

PART 1

ZONING ORDINANCE

TABLE OF CONTENTS

| | <u>Page</u> |
|--|-------------|
| PREAMBLE | i |
| ARTICLE I. ESTABLISHMENT OF ZONING DISTRICTS, PURPOSE OF DISTRICTS, AND RULES FOR THE INTERPRETATION OF DISTRICT BOUNDARIES | I-1 |
| Section 1-1. Establishment of Districts | I-1 |
| Section 1-2. Purpose of Districts | I-1 |
| Section 1-3. Establishment of Official Zoning Map | I-2 |
| Section 1-4. Amendments to the Official Zoning Map | I-3 |
| Section 1-5. Rules for Interpretation of District Boundaries on the Official Zoning Map | I-3 |
| Section 1-6. Zoning Annexed Property | I-4 |
| ARTICLE II. ZONE DISTRICT REGULATIONS | II-1 |
| Section 2-1. Establishment of Tables | II-1 |
| Section 2-2. Use of Tables | II-1 |
| ARTICLE III. CONDITIONAL USE REGULATIONS | III-1 |
| Section 3-1. Application | III-1 |
| Section 3-2. Manufactured Housing | III-1 |
| Section 3-3. Mobile Homes | III-2 |
| Section 3-4. Manufactured Home Parks | III-3 |
| Section 3-5. Townhouses | III-4 |
| Section 3-6. Patio and Zero Lot Line Housing | III-5 |
| Section 3-7. Bed and Breakfast Inns | III-6 |
| Section 3-8. Accessory Apartments | III-7 |
| Section 3-9. Manufacturing Uses; Refuse Systems | III-8 |
| Section 3-10. Mini-warehouses | III-10 |
| Section 3-11. Communication Towers and Antennas | III-11 |
| Section 3-12. Scrap and Waste Material | III-14 |
| Section 3-13. Sexually Oriented Business | III-15 |

| | |
|---|--------|
| Section 3-14.Camps and Recreational Vehicle Parks | III-17 |
| Section 3-15.Coin Operated Amusement Devices | III-18 |
| Section 3-16.Temporary Uses | III-18 |
| Section 3-17.Apartments in C-1 District | III-20 |
| Section 3-18.Open Storage | III-20 |
| Section 3-19.Livestock and Animal Specialties | III-20 |

ARTICLE IV. COMMUNITY APPEARANCE, BUFFERING,
SCREENING, LANDSCAPING, COMMON
OPEN SPACE, AND TREE PROTECTION
REGULATIONS IV-1

| | |
|--------------------------------|-------|
| Section 4-1. Buffer Areas | IV-1 |
| Section 4-2. Screening | IV-7 |
| Section 4-3. Landscaping | IV-8 |
| Section 4-4. Common Open Space | IV-12 |
| Section 4-5. Tree Protection | IV-15 |

ARTICLE V. SIGN REGULATIONS V-1

| | |
|---|-----|
| Section 5-1. Purpose | V-1 |
| Section 5-2. Applicability and Conformance | V-1 |
| Section 5-3. Signs on Private Property | V-1 |
| Section 5-4. Common Signage Plan Required | V-1 |
| Section 5-5. Signs in the Public Right-of-way | V-4 |
| Section 5-6. Temporary Signs | V-5 |
| Section 5-7. Prohibited Signs | V-6 |
| Section 5-8. Development Standards | V-7 |
| Section 5-9. Sign Measurement | V-8 |
| Section 5-10. Removal of Signs | V-8 |

ARTICLE VI. SUPPLEMENTAL OFF-STREET PARKING
AND LOADING REGULATIONS VI-1

| | |
|--|------|
| Section 6-1. Off-Street Parking | VI-1 |
| Section 6-2. Off-Street Loading | VI-4 |
| Section 6-3. Approval of Parking and Off-Street Loading Plans and Layouts | VI-5 |

ARTICLE VII. GENERAL PROVISIONS AND REGULATIONS VII-1

| | |
|---|-------|
| Section 7-1. Street Access | VII-1 |
| Section 7-2. Yard and Setback Modifications | VII-1 |
| Section 7-3. Yard Measurement - Buildable Area | VII-2 |
| Section 7-4. Structures and Projections into Required Yards and Setback Areas | VII-3 |
| Section 7-5. Exceptions to Height Limitations | VII-3 |
| Section 7-6. Visibility at Intersections | VII-3 |
| Section 7-7. Accessory Buildings and Uses | VII-5 |
| Section 7-8. Use of Land or Structures | VII-6 |
| Section 7-9. Nonconformities | VII-7 |
| Section 7-10. Parking, Storage or Use of Campers or Recreational Vehicles in Residential Zones | VII-9 |
| Section 7-11. Parking, Storage and Use of Non-Recreational Vehicles and Equipment in Residential Zones | VII-9 |

ARTICLE VIII. ADMINISTRATIVE PROCEDURES AND ENFORCEMENT REGULATIONS VIII-1

| | |
|--|--------|
| Section 8-1. Administration and Enforcement | VIII-1 |
| Section 8-2. Administrative Procedures and Requirements | VIII-1 |
| Section 8-3. Expiration of Building/Sign Permits | VIII-4 |
| Section 8-4. Inspections for Compliance | VIII-4 |
| Section 8-5. Application for a Certificate of Occupancy; Certificate Required | VIII-4 |
| Section 8-6. Complaints Regarding Violations | VIII-4 |
| Section 8-7. Penalties for Violation | VIII-5 |
| Section 8-8. Right of Appeal | VIII-5 |
| Section 8-9. Establishment of Board of Zoning Appeals | VIII-5 |
| Section 8-10. Appeal from Board of Zoning Appeals to Circuit Court | VIII-8 |

ARTICLE IX. AMENDMENTS IX-1

| | |
|---------------------------------------|------|
| Section 9-1. Authority | IX-1 |
| Section 9-2. Procedure | IX-1 |
| Section 9-3. Notice of Public Hearing | IX-2 |
| Section 9-4. Action by City Council | IX-3 |

| | | |
|--------------|---|--------|
| ARTICLE X. | DEFINITIONS | X-1 |
| ARTICLE XI. | LEGAL STATUS PROVISIONS | XI-1 |
| | Section 11-1. Conflict With Other Laws | XI-1 |
| | Section 11-2. Validity | XI-1 |
| | Section 11-3. Repeal of Conflicting Ordinances | XI-1 |
| | Section 11-4. Effective Date | XI-1 |
| ARTICLE XII | ARCHITECTUAL IMPROVEMENT DISTRICT | XII |
| | Map | XII-01 |
| ARTICLE XIII | PLANNED DEVELOPMENT DISTRICT | AIII |
| | Section 13.1 Intent | |
| | Section 13.2 Pre-application | |
| | Section 13.3 Permitted Use | |
| | Section 13.4 Application for Establishment of a PD District | |
| | Section 13.5 Minimum Development Standards | |
| | Section 13.6 Common Open Space Requirements | |
| | Section 13.7 Utilities, Services and Easements | |
| | Section 13.8 Access and Circulation | |
| | Section 13.9 Application and Approval of Planned Developments | |
| | Section 13.10 Design Review | |
| | Section 13.11 Review and Approval Process | |
| | Section 13.12 Changes to Plan | |
| | Section 13.13 Failure to Implement Plan | |
| | Section 13.14 Plat Approval | |
| | Section 13.15 Procedure for Phased Development | |

**ZONING ORDINANCE
OF THE
CITY OF LORIS,
SOUTH CAROLINA**

AN ORDINANCE OF THE CITY OF LORIS, SOUTH CAROLINA, REGULATING THE LOCATION AND USE OF BUILDINGS, STRUCTURES, AND LAND, THE HEIGHT OF BUILDINGS AND OTHER STRUCTURES, THE SIZE OF YARDS, THE DENSITY AND DISTRIBUTION OF POPULATION; CREATING DISTRICTS FOR SAID PURPOSES AND ESTABLISHING THE BOUNDARIES THEREOF; ESTABLISHING DEVELOPMENT STANDARDS; DEFINING CERTAIN TERMS USED HEREIN; PROVIDING FOR THE METHOD OF ADMINISTRATION AND AMENDMENT; AND PROVIDING FOR THE IMPOSITION OF PENALTIES FOR THE VIOLATION OF THE PROVISIONS OF THIS ORDINANCE.

PREAMBLE

IN ACCORDANCE WITH AUTHORITY CONFERRED BY THE GENERAL STATUTES OF SOUTH CAROLINA, 1976 CODE OF LAWS, TITLE 6, CHAPTER 29 OF THE COMPREHENSIVE PLANNING ENABLING ACT OF 1994, AS AMENDED, AND FOR THE PURPOSE OF PROMOTING PUBLIC HEALTH, SAFETY, MORALS, CONVENIENCE, ORDER, APPEARANCE, PROSPERITY, AND GENERAL WELFARE; LESSENING CONGESTION IN THE STREETS; SECURING SAFETY FROM FIRE; PROVIDING ADEQUATE LIGHT, AIR, AND OPEN SPACE; PREVENTING THE OVERCROWDING OF LAND; AVOIDING UNDUE CONCENTRATION OF POPULATION; FACILITATING THE CREATION OF A CONVENIENT, ATTRACTIVE AND HARMONIOUS COMMUNITY; PROTECTING AND PRESERVING SCENIC, HISTORIC AND ECOLOGICALLY SENSITIVE AREAS; FACILITATING THE PROVISION OF PUBLIC SERVICES, AFFORDABLE HOUSING, AND DISASTER EVACUATION, IN HARMONY WITH THE ADOPTED COMPREHENSIVE PLAN FOR THE CITY OF LORIS, SOUTH CAROLINA, THE CITY COUNCIL HEREBY ORDAINS AND ENACTS INTO LAW THE FOLLOWING ARTICLES AND SECTIONS, WHICH SHALL COMPRISE AND BE KNOWN AS THE ZONING ORDINANCE OF THE CITY OF LORIS, SOUTH CAROLINA, AND SHALL BE APPLICABLE THROUGHOUT THE LEGALLY RECORDED CORPORATE LIMITS OF THE CITY, AS NOW OR HEREAFTER ESTABLISHED.

**ARTICLE I
ESTABLISHMENT OF ZONING DISTRICTS,
PURPOSE OF DISTRICTS, AND
RULES FOR THE
INTERPRETATION OF DISTRICT BOUNDARIES**

Section 1-1. Establishment of Districts

For the purpose of this Ordinance, the City of Loris is hereby divided into the following zoning districts:

Map Symbol

| | |
|-------|-------------------------------------|
| R-1.4 | Residential District |
| R-1.5 | Residential District |
| R-1.7 | Residential District |
| R-2 | Medium Density Residential District |
| HC | Health Care District |
| MU | Mixed Use District |
| C-1 | Central Business District |
| C-2 | General Business District |
| IND | Industrial District |
| FA | Forest-Agricultural District |

Section 1-2. Purpose of Districts

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

R-1.4, Residential District. The R-1.4 District is intended to foster, preserve and protect areas of the community in which the principal use of land is for detached, single-family dwellings, and limited residential support facilities at a density of (4) four lots per acre.

R-1.5, Residential District. The R-1.5 District is intended to foster, preserve and protect areas of the community in which the principal use of land is for detached, single-family dwellings, and limited residential support facilities at a density of (5) five lots per acre.

R-1.7, Residential District. The R-1.7 District is intended to foster, preserve and protect areas of the community in which the principal use of land is for detached, single-family dwellings, and limited residential support facilities at a density of (7) seven lots per acre.

R-2, Medium Density Residential District. The R-2 District is intended to accommodate medium density residential development and a variety of housing types on small lots or in project settings, in areas accessible by major streets and in proximity to commercial uses and employment uses.

HC, Health Care District. The HC District is intended to promote and accommodate in an appropriate environment health care and related support facilities, including short and long term residential care and residential uses.

MU, Mixed Use District. The MU District is intended to accommodate office, limited commercial, institutional and residential uses in areas whose character is mixed or in transition. It is designed principally for use along major streets and subdivision borders characterized by older houses to help ameliorate the consequences of change impacting these areas, and provide a transitional buffer between potentially incompatible commercial and residential development.

C-1, Central Business District. The C-1 District is intended to promote the concentration and vitality of commercial and business uses in Downtown Loris. This district is characterized by wall-to-wall and lot-line-to-lot-line development, pedestrian walkways, and public parking.

C-2, General Business District. The C-2 District is intended to provide for the development and maintenance of commercial and business uses strategically located to serve the community and the larger region of which it is a part. Toward this end, a wide range of business and commercial uses are permitted herein.

IND, Industrial District. The intent of the IND District is to accommodate wholesaling, distribution, storage, processing and manufacturing uses in an environment suited to such uses and operations while promoting land use compatibility through the application of performance standards within and beyond the boundaries of this district.

FA, Forest-Agricultural District. The intent of this district is to provide for rural uses of land located on the outer fringe of urban development, and ameliorate differences between the two. It is further recognized that future demand for developable land will generate requests for amendments to remove land from the FA classification and place it in an urban classification, as a natural consequence of growth and development.

Section 1-3. Establishment of Official Zoning Map

The boundaries of the use districts established by this Ordinance are shown on the official zoning map which shall be identified by the signature of the Mayor, attested by the City Clerk and maintained at City Hall. The official zoning map and all amendments, certifications, citations and other matters entered on to the official zoning map are hereby made a part of this Ordinance and have the same legal effect as if fully set out herein.

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

Section 1-4. Amendments to the Official Zoning Map

Amendments to the official zoning map shall be adopted by Ordinance as provided for by this Ordinance. Promptly after the adoption of an amendment the Zoning Administrator shall alter or cause to be altered the official zoning map to indicate the amendment and the effective date of the Ordinance amending the map.

Section 1-5. Rules for Interpretation of District Boundaries on the Official Zoning Map

Where uncertainty exists as to the boundaries of districts shown on the official zoning map, the following rules shall apply.

- (1) Boundaries indicated as approximately following the center lines of streets, highways, alleys, or public utility easements shall be construed to follow such center lines.
- (2) Boundaries indicated as approximately following platted lot or tract lines shall be construed as following such lines, whether public or private.
- (3) Boundaries indicated as approximately following city limits shall be construed as following such city limit.

- (4) Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks.
- (5) Boundaries indicated as approximately following the center lines of natural barriers such as marshes and streams, shall be construed to follow such center lines.
- (6) Boundaries indicated as parallel to, or extensions of features indicated in Subsections 1 through 5 above shall be so construed. If distances are not specifically indicated on the official zoning map, or in other circumstances not covered by Subsections 1 through 5 above, the boundaries shall be determined by the use of scale of such map.
- (7) Where uncertainties continue to exist after the application of the other rules in this Section, appeal for clarification may be taken to the Board of Zoning Appeals.

Section 1-6. Zoning Annexed Property

Whenever any petition for the annexation of any area to the City of Loris pursuant to the provisions of any procedure for annexation now or hereafter authorized under the laws of South Carolina is presented to City Council, the City Council shall, upon acceptance of such petition refer same to the Planning Commission for a recommended zoning designation. The applicant-petitioner may meet with the Planning Commission to request a specific zone designation. Upon hearing the matter, the Planning Commission shall recommend to City Council a zoning classification for said property. The Council shall take under advisement the recommendation of the Planning Commission, and by separate ordinance zone such area at the time of annexation.

ARTICLE II

ZONE DISTRICT REGULATIONS

Section 2-1. Establishment of Tables

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

Table I sets forth use and off-street parking requirements for all districts. Table II sets forth lot area, yard, setback, height, density, floor area and impervious surface requirements for all districts.

Section 2-2. Use of Tables

The Standard Industrial Classification Manual, 1987, is the basis for determining the use of property permitted by the various zoning districts. Where uncertainty exists relative to a given use not specifically listed by the tables, the SIC Manual should be consulted. In general, all uses listed by a given SIC code number and category shall be construed as being permitted in the assigned zoning district, unless separately listed.

Uses not listed in the SIC Manual are identified by the symbol "NA" (Not Applicable) in the SIC column.

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

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

Where no symbol is shown on the table, the use to which it refers is not permitted in the indicated district.

Where a given use or SIC code reference is not listed by the table, said use shall not be permitted.

To aid in the use of Table I, it is arranged by SIC Divisions, followed by SIC Code Numbers, and Use Category included in the respective division:

| <u>Division</u> | <u>SIC Code Group</u> | |
|-----------------|-----------------------|--|
| A | 01 - 09 | Agriculture, Forestry and Fishing |
| B | 10 - 14 | Mining (not permitted, not listed) |
| C | 15 - 17 | Construction |
| D | 20 - 39 | Manufacturing |
| E | 40 - 49 | Transportation, Communications, Electric, Gas and Sanitary Services |
| F | 50 - 51 | Wholesale Trade |
| G | 52 - 59 | Retail Trade |
| H | 60 - 67 | Finance, Insurance and Real Estate |
| I | 70 - 89 | Services |
| J | 91 - 97 | Public Administration |
| K | 99 | Residential (Nonclassifiable establishments) |

Uses and SIC code references are displayed within the appropriate division in numerical order, beginning with Use Group 01 (Agricultural Production) and running through Use Group 99 (Non-classified Establishments).

TABLE I

SCHEDULE OF PERMITTED AND CONDITIONAL USES AND OFF-STREET PARKING REQUIREMENTS, BY DISTRICT

| | SIC | R-1.4 | R-1.5 | R-1.7 | R-2 | HC | MU | C-1 | C-2 | IND | FA | REQUIRED OFF-STREET PARKING SPACE(S) |
|--|---------|-------|-------|-------|-----|----|----|-----|-----|-----|----|---|
| DIVISION A, AGRICULTURE, FORESTRY, FISHING | | | | | | | | | | | | |
| AGRICULTURAL PRODUCTION | | | | | | | | | | | | |
| Crops | 1 | | | | | | | | | | P | None |
| Livestock, Animal Specialties | 2 | | | | | | | | | | | None |
| Livestock, except feedlots (sec 3-19) | 021/024 | | | | | | | | | | C | None |
| Animal specialties (sec. 3-19) | 27 | | | | | | | | | | C | None |
| General Farms | 29 | | | | | | | | | | P | None |
| Agricultural Services | 7 | | | | | | | | | | P | 1.0 per 1,000 s.f. GFA |
| Veterinary Services | 742 | | | | | | | | P | P | P | 1.0 per 350 s.f. GFA |
| Animal Shelters & Pounds | 752 | | | | | | | | | | P | 1.0 per 1,000 s.f. GFA |
| Landscape & Horticultural | 78 | | | | | | P | | P | P | P | 1.0 per 1,000 s.f. GFA |
| DIVISION C, CONSTRUCTION | | | | | | | | | | | | |
| Bldg. const.-general contract & operative bldrs. | 15 | | | | | | | | P | P | | 1.0 per 1,000 s.f. GFA |
| Heavy Const. other than bldg. const. contractors | 16 | | | | | | | | | | P | 1.0 per 1,000 s.f. GFA |
| Construction & Special Trade | | | | | | | | | | | | |
| Contractors | 17 | | | | | | | | P | P | | 1.0 per 1,000 s.f. GFA |
| DIVISION D, MANUFACTURING (Sec.3-9) | | | | | | | | | | | | |
| | SIC | R-1.4 | R-1.5 | R-1.7 | R-2 | HC | MU | C-1 | C-2 | IND | FA | REQUIRED OFF-STREET PARKING SPACE(S) |
| Food & kindred products | 20 | | | | | | | | | | C | 1.0 per 500 s.f. GFA |
| Tobacco Products | 21 | | | | | | | | | | C | 1.0 per 500 s.f. GFA |
| Textile mill products | 22 | | | | | | | | | | C | 1.0 per 500 s.f. GFA |
| Apparel & other finished prod. Made- from fabrics & similar materials | 23 | | | | | | | | | | C | 1.0 per 500 s.f. GFA |
| Lumber & wood products, except furniture | 24 | | | | | | | | | | C | 1.0 per 500 s.f. GFA |
| Furniture & fixtures | 25 | | | | | | | | | | C | 1.0 per 500 s.f. GFA |
| Paper & allied products | 26 | | | | | | | | | | C | 1.0 per 500 s.f. GFA |
| Printing, publishing & allied indust. | 27 | | | | | | | P | P | P | | 1.0 per 500 s.f. GFA |
| Chemical & allied products | 28 | | | | | | | | | | C | 1.0 per 500 s.f. GFA |
| Petroleum refining & related indust. | 29 | | | | | | | | | | | |
| Rubber & misc. plastic products | 30 | | | | | | | | | | C | 1.0 per 500 s.f. GFA |

TABLE I

TABLE I

SCHEDULE OF PERMITTED AND CONDITIONAL USES AND OFF-STREET PARKING REQUIREMENTS, BY DISTRICT

| DIVISION D (continued) | SIC | R-1.4 | R-1.5 | R-1.7 | R-2 | HC | MU | C-1 | C-2 | IND | FA | PARKING SPACE(S) REQUIRED |
|---|------------|--------------|--------------|--------------|------------|-----------|-----------|------------|------------|------------|-----------|--|
| Leather & leather products | 31 | | | | | | | | | C | | 1.0 per 500 s.f. GFA |
| Stone, clay, glass & concrete products | 32 | | | | | | | | | C | | 1.0 per 1,000 s.f. GFA |
| Primary metal ind. | 33 | | | | | | | | | C | | 1.0 per 1,000 s.f. GFA |
| Fabricated metal prod, except mach. & transportation equipment | 34 | | | | | | | | | C | | 1.0 per 500 s.f. GFA |
| Industrial & commercial mach. & computer equip. | 35 | | | | | | | | | C | | 1.0 per 500 s.f. GFA |
| Electronic & other electrical equipment & components, except computer equip. | 36 | | | | | | | | | C | | 1.0 per 500 s.f. GFA |
| Transportation equipment | 37 | | | | | | | | | C | | 1.0 per 500 s.f. GFA |
| Measuring, analyzing & controlling instruments; photographic, medical, optical goods, watches & Misc. manufacturing indust. | 38 39 | | | | | | | | | C C | | 1.0 per 500 s.f. GFA 1.0 per 500 s.f. GFA |
| DIVISION E, | | | | | | | | | | | | |
| TRANSPORTATION, COMMUNICATION, ELECTRIC, GAS & SANITARY | | | | | | | | | | | | REQUIRED OFF-STREET |
| | SIC | R-1.4 | R-1.5 | R-1.7 | R-2 | HC | MU | C-1 | C-2 | IND | FA | PARKING SPACE(S) |
| Railroad Transportation | 40 | | | | | | | P | P | P | | 1.0 per 500 s.f. GFA |
| Local & suburban transit & interurban high-way passenger transport | 41 | | | | | | | P | P | P | | 1.0 per 500 s.f. GFA |
| Motor freight transport. & warehousing | 42 | | | | | | | P | P | P | | 1.0 per 500 s.f. GFA |
| Mini-warehouses (Sec. 3-10) | 4225 | | | | | | | | C | P | | 1.0 per 6 storage units |
| U.S. Postal Service | 43 | | | | P | P | P | P | P | P | | 1.0 per 250 s.f. GFA |
| Transportation by Air | 45 | | | | | | | | | P | P | 1.0 per 500 s.f. GFA |
| Transportation Services | 47 | | | | | | | P | P | P | | 1.0 per 500 s.f. GFA |
| Communications | 48 | | | | | | P | P | P | P | | 1.0 per 500 s.f. GFA |
| Communication towers & antennas (Sec. 3-11) | 48 | | | | | C | C | C | C | C | C | None |
| Electric, gas & sanitary services | 49 | | | | | | | | | | | |
| Electric | 491 | | | | | | | | | | | |
| Generation | 491 | | | | | | | | | P | | 1.0 per 500 s.f. GFA |
| Transmission | 491 | P | P | P | P | P | P | P | P | P | P | |
| Natural Gas | 492 | | | | | | | | | | | |
| Storage | 492 | | | | | | | | P | P | P | 1.0 per 500 s.f. GFA |
| Transmission | 492 | P | P | P | P | P | P | P | P | P | P | |

