3.9 ***Record of Actions.*** A record of all actions on all land development plans and subdivision plans and plats with the grounds for approval or disapproval and any conditions attached to the action will be maintained as a public record. In addition, the developer must be notified in writing of the actions taken.

12:3.10 Date Stamped. As authorized by the Planning Commission, all approved plans and plats shall be date stamped and signed by the planning administrator. The planning administrator shall provide a copy of the approved plan or plat to the applicant and all affected public agencies within five (5) business days after Planning Commission approval.

12:3.11 Expiration of Approvals. Approved plans that are inactive for a period of six months on the applicant's part shall be closed and a new application and fee shall be submitted for approvals.

12:4 Major Subdivisions

This section provides for the application and review procedures for Major Subdivisions.

12:4.1 Preliminary Subdivision Plan Procedures

A Preliminary Subdivision Plan is the first step in the Major Subdivision process, where a parcel of land is requested to be divided into nine (9) or more lots with or any subdivision requesting the creation or extension of private or public roads. Land owners and authorized representatives may initiate an application for consideration of a Major Subdivision through the following procedures:

12:4.1-1 ***Pre-Application Review Meeting.*** Prior to filing an application for Preliminary Subdivision Plan, A Pre-Application Meeting is required. This is to identify the proper approval process and ensure that the applicant can meet approval criteria, therefore streamlining reviews.

At the pre-application meeting the developer or his representative shall present the Sketch Plan and Site Assets and Constraints Map for the new development and seek the advice and assistance of the planning administrator and other county officials. Pre-application meetings for subdivisions are scheduled with the planning administration in accordance with the published Subdivision Review Calendar.

A. ***Sketch Plan shall include***:
   1. The sketch plan shall be drawn at a scale of one-inch equals 100 feet, or one-inch equals 50 feet;
   2. Total acreage in the tract to be developed;
   3. Tentative street and lot arrangement;
   4. Approximate rights-of-way, easements, and lot lines;
   5. Average lot area and approximate number of lots;
   6. Existing and proposed uses of land throughout the development;
   7. Zoning classification; and
   8. A location map which shows the relationship between the proposed development and the surrounding area.

B. ***Site Assets and Constraints Map shall include***:
   1. Natural resources including: forested areas/tree coverage;
   2. All trees 24" dbh and greater, including the critical root zone and indicating the trees health using Rating system (e.g. excellent, good, fair, poor);
   3. Agricultural land/soils, pasture, wetlands, streams, 100 year floodplain, riparian buffers;
   4. Site topography contours and steep slopes greater than 25%;
   5. Unique natural features;
   6. Scenic viewsheds;
   7. All easements;
   8. Rare, threatened or endangered species and habitats identified by state and federal listings; and
   9. Cultural resources including, historic sites/buildings, archeological sites, cemeteries/graveyards and features eligible for or listed on the National Register of Historic Places.

12:4.2 Application Requirements

Following the pre-application review of a proposed development, the developer shall submit to the planning administrator, at least thirty (30) days prior to the next regular meeting of the Planning Commission, the following:

A. A letter requesting review and approval of a Preliminary Subdivision Plan and giving the name and address of a person to whom the notice of the hearing by the Planning Commission on the preliminary plan shall be sent.

B. Five copies of the Preliminary Subdivision Plan as specified; to provide a review and record copy for appropriate reviewing agencies.

12:4.2-1 Sufficiency Review. The Zoning Administrator shall check all applications for conformance to the rules and regulations of this chapter. Incomplete, inaccurate, or insufficient applications will not be accepted or processed. If an application is determined to be insufficient the Applicant will be notified of the insufficient, incomplete, or inaccurate information at the earliest practical opportunity once an initial review is completed.

12:4.2-2 ***Insufficient Applications.*** Incomplete, inaccurate, or insufficient applications will not be accepted or processed. If an application is determined to be insufficient the Applicant will be notified of the insufficient, incomplete, or inaccurate information at the earliest practical opportunity once an initial review is completed.

12:4.2-3 ***Public Notice.*** Upon confirmation that an application is sufficient and complete, the applicant will be provided with Public Hearing Notice Signs advertising the public hearing to be posted in prominent places on or adjacent to the subject property. At the time the Applicant posts the required subdivision public notice signs, the location of the centerlines of any proposed new roads which intersect the existing road will be staked and flagged.

Public Hearing Notice Signs shall be posted at least 15 days before the public hearing and remain posted until the Planning Commission meeting and removed by the applicant within 48 hours of Planning Commission action.

12:4.3 Preliminary Plan Specifications

The Preliminary Subdivision Plan shall be prepared by a registered surveyor or engineer on pages not larger than 24 inches by 36 inches. The plan shall be drawn to scale of one-inch equals 100 feet or one-inch equals 50 feet, and shall include the following

A. General Information:

1. Names and locations of adjoining development, subdivisions, streets and the location and ownership of adjoining undeveloped property;
2. Boundaries of the tract to be developed with all bearings and distance indicated;
3. Existing zoning classification of the site. The name of development and surveyor or engineer;
4. The name and address of the owner;
5. The date of the survey and plat preparation, north arrow and graphic scale;
6. A surveyor's certificate of accuracy, certifying that the error of closure of the boundary is no greater than a ratio of 1:5,000;
7. Total acreage in the tract, acreage in public or other land usage, each lot size, total number of lots, linear feet in streets;
8. Acreage chart summarizing total acreage of lots, common open space, streets, ponds, wetlands, and undevelopable areas, as applicable;
9. Zoning chart indicating the applicable zoning district, minimum lot dimensions, minimum setbacks, maximum height, and minimum parking;
10. A statement that the Perimeter Bufferyard shall be maintained in perpetuity by individual lot owners or the homeowners association, as applicable;
11. A statement regarding how water and sanitary sewer or septic service will be provided to all lots; and
12. Other supplemental material; any deed restrictions proposed for the development and any other information considered by either the developer or the planning commission to be pertinent to the review of the preliminary plan.