TABLE I

TABLE I

SCHEDULE OF PERMITTED AND CONDITIONAL USES AND OFF-STREET PARKING REQUIREMENTS, BY DISTRICT

| DIVISION E, (continued) | SIC | R-1.4 | R-1.5 | R-1.7 | R-2 | HC | MU | C-1 | C-2 | IND | FA | PARKING SPACE(S) REQUIRED |
|---|------------|--------------|--------------|--------------|------------|-----------|-----------|------------|------------|------------|-----------|----------------------------------|
| Water supply systems | 494 | | | | | | | | | | | |
| Transmission | 494 | P | P | P | P | P | P | P | P | P | P | 1.0 per 500 s.f. GFA |
| Storage/Treatment | 494 | | | | | | | P | P | P | P | |
| Sewerage systems | 4952 | | | | | | | | | | | |
| Collection | 4952 | P | P | P | P | P | P | P | P | P | P | 1.0 per 500 s.f. GFA |
| Treatment | 4952 | | | | | | | | P | P | P | |
| Refuse systems (Sec. 3-9) | 4953 | | | | | | | | | C | | 1.0 per 500 s.f. GFA |
| Air conditioning supply | 496 | | | | | | | | P | P | | 1.0 per 500 s.f. GFA |
| DIVISION F, WHOLESALE TRADE | | | | | | | | | | | | REQUIRED (OFF-STREET) |
| | SIC | R-1.4 | R-1.5 | R-1.7 | R-2 | HC | MU | C-1 | C-2 | IND | FA | PARKING SPACE(S) |
| Wholesale trade-durable goods | 50 | | | | | | | | P | P | | 1.0 per 5,000 s.f. GFA |
| Scrap & waste materials (Sec. 3-12) | 5093/5015 | | | | | | | | | C | | 1.0 per 5,000 s.f. GFA |
| Wholesale trade-nondurable goods | 51 | | | | | | | | | C | | 1.0 per 5,000 s.f. GFA |
| DIVISION G, RETAIL TRADE | | | | | | | | | | | | REQUIRED (OFF-STREET) |
| | SIC | R-1.4 | R-1.5 | R-1.7 | R-2 | HC | MU | C-1 | C-2 | IND | FA | PARKING SPACE(S) |
| Building materials, hardware, garden supply & mobile home dealers | 52 | | | | | | | | | | | |
| Lumber & bldg. materials | 521 | | | | | | | | P | P | | 1.0 per 1,000 s.f. GFA |
| Paint, glass & wallpaper | 523 | | | | | | | P | P | P | | 1.0 per 350 s.f. GFA |
| Hardware stores | 525 | | | | | | | P | P | P | | 1.0 per 350 s.f. GFA |
| Retail nurseries, lawn & garden sup. | 526 | | | | | | P | P | P | P | | 1.0 per 350 s.f. GFA |
| Mobile home dealers | 527 | | | | | | | | P | | | 10. per 600 s.f. GFA |
| General Merchandise stores | 53 | | | | | | | P | P | | | 1.0 per 350 s.f. GFA |
| Food stores | 54 | | | | | | | P | P | P | | 1.0 per 350 s.f. GFA |
| Convenience & Food Stores | 5411 | | | | | | | P | P | P | | 1.0 per 350 s.f. GFA |
| Automotive dealers & gasoline service stations | 55 | | | | | | | | P | P | | 1.0 per 600 s.f. GFA |
| Motor vehicle dealers | 551/552 | | | | | | | | P | P | | 1.0 per 600 s.f. GFA |
| Auto, home supply stores | 553 | | | | | | | P | P | P | | 1.0 per 350 s.f. GFA |
| Gasoline service stations | 554 | | | | | | | | P | P | | 1.0 per 600 s.f. GFA |
| Truck stops | 554 | | | | | | | | P | P | | |
| Boat dealers | 555 | | | | | | | | P | P | | 1.0 per 600 s.f. GFA |

TABLE I

TABLE I

SCHEDULE OF PERMITTED AND CONDITIONAL USES AND OFF-STREET PARKING REQUIREMENTS, BY DISTRICT

| DIVISION G (continued) | SIC | R-1.4 | R-1.5 | R-1.7 | R-2 | HC | MU | C-1 | C-2 | IND | FA | PARKING SPACE(S) REQUIRED |
|--|-----------|-------|-------|-------|-----|----|----|-----|-----|-----|----|---------------------------|
| Recreational vehicles dealers | 556 | | | | | | | | P | P | | 1.0 per 600 s.f. GFA |
| Motor cycle dealers | 557 | | | | | | | | P | P | | 1.0 per 600 s.f. GFA |
| Dealers not otherwise | 559 | | | | | | | | P | P | | 1.0 per 600 s.f. GFA |
| Apparel & accessory stores | 56 | | | | | | | P | P | | | 1.0 per 350 s.f. GFA |
| Home furniture, furnishings & equipment stores | 57 | | | | | | | P | P | | | 1.0 per 350 s.f. GFA |
| Eating places | 5812 | | | | | P | | P | P | P | | 1.0 per 150 s.f. GFA |
| Drinking places | 5813 | | | | | | | P | P | P | | 1.0 per 150 s.f. GFA |
| Miscellaneous retail | 59 | | | | | | | P | P | | | 1.0 per 350 s.f. GFA |
| Drug & proprietry | 591 | | | | | P | | P | P | | | 1.0 per 350 s.f. GFA |
| Liquor stores | 592 | | | | | | | P | P | | | 1.0 per 350 s.f. GFA |
| Used merchandise, except pawn shops & flea markets | 593 | | | | | | | P | P | | | 1.0 per 350 s.f. GFA |
| Pawn shops | 593 | | | | | | | P | P | | | 1.0 per 350 s.f. GFA |
| Flea Markets | 593 | | | | | | | | P | | | 1.5 per stall |
| Miscellaneous stores | 594 | | | | | | | P | P | | | 1.0 per 350 s.f. GFA |
| Sporting goods & bicycle shops | 5941 | | | | | | | P | P | | | 1.0 per 350 s.f. GFA |
| Book stores | 5942 | | | | | P | P | P | P | | | 1.0 per 350 s.f. GFA |
| Stationery shops | 5943 | | | | | P | P | P | P | | | 1.0 per 350 s.f. GFA |
| Jewelry stores | 5944 | | | | | | | P | P | | | 1.0 per 350 s.f. GFA |
| Hobby, toy & game shops | 5945 | | | | | | | P | P | | | 1.0 per 350 s.f. GFA |
| Camera & photography supply | 5946 | | | | | | P | P | P | | | 1.0 per 350 s.f. GFA |
| Gift, novelty & souvenir shops | 5947 | | | | | P | | P | P | | | 1.0 per 350 s.f. GFA |
| Luggage & leather goods stores | 5948 | | | | | | | P | P | P | | 1.0 per 350 s.f. GFA |
| Sewing, needle & piece goods | 5949 | | | | | | | P | P | P | | 1.0 per 350 s.f. GFA |
| Non-store Retailers | 596 | | | | | | | P | P | P | | 1.0 per 500 s.f. GFA |
| Retail not elsewhere classified except grave monuments, fireworks, sexually oriented | 599 | | | | | | | P | P | | | 1.0 per 350 s.f. GFA |
| Grave stones, monuments | 5999 | | | | | | | | P | P | | 1.0 per 500 s.f. GFA |
| Sexually oriented business (Sec. 3-13) | 5999/7299 | | | | | | | | C | | | 1.0 per 350 s.f. GFA |
| | | | | | | | | | | | | |
| | | | | | | | | | | | | |
| | | | | | | | | | | | | |
| | | | | | | | | | | | | |

TABLE I

TABLE I

SCHEDULE OF PERMITTED AND CONDITIONAL USES AND OFF-STREET PARKING REQUIREMENTS, BY DISTRICT

| DIVISION H, | | | | | | | | | | | | |
|--|---------|-------|---------------|-------|-----|----|----|-----|-----|-----|----|---|
| FINANCE, INSURANCE & REAL ESTATE | SIC | R-1.4 | R-1.5 | R-1.7 | R-2 | HC | MU | C-1 | C-2 | IND | FA | REQUIRED OFF-STREET PARKING SPACE(S) |
| Depository Institutions | 60 | | | | | P | P | P | P | | | 1.0 per 350 s.f. GFA |
| Security & commodity brokers, dealers, exchanges & services | 62 | | | | | | P | P | P | | | 1.0 per 350 s.f. GFA |
| Insurance carriers | 63 | | | | | | P | P | P | | | 1.0 per 350 s.f. GFA |
| Insurance agents, brokers & service | 64 | | | | | | P | P | P | | | 1.0 per 350 s.f. GFA |
| Real Estate | 65 | | | | | | P | P | P | | | 1.0 per 350 s.f. GFA |
| Cemeteries (amended 11-4-2002) | 6531/C | C | C | C | C | C | C | C | P | P | P | None |
| Holding & other investment offices | 67 | | | | | | P | P | P | | | 1.0 per 350 s.f. GFA |
| DIVISION I, SERVICES | | | | | | | | | | | | |
| Hotels, Rooming houses, camps, and other lodging | SIC | R-1.4 | R-1.5 | R-1.7 | R-2 | HC | MU | C-1 | C-2 | IND | FA | REQUIRED OFF-STREET PARKING SPACE(S) |
| Hotels & motels | 701 | | | | | | | P | P | | | 1.5 per rental unit |
| Bed & Breakfast Inns (Sec. 3-7) | 7011 | C | C | C | C | | C | | P | | | 1.0 per bedroom |
| Rooming & boarding houses, dormitories, group housing | 702/704 | | | | P | | P | | P | | | 1.0 per bedroom |
| Camps & recreational vehicle parks (Sec. 3-14) | 703 | | | | | | | | C | | C | Not Applicable |
| Personal services | | | | | | | | | | | | |
| Laundry, cleanig & garment service | 721 | | | | | | | P | P | P | | 1.0 PER 500 s.f. GFA |
| Photographic studios, portraits | 722 | | | | | | P | P | P | | | 1.0 per 300 s.f. GFA |
| Beauty Shops | 723 | | | | | | P | P | P | | | 2.5 per chair or basin |
| Barber shops | 724 | | | | | | P | P | P | | | 2.5 per chair or basin |
| Shoe repair, shoe shine shops | 725 | | | | | | | P | P | | | 1.0 per 300 s.f. GFA |
| Funeral service, except crematories | 726 | | | | | | P | P | P | | | 5.0, plus 1.0 per 2 seats main assembly |
| Crematories | 726 | | | | | | | | | P | | 1.0 per 300 s.f. GFA |
| Misc. personal services | 729 | | | | | | | P | P | | | 1.0 per 300 s.f. GFA |
| Business Services | | | | | | | | | | | | |
| Salvaging & scrap steel cutting (Sec. 3-9) | 7389 | | | | | | | | | | C | 1.0 per 300 s.f. GFA |
| Signs | NA | See A | See Article V | | | | | | | | | None |
| Automotive parking | 752 | | | | | P | P | P | P | P | | None |

TABLE I

TABLE I

SCHEDULE OF PERMITTED AND CONDITIONAL USES AND OFF-STREET PARKING REQUIREMENTS, BY DISTRICT

| DIVISION I, (continued) | SIC | R-1.4 | R-1.5 | R-1.7 | R-2 | HC | MU | C-1 | C-2 | IND | FA | PARKING SPACE(S) REQUIRED |
|--|------|-------|-------|-------|-----|----|----|-----|-----|-----|----|--|
| Automotive repair & services | 75 | | | | | | | | P | P | | 1.0 PER 500 s.f. GFA |
| Car washes | 7542 | | | | | | | | P | P | | None |
| Miscellaneous Repair | 76 | | | | | | | | P | P | | 1.0 per 350 s.f. GFA |
| Motion picture dist. & allied services, | | | | | | | | | | | | |
| video tape rental | 78 | | | | | | P | P | P | | | 1.0 per 350 s.f. GFA |
| Motion picture theaters | 783 | | | | | | | P | P | | | 1.0 per 5 seats |
| Amusement & recreation services | 79 | | | | | | | | | | | |
| Dance studio & schools | 791 | | | | | | P | P | P | | | 1.0 per 200 s.f. GFA |
| Theatrical producers | 792 | | | | | | | P | P | | | 1.0 per 300 s.f. GFA |
| Bowling centers | 793 | | | | | | | | P | | | 5.0 per lane |
| Commercial sports | 794 | | | | | | | | P | | | By Individual Review |
| Miscellaneous Amusement | 799 | | | | | | | P | P | | | By Individual Review |
| Physical fitness facilities | 7991 | | | | | P | P | P | P | | | 1.0 per 300 s.f. GFA |
| Public golf courses | 7992 | P | P | P | P | | | | P | | P | 5.0 per hole |
| Coin operated amusement (Sec. 3-15) | 7993 | | | | | | | C | C | | | 1.0 per 200 s.f. GFA |
| Amusement parks | 7996 | | | | | | | | P | | | By Individual Review |
| Misc. amusement services | 7997 | | | | | | | | P | | | By Individual Review |
| Recreational, golf, tennis & | | | | | | | | | | | | |
| swimming clubs | 7997 | P | P | P | P | | P | | P | | P | 1 per each 4 member based on max. membership |
| Amusement & recreation services | | | | | | | | | | | | |
| not elsewhere classified | 7999 | | | | | | | | P | | | By Individual Review |
| Fairs, carnivals (Sec. 3-16) | 7999 | | | | | | | | C | C | | |
| Public parks & playgrounds | 7999 | P | P | P | P | P | P | P | P | P | P | |
| Health Services | 80 | | | | | | | | P | | | 1.0 per 150 s.f. GFA |
| Offices & clinics of doctors of medicine | 801 | | | | | P | P | P | P | | | |
| Offices & clinics of dentist | 802 | | | | | P | P | P | P | | | 1.0 per 150 s.f. GFA |
| Offices & clinics of doctors of osteopathy | 803 | | | | | P | P | P | P | | | 1.0 per 150 s.f. GFA |
| Offices & clinics of other health practitioners | 804 | | | | | P | P | P | P | | | 1.0 per 150 s.f. GFA |
| Nursing & personal care facilities | 805 | | | | | P | P | | P | | | 0.4 per bed |
| Hospitals | 806 | | | | | P | | | | | | 0.7 per bed |
| Medical & dental laboratories | 807 | | | | | P | | | P | P | | 1.0 per 500 s.f. GFA |
| Home health care services | 808 | | | | | P | P | P | P | | | 1.0 per 500 s.f. GFA |

TABLE I

SCHEDULE OF PERMITTED AND CONDITIONAL USES AND OFF-STREET PARKING REQUIREMENTS, BY DISTRICT

| DIVISION I (continued) | SIC | R-1.4 | R-1.5 | R-1.7 | R-2 | HC | MU | C-1 | C-2 | IND | FA | PARKING SPACE(S) REQUIRED |
|--|------------|--------------|--------------|--------------|------------|-----------|-----------|------------|------------|------------|-----------|---|
| Misc. health & allied services | 809 | | | | | P | | | P | | | 1.0 per 500 s.f. GFA |
| Legal Services | 81 | | | | | | P | P | P | | | 1.0 per 350 s.f. GFA |
| Educational Services | 82 | | | | | | | | | | | |
| Elementary schools | 821 | P | P | P | P | | P | | P | | | 2.0 per classroom, plus 5 admin. Spaces |
| Secondary schools | 821 | P | P | P | P | | P | | P | | | 5.0 per classroom, plus 10 admin. Spaces |
| Colleges, universities, professional schools | 822 | | | | | | | P | P | | | 5.0 per classroom, plus 2 per admin. Office |
| Libraries | 823 | | | | | | P | P | P | | | 1.0 per 350 s.f. GFA |
| Vocational schools | 824 | | | | | | P | P | P | P | | 5.0 per classroom, plus 2 per admin. Office |
| Other schools & educ. Serv. | 829 | | | | | | P | P | P | | | 5.0 per classroom, plus 2 per admin. Office |
| Social Services | 83 | | | | | | | P | P | | | 1.0 per 350 s.f. GFA |
| Individual & family soc. Serv. | 832 | | | | | | | P | P | | | 1.0 per 350 s.f. GFA |
| Job training & vocational rehabilitation services | 833 | | | | | | | P | P | P | | 1.0 per 350 s.f. GFA |
| Child day care services | 835 | | | | | | P | | P | | | 1.0 per 200 s.f. GFA |
| Residential care | 836 | | | | P | P | | | P | | | 1.0 per 500 s.f. GFA |
| Other social services | 839 | | | | | P | P | P | P | | | 1.0 PER 500 s.f. GFA |
| Museums, Art Galleries, and Zoological Gardens | 84 | | | | | | | | | | | |
| Museums & art galleries | 841 | | | | | | P | P | P | | | 1.2 per 1,000 s.f. GFA |
| Arboreta, botanical, zoological gardens | 842 | | | | | | | | P | | | 1.2 per 1,000 s.f. GFA |
| Membership Organizations, i.e. religious, fraternal, professional, political, civic, business | 86 | | | | | P | P | P | P | P | | 1.0 per 250 s.f. GFA |
| Religious Organizations | 866 | P | P | P | P | P | P | | P | P | P | 1.0 per 250 s.f. GFA |
| Engineering, accounting, research management & related services | 87 | | | | | | P | P | P | P | | 1.0 per 350 s.f. GFA |
| Misc. services, i.e. artists, authors geologist, etc. | 89 | | | | | | P | P | P | | | 1.0 per 350 s.f. GFA |
| DIVISION J, PUBLIC ADMINISTRATION | SIC | R-1.4 | R-1.5 | R-1.7 | R-2 | HC | MU | C-1 | C-2 | IND | FA | REQUIRED OFF-STREET PARKING SPACE(S) |
| Executive, legislative & general government, except finance | 91 | | | | | | P | P | P | | | 1.0 per 350 s.f. GFA |
| Justice, public order & safety | 92 | | | | | | | P | P | | | 1.0 per 350 s.f. GFA |

TABLE I
SCHEDULE OF PERMITTED AND CONDITIONAL USES AND OFF-STREET PARKING REQUIREMENTS, BY DISTRICT

| DIVISION J, (continued) | SIC | R-1.4 | R-1.5 | R-1.7 | R-2 | HC | MU | C-1 | C-2 | IND | FA | PARKING SPACE(S) REQUIRED |
|---|------|-------|-------|-------|-----|----|----|-----|-----|-----|----|--|
| Courts | 921 | | | | | | | P | P | | | 1.0 per 350 s.f. GFA |
| Public order & safety | 922 | P | P | P | P | P | P | P | P | P | P | 1.0 per 350 s.f. GFA |
| Correctional Institution | 9223 | | | | | | | P | P | P | | 1.0 per jail cell, plus 1.0 per 250 s.f. GFA |
| Fire protection | 9224 | P | P | P | P | P | P | P | P | P | P | 4.0 per bay |
| Public finance, taxation & monetary policy | 93 | | | | | | P | P | P | | | 1.0 per 350 s.f. GFA |
| Administration & human resources | 94 | | | | | P | P | P | P | | | 1.0 per 350 s.f. GFA |
| Administration of environmental quality & housing programs | 95 | | | | | | P | P | P | | | 1.0 per 350 s.f. GFA |
| Administration of economic programs | 96 | | | | | | P | P | P | | | 1.0 per 350 s.f. GFA |
| RESIDENTIAL USES | | | | | | | | | | | | |
| Single-family detached housing | NA | P | P | P | P | P | P | | P | | P | 2.0 per unit |
| Manufactured housing (Sec. 3-2) | NA | | | | C | | | | | | C | 2.0 per unit |
| Duplexes | NA | | | | P | | P* | | P | | | 2.0 spaces per unit |
| Mobile homes (Sec. 3-3) | NA | | | | P | | | | P | | | |
| Manufactured home parks (Sec. 3-4) | NA | | | | C | | | | | | | 2.0 spaces per unit |
| Townhouses (Sec. 3-5) | NA | | | | C | | | | C | | | 2.0 spaces per unit |
| Patio houses (Sec. 3-6) | NA | | | | C | | | | C | | | 2.0 spaces per unit |
| Triplex, quadraplex | NA | | | | P | | | | P | | | 1.5 spaces per one bedroom unit; 2.0 spaces per unit for all others |
| Multi-family, apartments (Sec. 3-17) | NA | | | | P | | | C | P | | | 2.0 spaces per unit |
| ACCESSORY USES TO RESIDENTIAL USES (Sec. 7-7.2) | | | | | | | | | | | | |
| | SIC | R-1.4 | R-1.5 | R-1.7 | R-2 | HC | MU | C-1 | C-2 | IND | FA | PARKING SPACE(S) REQUIRED |
| Bathhouses, cabanas | NA | P | P | P | P | P | P | NA | P | NA | P | None |
| Domestic animal shelters | NA | P | P | P | P | P | P | NA | P | NA | P | None |
| Non-commercial greenhouses | NA | P | P | P | P | P | P | NA | P | NA | P | None |
| Private garage & carport | NA | P | P | P | P | P | P | NA | P | NA | P | None |
| Storage Building | NA | P | P | P | P | P | P | NA | P | NA | P | None |
| Swimming pool, tennis courts | NA | P | P | P | P | P | P | NA | P | NA | P | None |
| Auxiliary shed, workshop | NA | P | P | P | P | P | P | NA | P | NA | P | None |
| Home occupation | NA | P | P | P | P | P | P | NA | P | NA | P | None |
| Horticulture, gardening | NA | P | P | P | P | P | P | NA | P | NA | P | None |

TABLE I
 SCHEDULE OF PERMITTED AND CONDITIONAL USES AND OFF-STREET PARKING REQUIREMENTS, BY DISTRICT

| ACCESSORY USES TO RESIDENTIAL USES (Sec. 7-7.2) (continued) | | | | | | | | | | | | | |
|--|-----|---|---|---|---|---|---|----|---|----|------|----------------------|--|
| Family day care home | 836 | P | P | P | P | P | P | NA | P | NA | P | None | |
| Satellite dishes | NA | P | P | P | P | P | P | NA | P | NA | P | None | |
| Accessory apartment (Sec. 3.8) | NA | C | C | C | C | C | C | NA | P | NA | None | | |
| ACCESSORY USES TO NON-RESIDENTIAL USES | | | | | | | | | | | | | |
| Buildings, structures | NA | P | P | P | P | P | P | P | P | P | P | None | |
| Open storage (Sec. 3-18) | NA | | | | | | | | C | C | C | None | |
| TEMPORARY USES (SEC.3-16) | NA | | | | C | C | C | C | C | C | C | By Individual Review | |

TABLE II

Schedule of Lot Area, Yard Setback, Height, Density, Floor Area, & Impervious Surface Requirements by District

| MINIMUM LOT | | | | MINIMUM YARD AND BUILDING SETBACK (FT.) | | | | | | | | | |
|-------------|-------------|----------|-------------|---|-----------|------|----------|------|----------|--------------------------|----------------------------------|--------------------------|---|
| District | AREA (s.f.) | | | FRONT (A) | | SIDE | | REAR | | Maximum Height (ft.) (B) | Maximum Impervious Surface Ratio | Maximum Res. Density (C) | Maximum Floor Area Ratio; Non-Res. Uses (D) |
| | Res. | Non-Res. | Width (ft.) | Major St. | Minor St. | Res. | Non-Res. | Res. | Non-Res. | | | | |
| R-1.4 | 10,000 | 15,000 | 100 | 40 | 25 | 10 | 30 | 20 | 50 | 35 | 0.45 | 4 | 0.25 |
| R-1.5 | 8,000 | 15,000 | 80 | 40 | 25 | 8.75 | 25 | 20 | 50 | 35 | 0.45 | 5 | 0.25 |
| R-1.7 | 6,000 | 15,000 | 60 | 40 | 25 | 7.5 | 20 | 20 | 50 | 35 | 0.55 | 7 | 0.25 |
| R-2 | (E) | 15,000 | 60 | 40 | 25 | 7.5 | 20 | 20 | 40 | 40 | 0.55 | 10 | 0.25 |
| HC | 6,000 | 6,000 | 60 | 40 | 25 | 7.5 | 7.5 | 20 | 20 | 50 | 0.75 | 4 | None |
| MU | 6,000 | 6,000 | 60 | 40 | 25 | 7.5 | 7.5 | 20 | 20 | 35 | 0.55 | 4 | None |
| C-1 | NA | 2,500 | 20 | None | None | (F) | (F) | (F) | (F) | 50 | 1 | NA | NA |
| C-2 | (E) | 6,000 | 60 | 40 | 25 | 7.5 | 7.5 | 20 | 20 | 40 | 0.85 | 10 | None |
| IND | NA | 20,000 | 150 | 40 | 25 | NA | 40 | NA | 40 | None | 0.85 | NA | None |
| FA | 5 ac. | 1 ac. | 150 | 60 | 40 | 25 | 50 | 50 | 50 | 50 | 0.15 | 0.2 | 0.1 |

Refer to Section 7.2 for yard and setback modifications.

(sf) – square feet
 (ft.) – feet
 NA – Not Applicable
 ac. – acres

(A) through (F) Notes to Table II

- (A) Measurement from property line.
- (B) Measurement from average elevation of the finished grade at the building line to the highest point on the roof.
- (C) Measurement in units per gross acre.
- (D) Measurement as percent of total lot area.
- (E) 6,000 square feet for single-family dwelling, 12,000 square feet for duplex; 4,000 square feet for each unit over two.
- (F) No setback requirement except where a building or use is contiguous to a residential use in Residential Zone District; Then a minimum setback equal to the setback required in the contiguous residential district shall be required.

Zoning Districts

- R-1.4: Residential
- R-1.5: Residential
- R-1.7: Residential
- R-2: Residential, *Medium Density*
- HC: HealthCare
- MU: Mixed-Use
- C-1: Business, *Central*
- C-2: Business, *General*
- IND: Industrial
- FA: Forest-Agricultural

ARTICLE III

CONDITIONAL USE REGULATIONS

Section 3-1. Application

The requirements of this Article shall apply to all conditional uses listed on Table I, as applicable.

Section 3-2. Manufactured Housing

Manufactured housing, where permitted by this Ordinance, shall:

- (1) Be installed in accord with the installation requirements of Section 19-425.39 of the South Carolina Manufactured Housing Board Regulations.
- (2) Be covered with a non-reflective exterior material customarily used on conventional dwellings. The exterior material must extend to the ground; however where a solid brick or masonry perimeter foundation is used, the exterior covering need not extend below the top of the foundation.
- (3) Have a pitched roof with a minimum of two inch vertical rise for each 12 inches of horizontal run. Said roof shall consist of shingles or comparable roofing material customarily used for conventional dwellings. (Exception Mobile Home Parks)
- (4) Be not less than 18 feet wide unless located in an approved Manufactured Housing Park, and have a roof overhang of not less than eight inches, measured from the vertical side of the structure.
- (5) Have installed, constructed and attached firmly to the manufactured home and anchored securely to the ground in accord with applicable building codes, stairs, porches, entrance platforms, ramps and other means of entrance and exit to and from the home.
- (6) Be placed on the lot in such a manner that is compatible with and reasonably similar in orientation to neighboring site built housing.

- (7) Have all moving or towing apparatus removed or concealed, including hitch, wheels and axles.
- (8) Be maintained in habitable condition, as defined in Section 3-3.

Section 3-3. Mobile Homes

Mobile homes, as defined by this Ordinance, shall not be permitted, established or reestablished in the City of Loris. Where in existence at the time of adoption of this Ordinance, such uses may be continued, provided they are maintained in habitable condition.

The term "habitable" means that there is no defect, damage, or deterioration to the home that creates a dangerous or unsafe situation or condition; that the plumbing, heating and electrical systems are in safe working order; that the walls, floor, and roof are free from any holes, breaks, loose or rotting boards and are structurally sound; and that all exterior doors and windows are in place. Further, the term habitable includes the provision of the following facilities:

- (1) **Sanitary Facilities.** Every mobile/manufactured home shall contain not less than a kitchen sink, lavatory, tub or shower, and a water closet all in good working condition and properly connected to an approved water and sewer system. Every plumbing fixture and water and waste pipe shall be properly installed and free from defects, leaks, and obstructions.
- (2) **Hot and Cold Water Supply.** Every mobile/manufactured home shall have connected to the kitchen sink, lavatory, and tub or shower cold and hot running water. All water shall be supplied through an approved distribution system connected to a potable water supply.
- (3) **Heating Facilities.** Every mobile/manufactured home shall have heating facilities which are properly installed and maintained in safe and good working condition, and are capable of safely and adequately heating all habitable rooms and bathrooms. Where a central heating system is not provided, each home shall be provided with an alternative system, approved by the Zoning Administrator.

- (4) **Cooking and Heating Equipment.** All cooking and heating equipment and facilities shall be installed in accordance with Federal Manufactured Home Construction and Safety Standards.
- (5) **Smoke Detector.** Every mobile/manufactured home shall be provided with an approved listed smoke detector, installed in accordance with the manufacturer's recommendations and listing. When activated, the detector shall provide an audible alarm.
- (6) The Building Codes Officer shall periodically inspect existing mobile/manufactured homes for compliance with the provisions of this Section.

Section 3-4. Manufactured Home Parks

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

- (1) The park site shall be not less than two (2) acres, and have not less than 200 feet frontage on a public dedicated and maintained street or road.
- (2) The park shall be served by public water and sewer systems, a system of storm drainage, and refuse disposal facilities, plans of which shall be approved by local DHEC officials.
- (3) All dwelling spaces shall abut upon an all-weather surface driveway of not less than eighteen (18) feet in width which shall have unobstructed access to a public street.
- (4) A description of the procedures of any proposed home owners association or other group maintenance agreement must be submitted to and approved by the Town Attorney.
- (5) All on-site roadway intersections shall be provided with a street light, and interior lights shall be provided at not less than 400-foot intervals.
- (6) Each individual home site shall be at least 30 feet from any other site.
- (7) All homes shall be installed in accord with the installation requirements of Section 19-425.39 of the South Carolina Manufactured Housing Board Regulations.

- (8) Not less than 10 percent of the park site shall be set aside and developed for common open space and recreation usage.
- (9) Space Numbers: Permanent space numbers shall be provided on each mobile home space and shall be located so as to be visible from the street or driveway. Signs identifying space locations shall be provided at each street or driveway intersection.
- (10) The maximum number of manufactured home spaces shall not exceed seven (7) per acre.
- (11) Two parking spaces shall be provided for each designated manufactured home space. Parking may be provided at the designated space or in community parking areas.
- (12) In the development of a park, existing trees and other natural site features shall be preserved to the extent feasible.
- (13) License Required, Revocation: A license shall be requisite to the opening or operation of a manufactured home park and shall be subject to annual renewal.

Said license may be revoked by the Zoning Administrator for a violation of this Ordinance or other applicable ordinances and regulations governing the operation of such uses.
- (14) Site Plan Required: A Site Plan showing the above required data, and in all other respects meeting the minimum requirements for a Building Permit shall accompany all applications to establish a manufactured home park.

Section 3-5, Townhouses

Due to the unique design features of townhouses, the dimensional requirements of Table II are hereby waived and the following design requirements imposed for all such projects:

- (1) Such projects shall have a minimum of 0.5 acres
- (2) Not more than eight (8) nor fewer than three (3) townhouses may be joined together, with approximately the same (but staggered) front line.

- (3) Side yard setbacks at the end unit shall be as required for the district in which the project is to be located, with not less than 20 foot distance between buildings in the project area.
- (4) Rear yard setbacks shall be 20 feet.
- (5) Minimum lot width shall be 18 feet.
- (6) Sidewalks not less than three (3) feet in width shall be provided along the front property line of each project, building.
- (7) Impervious surface area shall not exceed 65 percent of a townhouse lot, on average; except where common open space is provided in the amount of 20 percent or more. In such instances, impervious surface areas may increase to 85 percent of a townhouse lot, on average.
- (8) Maximum height of buildings shall not exceed 35 feet.
- (9) Front yard setbacks shall be as prescribed by Table II, but may be waived or modified by the Board of Zoning Appeals due to the unique style of such housing.
- (10) Rear yards shall be enclosed by a six-foot wall or fence, unless used for parking, and may include one accessory building no greater than 500 square feet in GFA.

Section 3-6. Patio and Zero Lot Line Housing

Due to the unique design features of patio and zero lot line housing, the dimensional requirements of Table II are hereby waived and the following requirements imposed on all such projects:

- (1) Such projects shall have a minimum of 1.5 acres.
- (2) Minimum lot area shall be 3,000 square feet per unit, on average.
- (3) Minimum lot width shall be 40 feet.
- (4) Maximum height of buildings shall not exceed 35 feet.

- (3) Minimum lot width shall be 40 feet.
- (4) Maximum height of buildings shall not exceed 35 feet.
- (5) Where a unit is to be constructed at or on the property line, a five-foot maintenance easement shall be provided on the adjoining lot.
- (6) A minimum patio or yard area of 700 square feet shall be provided on each lot, not more than 15 percent of which shall be impervious to water.
- (7) At least one side yard extending not less than 5 feet from the property line shall be provided. Where a second side yard is provided, though not required, it too shall have a minimum width of 5 feet.
- (8) The side yard of the exterior units shall be five (5) feet from the "outside" property line.
- (9) Rear yard setbacks shall be not less than 10 feet.
- (10) Front yard setbacks shall be as prescribed by Table II, but may be waived or modified by the Board of Zoning Appeals due to the unique style of such housing.

Section 3-7. Bed and Breakfast Inns (SIC 7011)

Bed and Breakfast Inns are intended to provide a unique transit lodging experience in predominantly residential environs. As a result, care should be taken to protect the environs that contribute to the experience of such lodging while promoting their use. Toward this end, Bed and Breakfast Inns, where permitted by this Ordinance, shall:

- (1) Be located no closer than 400 feet from an existing Bed and Breakfast Inn.
- (2) Be occupied by the resident / owner.
- (3) Only be permitted in older residential structures that are recognized as architecturally, historically, and culturally significant and that, through renovation and use as a bed and breakfast inn, will contribute significantly to the ambience, character, or economic revitalization of the area and / or

continued use of the property in question for residential purposes.

- (4) Serve no scheduled meal other than breakfast; however, lunch and dinner meals may be prepared and served for business meetings, clubs, social gatherings, private parties, together with catering for parties on and off the premises.
- (5) Maintain the interior architectural integrity and arrangement of the structure and shall not increase the number of guest rooms above the number of rooms in the original structure.
- (6) Maintain the exterior architectural integrity of the structure and grounds and make changes only if compatible with the character of the surrounding area.
- (7) Provide off-street parking on the basis of one space per guest room, plus two spaces for the residential innkeeper, further provided that sufficient off-street parking space shall be available on site to accommodate business and club meetings, social gatherings, and private parties, where proposed by the applicant.
- (8) Be permitted one non-illuminated identification sign, not to exceed four square feet in area.

Section 3-8. Accessory Apartments

Accessory apartments, where permitted as conditional uses, shall meet the following conditions:

- (1) The principal structure (dwelling) must be owner occupied.
- (2) The apartment, whether attached or detached, cannot exceed 50 percent of the gross floor area of the principal dwelling, or contain more than two bedrooms.
- (3) The apartment must be a complete living space, with kitchen and bathroom facilities separated from the principal unit.
- (4) An accessory apartment may be accessory only to a single unit dwelling, and not more than one apartment shall be allowed per dwelling or lot.

- (5) Minimum lot size shall be at least 50 percent greater than the minimum lot requirement for the district in which the apartment is to be located.
- (6) The apartment shall meet all yard setback requirements and, where detached from the principal dwelling, shall be setback not less than 10 feet from the principal dwelling.
- (7) Evidence of the accessory apartment should not be apparent from the street.
- (8) A third off-street parking space shall be required.

Section 3-9. Manufacturing Uses (Division D); Refuse Systems (SIC 4953)

The following performance standards shall be used to ensure that all conditionally permitted manufacturing uses and refuse systems in the IN District shall produce no injurious or obnoxious conditions related to the operation of such uses sufficient to create a nuisance beyond the premises.

- (1) **Vibration.** No vibration shall be produced which is transmitted through the ground and is discernible without the aid of instruments at any point beyond the lot line; nor shall any vibration produced exceed the following particle velocity levels, measured with a vibration monitor in inches per second at the nearest:
 - (a) Residential property line: 0.02
 - (b) Non-residential property line: 0.10

Vibration emanating from construction activities between 7:00 a.m. and 9:00 p.m. shall be exempt from these regulations.

- (2) **Fire and Explosives.** All activities and all storage of flammable and explosive materials shall be provided with adequate safety devices against the hazards of fire and explosion, including adequate fire fighting and fire suppression equipment.
- (3) **Noise.** All noise shall be muffled so as not to be objectionable due to intermittence, beat frequency or shrillness. In no event shall the sound pressure level of noise radiated continuously from a facility exceed at the lot line the values given in Tables III and IV in any octave band or

frequency. Sound pressure level shall be measured with a Sound Level Meter and an Octave Band Analyzer that conforms to specifications published by the American Standards Association.

**Table III
Night Time Schedule**

Maximum permissible sound pressure levels at the lot line for noise radiated continuously from a facility between the hours of 9 p.m. and 7 a.m.

| Fréquency Band (In Cycles Per Second) | <u>Sound Pressure Levels (In Decibels)</u> | |
|--|--|------------------------------------|
| | <u>At Non-Residential Lot Line</u> | <u>At Residential Lot Line</u> |
| 20 - 75 | 69 | 65 |
| 75 - 150 | 60 | 50 |
| 150 - 300 | 56 | 43 |
| 300 - 600 | 51 | 38 |
| 600 - 1,200 | 42 | 33 |
| 1,200 - 2,400 | 40 | 30 |
| 2,400 - 4,800 | 38 | 28 |
| 4,800 - 10,000 | 35 | 20 |

**Table IV
Day Time Schedule**

Maximum permissible sound pressure levels at the lot line for noise radiated from a facility between the hours of 7 a.m. and 9 p.m. shall not exceed the limits of the preceding table except as specified and corrected below.

| <u>Type of Operation in Character of Noise</u> | <u>Correction In Decibel*</u> |
|--|-------------------------------|
| Daytime operation only | plus 5 |
| Noise source operates less than 20% of any one-hour period | plus 5 |
| Noise source operates less than 5% of any one-hour period | plus 10 |
| Noise source operates less than 1% of any one-hour period | plus 15 |
| Noise of impulsive character (hammering, etc.) | minus 5 |
| Noise of periodic character (hum, speech, etc.) | minus 5 |

* Apply to the preceding table one of these corrections only.

Noises emanating from construction activities between 7:00 a.m. and 9:00 p.m. shall be exempt from these requirements.

- (4) **Air Pollution.** The emission of visible smoke, dust, dirt, fly ash, particulate matter from any pipes, vents, or other openings, or from any other source into the air, shall comply with the regulations of the South Carolina Pollution Control Authority.

Air pollution emanating from construction activities between 7:00 a.m. and 9:00 p.m. shall be exempt from these requirements.

- (5) **Odor.** There shall be no emission of odorous gases or other odorous matter in such quantities as to be offensive at the property line. Any process which may involve the creation or emission of any such odor shall be provided with both a primary and a secondary safeguard system so that control may be maintained in the event of failure of the primary safeguard system.
- (6) **Glare.** There shall be no direct or sky reflected glare, whether from floodlights, high temperature processing, combustion, welding or otherwise, so as to be visible in any residence.
- (7) **Fumes and Vapors.** There shall be no emission of any fumes or vapors of a noxious, toxic or corrosive nature which can cause damage or irritation to health, animals, vegetation, or to any form of property.
- (8) **Heat, Cold, Dampness or Movement of Air.** Activities which could produce any adverse affect on the temperature, motion or humidity of the atmosphere beyond the lot line shall not be permitted.
- (9) **Toxic Matter.** The measurement of toxic matter shall be at ground level or habitable elevation and shall be the average of any 24-hour sampling period. The release of any airborne toxic matter shall not exceed the quantities permitted for those toxic materials currently listed in Threshold Limit Values, adopted by the American Conference of Governmental Industrial Hygienists. If a toxic substance is not contained in said listing, the applicant shall satisfy the Zoning Administrator that the proposed levels will be safe to the general population.

- (10) **Exterior Illumination.** All operations, activities, and uses shall be conducted so as to comply with the performance standards governing exterior illumination prescribed below.

In general, the pattern of light pooling from each light source shall be carefully considered to avoid throwing light onto adjacent properties. Light sources visible in residential or medical areas shall comply with light intensities indicated in Column A below. Light sources visible in commercial or industrial areas shall comply with light intensities indicated in Column B below.

Maximum Intensity of Light Sources

| | <u>Column A</u> | <u>Column B</u> |
|--|----------------------------------|----------------------------------|
| Bare Incandescent Bulbs | 15 watts | 40 watts |
| Illuminated Buildings | 15 ft. candles | 30 ft. candles |
| Back lighted or luminous background signs | 150 ft. lamberts | 250 ft. lamberts |
| Outdoor Illuminated Signs & Poster Panels | 25 ft. candles | 110 ft. candles |
| Any other unshielded sources, intrinsic brightness | 50 candela per square centimeter | 50 candela per square centimeter |

Illumination shall be measured from any point outside the property. Illumination levels shall be measured with a photoelectric photometer having a spectral response similar to that of the human eye, following the standard spectral luminous efficiency curve adopted by the International Commission on Illumination.

- (11) **Compliance Guarantee.** The applicant of a permit for a manufacturing or processing plant which would produce any of the above "objectionable elements" shall acknowledge in writing his understanding of the

performance standards applicable to the proposed use and shall submit with the permit application, an agreement to conform with such standards at all times. Any violation of the agreement shall constitute a violation of this Ordinance and shall be treated accordingly.

Where there is a potential problem in meeting any one of the performance criteria in this section, the applicant may request a variance before the Board of Zoning Appeals in accord with the provisions of Section 8-9.

Section 3-10. Mini-warehouses (SIC 4225)

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

- (1) **Size.** Mini-warehousing sites shall not exceed two acres.
- (2) **Lot Cover.** Lot coverage of all structures shall be limited to 50 percent of the total area.
- (3) **In/Out.** Vehicular ingress-egress shall be limited to one point for each side of property abutting any street lot line.
- (4) **Storage Only.** No business activities other than rental of storage units shall be conducted within or from the units.
- (5) **Storage Space.** The storage space or gross floor area of a single unit shall not exceed 300 square feet.

Section 3-11. Communication Towers and Antennas (SIC 48)

Where conditionally permitted by Table I, communication towers and antennas shall adhere to the following regulations.

- (1) All new towers shall be mounted on mono poles, without need for guy wires, and designed to accommodate additional antennas equal in number to the applicant's present and future requirements.
- (2) All applicable safety code requirements shall be met, including requirements for lighting, except that strobe lights shall not be installed for

- night usage.
- (3) Towers or antennas shall not be painted or illuminated unless otherwise required by state or federal regulations. However, if painted, they shall be done so in muted gray colors.
 - (4) No tower or antenna shall be located within 1,000 feet of an existing tower or antenna, except where the applicant certifies that the existing tower does not meet the applicant's structural specifications and applicant's technical design requirements, or that a collocation agreement could not be obtained.
 - (5) Towers or antennas shall be exempt from the maximum height requirements of this Ordinance, except as provided in Section 7-5.
 - (6) Permit requirements for the erection or placement of a tower or antenna shall be accompanied by the following:
 - (a) \$200 processing fee.
 - (b) One copy of typical specifications for proposed structures and antennae, including description of design characteristics and material.
 - (c) A site plan drawn to scale showing property boundaries, tower location, tower height, guy wires and anchors, existing structures, photographs or elevation drawings depicting typical design of proposed structures, parking, fences, landscape plan, and existing land uses on adjacent property; [site plan not required if antenna is to be mounted on an approved existing structure].
 - (d) A current map or update of an existing map on file, showing locations of applicant's antenna, facilities, existing towers, and proposed towers which are reflected in public records, serving any property within the city.
 - (e) A report from a structural engineer registered in South Carolina showing the tower antenna capacity by type and number, and a certification that the tower is designed to withstand winds in accordance with ANSI/EIA/TIA 222 (latest revision) standards.

- (f) Identification of the owners of all antennae and equipment to be located on the site.
- (g) Written authorization from the site owner for the application.
- (h) Evidence that a valid FCC license for the proposed activity has been issued.
- (i) A line of sight analysis showing the potential visual and aesthetic impacts on adjacent residential districts.
- (j) A written agreement to remove the tower and/or antenna within 180 days after cessation of use. The agreement must include a closure plan and financial guarantees ensconcing removal within a said time frame.
- (k) A certificate from a registered engineer showing that the proposed facility will contain only equipment meeting FCC rules, together with a written indemnification of the municipality and proof of liability insurance or financial ability to respond to claims up to \$1,000,000 in the aggregate which may arise from operation of the facility during its life, at no cost to the city, in form approved by the town attorney.

Section 3-12. Scrap and Waste Material (SIC 5093/5015)

The location of these uses, where permitted by Table I, shall be regulated by the following:

- (1) No such use shall be located closer than 500 feet to any residential use, church, school, historical place or public park.
- (2) No material because it is discarded and incapable of being reused in some form shall be placed in open storage.
- (3) No material shall be placed in open storage in such a manner that it is capable of being transferred out by wind, water or other causes.
- (4) All paper, rags, cloth and other fibers, and activities involving the same other than loading and unloading shall be within fully enclosed buildings.

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

Section 3-13. Sexually Oriented Business (SIC 5999/7299)

3-13.1 Location

Owing to potentially objectionable operational characteristics of sexually oriented or adult uses, and the deleterious affect of such uses on existing businesses and/or residential areas around them, the location of such uses shall be tempered by the supplemental siting criteria of this section.

No such use shall be located within 600 feet (measured in a straight line) of the nearest property line of:

- (1) a residentially zoned lot,
- (2) a church or religious institution,
- (3) a public or private school or educational facility,
- (4) a public park or recreational facility, or
- (5) any other adult or sexually oriented business.

3-13.2 License Required

It shall be a misdemeanor for a person to operate a sexually oriented business without a valid Permit and/or License, issued by the city for the particular type of business.

- (1) An application for a permit and/or license must be made on a form provided by the Office of the Zoning Administrator.
- (2) The premises must be inspected and found to be in compliance with the law by health, fire and building officials.

3-13.3 Expiration of License

Each permit and/or license shall expire one year from date of issuance and may be renewed only by making application as provided herein.

3-13.4 Fees

The annual fee for a sexually oriented business permit and/or license is a minimum of five hundred dollars (\$500).

3-13.5 Inspection

- (1) An applicant or permittee and/or licensee shall permit the Zoning Administrator and representatives of the police, health or fire departments or other city departments or agencies involved in code enforcement to inspect the premises of a sexually oriented business for the purpose of ensuring compliance with the law, at any time it is occupied or open for business.
- (2) A person who operates a sexually oriented business or his 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.

3-13.6 Suspension

The Zoning Administrator shall suspend a permit and/or license for a period not to exceed thirty (30) days if determined 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 Section.
- (4) Knowingly permitted gambling by any person on the sexually oriented business premises.

3-13.7 Revocation

- (1) The Zoning Administrator shall revoke a permit and/or license if a cause of suspension occurs and the permit and/or license has been suspended within the preceding twelve (12) months.
- (2) The Zoning Administrator shall revoke a permit and/or license if determined that:

- (a) A permittee and/or licensee gave false or misleading information in the material submitted to the building department during the application process.
- (b) A permittee and/or licensee or an employee has knowingly allowed possession, use or sale of controlled substances on the premises.
- (c) A permittee and/or licensee or an employee has knowingly allowed prostitution on the premises.
- (d) 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.
- (e) 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.
- (f) A permittee and/or licensee is delinquent in payment to the city or state for any taxes or fees past due.

Section 3-14 Camps and Recreational Vehicle Parks (SIC 703)

Camps and recreational vehicles (RV) parks, where permitted by this Ordinance, shall comply with the following site and design standards.

- (1) The site shall be at least two (2) acres.
- (2) The site shall be developed in a manner that preserves natural features and landscape.
- (3) The following dimensional requirements shall serve as parameters beyond which development shall not exceed.
 - (a) Maximum impervious surface ratio shall not exceed 15 percent of the project site.

(b) Minimum setbacks for all structures and recreational vehicles shall be:

| | |
|--------------------------|-----|
| Street Frontage | 50' |
| All other property lines | 25' |

(c) Maximum density shall not exceed 12 vehicles per acre.

(d) Buffer areas shall be as specified by Section 4-1.

(4) Areas designated for parking and loading or for traffic ways shall be physically separated from public streets by suitable barriers against unchanneled motor vehicle ingress and egress. All drives shall be located at least one hundred fifty (150) feet from any street intersection and shall be designated in a manner conducive to safe ingress and egress.

(5) All streets within RV Parks shall be private and not public.

(6) Each park site shall be serviced by public water and sewer systems approved by DHEC.

) Section 3-15 Coin Operated Amusement Devices (SIC 7993)

No coin operated amusement device which provides payouts authorized by Section 17-19-60 of the South Carolina Code of Laws shall be located within three hundred feet of a public or private elementary, middle, or secondary school; a public or private kindergarten; a public playground or park; a public vocational trade school or technical educational center; a public or private college or university; or house of worship; nor shall such device be operated in a non-permanent structure such as a tent, mobile home, trailer, or temporary structure. The provisions of this section shall not apply to any location with machines licensed before May 30, 1993, or any machines not engaged in payouts.

Section 3-16 Temporary Services

3-16.1 Permit Required

The Zoning Administrator is authorized to issue a permit for temporary uses as specified herein. No temporary use may be established without receiving such permit.

Temporary use permits may be renewed no more than twice within one calendar year, provided that said use will not create traffic congestion or constitute a nuisance to

surrounding uses. Any temporary use that is determined to be creating a nuisance or disruption may have its temporary permit revoked by the Zoning Administrator.

3-16.2 Type and Location

The following temporary use and no others may be permitted by the Zoning Administrator, subject to the conditions herein.

- (1) Religious meetings in a tent or other temporary structure in the C-2 District for a period not to exceed sixty (60) days.
- (2) Open lot sales of Christmas trees in the C-1 and C-2 Districts for a period not to exceed forty-five (45) days.
- (3) Contractor's office and equipment shed, in any district, for a period covering construction phase of a project not to exceed one (1) year unless re-permitted; provided that such office be placed on the property to which it is appurtenant.
- (4) Temporary "sale" stands in the C-1 and C-2 Districts for a period not to exceed sixty (60) days.
- (5) Portable classrooms in any district for cultural or community facilities, educational facilities or religious complexes, for an indefinite period provided all required setbacks for the district in which the structures are to be located shall be observed and maintained.
- (6) Temporary office trailers in any commercial or industrial district where the principal building is being expanded, rebuilt, or remodeled for the conduct of business while the principal building is under construction.
- (7) Fairs and carnivals shall be located no closer than 500 feet of a residential zoning district and shall operate no later than 11:00 P.M.