B. Existing Site Data:

1. City limits lines and property lines; rights-of-way, easements and streets, railroads, utility transmission lines, storm sewers, ditches and culverts, sanitary sewers and water mains, bridges, and buildings;
2. Trees 24" DBH and greater that are to remain, including their Critical Root Zones;
3. Size and location of existing structures;
4. Zoning and land uses on adjacent properties;
5. Forested areas, marshes, watercourses, ponds, and any other similar features;.
6. Contours showing the topography of the site at a vertical interval of five feet, or as required by the Planning Commission;
7. 100-year floodplain, accompanied by the high water elevation, if available;
8. The location of any historic sites, cemeteries, archaeological sites, burial grounds which merit protection
9. Protective measures shall be listed on the plan in a narrative form with ownership and location identified in the notes. These measures shall be in accordance with the laws, ordinances, and regulations of the State of South Carolina, or Federal Government; and
10. Existing cemeteries shall be deeded as a separate lot in the subdivision. A minimum twenty (20) foot wide private or public access easement shall be provided. Major subdivisions shall provide access with a minimum twenty (20) foot wide right-of-way (road construction is not required). Cemeteries shall be fenced in a manner to protect the cemetery and control access.

C. ***Proposed Site Data:***

1. Street rights-of-way, pavement widths, centerline road radii, grades, street names, street profiles and roadway sections.
2. Location and width of sidewalks;
3. Location of proposed trails, pathways, greenways and proposed trail surface;
4. Common Open Space and landscaping plan;
5. Preliminary plans prepared by an engineer for sanitary sewers, storm sewers and water lines showing connections to existing systems; proposals for developing new water supply, storm drainage, and sewage disposal systems; storm and sanitary sewer profiles, and sizes.
6. Easements and rights-of-way including locations, dimensions, and purposes.
7. Contour changes to be made by grading.
8. Lot lines, lot dimensions, lot and block numbers, and minimum building setback lines along the street right-of-way and rear and side property lines.
9. Parks, school sites, and other public areas, if any.
10. Areas to be used for purposes other than residential and public, if any, with the purpose, location, and dimensions of each indicated.
11. Areas held in common ownership, or areas that are required for stormwater or other infrastructure facilities (open space, recreation, mailbox areas, stormwater detention ponds, conservation areas, etc.), shall be labeled and identified as to use, responsibility, and ownership in plan notes.
12. Bufferyards and all other areas held in common ownership or placed in a conservation easement (open space, recreation areas, preservation areas) and areas proposed to be dedicated to the public or intended to be conserved in perpetuity.
13. Development phasing limits.

12:4.4 Approval Process.

A Preliminary Subdivision Plan must be reviewed and approved by the Planning Commission for all Major Subdivisions. The planning administrator shall send copies of the plan and attachments to the appropriate public officials and agencies for their review and recommendations and report his findings and recommendations to the Planning Commission, which shall afford a hearing on the Preliminary Subdivision Plan.

12:4.4-1 ***Planning Commission Action.*** The Planning Commission may approve, approve with conditions or modifications, or deny Preliminary Subdivision Plans. Upon approval of the Preliminary Subdivision Plan by the Planning Commission, applicant may proceed with the installation of or arrangements for required improvements in accordance with the approved preliminary plan and proceed with the preparation of a final plat. Approval of the preliminary plan shall not constitute approval of the Final Subdivision Plat. Preliminary Subdivision Plan approval shall constitute approval of the proposed widths and alignments of streets and dimensions and shapes of lots.

12:4.4-2 ***Disapproval or Conditional Approval.*** If the Preliminary Subdivision Plan is disapproved or approved conditionally, the reasons for such actions shall be stated, in writing, and signed by the chairman of the Planning Commission. The reasons for disapproval shall refer specifically to those parts of the general plan or article or regulations with which the preliminary plan does not conform. One copy of the reasons shall be retained in the records of the commission; another shall be given to the developer. In all cases of conditional approval, the developer shall resubmit, for the planning commission's review, the preliminary plan with all recommended changes before the Commission gives approval of the plan.

12:4.4-3 ***Effect of Approval and Dedications.*** The approval of a plan or plat may not be deemed to automatically constitute or effect an acceptance by the county or the public of the dedication of any street, easement, or other ground shown upon the plat. Public acceptance of the lands must be by action of the county council customary to such transactions.

12:4.4-4 ***Expiration of Plan Approval***. All Preliminary Subdivision Plan approvals shall be valid for a period of time not to exceed two (2) years. After the initial two (2) year period, the developer may apply for a one (1) year extension, not to exceed two (2) total extensions.

12:4.5 Final Plat Procedure

A Final Subdivision Plat is required to create legal lots where a Preliminary Subdivision Plan has been previously approved by the Planning Commission. Final Subdivision Plats are reviewed by the planning administrator to ensure compliance with the approved Preliminary Subdivision Plan. Public dedications may be required and surety may be required for all planned infrastructure improvements.

12:4.5-1 Required Improvements. Before submitting the final plat for review, the developer shall have installed all required improvements or shall have filed an approved financial security instrument in accordance with the provisions of this Article.

12:4.6 Final Plat Submittal Requirements

The developer shall submit the following:

A. One digital copy and five paper copies of the Final Plat to the planning administrator.
B. One set of plans and specifications for all improvements
C. One set of the proposed deed restrictions and covenants
D. Subdivision covenants shall run with the land and describe the membership rights and obligations related to infrastructure, stormwater facilities, landscaping, street lights and undeveloped areas in a subdivision. All undeveloped areas and stormwater facilities shall be maintained by a

homeowners association or property owners association within the subdivision or other agency, as identified on the final plat and covenants. The establishment of the homeowners association must take place prior to the Final Subdivision Plat approval.