3-16.3 Removal

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

3-16.4 Off-Street Parking

Unless specified by Table I for a specific use, a minimum of five off-street parking spaces shall be required, and ingress/egress areas shall be clearly marked.

Section 3-17 Apartments in the C-1 District

Use of the upper floors of commercial buildings in the C-1 District may be converted to residential apartments; provided ground floors remain for business and/or commercial use; further provided that off-street parking requirements shall not apply to apartment uses, but may be provided in contiguous zone districts, notwithstanding restrictions against off-street parking facilities in such districts.

Section 3-18 Open Storage

Open storage as an accessory use may be permitted where indicated by Table I; provided such storage area does not occupy over 20 percent of the building area, is not located in the required setback area, and is relatively obscured from public view by screening or placement on the lot.

Section 3-19 Livestock and Animal Specialties

Livestock and animal pens and areas designated for keeping and/or raising livestock and other animals shall be located no closer than 500 feet to the nearest residential property line in a residential zone.

Section 3-20 Existing Cemeteries:

(Amendment added 11 / 4 / 2002)
(Ordinance No. 18-02)

Existing cemeteries shall be allowed to expand as needed into adjoining Zoning Districts.

Section 3-21 Retail Store and Single-family:

(Amendment added 1 / 7 / 2002)
(Ordinance No. 25-01)

A retail store located in a Mixed-Use zoning district may be allowed to have single-family dwellings occupying the same building.

ARTICLE IV

COMMUNITY APPEARANCE, BUFFERING, SCREENING, LANDSCAPING, COMMON OPEN SPACE, AND TREE PROTECTION REGULATIONS

The regulations contained in this Article are intended generally to ensure land use compatibility, improve aesthetics, ensure adequate provision of open space, and protect trees within the City of Loris.

Section 4-1. Buffer Areas

4-1.1 Definition. A buffer area is a unit of yard, together with plantings, fences, walls, and other screening devices required thereon.

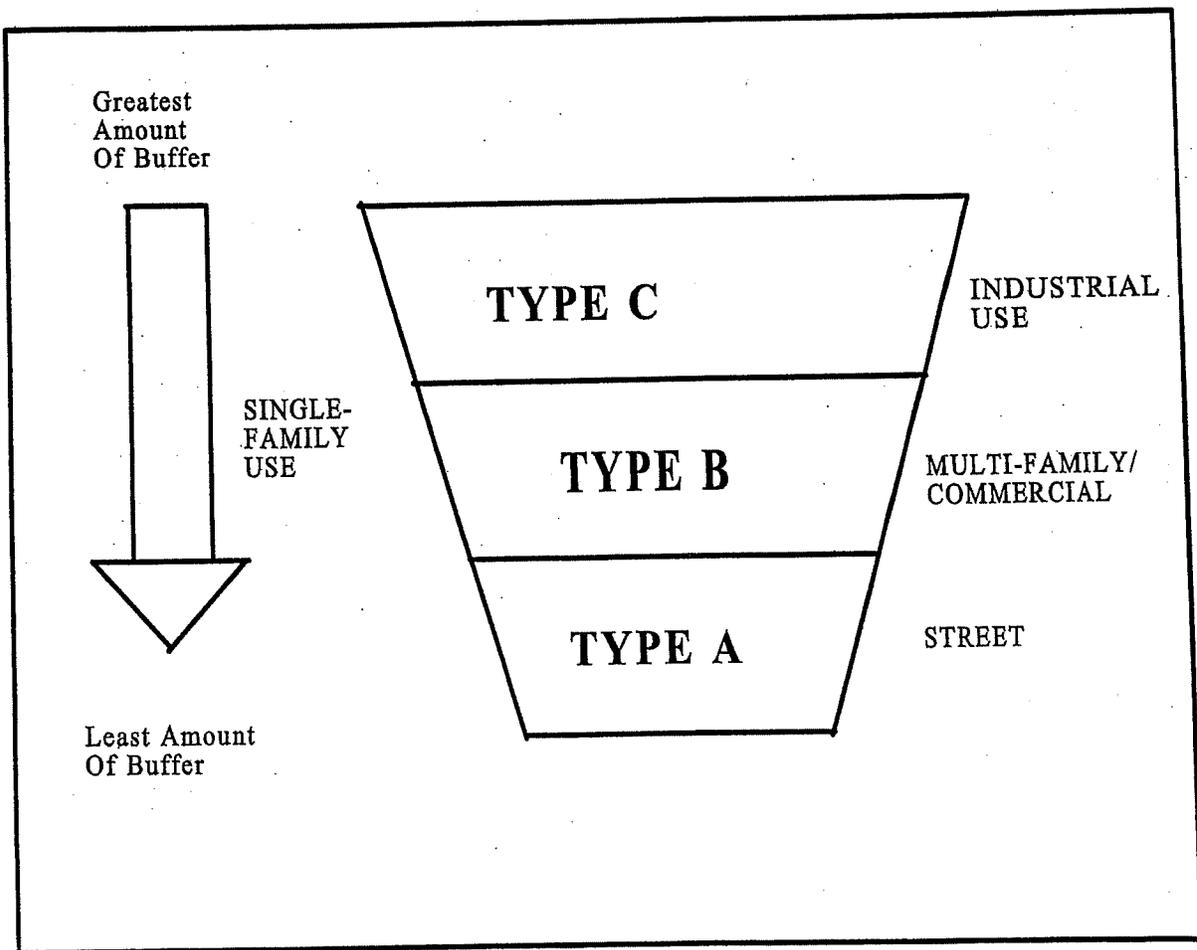
4-1.2 Purpose. The purpose of a buffer area is to ameliorate any potential adverse impact between adjacent land uses and streets, and promote land use compatibility.

4-1.3 Location. Buffer areas shall be located on the outer perimeter of a lot or parcel, extending to the lot or parcel boundary line. For purposes of complying with this section, they shall not be located on any portion of an existing street or right-of-way; however, they may occupy part or all of any required front, side or rear yard setback. Where specified by this section, buffer areas and/or buffer area structures shall be developed as an integral part of the proposed use.

4-1.4 Determination of Buffer Area Requirements. Buffer Areas shall be required under the following circumstances.

- (1) **Type A Buffer Area Required.** Wherever a multi-family building, manufactured home park, or non-residential use is proposed, a Type A buffer area shall be provided along the street right-of-way boundary of the proposed use, separating it from the adjoining street, except for driveways and uses in the C-1 District.

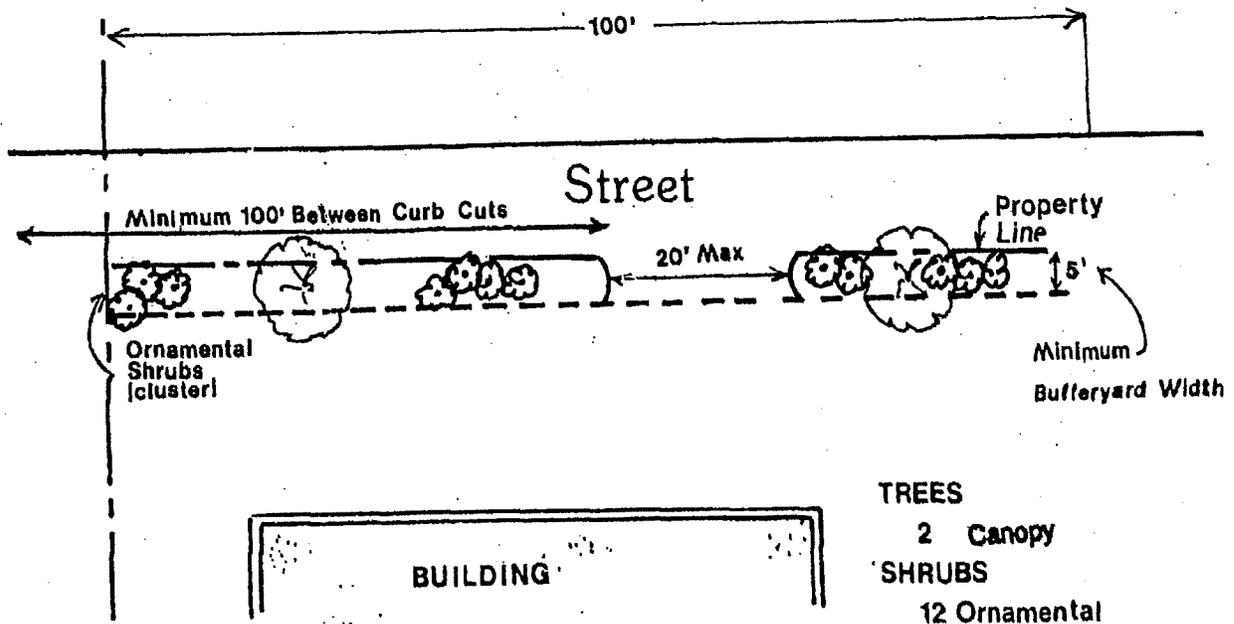
- (2) **Type B Buffer Area Required.** Wherever a multi-family building, mini-warehouse, institutional or commercial use is proposed for a site or lot adjoining a single-family residential or duplex dwelling in the R-1.4, R-I.5, R-I.7 or R-2 Districts with no intervening public or private street or right-of-way of eighteen (18) feet or greater, a Type B Buffer Area shall be provided along the boundary of the adjoining residential property line.
- (3) **Type C Buffer Area Required.** Wherever an industrial, warehouse, outdoor storage, or related use is proposed for a site or lot adjoining any residential use in the R-1.4, R-I.5, R-I.7 or R-2 Districts with no intervening public or private street or right-of-way of eighteen (18) feet or greater, a Type C Buffer Area shall be provided along the boundary of the adjoining residential property line.



4-1.5 Design Standards. Three types of buffer areas are required by this Ordinance, Type A, Type B, and Type C. A description of each follows:

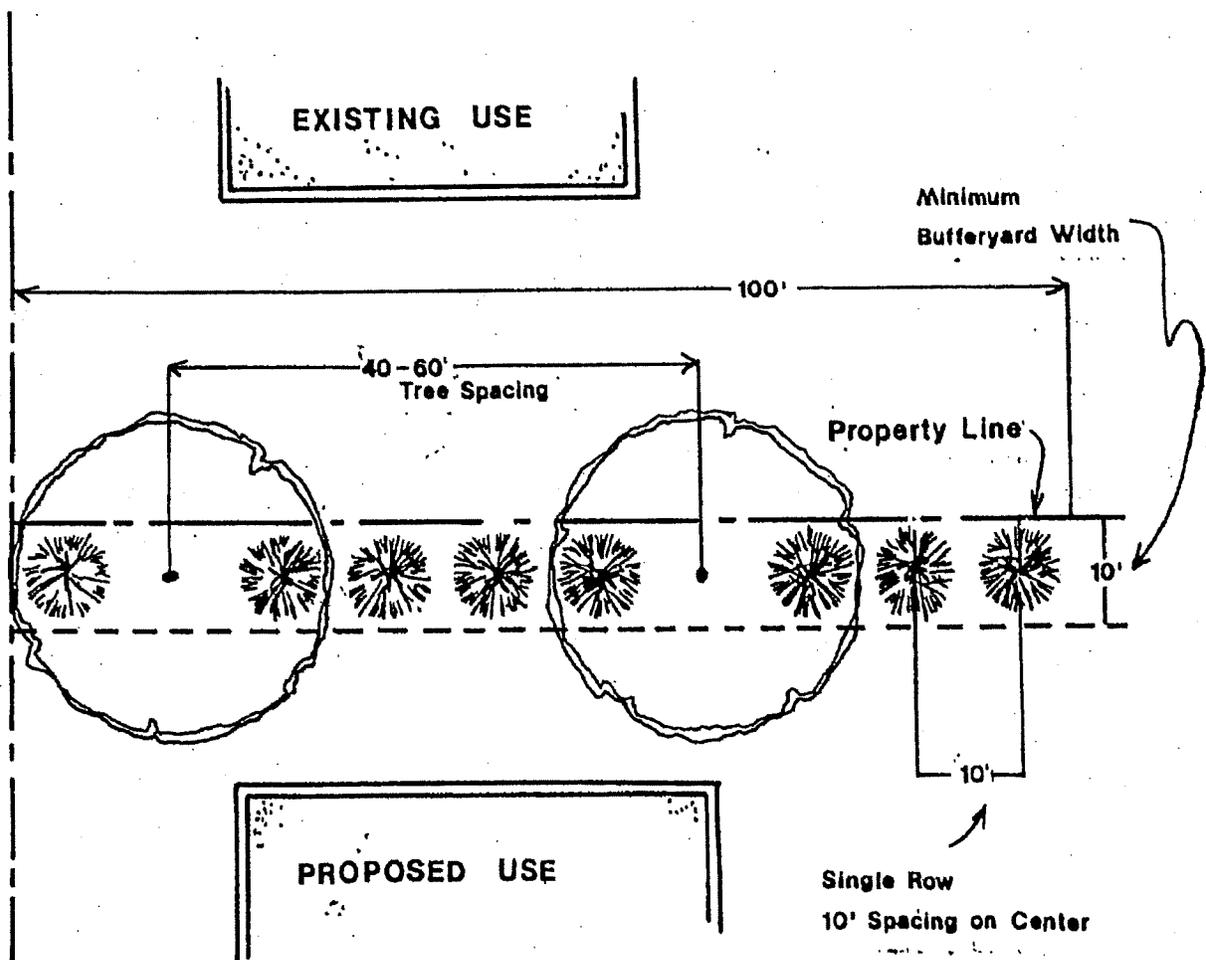
- (1) **Type "A" Buffer Area.** The Type A Buffer Area consists of low density landscaping and minimal acceptable separation between uses. The buffer area shall be not less than five (5) feet in width. Per 100 lineal feet of frontage, the buffer area shall consist of a combination of not less than 12 ornamental shrubs, two understory trees and landscaped grass areas, or other appropriate ground cover. The shrubs may be clustered to ensure their survival. An example site plan is illustrated by the following diagram.

TYPE "A" BUFFER AREA



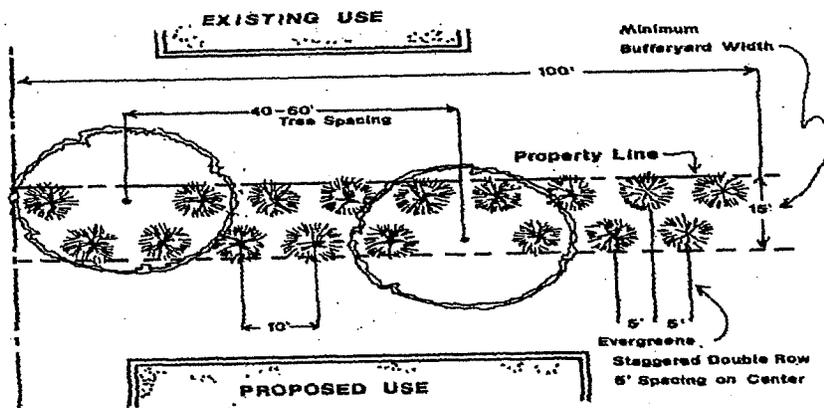
- (2) **Type "B" Buffer Area.** The Type B Buffer Area is a medium density screen intended to block visual contact between uses and to create spatial separation. The buffer area shall be a minimum width of 10 feet. Per 100 lineal feet the screen shall consist of a combination of 2 deciduous trees planted 40 to 60 feet on center and 8 evergreen plants 10 feet on center. An example site plan is illustrated by the following diagram.

TYPE "B" BUFFER AREA



- (3) **Type "C" Buffer Area.** The Type C Buffer Area is a high density screen intended to exclude all visual contact between uses and to create spatial separation. The buffer area shall be a minimum width of 15 feet. Per 100 lineal feet the screen shall consist of a combination of 2 deciduous trees planted 40 to 60 feet on center and 17 evergreen plants or understory trees planted in a double-staggered row 10 feet on center. An example site plan is illustrated by the following diagram.

TYPE "C" BUFFER AREA



4-1.6 Buffer Area Specifications

- (1) **Minimum Installation Size.** At installation or planting, all evergreen (under-story) trees and/or shrubs used to fulfill buffer area requirements shall be not less than 6 feet in height, and all deciduous (canopy) trees shall be not less than 8 feet in height, except for ornamental shrubs for Type A Buffer Areas.

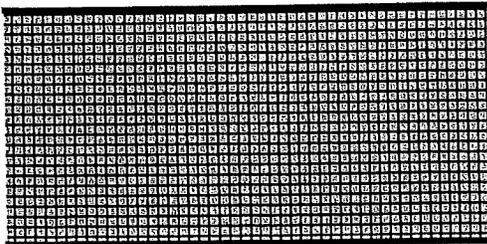
- (2) **Minimum Mature Size.** At maturity, evergreen plant material used for screening shall form a continuous opaque screen averaging 10 feet in height, and deciduous plant material used for screening shall average 25 feet in height.
- (3) **Staggered Planting.** Where required, evergreen and deciduous plant material shall be planted in at least two rows and in an alternating fashion to form a continuous opaque screen of plant material.

4-1.7 Substitutions. The following substitutions shall satisfy the requirements of this section:

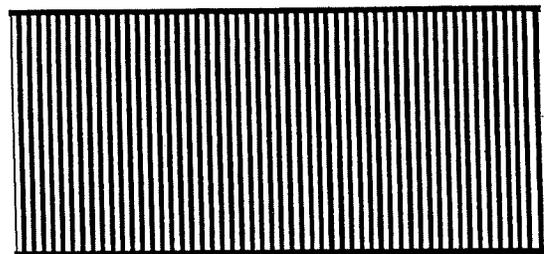
- (1) **Existing Plant Materials.** Existing trees of 4 inches DBH (Diameter Breast High) or more in diameter, within the required buffer area may be included in the computation of the required buffer area planting, with approval of the Zoning Administrator.
- (2) **Fence or Wall.** Where, owing to existing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

An eight-foot fence or wall, as illustrated below, may be substituted for a Type "B" or "C" Buffer Area..

Fence and Wall Illustrations



Masonry Wall



Wood Stockpile

All fences and walls used as part of the buffer area requirements must have a finished side that is facing adjoining property. The interior side of the fence or wall may be finished as owner deems appropriate. Chain link fences with or without slats are not an acceptable substitute and not permitted as such.

4-1.8 Responsibility. It shall be the responsibility of the proposed new use to provide the buffer area where required by this Ordinance, except that no new detached single-family dwelling or duplex shall be required to provide such buffer area.

4-1.9 Required Maintenance. The maintenance of required buffer areas shall be the responsibility of the property owner. All such areas shall be properly maintained so as to ensure continued buffering. All planted areas shall be provided with an irrigation system or a readily available water supply to ensure continuous healthy growth and development. Dead trees shall be removed; debris and litter shall be cleaned; and berms, fences, and walls shall be maintained at all times. Failure to do so is a violation of this Ordinance, and may be remedied in the manner prescribed for other violations.

4-1.10 Use of Buffer Areas. A buffer area may be used for passive recreation; however no plant material may be removed. All other uses are prohibited, including off-street parking.

Section 4-2. Screening

4-2.1 Definition. Screening is a type of buffer that is designed to block or obscure a particular element or use from view.

4-2.2 Purpose. The purpose of screening is to minimize if not eliminate entirely the visual impact of potentially unsightly open storage areas and refuse disposal facilities.

4-2.3 Where Required. Screening specified by this section shall be required of all open storage areas not devoted to retail sales visible from any public street, including open storage areas for building materials, appliances, trash containers of 4 or more cubic yards, salvage materials and similar unenclosed uses.

4-2.4 Type Screening Required. Screening shall be accomplished by an opaque divide not less than eight (8) feet high. Screening may be accomplished by

the use of sight obscuring plant materials (generally evergreens), earth berms, walls, fences, proper siting of disruptive elements, building placement or other design techniques approved by the Zoning Administrator.

Section 4-3 Landscaping

4-3.1 Definition. Landscaping is a type of open space permanently devoted and maintained for the growing of shrubbery, grass, other plants and decorative features to the land.

4-3.2 Purpose. The purpose of landscaping is to improve the appearance of vehicular use areas and development abutting public rights-of-way; to protect, preserve, and promote the aesthetic appeal, scenic beauty, character and value of land in the city; to promote public health and safety through the reduction of noise pollution, storm water run off, air pollution, visual pollution, and artificial light glare.

4-3.3 Where Required. No proposed commercial, institutional, industrial or other non-residential use shall hereafter be established and subsequently used unless landscaping is provided in accord with the provisions of this section. No existing building, structure or vehicular use area shall be expanded or enlarged by 50 percent or more unless the minimum landscaping required by the provisions of this section is provided throughout the building site. Enlargements involving less than 50 percent shall meet the minimum requirements of the enlargement only. Landscaping is not required for existing uses, nor is it required in the C-1 District.

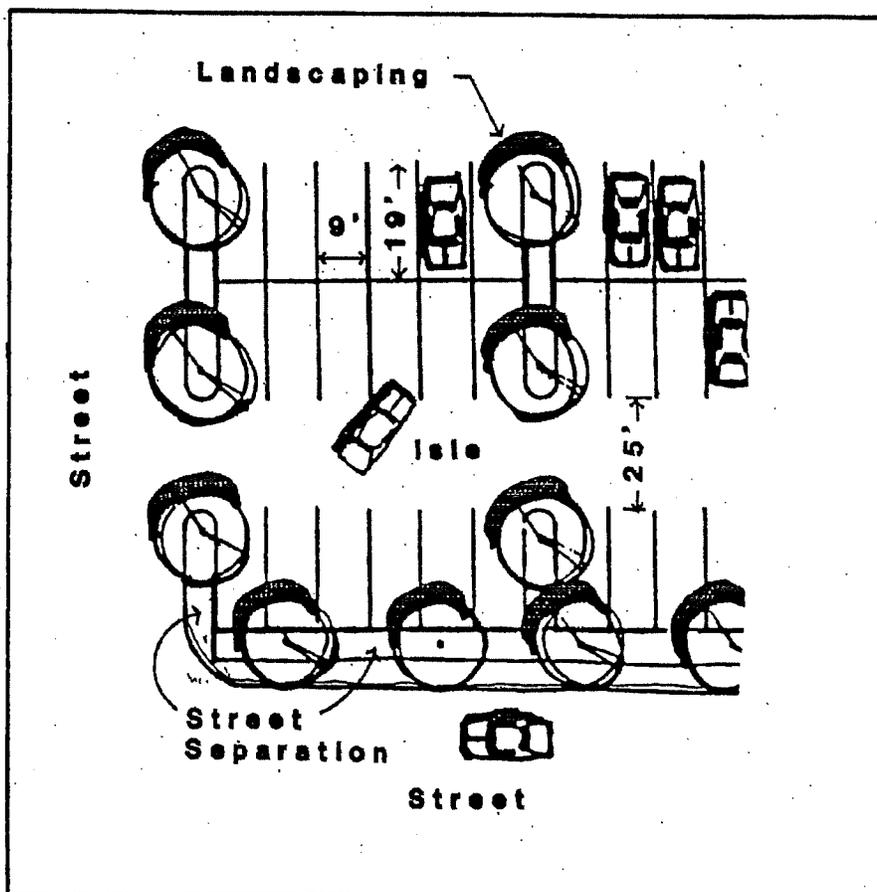
4-3.4 Landscaping Plan. A landscaping plan shall be submitted as part of the application for a building permit. The plan shall:

- (1) Designate areas to be reserved for landscaping. The specific design of landscaping shall be sensitive to the physical and design characteristics of the site.
- (2) Indicate the location and dimensions of landscaped areas, plant materials, decorative features, etc.

- (3) Identify all existing trees 10" DBH (Diameter Breast High) in required setback (yard) areas.

4-3.5 Landscaping Requirements. Required landscaping shall be provided as follows:

- (1) **Along the outer perimeter of a lot or parcel,** where required by the buffer area provisions of this Article to buffer and separate incompatible land uses. The amount specified shall be as prescribed by Section 4-1.
- (2) **Within the interior,** peninsula or island type landscaped areas shall be provided for any open vehicular use area containing 20 or more parking spaces. Landscaped areas shall be not less than 5' x 5' and located in such a manner as to divide and break up the expanse of paving and at strategic points but not less than one canopy tree per 10 parking spaces, to guide travel flow and directions. Elsewhere, landscaped areas shall be designed to soften and complement the building site.



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

| <u>Use</u> | <u>% of Lot</u> |
|------------------------------|-----------------|
| Institutional | 15% |
| Industrial/wholesale/storage | 10 |
| Office | 10 |
| Commercial-retail-service | 5 |

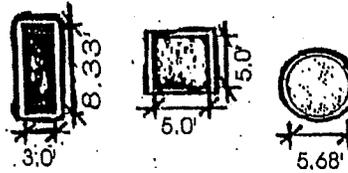
Buffer area landscaping may provide up to 50 percent of the above requirement. Landscaping along exterior building walls and structures is suggested to separate with greenery the building from the vehicular surface area.

4-3.6 Landscaped Areas

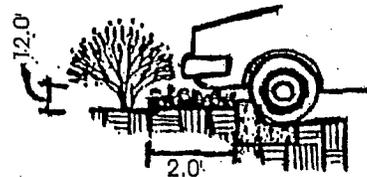
- (1) All landscaped areas in or adjacent to parking areas shall be protected from vehicular damage by a raised concrete curb or an equivalent barrier of six inches in height. The barrier need not be continuous.



- (2) Landscaped areas must be at least 25 square feet in size and a minimum of three feet wide to qualify.



- (3) Landscaped areas adjacent to parking spaces shall be landscaped so that no plant material greater than 12 inches in height is located within two feet of the curb or other protective barrier.



(Plant material greater than 12 inches in height would be damaged)

by the automobile bumper overhang or by doors swinging open over the landscaped areas.)

4-3.7 Required Maintenance. The maintenance of required landscaped areas shall be the responsibility of the property owner. All such areas shall be properly maintained so as to assure their survival and aesthetic value, and shall be provided with an irrigation system or a readily available water supply. Failure to monitor such areas is a violation of this Ordinance, and may be remedied in the manner prescribed for other violations.

Section 4-4. Common Open Space

4-4.1 Definition. Common open space is land and/or water bodies used for recreation, amenity or buffer; it shall be freely accessible to all residents and property owners of a development, where required by this Ordinance. Open space shall not be occupied by buildings or structures other than those in conjunction with the use of the open space, roads, or parking nor shall it include the yards or lots of residential dwelling units required to meet minimum lot area or parking area requirements.

4-4.2 Purpose. The purpose of this section is to ensure adequate open space for high density residential development; to integrate recreation, landscaping, greenery and/or natural areas into such projects; to promote the health and safety of residents of such projects; and to compensate for the loss of open space inherent in single-family residential projects.

4-4.3 Where Required. The following uses/projects consisting of nine or more units shall provide common open space in the amounts prescribed:

| <u>Proposed Uses/Projects</u> | <u>Common Open Space Ratio (% Lot)</u> |
|--------------------------------|--|
| Cluster Developments | 15% |
| Townhouse Projects | 15 |
| Mobile/Manufactured Home Parks | 15 |
| Multi-family Projects | 20 |

(1) **New Sites:** No proposed development, building or structure in connection with the above shall hereafter be erected or used

unless common open space is provided in accord with the provisions of this section.

- (2) **Existing Sites:** Expansion or enlargement of an existing building or structure of 50 percent or more shall meet in full the minimum common open space requirements of this section for the entire site. Expansion or enlargement involving less than 50 percent shall meet the minimum requirements for the enlargement only.

4-4.4 Common Open Space Plan. Proposed uses/projects set forth in 4-4.3 shall submit an open space or landscaping plan as part of the application for a building permit. The plan shall:

- (1) Designate areas to be reserved as open space. The specific design of open space shall be sensitive to the physical and design characteristics of the site.
- (2) Designate the type of open space which will be provided, and indicate the location of plant materials, decorative features, recreational facilities, etc.
- (3) Specify the manner in which common open space shall be perpetuated, maintained and administered.

4-4.5 Types of Common Open Space and Required Maintenance. The types of common open space which may be provided to satisfy the requirements of this Ordinance together with the maintenance required for each are as follows:

- (1) **Natural areas** are areas of undisturbed vegetation or areas replanted with vegetation after construction. Woodlands and wetlands are specific types of natural areas. Maintenance is limited to removal of litter, dead trees, plant materials, and brush. Natural water courses are to be maintained as free-flowing and devoid of debris. Stream channels shall be maintained so as not to alter floodplain levels.
- (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.

- (3) **Greenways** are linear green belts 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 are encouraged. Maintenance is limited to a minimum of removal and avoidance of hazards, nuisances, or unhealthy conditions.
- (4) **Landscaped areas, lawns and required buffer areas**, including creative landscaped areas with gravel and tile, so long as the tile does not occupy more than two percent of the required open space. Lawns, with or without trees and shrubs shall be watered regularly to ensure survival, and mowed regularly to ensure neatness. Landscaped areas shall be trimmed, cleaned, and weeded regularly.

4-4.6 Preservation of 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. Open space areas may be owned, preserved and maintained as required by this section by any of the following mechanisms or combinations thereof:

- (1) Dedication of and acceptance by the city.
- (2) Common ownership of the open space by a home-owner's association which assumes full responsibility for its maintenance.
- (3) Deed restricted, private ownership which shall prevent development and/or subsequent subdivision of the open space land and provide the maintenance.

In the event that any private owner of open space fails to maintain same, the city may in accordance with the Open Space Plan and following reasonable notice, demand that deficiency of maintenance be corrected, and 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.

Section 4-5. Tree Protection

4-5.1 Purpose. The purpose of this section is to prevent the clear cutting of

building sites, a practice which destroys the balance of nature, leads to sedimentation and erosion, contributes to air and water pollution, and unnecessarily robs the community of valuable natural resources.

4-5.2 Existing (Significant) Trees. Because any healthy tree greater than ten (10) inches DBH (Diameter Breast High) is a valuable natural resource, by virtue of its age and size and its contribution to the environment, all said trees meeting this measurement shall be referred to as "significant trees" and protected to the extent practical and feasible. Pine trees of any size are excluded from the provisions of this section and may be cut with a permit.

All existing significant trees located in all required yards, open space and buffer areas shall be flagged and shown on the required plat or site plan for a building permit or grading permit.

No more than 25 percent of said trees shall be felled and removed, except by order of the Board of Zoning Appeals owing to unique circumstances surrounding the development of the property.

Where, due to unusual conditions or circumstances peculiar to a given site, more than 25 percent of the trees to be preserved must be felled, replacement trees measuring not less than 2 inches DBH shall be planted in like number. To the extent possible, said trees shall be integrated into the required landscaping.

4-5.3 Removal of Existing (Significant) Trees. Removal of existing significant trees shall be prohibited prior to securing a grading and/or building permit. However, in the event that a tree poses a severe or imminent threat to public safety or property, the Zoning Administrator or his designee may waive the requirements of this section. Written findings must later be issued, outlining the threat which initiated the removal. The Zoning Administrator or his designee may require replacement of any trees which are removed where it is determined that the threat resulted from negligence.

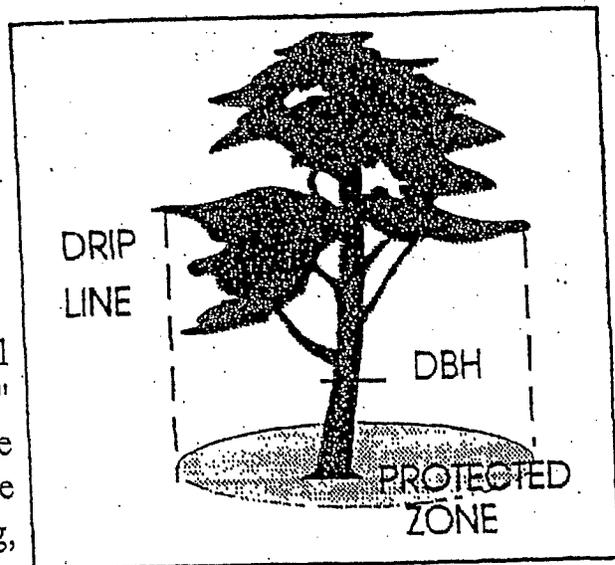
4-5.4 Significant Trees Removed Without Permits

- (1) Where significant trees have been removed or where removal is necessitated at any time due to acts of negligence, or where sites were cleared of significant trees in violation of this section, replacement trees shall be planted in accordance with a replacement schedule approved by the Board of Zoning Appeals. The Zoning Administrator or his designee shall recommend the number, species, DBH, and location of replacement trees, according to the following criteria:
 - (a) combined DBH of replacement trees is equal to or greater than three (3) times the DBH of the tree removed or;
 - (b) individual replacement trees are of the largest transplantable DBH available.
- (2) Where significant tree removal is necessitated by emergencies or death and disease of trees due to natural causes, as determined by the Zoning Administrator or his designee, replacement will not be required.

4-5.5 Development Precautions

After the necessary permit approvals have been granted, and before any site work has begun, the developer shall cause protected trees to be marked with surveyor's flagging.

During development, a minimum protective zone, marked by barriers, shall be established (erected) at the "drip line" and maintained around all trees to be retained as required by this section. There shall be no construction, paving, grading, operation of equipment or vehicles, or storage of materials within this protected zone.



4-5.6 Cutting, etc. of Significant Trees Prohibited

No person shall cut down, remove, relocate, damage, destroy, or in any manner abuse any significant tree on any lot or tract or public right-of-way in the city unless authorized by the terms of this section and approved by the Zoning Administrator.

Exception Pine trees are excluded as significant tree but does require a permit before cutting.

ARTICLE V

SIGN REGULATIONS

Section 5-1. Purpose

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

Section 5-2. Applicability and Conformance

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

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

Section 5-3. Signs on Private Property

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

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

Section 5-4. Common Signage Plan Required

A Common Signage Plan shall be prerequisite to the issuance of any sign permit involving:

TABLE V
REGULATION OF SIGNS BY TYPE, CHARACTERISTICS & ZONING DISTRICTS

| <u>SIGN TYPE</u> | <u>R-1.4</u> <u>R-1.5</u> <u>R-1.7</u> | <u>R-2</u> | <u>INS</u> (3) | <u>HC</u> | <u>MU</u> | <u>C-1</u> | <u>C-2</u> | <u>IND</u> | <u>FA</u> |
|------------------------------------|---|-------------------|-----------------------|------------------|------------------|-------------------|-------------------|-------------------|------------------|
| <i>PERMANENT</i> | | | | | | | | | |
| <i>Freestanding:</i> | | | | | | | | | |
| Principal | N (1) | N (1) | P | P | P | P | P | P | P |
| Incidental | N | A | A | A | A | A | A | A | A |
| <i>Building:</i> | | | | | | | | | |
| Canopy | N | N | N | P | P | P | P | P | N |
| Identification | A | A | A | A | A | A | A | A | A |
| Incidental | N | A | A | A | A | A | A | A | N |
| Marquee | N | N | N | P | P | P | P | P | N |
| Projecting | N | N | N | P | P | P | P | P | N |
| Roof | N | N | N | N | N | N | N | N | N |
| Roof, Integral | N | N | N | N | N | N | P | P | N |
| Wall | N | N | N | N | N | N | P | P | N |
| Window | N | N | N | A | A | A | A | A | N |
| <i>TEMPORARY</i> (2) | | | | | | | | | |
| Banner | N | N | N | P | P | P | P | P | N |
| Poster | A | A | A | A | A | A | A | A | A |
| Portable | N | N | N | N | N | P | P | N | N |
| Inflatable | N | N | N | N | N | P | P | N | N |
| Pennants | N | N | N | N | N | P | P | N | N |
| <i>SIGN CHARACTERISTICS</i> | | | | | | | | | |
| Animated | N | N | N | N | P | P | P | N | N |
| Changeable Copy | N | N | A | A | A | A | A | A | N |
| Illumination, Indirect | A | A | A | A | A | A | A | A | A |
| Illumination, Internal | A | A | A | A | A | A | A | A | A |
| Illumination, Exposed bulbs | N | N | N | N | N | N | N | N | N |

(1) Signs identifying or announcing land subdivisions or residential projects shall be allowed by permit only, in accord with the requirements of Table VI and Section 5-4; (2) See Section 5-6; (3) This column does not represent a zoning district. It applies to institutional and other non-residential uses permitted in residential zoning districts, i.e. churches, schools, parks, etc., and includes historical markers.

TABLE VI

NUMBER, DIMENSION AND LOCATION OF PERMITTED SIGNS, BY ZONING DISTRICT

| | R-1.4 (a) R-1.5 (a) R-1-7 (a) | R-2(a) | INS (b) | HC | MU | C-1 | C-2 | IND | FA |
|---------------------------------------|-------------------------------------|--------|---------|-----|-----|-----|--|---|---|
| FREESTANDING SIGNS | | | | | | | | | |
| Number Permitted: Per Lot | NA | NA | 1 | 1 | 1 | (d) | NA | NA | NA |
| Per feet of St. Frontage (e) | NA | NA | NA | NA | NA | NA | 1:200' | 1:300' | 1:1000' |
| Maximum Sign Area (sq. ft.) | NA | NA | 20 | 20 | 20 | 36 | 2 sq.ft. per 1 ft. street(c) frontage | 1 sq. ft. per 2 ft. street(c) frontage | 1 sq. ft. per 5 ft. street(c) frontage |
| Minimum Setback from Property Line | NA | NA | 5' | 5' | 5' | 0 | 5' | 5' | 5' |
| Maximum Height NA | NA | NA | 12' | 12' | 12' | 24' | 24' | 24' | 24' |
| BUILDING SIGNS | | | | | | | | | |
| Number Permitted | 1 | 1 | 1 | 1 | 1 | NA | NA | NA | 1 |
| Maximum Sign Area (sq. ft.) | 2 | 6 | 10 | 10 | 10 | NA | NA | NA | 6 |
| Maximum Wall Area (%) | NA | NA | NA | NA | NA | 25% | 25% | 25% | NA |
| TEMPORARY SIGNS | (See Section 5-6) | | | | | | | | |

- (a) Subdivision identification and residential project signs, not to exceed 20 square feet in area are permitted in these districts, provided they meet the requirements for a Common Signage Plan, in accord with Section 5-4.
 - (b) This column does not represent a zoning district. It applies to institutional and other non-residential uses permitted under the zoning ordinance in residential zoning districts, i.e. churches, schools, parks, etc.
 - (c) Not to exceed 300 square feet.
 - (d) Free standing signs shall be permitted only where yard depth is at least 20 feet.
 - (e) Lots fronting on two or more streets are allowed the permitted signage for each street frontage, but signage cannot be accumulated and used on one street in excess of that allowed for lots with only one street frontage.
- NA = Not applicable.

- (1) Two or more contiguous lots or parcels under the same ownership,
- (2) A single lot or parcel with more than one principal use or building (not including accessory uses or buildings) or qualifying on the basis of street frontage for more than one free-standing sign, and
- (3) The identification or announcement of a land subdivision or development project.

The Plan shall contain all information required for sign permits generally (Section 8-2.4) and shall specify standards for consistency among all signs on the lot or parcel affected by the Plan with regard to:

- Lettering or graphic style;
- Lighting;
- Location of each sign on the buildings;
- Material; and
- Sign proportions.

The Common Signage Plan, for all zone lots with multiple uses or multiple users, shall limit the number of free-standing signs to a total of one for each street on which the zone lots included in the Plan have frontage and shall provide for shared or common usage of such signs; however the maximum sign area may be increased by 25%.

Once approved by the Zoning Administrator, the Common Signage Plan shall become binding on all business and uses occupying the affected zone lots, but may be amended by filing a new or revised Plan that conforms with all requirements of this Ordinance.

If any new or amended Common Signage Plan is filed for a property on which existing signs are located, it shall include a schedule for bringing into conformance, within three years, all signs not conforming to the proposed amended Plan or to the requirements of this Ordinance in effect on the date of submission.

Section 5-5. Signs In The Public Right-Of-Way

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

- (1) Public signs erected by or on behalf of a governmental body to post legal notices, identify public property, convey public information, and direct or regulate pedestrian or vehicular traffic;
- (2) Church signs, in accord with state law;
- (3) Informational signs of a public agency or utility regarding its facilities;
- (4) Awning, projecting, and suspended signs projecting over a public right-of-way in conformity with the conditions established by this Section;
- (5) Emergency signs; and
- (6) Directional signs of a temporary nature not to exceed six (6) square feet in area and 24 hours duration for such events as yard sales, auctions, public gatherings, etc.

5-5.1 Signs Forfeited

Any sign installed or placed on public property, except in conformance with the requirements of this section, shall be forfeited to the public and subject to confiscation. In addition to other remedies hereunder, the city shall have the right to recover from the owner or person placing such sign the full costs of removal and disposal.

Section 5-6. Temporary Signs

5-6.1 The following conditions shall apply to all temporary signs:

- (1) No such sign, with or without a permit, shall be displayed for a period exceeding 60 days nor again be displayed on the same establishment for 30 days after removal, except that "for sale", "for rent", "for lease" and contractor's signs may be displayed until completion of purpose for which such signs were established. Temporary Sign Permits for uses included in the INS column on Table V, and sale and grand opening signs may not exceed 14 days duration, and must be removed within 24 hours after the event has concluded.
- (2) Posters shall not exceed six square feet in area.

- (3) Portable signs, where permitted by Table V, shall be limited to one per establishment, shall be anchored in accord with Building Codes, shall have no colored or flashing lights, shall not exceed 20 square feet in area, and shall not be wired so as to obstruct or hinder pedestrian or vehicular traffic or pose any potential for such hindrance (i.e. exposed drop cord).

Section 5-7. Prohibited Signs

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

- (1) Signs painted on or attached to trees, fence posts, telephone or other utility poles, rocks or other natural features.
- (2) Signs displaying intermittent lights resembling the flashing lights customarily used in traffic signals or in police, fire, ambulance, rescue vehicles or other warning signals, and signs using the words "stop", "danger", or any other word, phrase, symbol, or character in a manner that might mislead or confuse motorists.
- (3) Abandoned signs. A sign which no longer correctly directs or exhorts any person, advertises a bona fide business, lessor, owner, product or activity conducted or product available.
- (4) Dilapidated signs. Any sign which is insecure or otherwise structurally unsound, has defective parts in the support, guys and/or anchors or which is unable to withstand the wind pressure as determined by the Zoning Administrator using applicable codes. Also includes the entire area of a sign on which advertising copy could be placed and the permanent form or removable letter form wording on a sign surface which is not properly maintained as provided in the Standard Building Code.

Section 5-8. Development Standards

All signs allowed by this Article shall comply with the development standards of this Section.

5-8.1 Visual Clearance At Intersections

No sign shall be located within a vision clearance area as defined in Section 7-6.

5-8.2 Vehicle Clearance Area

When a sign extends over an area where vehicles travel or are parked, the bottom of the sign structure shall be at least 14 feet above the ground as illustrated in Section 5-9.2. Vehicle areas include driveways, alleys, parking lots, and loading and maneuvering areas.

5-8.3 Pedestrian Clearance Area

When a sign extends over sidewalks, walkways or other spaces accessible to pedestrians, the bottom of the sign structure shall be at least 6.8 feet above the ground as illustrated in Section 5-9.2.

5-8.4 Sign Materials; Code Compliance

Signs must be constructed in accord with all applicable provisions of the Building Code and National Electrical Code, consist of durable all-weather materials, maintained in good condition and not permitted to fall in disrepair.

5-8.5 Sign Illumination

Signs when illuminated shall have such lighting shielded so as not to directly shine on abutting properties or in the line of vision of the public using the streets or sidewalks.

No illumination simulating traffic control devices or emergency vehicles shall be used, nor shall lights which are intermittently switched on and off, changed in intensity or color, or otherwise displayed to create the illusion of flashing or movement be permitted.

Section 5-9. Sign Measurement

5-9.1 Sign Face Area

- (1) The area of a sign enclosed in frames or cabinets is determined by measuring the outer dimensions of the frame or cabinet surrounding the sign face (Illustration 1). Sign area does not include foundations or supports. Only one side of a double-faced or V-shaped, free-standing sign is counted.
- (2) 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 in the measurement unless it is clear that part of the base contains no sign related display or decoration.
- (3) For signs constructed of individual pieces attached to a building wall, sign area is determined by a perimeter drawn around all the pieces (Illustration 2).
- (4) For sign structures containing multiple modules oriented in the same direction, the modules together are counted as one sign face (Illustration 3).
- (5) The maximum surface area visible at one time of a round or three-dimensional sign is counted to determine sign area.
- (6) For signs incorporated into awnings, the entire panel containing the sign is counted as the sign face unless it is clear that part of the panel contains no sign related display or decoration.

5-9.2 Clearances

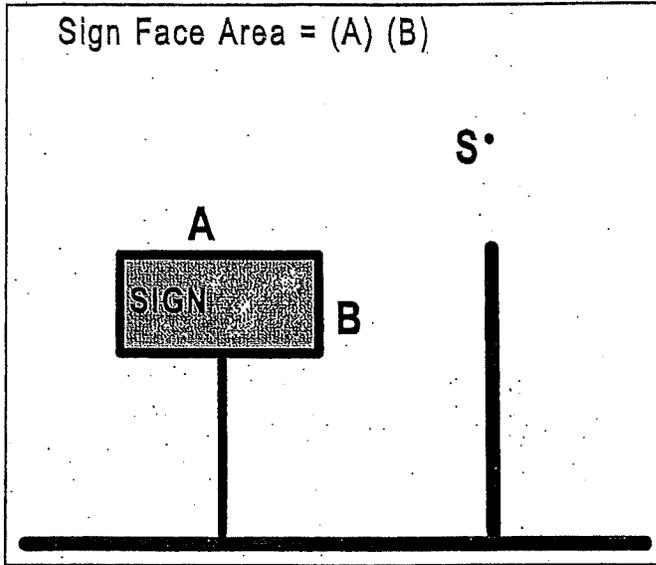
Clearances are measured from the grade directly below the sign to the bottom of the sign structure enclosing the sign face (Illustration 4).

Section 5-10. Removal of Signs

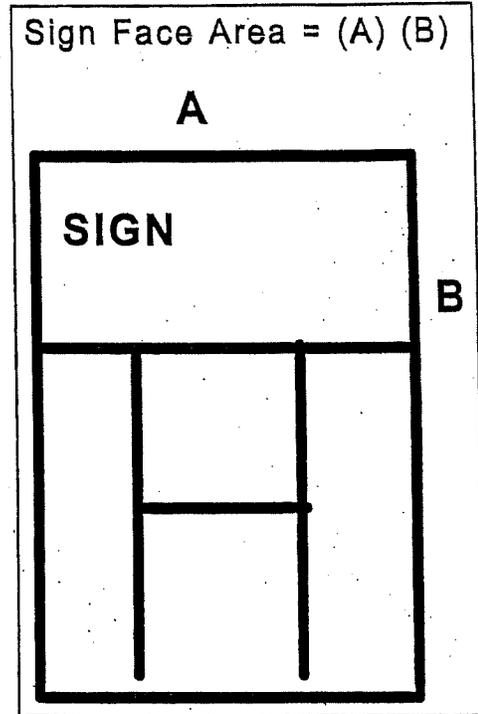
- (1) The lawful use of any permanently mounted sign existing at the time of the enactment of this Ordinance may be continued

Sign Measurement Illustrations

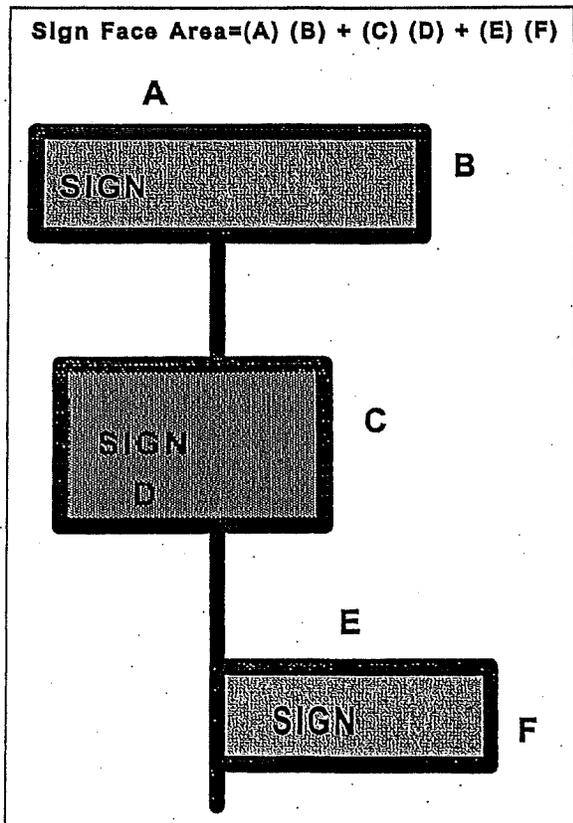
1.



2.



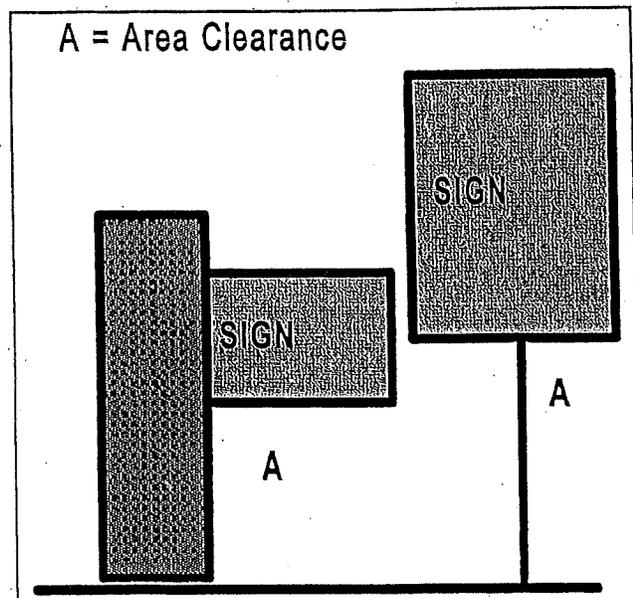
3.