12:4.6-1 ***Time of Submission.*** The final plat of the proposed development shall be submitted to the Zoning Administrator for final approval within two (2) years of the date on which the preliminary plan was approved. If not submitted for final approval within such time, the preliminary plan shall be considered as having been disapproved, unless the developer applies for an extension in accordance with the provisions of this Article.

12:4.7 Final Plat Plan Specifications

The final plat shall conform substantially to the approved preliminary plan as it was approved and shall be considered an "as built" plat. The final plat shall be prepared by a registered surveyor or engineer and shall be drawn to a scale of one-inch equals 100 feet or one-inch equals 50 feet on pages not larger than 24 inches by 36 inches. If the Final Subdivision Plat is drawn in two or more sections, each section shall be accompanied by a key map showing the location of each section.

A. ***Survey Data****.*

1. The exact boundary of the tract to be subdivided, consistent with this article.
2. The error of linear closure for lots shall be consistent with this article.
3. The names and locations of adjoining developments, subdivisions and streets and the location and ownership of adjoining undeveloped property.
4. Accurate location and description of all monuments, markers, and control points.
5. Sufficient engineering data to determine readily and reproduce on the ground every straight or curved boundary line, street line, right-of-way line, easement line, and setback line, including linear dimensions, bearings or deflection angles, tangents, radii, arcs, chords, and central angles. (All dimensions shall be measured to the nearest one-hundredth of a foot and all angles to the nearest minute.)

B. ***Site Data****.*

1. All rights-of-way, easements, and areas to be dedicated to public use with the purpose of each stated.
2. Areas to be used for purposes other than residential and public, if any, with the purpose, location, and dimensions of each indicated.
3. Lot and block numbers; street names.
4. Roadway sections and profiles of street.
5. Plans for water mains, sanitary sewers, and storm sewers, showing sizes and profiles.
6. *Monuments and Markers.* All lot corners, street corners, and points of change of direction in exterior boundaries of the subdivision shall be marked with an iron pipe or concrete marker at least 24 inches long and driven to within four inches of the finishing grade or flush as conditions may require.

C. ***Other Information****.*

1. The name of development, owner, surveyor and/or engineer.
2. The date of the survey and plat preparation and revision dates; north arrow, graphic scale.
3. Restrictions proposed for the subdivision, if any.
4. Any other information considered by either the developer or the planning administrator to be pertinent to the review of the final plat.

D. ***Certificates****.* The following signed certificates shall be shown on the original and all copies of the final plat submitted to the Planning Commission:

1. Certificate of surveying and mapping. (See appendix A of this Code.)
2. Certificate of approval of the design and installation. (See appendix A of this Code.)
3. Certificate of ownership and intent. (See appendix A of this Code.)
4. Certificate of approval of street names by the postmaster and the Planning Commission.
5. Certificate of approval of the final plat by the Planning Commission. (See appendix A of this Code)

12:4.8 Performance Guarantee

Prior to Final Plat approval, **i**f all improvements as required by the Planning Commission in granting tentative approval of the preliminary plan are not properly installed and constructed in accordance with the required standards prior to the submission of a final plat application, the developer may be permitted to post a surety bond, certified check, or other instrument readily convertible to cash. This surety must be in favor of the county to ensure that, in the event of default by the developer, funds will be used to install the required improvements at the expense of the developer.

When financial security is permitted, the developer through his Authorized Representative shall submit to the County the actual bid from the contractor or a cost estimate prepared by the developer's engineer and verified by the County. These estimates shall cover the full cost of all remaining infrastructure improvements. The financial security amount shall be based on one hundred and twenty-five percent (125%) of the cost estimates as approved by the County at the time financial security is accepted, or a minimum of $20,000, whichever is greater. A developer submitting a final plat for approval (whether an individual, partnership, or corporation) may execute his own Financial Security using one of the following three methods:

A. An irrevocable letter of credit from an acceptable federally insured financial institution with a full service branch located within the State of South Carolina at which the Letter of Credit may be presented for payment.
B. Cash to be deposited in a County escrow account properly securing the amount of the Financial Security.
C. A certified check to be deposited in a County escrow account properly securing the amount of the Financial Security. All financial security requests shall be accompanied by a fee.

12:4.8-1 ***Approval Required.*** The performance guarantee must be approved by the planning administrator and the county attorney, and must include a specific, reasonable and satisfactory date for the completion of the necessary improvements. In no case shall the performance guarantee be valid for more than two (2) years.

12:4.8-2 ***Release and Return.*** When the improvements have been completed and approved for conformity with these regulations, the guarantee shall be released and returned. When any portion of the required improvements has been completed and approved, a portion of the guarantee commensurate with the cost of these completed improvements may be released and returned.

12:4.8-3 ***Constructing Required Improvements Under Financial Security.*** If the improvements are not progressing in accordance with County requirements, the County may recommend that the developer complete the required work within a specified period of time. When the required infrastructure has been installed and accepted by the County, the developer shall provide a copy of the acceptance letter from the appropriate utility agencies (if applicable) along with the required affidavits and dedications and the County will proceed to complete acceptance as outlined in this Article.

12:4.8-4 ***Default.*** In the event the developer fails to install or construct the required improvements during the specific time allotted and in conformity with these regulations, the performance guarantee is forfeited to the county to be used for the completion of the improvements.

12:4.8-5 ***Failure to Complete Infrastructure Improvements.*** If the improvements indicated on the approved plans are not constructed, completed, installed or accepted as required, if the developer fails to renew the Financial Security before completion of improvements and acceptance of the project by the County, the Administrator or his/her authorized representative shall declare the Financial Security funds to be forfeited and begin collection of the Financial Security funds.

A. No building or other permit shall be issued in the subdivision during any period in which the developer is in default or in violation of the approved plans or the Land Development Regulations relating to the subdivision.