4.

although such use does not conform with the provisions of this Ordinance, except those declared abandoned or dilapidated, which shall be removed or remedial action taken upon notification by the Zoning Administrator.

- (2) Any existing sign which is subsequently abandoned shall be removed, and any existing sign exceeding the allowable face area by 25 percent, and which is subsequently destroyed or damaged to the extent of 60 percent or more of its replacement cost, shall be removed or brought into conformity with these regulations.
- (3) Any nonconforming temporary sign shall be forthwith removed.
- (4) Temporary signs shall be removed no later than 60 days following initial display; political posters (signs) shall be removed within 10 days of an election.
- (5) An order under this Section shall be issued in writing to the owner or responsible party of any such sign, or of the building or premises on which such sign is located to comply within five (5) days time. Upon failure to comply with such notice, the Zoning Administrator may cause the sign to be removed and any costs of removal incurred in the process may be collected in a manner prescribed by law.



ARTICLE VI

SUPPLEMENTAL OFF-STREET PARKING AND LOADING REGULATIONS

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

Section 6-1. Off-Street Parking

6-1.1 General Requirements

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

6-1.2 Land To Provide Parking

Required off-street parking must be provided on the same lot or parcel as the principal use for which it is required.

6-1.3 Design Standards

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

(1) Parking Dimensions

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

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

(2) Construction, Paving

Expansive impervious surface parking lots shall be avoided. Instead parking lots shall be broken down into sections as appropriate for the type and size of the development, and shall be separated by landscaped dividing strips, berms and similar devices. Paving may consist of asphalt, crushed stone, gravel or other material approved by the Zoning Administrator. Parking lot construction shall be designed to minimize off-site storm water run off. **Must be dust free material.**

(3) Drainage

Parking lots shall be designed so as not to drain into or across public sidewalks or on to adjacent property, except into a natural watercourse or a drainage easement. In developed areas where this condition may be impossible to meet, the Zoning Administrator may exempt the developer from this requirement, provided that adequate provision is made for drainage.

(4) Separation From Walkways and Streets

Off-street parking spaces shall be separated from walkways, sidewalks, streets, or alleys, and required yards and buffer areas by a wall, fence, curbing, or other protective device approved by the Zoning Administrator. (See Section 4-3.6)

(5) Entrances and Exits

Landscaping, curbing or other approved barriers shall be provided along boundaries to control entrance and exit of vehicles or pedestrians. All off-street parking areas shall be designed so that all movement on to a public street is in a forward motion. Entrance and exit driveways to public streets and alleys in the vicinity of street intersections must be located at least forty (40) feet, measured along the curblines, from the intersection of the nearest curblines.

(6) Marking

Parking lots shall be marked by painted lines, curbs or other means to indicate individual spaces. Signs or markers, as approved by the Zoning Administrator, shall be used as necessary to ensure efficient traffic operation of the lot.

(7) Lighting

Adequate lighting shall be provided if off-street parking spaces are to be used at night. Equipment for lighting parking facilities shall be arranged so that light does not interfere with traffic or adjoining residential areas.

(8) Landscaping

Off-street parking areas shall be landscaped in accord with the provisions of Section 4-3.

6-1.4 Maintenance

All off-street parking areas shall be maintained in a clean, orderly, dust-free, and weed-free condition at the expense of the owner or lessee and not used for the sale, repair, or dismantling or servicing of any vehicles or equipment, except for service and auto repair stations.

6-1.5 Parking Space For The Physically Handicapped

When off-street parking is required for any building or use, except for residential dwellings with fewer than 20 units, parking for the handicapped shall be included when calculating the overall parking requirements for such building or use, based on the following formula:

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

Parking spaces for the physically handicapped shall measure 12 feet by 20 feet or 8 feet in width, with an adjacent access isle 8 feet in width, and shall be located as close as possible to ramps, walkways, and entrances. Parking spaces should be located so that physically handicapped persons are not compelled to wheel or walk behind parked cars to reach entrances, ramps and walkways.

Section 6-2. Off-Street Loading

All uses shall provide off-street loading space sufficient for their requirements. Such space shall be arranged so that no vehicle being loaded or unloaded in connection with normal operations shall stand in or project into a public street, walk, alley, or private street.

Off-street loading and unloading space shall in all cases be located on the same lot or parcel of land as the structures they are intended to serve.

Section 6-3. Approval of Parking and Off-Street Loading Plans and Layouts

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

ARTICLE VII

GENERAL PROVISIONS AND REGULATIONS

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

Section 7-1. Street Access

Each principal building shall be located on a lot or parcel having direct vehicular and pedestrian access to a publicly dedicated or publicly maintained street; or approved private street.

Section 7-2. Yard and Setback Modifications

7-2.1 Setbacks on Corner Lots

Where a side yard abuts a street, the minimum side yard requirements along the street shall be not less than the minimum front yard setback prescribed by Table II for the district in which the lot is located.

7-2.2 Front Yard Setbacks From Streets

The street (front yard) setback requirements of this Ordinance shall not apply on any lot where fifty (50) percent or more of the frontage between two (2) intersecting streets or within 200 feet on each side of such lot is improved with buildings that are setback from the street line or where all of the buildings, though occupying less than fifty (50) percent but more than twenty (20) percent of such frontage, are setback from the street line. In such cases the average alignment of the existing buildings shall be the minimum setback line. For the purpose of this Ordinance, the frontage along the side line of a corner lot is excluded.

7-2.3 Setbacks From Railroads

Structures within commercial and industrial districts which are adjacent to railroads may locate closer to the railroad right-of-way than the permitted side or rear yard setbacks of the respective zoning districts. However, the location must be in accordance with applicable railroad standards and conform to all other pertinent provisions of the Zoning Ordinance.

Every building or structure hereafter erected or established shall be located within the buildable area as defined by this Ordinance, and in no case shall such buildings extend beyond the buildable area into the respective front, side, rear yards or other setbacks required for the district in which the lot is located, except for the following:

- (1) Ornaments, eaves, chimneys, cornices, window sills, awnings and canopies, which may project into any required yard a distance not to exceed three (3) feet.
- (2) Accessory uses, as specified by Section 7-7.1.
- (3) Fences, walls, and hedges, provided that no such structure or hedge shall impede visibility as required by Section 7-6.

Section 7-5. Exceptions To Height Limitations

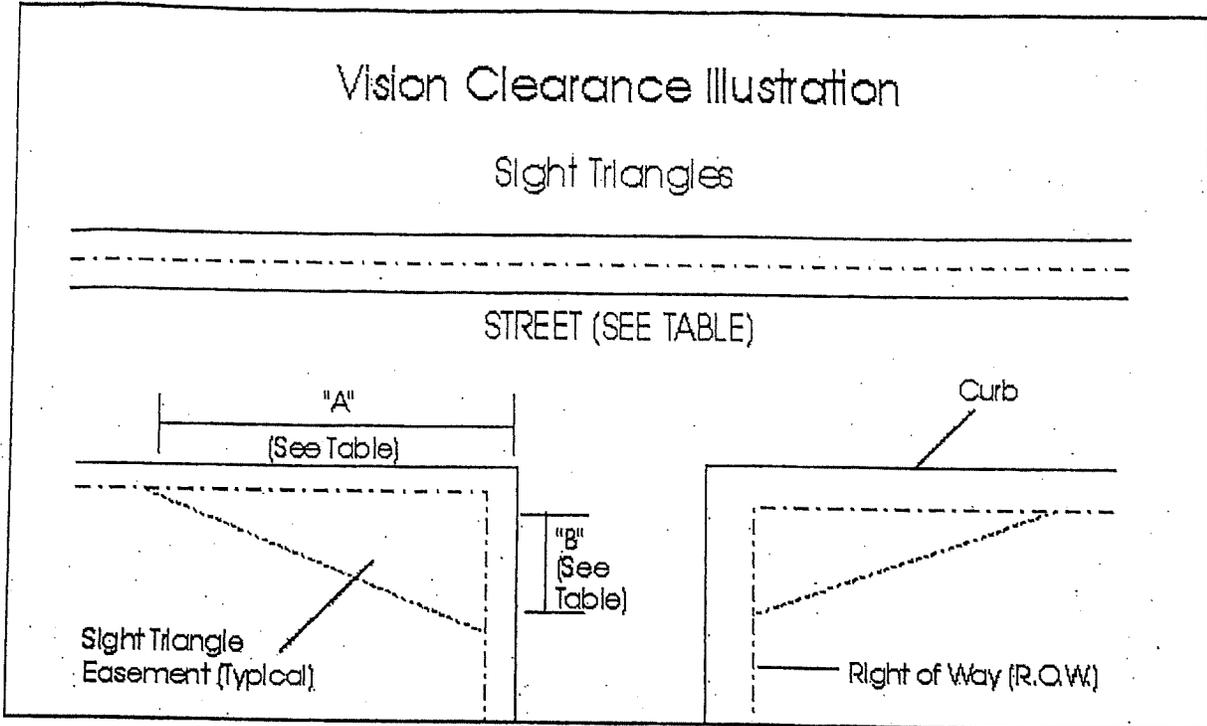
The height limitations of this Ordinance shall not apply to church spires, belfries, cupolas, domes not intended for human occupancy, monuments, water towers, utility poles, chimneys, conveyors, flag poles, masts, communication towers and antennas, or roof mounted mechanical equipment; provided, however, water towers, communication towers and antennas shall be separated from any adjoining property line in the R-1.4, R-I.5, R-I.7 and R-2 Residential Zoning Districts by a distance equal to one foot for each one foot in height, measured from the required property line.

Section 7-6. Visibility At Intersections

Visibility at railroad and street intersections shall be unobstructed. No planting shall be placed or maintained and no fence, building, wall or other structure shall be constructed after the effective date of this Ordinance, in such a manner as to obstruct visibility at intersections. No structure or planting shall be permitted at any point between a height of two and a half (2-1/2) feet and ten (10) feet above the upper face of the nearest curb (or street center line if no curb exists) and within the triangular area bounded on two sides by the street or railway right-of-way lines and on the third side by a straight line connecting points on the two street right-of-way lines as required by the vision clearance illustration. However, poles and support structures less than 12" in diameter may be permitted in such areas.

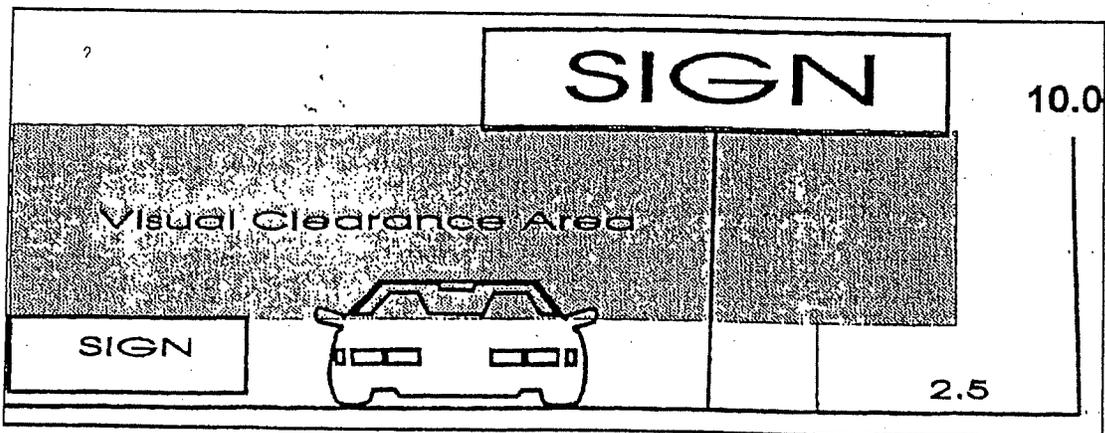
Vision Clearance Illustration

Sight Triangles



Typical Requirements By Street Type (Measured Along R.O.W. Line)

| "A" (Distance in Feet) | | "B" (Distance in Feet) | |
|------------------------|--------------|------------------------|-------|
| | | Minor | Major |
| 15 | Driveway | 10 | 10 |
| 30 | Minor Street | 20 | 30 |
| 45 | Major Street | 20 | 30 |



Section 7-7. Accessory Buildings and Uses

7-7.1 Generally

- (1) The number of accessory buildings shall not exceed two on any residentially zoned lot or parcel.
- (2) Accessory buildings in residential districts shall not be used for storage in connection with a trade.
- (3) Non-farm accessory buildings shall not exceed 50 percent of the Gross Floor Area (GFA) of the principal building or use.
- (4) The use of mobile homes as accessory buildings shall not be permitted in any zoning district.

7-7.2 Location

Accessory buildings and uses are permitted anywhere within the buildable area of a lot or parcel, and within required yards and setback areas under the following conditions:

- (1) Accessory buildings and uses are permitted in all required yards and setback areas in the C-1, C-2 and IND Districts; provided such uses are located no closer than five (5) feet to any front yard property line, are not located in any required buffer area or setback contiguous to any property zoned R-1.4, R-I.5, R-I.7, R-2, HC or MU and otherwise comply with the regulations for accessory uses in said districts.
- (2) Accessory buildings and uses in the R-1.4, R-I.5, R-I.7, R-2, HC, MU and FA Districts are permitted within required yards and setback areas; provided no such uses shall be closer than five (5) feet to any property line, and where indicated shall meet the following conditions.

ACCESSORY USE

CONDITIONS

Off-Street Parking

Not more than four off-street parking spaces shall be allowed in any required front yard.

Accessory buildings, including garages, carports, domestic kennels, storage sheds, satellite dishes, ham radio ground supported TV antennas, etc.

Are permitted in required rear and side yards only, and if located in the buildable area shall not extend or be located in front of any principal building.

Swimming pools, tennis courts, recreational uses

Are permitted in all required yards; provided said uses shall be no closer than 10 feet to the nearest residential property line, and shall have all lighting shielded or directed away from adjoining residences.

Section 7-8. Use of Land or Structures

7-8.1 Conformity With Regulations

No land or structure shall be used or occupied, and no structure or portions thereof shall be constructed, erected, altered, or moved, unless in conformity with all of the regulations specified for the district in which it is located.

No structure shall be erected or altered:

- (1) with greater height, size, bulk, or other dimensions,
- (2) to accommodate or house a greater number of families,
- (3) to occupy a greater percentage of lot area,
- (4) to have narrower or smaller rear yards, front yards, side yards or other open spaces, than required by this Ordinance, or in any other manner contrary to the provisions of this Ordinance.

7-8.2 Number of Principal Buildings Per Lot

Except for the following uses and projects, no more than one principal building may be located upon a lot of record.

- (1) Institutional buildings
- (2) Industrial buildings
- (3) Multi-family dwellings, apartments
- (4) Commercial buildings
- (5) Manufactured Home Parks

Where more than one principal building is located on a lot, the required setbacks for the district shall be maintained along all property lines, and distances between principal buildings shall be approved by the Fire Chief prior to permitting.

7-8.3 Minimum Requirements Established

The minimum lot area, yards, buffer areas, and open space required by these regulations for each lot, parcel or building existing at the time of the passage of this Ordinance shall not be encroached upon or reduced, or considered as required yards or open space for any other building. Yards or lots created after the effective date of this Ordinance shall meet at least the minimum requirements established by this Ordinance for the district in which they are created.

Section 7-9. Nonconformities

7-9.1 Existing Nonconforming Lots Of Record

Where the owner of a lot at the time of the adoption of this Ordinance does not own sufficient land to enable him to conform to the dimensional requirements of this Ordinance, such lot may nonetheless be used as a building site and the Zoning Administrator is authorized to issue a permit for the use of the property provided that all applicable setback requirements are not reduced below the minimum specified in this Ordinance by more than 20%. Dimensional (setback) reductions greater than 20% shall be referred to the Board of Zoning Appeals for consideration, observing normal review procedures. If, however, the owner of two or more adjoining lots with insufficient land dimensions decides to build on or sell off these lots, they must first be combined to comply with the dimensional requirements of this Ordinance.

7-9.2 Existing Nonconforming Uses, Buildings, and Structures

Nonconforming uses, buildings, or structures are declared by this Ordinance to be incompatible with permitted uses in the districts in which they are located.

However, to avoid undue hardship, the lawful use of any such use, building or structure at the time of the enactment, amendment, or revision of this Ordinance may be continued even though such structure does not conform with the provisions of this Ordinance, except that said nonconforming use, building, structure or portions thereof shall not be:

- (1) **Changed to another nonconforming use** which would not otherwise be permitted in the same zoning district in which the existing nonconforming use is permitted.
- (2) **Repaired, rebuilt, or altered after damage** exceeding sixty (60) percent of its replacement cost at the time of destruction. Reconstruction to begin within six (6) months after damage is incurred. Structures with less than 60 percent damage may be repaired or rebuilt provided said repair or alteration does not increase the nonconformity of side, rear or front yard setbacks or other applicable requirements or reduce the amount of off-street parking below the amount provided prior to such damage. The provision of this sub-section shall not apply to any residential unit, which unit may be reestablished, irrespective of the amount of damage.
- (3) **Enlarged or extended by more than 10% of the gross floor area.** Where such enlargement is proposed, it shall be allowed only if all applicable setbacks, buffer area and off-street parking requirements are met.
- (4) **Reused, reestablished, reoccupied or replaced** after discontinuance, physical removal, or relocation of the use or structure from its original location, except in accord with the following schedule:
 - (a) Non-conforming mobile homes and/or manufactured homes, once removed shall not be replaced by another mobile home but may be replaced by a manufactured home, provided such manufactured

home is in full compliance with the siting requirements of Section 3-2 and the habitability requirements of Section 3-3.

- (b) Nonconforming buildings structurally designed for commercial or other non-residential uses may be renovated and reoccupied at any time, provided that:
 - 1. All off-street parking requirements associated with the new occupant (use) shall be met on site,
 - 2. Buffer area requirements of Section 4-1 shall be met,
 - 3. The reoccupied use shall be permitted in the HC and/or MU Zone Districts,
 - 4. There is no encroachment into existing side, rear or front yard setbacks.
- (c) All other nonconforming buildings or uses shall have 180 days in which to reuse, reoccupy, or reestablish such nonconforming use or forego the right to do so under the provisions of this Section.

Section 7-10. Parking, Storage or Use of Campers or Recreational Vehicles in Residential Zones

No recreational vehicle or boat in excess of 17 feet shall be parked or stored in any required front or side yard setback area or within 5 feet of the rear lot line in a residential district; however, such use may be parked anywhere on a residential premise for a period not to exceed twenty-four (24) hours during loading or unloading, and recreational vehicles may be used for temporary lodging, up to seven (7) days.

Section 7-11. Parking, Storage and Use of Non-Recreational Vehicles and Equipment in Residential Zones

- (1) No automobile, truck or trailer of any kind or type, without current license plates, shall be parked, and construction equipment shall not be stored on any lot zoned for residential use, other than in completely enclosed buildings, or physically removed from vision from the public street serving the property.

- (2) Parking of vehicles, implements and/or equipment used for commercial, industrial, farm or construction purposes in the R-1.4, R-I.5, R-I.7 and R-2 Districts shall be limited to one vehicle per residence, with a capacity no greater than 2 tons.
- (3) Vehicles with capacity greater than 2 tons and used for commercial, industrial, farm or construction purposes are prohibited from parking in the above referenced Zoning Districts, including the street/highway right-of-way in such districts, when not actively involved in commerce.

ARTICLE VIII

ADMINISTRATIVE PROCEDURES AND ENFORCEMENT REGULATIONS

Section 8-1. Administration and Enforcement

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

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

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

Section 8-2. Administrative Procedures and Requirements

No building, structure or sign requiring a permit or any part thereof shall be erected, added to or structurally altered, nor shall any excavation or grading be commenced until the required permits have been issued.

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

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

The provisions of this Section shall not apply to the necessary construction,

replacement or maintenance by a public utility of its outside plant facilities, including such items as poles, crossarms, guys, wire, cable and drops.

8-2.1 Filing Applications

Applications for permits shall be signed by the owner or his/her designee and shall be filed on forms provided by the Zoning Administrator.

8-2.2 Application Requirements for a Grading (Land Disturbing) Permit

Requirements for a grading permit are contained in the South Carolina Stormwater Management and Sediment Reduction Regulations hereby adopted by reference.

8-2.3 Application Requirements for a Building Permit

Each application for a permit for a building or structure other than a sign shall be accompanied by two (2) sets of the following or as much thereof as the Zoning Administrator shall find necessary to determine whether the proposed building or use will be in compliance with the provisions of this Ordinance.

A plat and/or Site Plan showing:

- (1) date and scale,
- (2) actual shape and dimensions of the lot to be built upon,
- (3) size, height and location on the lot of existing and proposed buildings and structures;
- (4) existing and intended use of each building or part of a building,
- (5) number of families or housekeeping units,
- (6) location of existing trees 10" DBH,
- (7) flood and wetland areas,
- (8) proposed parking, buffer areas, and landscaping,
- (9) building elevations, and
- (10) such other information with regard to the lot and contiguous land uses as required to determine compliance with and provide for the enforcement of this Ordinance.

8-2.4 Application Requirements For a Sign Permit

Each application to erect a sign, where a sign permit is required by this Ordinance, shall be accompanied by the following information:

- (1) Common signage plan, where applicable, in accord with the requirements of Section 5-4.
- (2) Identification of ownership and/or leaseholder of property on which the sign is to be erected, including street address.
- (3) Name and address of the owner of the sign.
- (4) Site plan with dimensions (non-professionally drafted plan is acceptable) showing the location of the sign with respect to the property and right-of-way lines, building and setback lines, and buildings, parking areas, existing free-standing signs, and buffer areas.
- (5) Correct size, shape, configuration, face area, height, nature, number and type of sign to be erected.
- (6) The value of the sign and sign structure.
- (7) The Zoning Administrator may waive any of the informational requirements listed above deemed unnecessary to process an application.
- (8) For signs exceeding thirty-two (32) square feet in area, the applicant shall include a drawing by a registered South Carolina engineer or architect and a written certification from a registered South Carolina engineer or architect that the sign is structurally sound and safe, does not constitute a hazard to persons or property on the premises, on adjoining property, or in the vicinity of its location, that the sign is in compliance with all requirements of building or other construction codes and the requirements of this Ordinance.

Section 8-3. Expiration of Building/Sign Permits

If the work described in any Building or Sign Permit has not begun within six (6) months from the date of issuance thereof, said permit shall expire; it shall be canceled by the Zoning Administrator or Building Official, and written notice thereof shall be given to the persons affected.

Section 8-4. Inspections for Compliance

The Zoning Administrator and/or other appropriate city officials may make or require inspections of any land disturbing activity, construction or maintenance requirements to ascertain compliance with the provisions of this Ordinance and to ascertain compliance with approved permit applications, plats and/or plans prior to issuance of a certificate of occupancy.

Section 8-5. Application for a Certificate of Occupancy; Certificate Required

Upon completion of the construction or alteration of a building or structure for which a building permit has been granted, application shall be made to the Zoning Administrator or Building Official for a certificate of occupancy. Within three (3) days of such application, the Zoning Administrator shall make a final inspection of the property in question, and shall issue a certificate of occupancy if the building or structure is found to conform to the provisions of the ordinance and the statements made in the application for the building permit. If such a certificate is refused, the Zoning Administrator shall state such refusal in writing with the cause. No land or building hereafter erected or altered in its use, shall be used until such a certificate of occupancy has been granted. No non-conforming structure or use shall be maintained, renewed, changed, or extended until a certificate of zoning compliance shall have been issued.

Section 8-6. Complaints Regarding Violations

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

Section 8-7. Penalties For Violation

Any persons violating any provision of this Ordinance shall upon conviction be guilty of a misdemeanor and shall be fined as determined by the Court for each offense.

Where any building, structure or sign is or is proposed to be erected, constructed, reconstructed, altered, converted or maintained, or any building, structure, sign or land is or is proposed to be used in violation of this Ordinance, the Zoning Administrator or other appropriate administrative officer, may in accord with the provisions of Section 56-7-80 of the South Carolina Code of Laws 1976, as amended, issue an ordinance summons, or institute injunction, mandamus, or other appropriate action or proceeding to prevent such unlawful erection, construction, reconstruction, alteration, conversion, maintenance, or use; or to correct or abate the violation or to prevent the occupancy of the building, structure or land. Each day such unlawful erection, construction, reconstruction, alteration, conversion, maintenance or use continues shall be deemed a separate offense.

Section 8-8. Right of Appeal

Any decision or determination by the Zoning Administrator may be appealed to the Board of Zoning Appeals.

Section 8-9. Establishment of Board of Zoning Appeals

A Board of Zoning Appeals is hereby established. Said Board shall consist of five (5) members, who shall be citizens of the city and shall be appointed by the Mayor and City Council for overlapping terms of four years. Any vacancy in the membership shall be filled for the unexpired term in the same manner as the initial appointment and any member may be removed by the City Council for cause, after a public hearing. Members shall serve without pay, but may be reimbursed for any expenses incurred while representing the Board.