B. If the developer fails to cure any default or present compelling reason why no default should be declared, the administrator or his/her authorized representative shall declare the financial security funds to be forfeited and begin collection of the financial security funds. The funds shall be placed in an appropriate escrow or agency account subject to the direction of the County Administrator or his/her authorized representative, and shall be held for the benefit of the subdivision infrastructure improvements. The County may complete, or have completed, the subdivision improvements to the extent practicable with the available financial security funds. This may be accomplished by applying the remaining financial security funds to the construction of the improvements.

C. If prior to completion of the infrastructure improvements, a new developer or successor developer acquires ownership of or development rights to a subdivision deemed to be in default according to this subsection, the new developer is required to submit a new financial security in accordance with the provisions of this Article. If the Financial Security funds have been drawn by the County prior to the new or successor developer purchasing or acquiring development rights in the defaulted subdivision, the County may assign its rights in the financial security funds held by the County to the new or successor developer. All infrastructure costs in excess of the original financial security fund amount will be the responsibility of the new or successor developer

12:4.9 Recording Final Plat and Covenants

The Final Subdivision Plat and Covenants shall be recorded with the Register of Deeds upon approval.

12:5 Minor Subdivisions

12:5.1 Applicability

Minor Subdivisions create eight (8) lots or less, not requiring construction of a new street with new right-of-way, the extension of public water or sewer systems, or the installation of shared stormwater management improvements to facilitate residential lot construction. If the County determines that public or private road improvements are necessary, that shared stormwater management improvements are needed for any reason, the applicant shall be redirected to the Major Subdivision processes.

The following minimum requirements have been established for all new Minor Subdivisions to ensure that the development of these lots will protect public health and safety and the orderly development of the surrounding area.

12:5.2 Application Process

Land owners and authorized representatives may initiate an application for consideration of a Minor Subdivision through the following procedures:

12:5.2-1 ***Pre-Application Review Meeting.*** Prior to filing an application for Minor Subdivision, a Pre-application Meeting required. This is to identify the proper approval process and ensure that the applicant can meet approval criteria, therefore streamlining reviews. At the Pre-application Meeting the applicant or his representative shall present a sketch plan and seek the advice and assistance of the planning administrator and other county officials. Pre-application meetings for subdivisions are scheduled with the planning administration in accordance with the published Subdivision Review Calendar.

12:5.2-2 ***Required Sketch Plan Information***. The sketch plan shall be: drawn at a scale of one-inch equals 100 feet, or one-inch equals 50 feet and include:

A. Total acreage in the tract to be developed.
B. Tentative street and lot arrangement.
C. Approximate rights-of-way, easements, and lot lines.
D. Average lot area and approximate number of lots.
E. Existing and proposed uses of land throughout the development.
F. Natural Resources inventory including tree coverage, farm land, pasture, wetlands, streams, floodplains, topography
G. Cultural Resources inventory including, historic buildings, archeological sites, cemeteries/graveyards
H. Zoning classification,
I. A location map which shows the relationship between the proposed development and the surrounding area.

12:5.3 Application Requirements

A Summary Plat is required for all Minor Subdivisions. Following the pre-application review of a proposed development, the developer or their authorized representative shall submit to the planning administrator the following:

A. A letter requesting review and approval of a Summary Plat
B. Five copies of the Minor Subdivision Summary Plat and an electronic copy as specified; to provide a review and record copy for appropriate reviewing agencies.
C. Such division of land must meet the minimum requirements of these regulations. Prior to receiving summary plat approval, it shall be determined that the lots have access to and frontage

on a public right of way which has been accepted by the County or the South Carolina Department of Transportation (SCDOT) for continuous maintenance. If public water and sewer service are available, appropriate documentation of water and sewer service must be provided to the Community Planning, Development and Public Works Department by the agency approving such service. If using individual wells or septic tanks, contact SCDES for their procedures, and lots will be evaluated at the time of development.

12:5.4 Summary Plat Requirements

The Summary Plat shall be prepared by a registered surveyor or engineer and shall be drawn to a scale of one-inch equals 100 feet or one-inch equals 50 feet on pages not larger than 18 inches by 26 inches and contain the following information:

A. ***Survey Data***.

1. Name of SC registered land surveyor with embossed seal
2. Number of acres
3. The exact boundary of the tract to be subdivided
4. The names and locations of adjoining developments, subdivisions and streets and the location and ownership of adjoining undeveloped property.
5. Accurate location and description of all monuments, markers, and control points.
6. Drainage easements shall be provided for all drainage outfalls from the roadway
7. Sufficient engineering data to determine readily and reproduce on the ground every straight or curved boundary line, street line, right-of-way line, easement line, and setback line, including linear dimensions, bearings or deflection angles, tangents, radii, arcs, chords, and central angles. (All dimensions shall be measured to the nearest one-hundredth of a foot and all angles to the nearest minute.)

B. ***Site Data***.

1. All rights-of-way, easements, and areas to be dedicated to public use with the purpose of each stated.
2. Areas to be used for purposes other than residential and public, if any, with the purpose, location, and dimensions of each indicated.
3. Lot lines and building lines
4. Lot and block numbers; street names.
5. Area of Special Flood Hazard
6. Cemeteries and burial grounds
7. USGS Blue line streams with buffer easements
8. Appropriate notes regarding permitting needs for encroachments, land disturbance, and floodplain development
9. Habitat for endangered or threatened species

C. ***Other Information***.

1. The name of development, owner, surveyor and/or engineer.
2. The date of the survey and plat preparation and revision dates; north arrow, graphic scale.
3. Deed restrictions proposed for the subdivision, if any.
4. Covenants providing for the membership rights and obligations related to the shared common spaces. All undeveloped areas shall be maintained by a homeowners association or property owners association within the subdivision or other agency, as identified on the plat. The establishment of the association must take place prior to Summary Plat approval.

5. Any other information considered by either the developer or the planning administrator to be pertinent to the review of the final plat.

12:5.5 Approval Process

A Summary Plat must be reviewed and approved by the planning administrator. The planning administrator shall send copies of the Summary Plat and attachments to the appropriate public officials and agencies for their review and recommendations.