8-9.1 Proceedings of the Board of Zoning Appeals

The Board of Zoning Appeals shall elect a Chairman and a Vice-Chairman from its members, who shall serve for one year, or until reelected. The Board shall appoint a Secretary, who may be a city officer or a member of the Board of Zoning Appeals. The Board shall adopt rules and by laws in accordance with Section 6-29-790 of the South Carolina Code of Laws. Meetings of the Board shall be held at the call of the Chairman and at such other times as the Board may determine.

All meetings of the Board shall be open to the public. A quorum shall be required to take any official action by the Board. Three members present shall constitute a quorum.

8-9.2 Appeals to the Board of Zoning Appeals; Hearings and Notices

Appeals to the Board shall be taken within 30 days of the date of the action which is appealed, by filing notice of appeal with the Zoning Administrator, who shall forthwith transmit to the Board all the papers constituting the record upon which the action appealed was taken.

An appeal stays all legal proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken certifies to the Board, after the notice of appeal shall have been filed with him/her, that by reason of facts stated in the certificate a stay would, in his/her opinion, cause imminent peril to life and property. In such case, proceedings shall not be stayed except by a restraining order which may be granted by the Board or by a court of record on application, on notice to the Zoning Administrator and on due cause shown.

The Board of Zoning Appeals shall fix a reasonable time for the hearing of the appeal or other matter referred to it, and give at least 15 days public notice thereof in a newspaper of general circulation in the community, as well as due notice to the parties in interest, and decide the same within a reasonable time. At the hearing any party may appear in person or by agent or by attorney.

8-9.3 Powers and Duties of the Board of Zoning Appeals

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

- (1) **To Hear and Decide Appeals, Generally.** To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the Zoning Administrator in the enforcement of this Ordinance.
- (2) **To Grant Variances, Generally.** To authorize upon appeal in specific cases a variance from the terms of the Ordinance as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of the Ordinance will, in an individual case, result in the unnecessary hardship so that the spirit of the Ordinance shall be observed, public safety and welfare secured,

and substantial justice done. Such variance may be granted in such individual case of unnecessary hardship if the Board makes and explains in writing the following findings:

- (a) There are extraordinary and exceptional conditions pertaining to the particular piece of property;
- (b) These conditions do not generally apply to other property in the vicinity;
- (c) Because of these conditions, the application of the Ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
- (d) The authorization of a 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.

The Board may not grant a variance the effect of which would be to allow the establishment of a use not otherwise permitted in a zoning district, to extend physically a nonconforming use of land, or to change the zoning district boundaries shown on the official zoning map. The fact that property may be utilized more profitably, should a variance be granted, may not be considered grounds for a variance.

8-9.4 Decisions of the Board of Zoning Appeals

In exercising the above powers, the concurring vote of two-thirds of the members present and voting shall be required to reverse or affirm, wholly or in part, or modify any order, requirement, decision, or determination of the Zoning Administrator, or to decide in favor of the applicant on any matter upon which it is required to pass under this Ordinance, and to that end, shall have the powers of the officer from whom the appeal is taken and may direct the issuance of a permit. The Board, in the execution of the duties for which appointed, may subpoena witnesses and, in case of contempt may certify such fact to the Circuit Court having jurisdiction.

All final decisions and orders of the Board must be in writing and be permanently filed in the office of the Board as public record. All findings of fact and conclusions of law must be separately stated in final decisions or orders of the Board which must be delivered to parties of interest by certified mail.

Section 8-10. Appeal From Board of Zoning Appeals to Circuit Court

A person who may have a substantial interest in any decision of the Board of Appeals or an officer or agent of the City of Loris may appeal from a decision of the Board to the Circuit Court in and for the county by filing with the Clerk of Court a petition in writing setting forth plainly, fully and distinctly why the decision is contrary to law. The appeal must be filed within thirty (30) days after the decision of the Board is mailed.

ARTICLE IX
AMENDMENTS

Section 9-1. Authority

This Ordinance, including the official zoning map, may be amended from time to time by the City Council as herein specified, but no amendment shall become effective unless it shall have been proposed by or shall have first been submitted to the Planning Commission for review and recommendation.

Section 9-2. Procedure

Requests to amend the Zoning Ordinance shall be processed in accordance with the following procedures:

- (1) **Initiation of amendments:** A proposed amendment to the Zoning Ordinance may be initiated by the Planning Commission, City Council or by application filed with the Planning Commission by the owner or owners of any property proposed to be changed; provided however, that action shall not be initiated for a zoning amendment affecting the same parcel or parcels of property or any part thereof, by a property owner or owners more often than once every twelve (12) months.

- (2) **Application procedure:** Application forms for amendments shall be obtained from the office of the Zoning Administrator. Completed forms, together with the required application fee to cover administrative costs (advertising), plus any additional information the applicant feels to be pertinent, shall be filed with the Zoning Administrator. Any communication purporting to be an application for an amendment shall be regarded as mere notice to seek relief until it is made in the form required.

Applications for amendments must be received in proper form, at least two (2) weeks prior to a Planning Commission meeting in order to be heard at that meeting.

- (3) **Review by the Planning Commission:** All papers and other data submitted by the applicant on behalf of the amendment request shall be transmitted by the Zoning Administrator to the Planning Commission.

The Planning Commission, at regular meetings, shall review and prepare a report, including its recommendation for transmittal to City Council.

All meetings of the Planning Commission shall be open to the public. At a meeting, any party may appear in person or by agent, or by attorney.

No member of the Planning Commission shall participate in a matter in which he has any pecuniary or special interest.

- (4) **Report of Planning Commission:** Following review of the proposed amendment, the Planning Commission shall reach a decision regarding said amendment and report its findings and recommendation to City Council for final action to be preceded by an advertised Public Hearing.

The Planning Commission shall have thirty (30) days within which to submit its report. If the Planning Commission fails to submit a report within the thirty-day period, it shall be deemed to have approved the proposed amendment. No change in or departure from the text or maps as recommended by the Planning Commission may be made pursuant to the public hearing unless the change or departure first be submitted to the Planning Commission for review and recommendation.

Section 9-3. Notice of Public Hearing

9-3.1 Public Notice

In scheduling a public hearing for a proposed zoning map and/or text amendment, notice of the time and place shall be published in a newspaper of general circulation in the city at least fifteen (15) days in advance of the scheduled public hearing.

The City Council shall hold such hearing and act on the proposed amendment within sixty (60) days of receipt of the Planning Commission's recommendation on the application.

9-3.2 Posting of Property

In cases involving rezoning, conspicuous notice shall be posted on or adjacent to the property affected, with at least one such notice being visible from each public thoroughfare that abuts the property. Such notice shall be posted at least 15 days prior to the announced hearing, indicating the nature of the proposed change, identification of the affected property, and time, date and place of the hearing.

Section 9-4. Action By City Council

The City Council shall take action to approve, disapprove, modify, or remand the matter back to the Planning Commission on the proposed amendment within 60 days of receipt of the Planning Commission's recommendation on an application. If no action is taken by the City Council within such time, the proposed amendment shall be considered denied, unless otherwise specified by Council.

Following final action by City Council, any necessary changes shall be made to the official zoning map and/or text. A written record of the type and date of such change shall be maintained by the Clerk of Council.

ARTICLE X

DEFINITIONS

Words not defined herein shall have the meanings stated in the Standard Building Code, Standard Plumbing Code, Standard Gas Code or Standard Fire Prevention Code. Words not defined in the Standard Codes shall have the meanings in Webster's Ninth New Collegiate Dictionary, as revised.

Words in the present tense include the future tense. Words used in the singular include the plural, and words used in the plural include the singular.

The word "shall" is always mandatory.

The word "may" is permissive.

The word "lot" includes the word "plot" or "parcel".

The word "person" includes a firm, association, organization, partnership, trust company, or corporation, as well as an individual.

The word "used" or "occupied" as applied to any land or building shall be construed to imply that said land or building is in actual use or occupancy and shall be construed to include the words "intended," "arranged," or "designed to be used or occupied". An intended project shall be defined as one where substantial monies have been spent towards the goal of the project.

The word "map" or "zoning map" shall mean the Official Zoning Map of the City of Loris, South Carolina.

The term "Planning Commission" refers to the Planning Commission for the City of Loris. The term Council, Mayor and Council, or City Council shall mean the legally elected governing body of the City of Loris. The term "Board of Zoning Appeals" refers to the Board of Zoning Appeals for the City of Loris.

Animal Shelter, Domestic - A pen, shelter, or structure where no more than three dogs or small domestic animals, not to include horses, cows, goats, swine including pot bellied pigs, sheep, ponies, grazing animals and fowl of any kind, are boarded or kept.

Buildable Area - That portion of any lot which may be used or built upon in accordance with the regulations governing the zoning district within which the lot is located when the front, side and rear yard, open space, and applicable buffer area requirements have been met.

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

Building, Accessory - A subordinate structure on the same lot and detached from the principal or main building or use occupied or devoted to a use incidental to the principal use. Included in this definition are private garages, storage sheds, workshops, domestic animal shelters, pool houses, etc., when detached from the principal building, and carports attached to the principal building when at least 75 percent open or unenclosed.

Building, Principal - A building in which is conducted, or in which is intended to be conducted, the main or principal use of the lot on which it is located.

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

Child Care Services - Child care services shall mean and include any home, center, agency or place, however styled, where children not related to the operator are received for custodial care, apart from their parents, whether for compensation, reward, or otherwise during part or all of the day or night and upon any number of successive days or nights.

Club, Private - An organization catering exclusively to members and their guests including buildings and grounds with commercial activities serving the membership only.

Cluster Development - A form of development for single-family residential subdivisions that permits a reduction in lot area and bulk requirements, provided there is no increase in the number of lots permitted under a conventional subdivision and the resultant land area is devoted to open space.

Conditional Use - A use of land or structure which is permitted in a district under conditions specified in the zoning ordinance.

Condominium - A unit in a multi-unit structure owned by an individual who has use of all common areas associated with that structure.

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

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

Development - Any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

Driveway - A paved or unpaved area used for ingress and egress of vehicles, and allowing access from a street to a building or other structure or facility.

Dwelling - A building or portion of a building arranged or designed exclusively for human habitation.

Dwelling, Apartment - (See dwelling, multi-family)

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

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

Dwelling, Duplex - A building containing two dwelling units.

Dwelling, Group Occupied - A dwelling unit occupied by five (5) or more individuals unrelated by blood, marriage, adoption, or guardianship living together as a single housekeeping unit.

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

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

Dwelling, Multi-Family - A building containing five or more dwelling units.

Dwelling, Patio House - A single-family detached or semi-detached dwelling unit. It is built on a small lot generally enclosed by walls which provide privacy. The term is synonymous with zero lot line dwellings.

Dwelling, Quadruplex - A building containing four dwelling units.

Dwelling, Single-family - A building containing one dwelling unit.

Dwelling, Townhouse - A series of attached dwelling units on separate lots which may or may not have a common roof and are separated from each other by common vertical walls.

Dwelling, Triplex - A single building containing three dwelling units.

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

Dwelling, Zero Lot Line - A zero lot line dwelling is a single-family detached unit which instead of being centered on a lot, is placed against at least one of the side lot lines. The term is synonymous with patio house.

Evergreen Tree - A coniferous or deciduous tree that remains green throughout the year.

Factory-built Housing - A three dimensional, transportable, factory-built structure designed for long term residential use. Such housing includes manufactured, mobile and modular homes.

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

Family Day Care Home - A family day care home is one in which care is given by a family member and no others during the day only for one and not more than seven children, including the day care parents' own children.

Federal Manufactured Home Construction and Safety Standards - Regulations promulgated by the Department of Housing and Urban Development (HUD) governing the design and construction, strength and durability, transportability, fire resistance, energy efficiency and quality of manufactured housing. These standards also set performance requirements for heating, plumbing, air conditioning, thermal and electrical systems.

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

Floor - The top surface of an enclosed area in a building (including basement), i.e. top of slab in concrete slab construction or top of wood flooring in wood frame construction. Term does not include floor of a garage used solely for parking vehicles.

Floor Area - The sum of the floor area for each of a building's stories measured from the exterior limits of the faces of the structure, including basement floor area. It does not include unenclosed porches or any floor space in an accessory building or in the principal building which is designed for parking of motor vehicles.

Floor Area Ratio - An intensity measure of land use derived at by dividing the total floor area of a building by the total site area.

Garage, Private - (As defined by the Standard Building Code.)

Garage, Public - (As defined by the Standard Building Code.)

Habitable Dwelling - A dwelling meeting the minimum habitability requirements of this Ordinance, and other applicable regulations.

Height - The vertical distance of a structure or vegetation measured from the average grade elevation within 20 feet of the structure to the highest point of the structure.

Home Occupation - Any occupation within a dwelling, including a hobby and clearly incidental thereto, carried on by a member or members of the family residing on the premises and not more than one additional person, provided that:

- (1) The occupation shall be carried on wholly within the principal dwelling.
- (2) The floor area dedicated to such use shall not exceed 25% or 600 square feet of the floor area of the dwelling.
- (3) No activity shall be conducted outside, nor shall there be any outdoor storage, display or refuse.
- (4) No signs shall be allowed, except in conformance with the zone district regulations within which the use is located.
- (5) No merchandise or articles shall be displayed so as to be visible from outside the dwelling.
- (6) No alteration of the residential character of the dwelling and/or premises shall be allowed.
- (7) The occupation, profession or trade must be properly licensed by the city and generate no noise, glare, heat, vibration, smoke, dust, or odor perceptible to adjacent uses.
- (8) The occupation shall not involve on-premise display and sale of merchandise.

Impervious Surface - Impervious surfaces are those that do not absorb water. All buildings, paved parking areas, driveways, roads, sidewalks, and any areas in concrete or asphalt shall be considered impervious surfaces within this definition. In addition, other areas determined by the Building Official to be impervious within the meaning of this definition also will be classed as impervious surfaces.

Impervious Surface Ratio - The impervious surface ratio is a measure of the intensity of land use. It is determined by dividing the total area of all impervious surfaces within the site by the total site area.

Institutional Uses - Uses which are supportive of the residential community. They provide indoor space for recreation, hobbies, meetings, education, day care and head start services, and worship as well as cultural facilities, group quarters for religious groups and the infirm or elderly. While some uses may be operated for private profit they duplicate services that are generally provided by public or non-profit groups.

Junk or Salvage - Any materials consisting of waste, discarded or salvage matter which is bought, sold, exchanged, stored, baled, packed or disassembled for profit, trade or hire, and shall include any vehicle damaged so as not to comply with state or federal safety regulations, incapable of self-propulsion or partially dismantled if retained on the premises for more than seventy-two (72) hours whether for repair or not. The term junk shall also mean, but not be limited to old or scrap copper, brass, aluminum, rope, rags, paper, trash, tire carcasses, rubber debris, old vehicle parts, non-working major appliances, and other old ferrous or non-ferrous material.

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

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

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

Lot, Double Frontage - A lot which has frontage on more than one street.

Lot, Interior - A lot, other than a corner lot, which has frontage on only one street other than an alley.

Lot, Depth - The horizontal distance between front and rear lot lines.

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

Lot, Width - The horizontal distance between the side lines of a lot measured at right angles to its depth along a straight line parallel to the front lot line at the minimum required building setback line.

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

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

Mini-warehouse - A building or group of buildings in a controlled-access and fenced compound that contains individual, compartmentalized and controlled-access stalls or lockers for the dead storage of customer's goods or wares.

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

Mobile or Manufactured Home Park Space - A plot or ground within a mobile or manufactured home park designed for the accommodation of one unit.

Modular Building Unit or Modular Structure - Any building of closed construction, regardless of type of construction or occupancy classification, other than a mobile or manufactured home, constructed off-site in accordance with the applicable codes, and transported to the point of use for installation or erection. When meeting the requirements of the Modular Building's Construction Act (23-43-10 of the S. C. Code of Laws), said building unit or structure may be located in any of the city's several zoning districts.

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

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

Open Space Ratio - The open space ratio is a measure of the intensity of land use. It is arrived at by dividing the total amount of open space within the site by the Total Site Area.

Parcel - A land area bounded by property lines that is recognized as such by the County Assessor's Office.

Park - A public facility open for recreation, with commercial activities for recreational uses only, open space and public gardens.

Premises - A lot, plot, or parcel of land including the buildings or structures thereon, under control by the same owner or operator together with all adjacent land.

Sexually Oriented Businesses - For purposes of this Ordinance, sexually oriented businesses shall mean and include the following:

(1) **Adult Arcade.** Any place to which the public is permitted or invited wherein coin-operated or slug-operated or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are maintained to show images to five (5) or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by the depicting or describing of "specified sexual activities" or "specified anatomical areas".

(2) **Adult Bookstore or Adult Video Store.** A commercial establishment which, as one of its principal business purposes, offers for sale or rental for any form of consideration any one or more of the following:

- a. Books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes or video reproductions, slides or other visual representations which depict or describe "specified sexual activities" or "specified anatomical areas"; or
- b. Instruments, devices, or paraphernalia which are designed for use in connection with "specified sexual activities". A commercial establishment may have other principal business purposes that do not involve the offering for sale or rental of material depicting or describing "specified sexual activities" or "specified anatomical areas" and still be categorized as an adult bookstore or adult video store. Such other business purposes will not serve to exempt such commercial establishment from being categorized as an adult bookstore or adult video store so long as: one of its principal business purposes is the offering for sale or rental for consideration the specified materials which depict or describe "specified sexual activities" or "specified anatomical areas".

(3) **Adult Cabaret.** A nightclub, bar, restaurant or similar commercial establishment which regularly features:

- a. Persons who appear in a state of nudity; or
- b. Live performances which are characterized by the exposure of "specified anatomical areas" or by "specified sexual activities"; or
- c. Films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the description of

"specified sexual activities" or "specified anatomical areas".

(4) **Adult Motel.** A hotel, motel or similar commercial establishment which:

- a. Offers accommodations to the public for any form of consideration; provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas"; and has a sign visible from the public right-of-way which advertises the availability of this adult-type of photographic reproductions; or
- b. Offers a sleeping room for rent for a period of time that is less than ten (10) hours; or
- c. Allows a tenant or occupant of a sleeping room to subrent the room for a period of time that is less than ten (10) hours.

(5) **Adult Motion Picture Theater.** A commercial establishment where, for any form of consideration, films, motion pictures, video cassettes, slides or similar photographic reproductions are regularly shown which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas".

(6) **Adult Theater.** A theater, concert hall, auditorium or similar commercial establishment which regularly features persons who appear in a state of nudity or live performances which are characterized by the exposure of "specified anatomical areas" or by "specified sexual activities".

(7) **Sexual Encounter Center.** A business or commercial enterprise that, as one of its primary business purposes, offers for any form of consideration:

- a. Physical contact in the form of wrestling or tumbling between persons of the opposite sex; or
- b. Activities between male and female persons and/or persons of the same sex when one or more of the persons is in a state of nudity or seminude.

1) **Sign** - Any object, device, display or structure, or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination or projected images. Flags are not signs.

Sign, Abandoned - A sign structure not containing a sign for 120 continuous days or a sign not in use for 120 continuous days, or a sign advertising a business no longer occupying the site on which the sign exists or to which it refers.

Sign, Animated - Any sign that uses movement or change of lighting to depict action or creates a special effect or scene.

Sign, Awning, Canopy or Marquee - A sign that is mounted or painted on or attached to an awning, canopy or marquee.

1) **Sign, Banner** - Any sign of lightweight fabric or similar material that is permanently mounted to a pole or a building by a permanent frame at one or more edges. National flags, state or municipal flags, or the official flag of any institution or business shall not be considered banners.

Sign, Bench - A sign located on any part of the surface of a bench or seat placed on or adjacent to a public right-of-way.

Sign, Building - Any sign attached to any part of a building.

Sign, Changeable Copy - A sign or portion thereof with characters, letters or illustrations that can be changed or rearranged without altering the face or the surface of the sign. A sign on which the message changes more than eight times per day shall be considered an animated sign and not a changeable copy sign for purposes of this Ordinance. A sign on which the only copy that changes is an electronic or mechanical indication of time or temperature shall be considered a "time and temperature" portion of a sign and not a changeable copy sign for purposes of this Ordinance.

Sign, Face - The area or display surface used for the message.

1) **Sign, Free-Standing** - Any nonmovable sign not affixed to a building.

Sign, Incidental - A sign, generally informational, that has a purpose secondary to the use of the zone lot on which it is located, such as "no parking", "entrance", "loading only", "telephone", and other similar directives. No sign with a commercial message legible from a position off the zone lot on which the sign is located shall be considered incidental.

Sign, Pennant - Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move in the wind.

Sign, Permanent - A sign attached to a building, structure or the ground in some manner and made of materials intended for more than short term use.

Sign, Political - A temporary sign announcing or supporting political candidates or issues in connection with any national, state or local election.

Sign, Portable - A sign that is not permanently affixed to a building, structure or the ground.

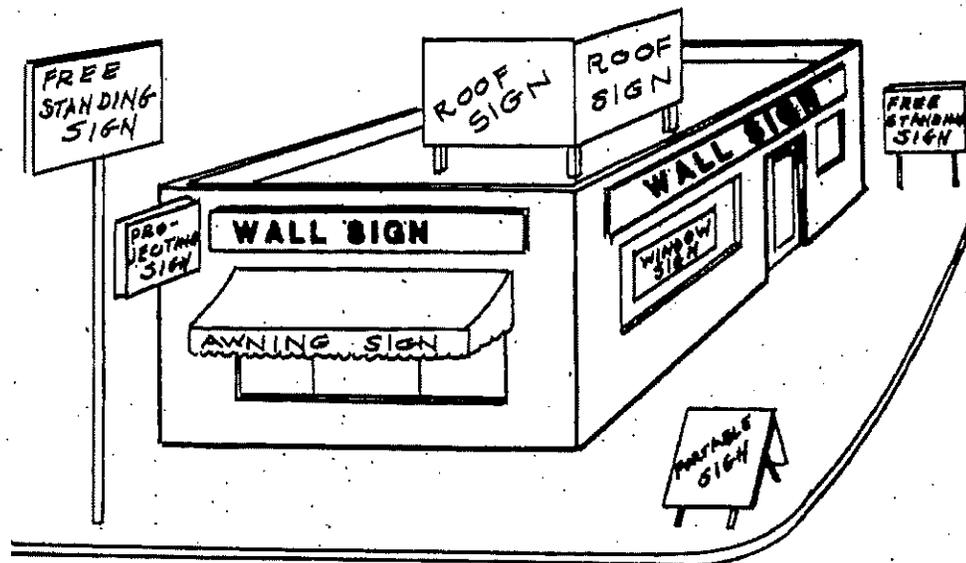
Sign, Projecting - A sign that is wholly or partly dependent upon a building for support and which projects more than 12 inches from such building.

Sign, Roof - A sign that is mounted on the roof of a building or which is wholly dependent upon a building for support and which projects above the point of a building with a flat roof, the eave line of a building with a gambrel, gable, or hip roof or the deck line of a building with a mansard roof.

Sign, Temporary - A sign that is used only for a short period of time and is not permanently mounted.

Sign, Wall - Any sign attached to and within six inches of a wall, painted on the wall surface, or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building, and which displays only one sign surface.

Sign, Window - A sign that is applied or attached to the exterior or interior of a window or located in such manner within a building that it can be seen from the exterior of the



SIGN TYPES

structure through a window.

South Carolina Manufactured Housing Board - Is authorized by State Statute to regulate the construction, repair, modification, installation, tie-down, hook-up, and sale of manufactured homes in South Carolina, which Board has adopted for regulation of manufactured homes the Federal Manufactured Housing Construction and Safety Standards, promulgated by HUD, and contained in the Board's Manufactured Housing Regulations, May 26, 1990.

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

Specified Sexual Activities. Includes any of the following:

1. The fondling or other erotic touching of human genitals, pubic region, buttocks, anus or female breasts;
2. Sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation or sodomy;
3. Masturbation, actual or simulated; or
4. Excretory functions as part of or in connection with any of the activities set forth in a. through c. above.

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

Street, Major - Includes all state primary and federal aid highways and streets that serve to circulate traffic on to, out or around the city, having signals at important intersections and stop signs on side streets and/or one having controlled access and channelized intersections.

Street, Minor - A street designed principally to collect traffic from subdivisions and provide access to abutting property.

Street, Private - A street not dedicated for public use or maintenance.

Structure - (As defined by the Standard Building Code.)

Structural Alteration - Any change in the supporting members of a building, such as the bearing walls, beams, or girders, or any change in the dimension or configuration of the roof or exterior walls.

Travel Trailer or Recreational Vehicle - A structure that (1) is intended to be transported over the streets and highways (either as a motor vehicle or attached to or hauled by a motor vehicle), and (2) is designed for temporary use as sleeping quarters, but that does not satisfy one or more of the definitional criteria of a mobile or manufactured home or modular unit.