The planning administrator or his/her authorized representative may approve Summary Plats of subdivisions on existing public or private streets without such subdivisions of land having first obtained preliminary approval from the Planning Commission.

The planning administrator may refer a Minor Subdivision to the Planning Commission for good cause. Good cause shall include, but not be limited to, any of the following factors:

A. The site includes topographical, geologic, hydrologic/wetlands or their physical features which merit special consideration; or
B. The site contains sensitive wildlife habitat for endangered or threatened species; or
C. The site contains or is adjacent to significant archeological, architectural or historic sites/cemeteries or resources which merit protections.

12:6 Simple Plats

12:6.1 Applicability

This section applies to Simple Plats, which are subdivisions containing no more than two lots.

12:6.2 Approval Process

The planning administrator shall review all Simple Plats prior to recording. The planning administrator may approve Simple Plats that conform to the requirements of this section. The subdivider is not required to submit the standard summary plat, but instead may submit a paper plat not to exceed 18x26 inches.

12:6.3 Recordkeeping

The planning administrator or his/her authorized representative shall stamp and sign all Simple Plats prior to recording in the Register of Deeds.

12:6.4 Plats of Record

Following review by the planning administrator, survey plats (whether newly performed or historical) used for the purpose of indicating existing lots of record, may be recorded in the Register of Deeds office without requiring the owner to conform to the strict definition of a subdivision. These plats shall not be used to create public or private roads or shared drives. Mortgage plats that are used for financial purposes only and are not to be used to transfer property from one owner to the other may also be recorded in the Register of Deeds Office. Prior to recording, such plats must be submitted to planning administration for review. Approved plats will be stamped with a statement that the plat does not create a new subdivision. This stamp will allow the plat to be recorded.

12:6.4-1 ***Exception***. A plat of an individual lot of record may also be recorded in the Register of Deeds office if the plat has a certification from a registered land surveyor thereon which states, "This plat is not a subdivision as defined in the Calhoun County development code. This survey is of an existing parcel of land and does not create a new road, change an existing road or alter any property lines."

12:7 Group Developments

12:7.1 Applicability

A Group Development consists of two (2) or more buildings located on one or more parcels, developed with a common plan for the protection, maintenance and improvement of the parcels and stormwater facilities, and with access easements and rights in one or more of the parcels. Group Developments may be composed of residential uses, commercial/non-residential uses, or a combination of these uses.

12:7.2 Group Development Plan Submittal Requirements

Group Development plan review ensures overall design, vehicular and pedestrian connections, stormwater and other infrastructure, and overall conformance with the County land development code and Comprehensive Plan.

A. ***Plan Requirements.***

1. The plan must be drawn to a scale of not less than 100 feet to 1 inch by a registered engineer/surveyor of the State of South Carolina;
2. A vicinity map, title block, scale, north arrow, site size, and property line survey;
3. The location of any utility easements;
4. The land use for every part of the site and the number of acres devoted to each use, including any common areas;
5. The site's traffic circulation plan, including the location of curb cuts and points of ingress/egress, and also including the location and width of all streets, common drives, medians, entrances to parking areas, etc.;
6. The site's sign plan, which includes location of all free standing signage of the development;
7. The site's pedestrian circulation plan, including the location of all sidewalks, paths, trails, connectivity to public right-of-way
8. A landscape plan; including the location, size, and type of plant material; and irrigation
9. Applicable setbacks for all structures and signage;
10. The site's conceptual stormwater plan, including topographic contours (at 5ft lines or closer), stormwater retention/detention areas, and any other major stormwater features.
11. Statement describing ownership arrangement including any proposed owners association, horizontal property regime, or other group maintenance agreement.
12. Areas held in common ownership and maintenance shall be labeled "Undeveloped Area" and identified as to use and responsibility in plan notes.

12:7.3 Approval Process

A Group Development Plan shall be submitted to the planning administrator for review and processing. The Zoning Administrator shall send copies of the plans and to the appropriate public officials and agencies for their review and recommendations. Group Developments requiring the construction or extension of new streets and public utilities require Planning Commission approval and shall follow the application procedures as a Major Subdivision. Group Development Plans which do not propose the construction or extension of new streets or public utilities may be approved by the planning administrator after review by appropriate public officials and agencies.

12:7.4 Revisions to Approved Group Development Plan

Revisions that alter the basic concept and general characteristics of the development to substantially affect the project functionality as approved may be required to resubmit for review as determined by the planning administrator. If a Group Development was accompanied by a Preliminary Subdivision Plan, then the planning administration will determine the need for revision; if no lots were created, the planning administrator will make the determination.

12:8 Approval of Street Names

The Planning Commission shall, by proper certificate, approve and authorize the name of a street or road laid out within the unincorporated jurisdiction of the County. It is unlawful for a person in laying out a new street or road to name the street or road on a plat by a marking or in a deed or instrument without first getting the approval of the Planning Commission. Any person violating this provision is guilty of a misdemeanor and, upon conviction, must be punished at the discretion of the court.

12:9 Street Name Change

The Planning Commission may, after reasonable notice through a newspaper having general circulation in the county, change the name of a street or road within the area of its jurisdiction:

A. When there is duplication of names or other conditions which tend to confuse the traveling public or the delivery of mail, orders, or messages;
B. When it is found that a change may simplify making or giving of directions to persons seeking to locate an address; or
C. Upon any other good and just reason that may appear to the Planning Commission.

On the name being changed, after reasonable opportunity for a public hearing, the Planning Commission shall issue its certificate designating the change, which must be recorded in the office of the register of mesne conveyances or clerk of court, and the name changed and certified and is the legal name of the street or road.

12:10 Appeals

12:10.1 ***Appeals to Administrator Decision***. Action by the planning administrator, if authorized to approve or disapprove a land development or subdivision plan may be appealed to the Planning Commission by any party in interest. The Planning Commission shall act on the appeal within 60 days and the action of the planning commission is final.

12:10.2 ***Appeal to the Planning Commission Decision***. An appeal from the decision of the Planning Commission may be taken to circuit court within 30 days after actual notice of the decision.

12:11 Variances to Subdivisions

Whenever the tract to be developed is of such unusual size or shape or is surrounded by such development or unusual conditions that the strict application of the requirements contained in this article would result in substantial hardships or inequity, the Planning Commission may vary or modify, except as otherwise indicated, requirements of design, but not of procedure or improvements, so that the developer may develop said property in a reasonable manner, but so, at the same time, the public welfare is protected and the general intent and spirit of this article is preserved.

The developer shall be required to make his intentions for variance known by public notice. This notice is required to be published one time in the local newspaper ten days prior to submission of request for the variance. Such modification may be granted upon written request of the developer stating the reasons for each modification and by an affirmative vote of at least two-thirds of the membership of the Planning Commission. In granting variances and modifications, the planning commission may require such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements so varied or modified.

12:12 Violations and Penalties

The county official whose duty it is to accept and record real estate deeds and plats shall not accept, file, or record a land development plan or subdivision plat involving a land area subject to these land development regulations unless the development plan or subdivision plat has been properly approved. If a public official violates the

provisions of this section, he is, in each instance, subject to the penalty provided in this chapter and the affected governing body, private individual, or corporation has rights and remedies as to enforcement or collection as are provided, and may enjoin any violations of them.

Furthermore, the owner or agent of the owner of any property being developed within the county shall not transfer title to any lots or parts of the development unless the land development plan or subdivision has been approved by the planning commission or designated authority and an approved plan or plat recorded in the office of the county charged with the responsibility of recording deeds, plats, and other property records. A transfer of title in violation of this provision is a misdemeanor and, upon conviction, must be punished at the discretion of the court. A description by metes and bounds in the instrument of transfer or other document used in the process of transfer does not exempt the transaction from these penalties. The county may enjoin the transfer by appropriate action.

ARTICLE XIII. UTILITIES AND INFRASTRUCTURE

13:1 Purpose

The purpose of this Article is to protect the public health, safety, and welfare and to promote the orderly development of land through the establishment of basic utility and infrastructure standards and requirements

13:2 Applicability

All development shall be provided with no less than minimum services in conformance with the provisions of this section. The property owner or developer, his agents or his assigns shall assume responsibility for the provision of basic services as a prerequisite to development does not in any way obligate the County Council or its departments or agents to furnish such services.

13:3 General Provisions

No development shall be undertaken if adequate provision has not been made for the following basic services:

A. Adequate power supply, normally electricity.
B. Potable water supply of sufficient quantity and quality to satisfy domestic needs.
C. Water supply of acceptable quantity and quality to satisfy demand.
D. Adequate means for treatment and disposal of domestic sewage and other liquid wastes.
E. Adequate means for collection and disposal of solid wastes, except for single family residential developments.

13:3.1 ***City Water and Sewer System Preferred.*** New development of land will be approved for individual water supply and sewage system disposal unless within a reasonable period of time, but no later than at first occupancy, it is possible for a town or the county to supply water mains and sanitary sewer trunks within 200 feet of the property under consideration for development. If the development under consideration involves no more than one single-family residential structure, onsite facilities will be allowed, provided the lot is of sufficient size to accommodate the required DHEC septic drainage field which can be constructed in an area no closer than 20 feet to a boundary line of any adjacent property.

13:3.2 ***Available Public Facility Service.*** Except for buildings, structures and development in the RU District, which are exempt from the requirements of this section, a developer must tie into existing public or private community water and/or sewer systems located within one thousand (1,000) feet of a proposed development, unless the public or private system has determined such connection is not feasible and provided further that the public and/or private system does not require extra consideration as provided for below: annexation.

In the event that public or private system has been determined not feasible or in the event such public and/or private system requires such extra consideration as specified herein, then and in either such event, the developer may provide independent alternative water and/or sewer services provided such alternative services meet applicable regulations of the South Carolina Department of Health and Environmental Control.

13:3.3 ***Underground Installation.*** All sanitary sewers, storm drains, water lines, and gas lines must be placed underground and must be installed before new streets and alleys are paved with water and sewer connections provided for each lot to a distance two feet back of the curb line. All sanitary and storm sewers will be of sufficient size to provide for future extensions to serve all tributary areas. When the roadway of an existing street or road is cut to provide connections to existing sewer, water and other systems, the developer will replace roadway surface with identical material or such other material that meets the minimum standards for service.

13:3.4 ***Utility Easements.*** No development shall be undertaken unless adequate easements are provided to accommodate all required or planned utilities. The developer shall also demonstrate that adequate provisions have been made for access to and maintenance of all easements.

Utility easements not less than ten feet wide centered on side or rear lot lines shall be provided where necessary for use by public or private utilities.

13:3.5 ***Oversized Improvements.*** Whenever a development contains streets, water mains, or sewer mains that are larger than those required to serve the future occupants of the development, the developer shall be required to pay only that portion of the cost of the improvement that would equal the cost of an improvement required to serve only the subdivision, as determined by the county council. The balance of the cost will be borne by the unit of government concerned.

13:3.6 ***County Participation Not Required.*** The County is not required to participate in the installation of water lines or sanitary sewer lines in any development for the sale of lots within the jurisdiction of these regulations.

13:4 Stormwater Drainage, Sediment Control and Grading Standards

13:4.1 ***Runoff to Adjoining Property Restricted.*** No development shall be undertaken that appreciably increases the rate of surface water runoff reaching adjacent or surrounding property. Surface runoff shall be dissipated by retention/detention on the development parcel, percolation into the soil, evaporation, or in transport by natural drainage way or conduit to an appropriate point of discharge. All land development projects are subject to stormwater management requirements governed by SCDES. Stormwater management plans shall be submitted to the SCDES in accordance with SCDES requirements for approval prior to land disturbance activities.

13:4.2 ***Storm Sewers and Drainage.*** An adequate storm drainage system designed to protect proposed development from flooding shall be installed in accordance with good engineering practice. The system shall be designed to comply with South Carolina Department of Environmental Services (SCDES) current standards for stormwater management and sediment reduction. Where a public storm sewer is reasonably accessible, as determined by the Planning Commission, the developer shall connect with such a drainage system if permitted by SCDES. Where a proposed development is traversed by a watercourse, drainage way, channel, or stream, there shall be provided a stormwater easement or drainage right-of-way course, and of sufficient width to carry off stormwater.

13:4.3 ***Stormwater Easement.*** Where proposed land development will materially alter the natural drainage pattern within and/or increase the rate of discharge of drainage water from its own borders, and will thereby materially affect the discharge of drainage water onto properties lying below and beyond its own borders, the developer will secure from the owners of affected properties an adequate drainage easement in favor of the county through and across properties to a point where drainage water passing along such a right-of-way is discharged into a natural drainage way adequate to handle the drainage without effect upon other properties.

13:5 Water Lines

The water distribution system will be designed to the standards of SCDES and the local jurisdiction providing water to the proposed development. An adequate supply of water for domestic and fire purposes will be provided with sufficient pressure in the mains to meet minimum standards for fire purposes at all times, in accordance with underwriter's standards. An adequate water connection will be provided to each lot.

13:5.1 ***Requirements.*** The water mains in the development shall:

A. Be of sufficient size to provide at least one standard fire hydrant within 1,000 feet, to be measured along the rights-of-way of streets or public ways, of each residence or other structures and at locations designated by the fire department with jurisdiction for serving the area;

B. Provide circulation in the system;

C. Comply with all rules and standards of the county and SCDES.

13:5.2 ***Connection to a Public System.*** Where an existing public water main, in the opinion of the commission, is reasonably accessible, and for the purpose of this section the term "reasonably accessible" is considered 200 feet from the property proposed to be developed, the developer will connect with the water main and provide the required connection for domestic and fire purposes.

13:5.3 ***Separate System.*** Where a public water main is not reasonably accessible, or planned, the developer will provide a central water system, according to standards and specifications of the local provider and must receive approval of the SCDES and must comply with all provisions established in these regulations for water for domestic and fire purposes.

13:5.4 ***Regulations May be Waived.*** the lot is 20,000 square feet or more in size, this regulation may be waived, provided the installation of the water supply meets SCDES regulations regarding such installation.

13:6 Sanitary Sewers

13:6.1 ***Connection to a Public System.*** Where an existing public sanitary sewer is reasonably accessible and for the purpose of this section the term "reasonably accessible" is considered 200 feet from the property proposed to be developed, the developer will connect with the sanitary sewer and provide an adequate connection for each lot. The design, grade, and capacity will be approved by the public system operator.

13:6.2 ***Temporary Separate System.*** Where a public sanitary sewer is not reasonably accessible, but where the plans for a sanitary sewer system have been prepared, the developer will install sewers in conformity with the plans, although a connection with an existing main may not be immediately practicable. In such cases, and until the connection is made with the planned sewer system, the subdivider will provide for the disposal of sanitary sewage by a system approved by the SCDES.

13:6.3 ***Separate System.*** Where sanitary sewers are not available or planned, and if the proposed development is to utilize on-site septic tank systems, which meet S.C. Regulation 61-56: "Individual Sewage Treatment and Disposal Systems," which are designed and installed according to standards of the SCDES, will be permitted, provided no lot is less than 15,000 square feet. Verification that the development has received review by SCDES, or other responsible agency, must be provided to the Planning Commission before final approval will be granted to the development to use septic tanks.

13:6.4 ***Design Capacity.*** All sanitary sewers will be designed to carry a peak flow that meets the requirements of SCDES.

13:7 Roadway and Street Intensity and Service Level Standards

13:7.1 Purpose

The purposes of this section are:

A. To relate land use and development to the design function and carrying capacity of the county road network,
B. To reduce the cost of road repairs and maintenance by controlling development which would "overload" and accelerate the deterioration of existing streets, and
C. To promote safety and convenience.

13:7.2 Applicability

The requirements of this section shall apply to all land uses and structures.

13:7.2-1 ***Exceptions.***

A. Single-family dwellings and subdivisions with one hundred (100) or more feet of street frontage, on average.
B. Any use, building or structure in the RU District.

13:7.3 Road Classification

In order to carry out the purposes of this section, all streets and roads in Calhoun County are hereby classified on the basis of their traffic carrying capacities and their design function in the circulation system.

The classification system is based on concepts and criteria contained in the "Highway Functional Classification Manual, Concepts, Criteria, and Procedures", U.S. Department of Transportation, Federal Highway Administration. The manual classifies streets and roads into one of these functional categories: (1) local, (2) collector, and (3) arterial. Local streets are separated from other types because they carry significant volumes of foot and bicycle traffic and are used by children.

For purposes of this chapter, these functional categories are refined to form a four street classification system, characterized as follows:

1. ***Minor Local (residential) Street:*** A minor local street is one designed primarily to access abutting residential properties. This street normally terminates in a cul-de-sac, loop or other turnabout, with no more than two (2) access points.

2. ***Major Local (residential) Street:*** A major local street is one designated primarily to access abutting residential properties. This street is characterized as one having two (2) or more access points, and receiving traffic from minor local streets.

3. ***Collector Street:*** A collector street is one that carries primarily residential traffic, but which provides no or only limited residential frontage and/or access.

4. ***Arterial Street:*** A street designated (1) to carry traffic from collector streets to the major arterial system, (2) to carry through traffic and (3) to carry intercounty traffic. Arterials are characterized as having access control, channelized intersections, restricted parking and signalization. The concept of service to abutting land is subordinate to the provision of travel service.

13:7.4 Service Level Classification

The level of service for streets and roads is defined (according to the latest edition Highway Capacity Manual) in terms of vehicular delay. Delay is a measure of driver discomfort, frustration, fuel consumption, and lost travel time. Varied and complex factors contributing to delay include intersection geometry, frequency of curb cuts, traffic volumes, signalization and cycle length, etc.

The various levels of service are classified A through F, depending on the delay factor and traffic flow conditions, as follows:

1. ***Level of Service A****:*
    a. Free flow conditions
    b. Low volumes
    c. Little or no delays
    d. Uninterrupted flow

e. No restriction on maneuverability
f. Drivers maintain desired speed

2. ***Level of Service B**:*

a. Stable flow conditions
b. Operating speeds beginning to be restricted

3. ***Level of Service C**:*

a. Stable flow but speed and maneuverability restricted by higher traffic volume
b. Satisfactory operating speed for urban conditions
c. Some delays at signals

4. ***Level of Service D**:*

a. High density, but stable flow
b. Restricted speeds
c. Noticeable delays at signals
d. Little freedom to maneuver

5. Level of Service E:

a. Low, but relatively uniform operating speeds
b. Volumes at or near capacity
c. Approaching unacceptable delays at signals

6. ***Level of Service F**:*

a. Force flow conditions
b. Stop and go operation
c. Volumes below capacity may be zero
d. Average vehicle delay at signals is greater than one minute

13:7.5 Street Design Capacity Standards

The following street design capacity standards and service level designations shall govern the intensity of development along streets and roads in Calhoun County:

TABLE 13.1

Road Classification	Maximum ADT*	Level of Service Designations
Minor local street (1 access point)	500	A
Major local street (2 access points)	1,600	C
Collector Street	3,000	C
Arterial Street	Not Applicable	C

* ADT = Average Daily Traffic (trips)

To determine impact on ADT standards, The following table of "Traffic Generation Standards" shall be used in computing the number of trips to be generated by a given land use. Also, traffic generated by existing uses on the impacted street shall be calculated by the table to determine aggregate daily traffic volumes and the capacity of the street to accommodate the proposed new use.

TABLE 13.2 TRAFFIC GENERATION STANDARDS		
LAND USE	**DAILY VEHICLE-TRIP RATE**	**PER**
Residential		
Single-Family	9.55	Dwelling Unit (DU)
Apartment	6.47	DU
Condo/Townhouse	5.86	DU
Mobile Home Park	4.81	Occupied DU
Planned Unit Development	7.44	DU
Retail		
Shopping Center:		
Under 100,000 sq. ft.	70.7	1,000 sq. ft. GFA
100,000 to 1,000,000 sq. ft.	38.7	1,000 sq. ft. GFA
500,000 to 1,000,000 sq. ft.	32.1	1,000 sq. ft. GFA
More than 1,000,000 sq. ft.	28.6	1,000 sq. ft. GFA
Office		
General	11.85	1,000 sq. ft. GFA
Medical	34.17	1,000 sq. ft. GFA
Office Park	11.42	1,000 sq. ft. GFA
Research and Development Center	7.7	1,000 sq. ft. GFA
Business Park	14.37	1,000 sq. ft. GFA
Restaurant		
Quality Restaurant	96.51	1,000 sq. ft. GFA
High Turnover (Sit Down)	205.36	1,000 sq. ft. GFA
Fast Food w/o Drive Through	786.22	1,000 sq. ft. GFA
Food w/ Drive Through	632.12	1,000 sq. ft. GFA
Bank		
Walk-in	140.61	1,000 sq. ft. GFA
Drive Through	265.21	1,000 sq. ft. GFA
Hotel/Motel		
Hotel	8.7	Occ. Room
Motel	10.9	Occ. Room
Parks and Recreation		
Marina	2.96	Berth
Golf Course	37.59	Hole
City Park	2.23	Acre
County Park	2.99	Acre
State Park	0.5	Acre
Hospital		
General	11.77	Bed

Nursing Home	2.6	Occ. Bed
Clinic	23.79	1,000 sq. ft GFA
Educational		
Elementary School	10.72	1,000 sq. ft. GFA
High School	10.9	1,000 sq. ft. GFA
Junior/Community College	12.57	1,000 sq. ft. GFA
University/College	2.37	Student
Airport		
Commercial	104.73	Ave. Flights/Day
General Aviation	2.59	Ave. Flights/Day
Industrial		
General Light Industry	6.97	1,000 sq. ft. GFA
General Heavy Industry	1.5	1,000 sq. ft. GFA
Warehouse	4.88	1,000 sq. ft. GFA
Manufacturing	3.85	1,000 sq. ft. GFA
Industrial Park	6.97	1,000 sq. ft. GFA

Source: TRB Report No. 365 "Travel Estimation Techniques for Urban Planning"

13:7.6 Traffic Impact Study

A traffic impact study shall be submitted by the applicant's engineer in support of an application if the Planning Administrator determines that a proposed development involving new construction or addition will generate 100 or more traffic trips during the peak hour. The Planning Director’s determination shall be based upon reasonable expectations of time of day usage of similar developments; when developments are projected to have an intensity of usage which varies from day to day, week to week or month to month, the administrator shall base the determination of peak hour upon maximum utilization. The study shall be prepared by a registered engineer licensed in the state; it shall utilize trip generation data reflected in the current edition of Trip Generation published by the Institute of Transportation Engineers provided however, the administrator may approve the use of alternative data resulting from analysis deemed to be more consistent with the subject development.

Required improvements. Improvements to the existing transportation infrastructure by a developer will be required as a condition of permit issuance if the projected level of service for the build out year of the development descends below level "C" for an intersection within the study area as a result of the proposed development. Improvements may also be required by a developer as a condition of permit issuance for any intersection within the study area already experiencing a level of service "C" or less, which level of service is projected to worsen with the traffic impact projected to occur as a result of the development.