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

Use, Accessory - See Building, Accessory.

Use - The purpose or activity for which land or any building thereon is designed, arranged or intended, or for which it is occupied or maintained.

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

Variance - A modification of the area regulations of this Ordinance, granted by the Board of Zoning Appeals, where such modification will not be contrary to the public interest, and where, owing to conditions peculiar to the property, a literal enforcement of the Ordinance would result in unnecessary and undue hardship, and where such modification will not authorize a principal or accessory use of the property which is not permitted within the zoning district in which the property is located.

Vegetation - Any object of natural growth.

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

Yard, Front - A yard extending the full width of the front of a lot between the front (street) right-of-way line or property line and the front building line.

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

Yard, Required - That part of a yard between a lot line and the minimum required building setback line, within which no structure shall be located except as provided by this Ordinance.

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

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

ARTICLE XI

LEGAL STATUS PROVISIONS

Section 11-1. Conflict With Other Laws

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

Section 11-2. Validity

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

Section 11-3. Repeal of Conflicting Ordinances

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

Section 11-4. Effective Date

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

ENACTED AND ORDAINED into an Ordinance this 4th day of May, 1998, by the CITY OF LORIS.

David E. Stoudenmire, Jr., Mayor

Martha Dorman
City Clerk & Treasurer

CITY OF LORIS

ARCHITECTURAL IMPROVEMENT DISTRICT

REFERENCE

ARTICLE 12: SECTION 12.1 – 12.23

ARTICLE XII – Loris Architectural Improvement District

Section 12: Purpose

The purpose of the Loris Architectural Improvement District is to promote the educational, cultural, and general welfare of the public through the preservation, protection and enhancement of the architecturally worthy structures and areas of the City; to maintain such structures and areas as visible reminders of the history and cultural heritage of the City, the state, and the nation; to create a strategy to enhance the appearance of the City through the use of design/development guidelines for all new commercial construction; and to encourage the development of commercial districts which are more socially friendly, aesthetically pleasing and environmentally vibrant. Where the term “Loris Architectural Improvement District” (or similar reference such as “Architectural Improvement District”) is used in this article or in any supplementary materials, it shall apply to all subdistricts defined herein or subsequently established, However, where there is a specific reference to a subdistrict that specific reference shall apply and supersede any reference to the “Loris Architectural Improvement District”.

Section 12.1: Loris Architectural Improvement District Designated

For the purpose of this article, the Loris Architectural Improvement District is hereby established. The district shall include all commercial properties, both existing at the time of the passage of this ordinance and any properties re-zoned to commercial subsequent to the enactment of this ordinance.

Section 12.2: Loris Architectural Improvement District established.

The Loris Architectural Improvement District shall be initially composed of one (1) subdistrict identified as the Loris Architectural Improvement District. There may be established one or more subdistricts within the Loris Architectural Improvement District from time to time as deemed necessary. The boundaries of these subdistricts shall be designated on the official zoning map of the City of Loris and shall be the same lines delineating the commercial districts.

Section 12.3: Loris Architectural Improvement District

1. The Architectural Improvement District shall address all commercial properties. The regulations which apply within this district are designed to encourage the restoration and preservation of historic buildings; to restrict further development to buildings that may be varied in design, but relate to and are compatible with the specific area, street, or block in which situated and to avoid unwarranted encroachment of other uses affecting the character of the district.

2. Specific intent of district. It is the intent of the Loris Architectural Improvement District to:
- a. Preserve, reinforce, and enhance the quality of commercial activity, the architectural character, and the physical scale of the entire Loris Commercial Complex.
 - b. Encourage coordinated and planned use of the district as:
 - i. An attractive Central Business District built with some architectural harmony and compatibility;
 - ii. A central area serving the adjoining residential neighborhoods attractive to a large customer base and sustained economic prosperity; and
 - iii. A location for active but controlled commercial activity that is both liveable and pedestrian-friendly;

- iv. Encourage rehabilitation of architecturally significant structures and development and restoration in harmony with the established architectural scale and style of the district through an integrated mixture of residential and commercial uses; and
- v. Discourage the intrusion of incompatible uses, the unnecessary removal of trees, the creation of visually prominent parking areas and unregulated commercial construction which cheapens the City's appeal.

3. Permitted uses. The following uses shall be permitted in the Loris Architectural Improvement District as a compliment to the permitted uses authorized elsewhere in this ordinance:

- a. Residential uses (other than mobile homes) specifically including:
 - b. One family- dwelling
 - c. Two-family dwelling
 - d. Multi-family dwelling provided there is at least one (1) separate unit established for commercial use within the same structure.
- e. Combination of residential use with any permitted use provided that all dwelling units have direct access to the ground level.

Section 12.4: Standards for local designation of districts and properties of architectural significance.

1. Individual structures, sites and properties located within the Loris Architectural District may be designated as notable properties to be subject to Loris Architectural Improvement District standards, guidelines, and procedures. After consultation with the Board and following a public hearing, the Loris City Council may designate structures, sites, and properties as notable properties where it reasonably determines that those structures, sites, or properties embody a particularly high degree of significance in accordance with the criteria listed herein.

2. A structure, group of structures, site or district may be designated for the purpose of architectural improvement preservation if it (they):

Historical, Cultural Importance

- a. Has significant character, interest, or value as part of the development, heritage; or
- b. Is the site of a historical event with a significant effect upon society; or
- c. Exemplified the cultural, political, economic, social or historical heritage of the community; or

Architectural, Engineering Importance

- d. Portrays the environment in an era of history characterized by a distinctive architectural style; or
- e. Embodies those distinguishing characteristics of an architectural type or engineering specimen; or
- f. Is the work of a designer whose individual work has significantly influenced the development of Loris; or
- g. Contains elements of design, detail, materials, or craftsmanship which represent significant innovation; or

Geographical Importance

- h. By being part of or related to a square, park or other distinctive area, should be developed or preserved according to a plan based on a historical, cultural or architectural motif; or
- i. Owing to its unique location or singular physical characteristic, represents an established and familiar feature of the neighborhood, community or City; or

Archeological Importance

- j. Has yielded or may be likely to yield information important in pre-history or history;

Section 12.5: Designation process.

Based upon the criteria set forth in section 12.4, the board shall review such proposed designations and then it shall make a subsequent recommendation regarding the designation to the City council for final action.

Section 12.6: Special definitions

For the purposes of this article:

Exterior architectural appearance shall include architectural character, general composition, and general arrangement of the exterior of the structure, including the kind, color and texture of the building material and type and character of all windows, doors, light fixtures, signs and appurtenant elements, visible from the street or public thoroughfare.

Notable properties shall include those individual structures, sites, and properties located within the Loris Architectural Improvement District deemed to embody a particularly high degree of significance which are subject to Loris Architectural Improvement District standards, guidelines, and procedures.

Structure shall include walls, fences, signs, light fixtures, steps, or appurtenant elements thereof.

Section 12.7: General requirements

1. No structure within the Architectural Improvement Districts may be erected, nor may the exterior architectural character of such structure be altered until after an application for a certificate of appropriateness has been submitted to the board and approved by it.

A certificate of appropriateness shall be required for permanent window signs displaying business name, proprietor, or logo and for all window neon signs or neon displays. A certificate of appropriateness shall not be required for temporary signs (e.g. going out of business signs), standard auxiliary signs (e.g. open, welcome, hours of operation, credit card decal signs), and components of signs which change regularly (e.g. menu boards on easels).

2. Evidence of the approval required above shall be a certificate of appropriateness issued by the board as created herein. Such certificate shall be a statement signed by the chairman of the board stating that the changes in the exterior appearance of the proposed construction, reconstruction, alteration, or restoration for which application has been made are approved by the board. Provided, however, that repairs and renovations, other than color, to existing buildings which do not alter the exterior appearance and are so exempted by the building office as herein provided need not be approved by the board.

Section 12.8: Board of Architectural Review – Established; terms of members; compensation; attendance; minor projects committee established.

1. A board of architectural review is hereby established pursuant to 6-29-870 of the South Carolina Code of Laws, 1994, as amended. The board shall consist of seven (7) members with a demonstrated interest, competence or knowledge in architectural improvement preservation. All board members may be citizens of the City. Two (2) members shall, to the extent that such is available in the community, be professionals in the disciplines of architecture, history, architectural history, planning, archeology, or related disciplines, including urban planning, American studies, American civilization, cultural geography, cultural anthropology, engineering, real estate, law, banking, construction.

2. All members shall be appointed by the City Council. Board members shall serve terms of two (2) years with a maximum of two (2) consecutive terms. Terms shall be staggered. Board members may be reappointed and serve additional terms after being off of the board for a minimum of two (2) years. Any vacancy on the board shall be filled for the unexpired term. Board members serve at the pleasure of City Council.

3. The minor projects committee is hereby established and shall consist of three (3) board members. Members shall rotate six (6) month terms on this committee. It is the function of this committee to determine the appropriateness of smaller projects, such as, but not limited to: signage; fencing; painting, etc.

4. City council, upon recommendation of the City Administrator, may also appoint annually an architect or individual with demonstrated architectural or architectural improvement preservation expertise to serve as a professional advisor to the board. The professional advisor shall not be a voting member of the board.

5. Members of the board shall serve without compensation, but may be reimbursed for any expenses as approved by the City Administrator while representing the board. The professional advisor may be compensated for his services if a volunteer advisor is unavailable.

6. The City Administrator and City Council shall be advised in writing by the office of planning should any of the members miss three (3) consecutive meetings or more than one-third (1/3) of the regularly scheduled meetings in any one calendar year.

Section 12.9: Board of Architectural Review Proceedings

The board shall elect a chairman and vice-chairman from its voting members, who shall serve for one year and may be re-elected to an additional one year term. The board shall also appoint a secretary who may be a member of the board or an employee of the City, if prior approval is obtained from the City Administrator. The maximum terms of office for each officer shall be two (2) consecutive years.

Meetings of the board shall be held monthly and at such other times as a majority of the board may determine. All meetings shall be open to the public and all minutes of the proceedings shall be maintained and open to the public for inspection. Reasonable notice of the time, place and agendas of the meetings shall be given to the public. The news media shall be contacted in accordance with state law.

The minutes of all meetings shall state reasons given by the board for approval or denial of all certificates of appropriateness.

Section 12.10: Board of Architectural Review – by-laws and rules of procedure.

The board may adopt its own by-laws, rules of procedure, and view guidelines subject to the approval of the City Council upon recommendation of the City Administrator until adopted and approved. Robert’s Rules of Order shall govern the conduct of all meetings, until bylaws and rules of procedure are adopted by the board.

Section 12.11: Powers and duties of the Board of Architectural Review.

It shall be the function of the board of architectural review to pass upon the appropriateness of altering or constructing any building or structure within the Loris Architectural Improvement Districts as follows:

1. In passing upon an application to repaint or alter the exterior architectural appearance of any existing structure, the board shall consider, among other things, the architectural, and aesthetic features of such structure, the nature and character of the surrounding area, the use of such structure and its importance to the City.
2. In passing upon an application for new construction in the Architectural Improvement District, the board shall consider, among other things, the general design, the character and appropriateness of design, scale of buildings, arrangement, texture, materials and color of the structure in question, and the relation of such elements to similar features of structures in the immediate surroundings. The board shall not consider the interior arrangement of (or) interior design; nor shall it make requirements except for the purpose of preventing developments which are not in harmony with the prevailing character of the Loris Architectural Improvement District, or which are obviously incongruous with this character such as the overall size, height or placement of the building.
3. The board may refuse a certificate of appropriateness for the erection, reconstruction, alteration, demolition, partial demolition, or removal of any structure within the Architectural Improvement district, which in the opinion of the board, would be detrimental to the interests of the City.
4. In any case involving the demolition or partial demolition of a structure, before granting approval or requiring a postponement, the board may call on the City engineer designee to provide them with a report on the state of repair and structural stability of the structure under consideration.
5. In case of disapproval, the board shall state the reasons therefore in a written statement to the applicant within thirty days (30) of said disapproval and may give verbal advice to the applicant and make recommendations in regard to appropriateness of design, arrangement, texture, material, color and the like of the property involved.
6. Among other grounds for considering a design inappropriate and requiring disapproval and resubmission are the following defects: arresting and spectacular effects; violent contrasts of materials or colors and intense or lurid colors; a multiplicity or incongruity of details resulting in a restless and disturbing appearance; the absence of unity and coherence in composition not in consonance with the dignity and character of the present structure in the case of repair; remodeling or enlargement of an existing building or with the prevailing character of the neighborhood in the case of a new building.
7. In exercising the authority granted the board under this article, the board may call upon the advice of any professionals it deems appropriate and any costs incurred for such consultation may be paid for with funds approved for such use by the City council.

Section 12.12: Board of Architectural Review – Conflict of interest

Any member of the board who has a direct or indirect interest in any property which is the subject matter of, or is affected by decision of the board shall be disqualified from participating in the discussion, decision, or proceedings of the board in connection therewith. A letter should be presented to the Board Chairman stating the reasons for a disqualification.

Section 12.13: Hearings on certificate of appropriateness of applications

The board shall meet monthly and at other called meetings as necessary to hear all applications for permits to build, or alter any building or structure located in the Loris Architectural Improvement District. Evidence of such required approval shall be a certificate of appropriateness issued by the board.

Applications, including all plans, elevations, drawings, and other information necessary to determine the appropriateness of the proposal to be passed upon, shall be submitted to the office of planning and zoning fifteen (15) days prior to a regularly scheduled meeting date of the board. Plans, elevations, and drawings shall be submitted in triplicate. Approved plans, elevations and drawings shall be stamped with a certificate of appropriateness with one set of approved drawings filed with the codes enforcement department, one set permanently filed with the application, and one set returned to the applicant.

Section 12.14: Guidance standards, maintenance of consistent policies

In order to provide guidance and insight into desirable goals and objectives for the Loris Architectural Improvement District, the "Loris Architectural Guidelines Manual" is hereby authorized to be prepared by the board. This manual shall be utilized by the board in the exercise of its authority granted under section 12-1 for review of properties located within the Loris Architectural Improvement District. The Loris Architectural Review Board should seek public input in the development of these guidelines and the manual shall be approved by the City Council.

Section 12.15: Pre-application review procedures.

Prior to the preparation of working drawings and specifications or calling for proposals or bids from contractors, prospective property developers, owners or agents may prepare preliminary scale drawings and outline specifications, including color samples for outside work, overall dimensions (height, width, length, and a comparison with all adjacent structures) for review and informal discussion with the board. The purpose of this review shall be to acquaint the developer, owner or agent with the standards of appropriateness of design that are required for his proposed development.

The pre-application review shall not require formal application but does require notice to be given to the office of planning and zoning and subsequent notification to the chairman of the board at least ten (10) days before the date of the meeting at which the preliminary drawings are to be discussed. All working drawings/plans and specifications submitted at this meeting shall be in duplicate, prepared in form suitable for filing.

In the case of very minor projects involving repair or alterations to existing buildings, the board, if the preliminary drawings/plans and other data are sufficiently clear and explicit, may grant preliminary and final approval at one review session. Should the data indicate alterations, remodeling, or repairs not changing the exterior appearance and otherwise meets guideline standards, the building official may exempt the application for provisions of this section and approve a permit.

Section 12.16: Data to be submitted with application.

All of the following data shall be filed with the office of planning and zoning which shall allow the data to be made available to the board.

1. Drawings required for alterations and/or additions to existing structures or for new construction. Every application for review involving (a) alterations and/or additions to existing structures in the Loris Architectural Improvement District or (b) the erection of any new structure within the Loris Architectural Improvement District shall be accompanied by drawings signed by the architect or draftsman and submitted in duplicate, for the proposed alterations, additions or changes and for new construction of buildings. In cases where the planning staff determines that a third set of plans will be needed due to the complexity of a project, the applicant shall submit a third set upon request. As used herein, drawings shall mean plans and exterior elevations drawn to scale with sufficient detail to show, as far as they relate to exterior appearances, the architectural design of buildings, including proposed materials, textures and colors, including samples of materials or color samples and the plot plan or site layout, including all improvements affecting appearances such as walls, walks, terraces, planting, accessory buildings, signs, lights, parking lots and other elements. Such documents shall be filed with the office of planning which shall allow such documents to be made available to the board.
2. Photographs required with applications for repair, alteration, and/or additions to existing structures. In the case of application to repair, alter or make additions to a structure within the Loris Architectural Improvement District regardless of age, the application shall be accompanied by legible photographs of all sides of the structure.
3. Photographs required with applications for new construction. In the case of application to construct a new building situated within the Loris Architectural Improvement District, the application shall be accompanied by legible photographs of the adjoining properties.

Section 12.17: Exclusions

Ordinary maintenance and repair of any of the existing features of a structure that does not involve a change in any of the following – design, type of materials, or outward appearance (other than outside color) – shall be exempt from the review and approval requirements of this article.

Nothing in this article shall be construed to prevent the construction, reconstruction, alteration or demolition of any elements of a structure which the authorized municipal officers certify as required by public safety.

Section 12.18: Report to Building Official – issue Certificate of Appropriateness

Upon approval of the plans, the board shall forthwith transmit a report to the building official stating the basis upon which such approval was made and cause a certificate of appropriateness to be issued to the applicant. If the board shall fail to take action upon any case within forty-five (45) days after the receipt of application for permit, the application shall be deemed to be approved, except where written agreement has been made for an extension of the time limit.

When a certificate of appropriateness and building permit have been issued, the building official shall, from time to time, inspect the alteration or construction approved by such certificate and shall report such

inspection to the board listing all work inspected and reporting any work not in accordance with such certificate of violating any ordinances of the City.

Section 12.19: Enforcement and penalties.

When a certificate of appropriateness and a building permit have been issued, the building official or other designated staff member shall conduct timely inspections of the alteration or construction approved by such certificate. The property owner shall be required to have copies of the plans, certificate of appropriateness and the building permit on the premises for inspection. If alterations and/or construction are noted which are not in accordance with such certificate or violates other ordinances, this information shall be immediately transmitted to the codes enforcement department. If the building official finds that the alteration or construction is not in accordance with or is in violation of the certificate of appropriateness, he shall issue a "stop work order" and notify in writing the recipient of the certificate of appropriateness and the office of planning indicating the nature of the violation and ordering the action necessary to correct it. If corrective action is not taken to comply with the certificate of appropriateness, persons in violation shall be subject to penalties described in the Zoning Ordinance of the City of Loris.

Section 12.20: Denials of certificate of appropriateness and appeals

Upon disapproval of the plans, the board shall state its reasons for doing so and transmit a record of such action and reasons therefore in writing to the applicant. In addition to stating the reasons for denial, the board may also make general or specific recommendations in order for the application to be approved. The applicant may then make modifications to the plans and resubmit the application. After receiving denial of a certificate of appropriateness, any applicant has the right to appeal the board's decision as provided herein.

Section 12.21: Appeals Procedure

1. Form of Appeal. Appeals from administrative decisions and applications for variances shall be filed on forms approved by the board and provided to applicants by the secretary. The board may require additional information deemed necessary. The failure to submit adequate information may be grounds for dismissal. An application filed by an agent shall be accompanied by written designation of the agent signed by the applicant or party in interest. Appeal forms shall be accompanied by a \$100.00 filing fee.

2. Time for Appeal. An appeal from an administrative decision must be filed within fifteen (15) days after actual notice of the decision by delivery of the approved appeal from the secretary of the board who shall notify the official appealed from.

3. Calendar. Appeals and applications shall be marked with the date of receipt and placed on the hearing calendar in the order in which received. Appeals shall be heard in the order on the calendar unless otherwise set by the board for good cause shown.

4. Withdrawal of Appeal. Any appeal or application may be withdrawn by written notice delivered to the secretary prior to action by the board. An appeal from an administrative decision which is withdrawn may not be refilled after the fifteen (15) day time for appeal has expired. Withdrawn applications for variances may be refilled after six (6) months and shall be placed on the calendar according to the date refilled.

5. Continuances. The hearing of an appeal or application may be continued one time by the board for good cause shown.

6. Notice. Public notice of a hearing of the board shall be published in a local newspaper and posted on or adjacent to the property affected at least fifteen (15) days prior to the hearing. The notice shall contain a description of each matter to be heard and identify the applicant and property affected.

Section 12.22: Hearing Procedure

1. Appearances. The applicant or any party in interest may appear in person or by agent or attorney. The board may postpone or proceed to dispose of a matter on the records before it in the absence of an appearance on behalf of an applicant.

2. Witness. Parties in interest may present testimony under oath. Witnesses may be compelled to attend by subpoena requested at least ten (10) days prior to a hearing and signed by the chairman. The board may call its own witnesses when deemed appropriate.

3. Cross-examination. No party shall have the right to cross-examine witnesses; however, the opportunity to examine opposing witnesses may be freely extended when conducted in an orderly manner. Intimidation of witnesses will not be allowed.

4. Evidence. Relevant documents, photographs, maps, plans, drawings, etc., will be received in the record without authentication in form of legible copies. Relevant testimony which is not cumulative or hearsay will be received. The chairman will rule on all evidentiary matters. Evidence may be placed in the record with an objection noted.

5. Conduct of Hearing. The normal order of hearing, subject to modification by the chairman, shall be:

- a. Statement of matter to be heard (chairman or secretary);
- b. Presentation by applicant (5 minute limit);
- c. Presentation by official appealed (5 minute limit); or
- d. Presentation by opponents (5 minute limit);
- e. Rebuttal by applicant (3 minute limit);
- f. Unsworn public comment when appropriate;
- g. The board may question participants at any point in the hearing;
- h. Matters in which additional time is granted may be moved to the end of the agenda.

6. Disposition. The board may deliberate and make a final disposition of a matter by majority vote of members present at the hearing and qualified to vote; provided that not less than a quorum are qualified to vote. The vote may be taken at the same or a subsequent meeting. A member may not vote on a matter which the member has not heard. Deliberations shall be conducted and votes taken in public. A tie vote is considered a failed appeal.

7. Form of Order. Any order issued disposing of a matter shall clearly state the granting or denying of relief with such conditions as may be deemed necessary; or affirming, modifying, or reversing an administrative decision. A matter may be dismissed for lack of jurisdiction or prosecution. Findings of fact and conclusions of law shall be separately stated in an order.

8. Service of Order. The secretary shall deliver a copy of an order to each party in interest by certified mail immediately upon execution of the order by the chairman.

9. Rehearing. The board may grant a rehearing of an application which has been dismissed or denied upon written request filed with the secretary within fifteen (15) days after delivery or the order accompanied by new evidence which could not reasonably have been presented at the hearing, or evidence of a clerical error or mutual mistake of fact affecting the outcome.

Section 12.23: Records

1. Minutes. The secretary shall record all meeting and hearings of the board on tape which shall be preserved until final action is taken on all matters presented. The secretary shall prepare minutes of each meeting for approval by the board at the next regular meeting. Minutes shall be maintained as public records.

2. Orders and Documents. The secretary shall assist in the preparation and service of all orders of the board in appropriate form. Copies of all notices, correspondence, documentary evidence, orders and forms shall be maintained as public records.

ARTICLE XIII
PLANNED DEVELOPMENT DISTRICT

13.1 INTENT

A Planned Development District is a tract of land exceeding five (5) acres in size which is to be developed as an integral unit and which is under a single ownership of an individual, firm, corporation, partnership, or associated ownership. The Planned Development is undertaken in a single development operation or in a definitely programmed series of development operations according to an approved development plan and a preliminary site plan. The intent of the Planned Development District is to derive the benefits of efficiency, economy, and design flexibility by encouraging unified development of large sites, while allowing creative site design, improved appearance, compatibility of uses, and community facilities and open space while protecting surrounding developments. The PDD allows:

1. Flexibility in design to take the greatest advantage of natural land, trees, historical, and other features;
2. Accumulation of large areas of usable open space for recreation, preservation of natural amenities, and provision of community facilities;
3. Creation of a variety of residential and compatible neighborhood arrangements that give the home occupant greater choice in selecting types of environmental and living units;
4. Clustering of one residential type for better use of land and open space;
5. Allowance of sufficient freedom for the developer to take a creative approach to the use of land and slated physical development, as well as utilizing innovative techniques to enhance the visual character of the city;
6. Efficient use of land which may result in reduction in development and maintenance cost of street and utility systems;
7. Simplification of the procedure of obtaining approval of proposed development through simultaneous review by the city of proposed land use, site consideration, lot and setback consideration, public needs and requirements, health and safety factors.

13.2 PRE-APPLICATION CONFERENCE

Prior to submission of an application for a PD District, a pre-application conference will be held with the City Planner to obtain information and guidance prior to entering binding commitments or incurring substantial expense in the preparation of plans and surveys.

13.3 PERMITTED USES

The PDD allows:

1. Single-family, two-family, and multifamily residential dwelling units and apartments in detached and semi-detached, attached, and multi-storied structures.
2. Office parks, hospitals, educational institutions, and research facilities.
3. Commercial uses.
4. Production, service, and industrial uses.
5. A mix of uses is allowed based on the concept that the site size allows for unified design, including functional relationships, buffer treatments separating uses with potentially incompatible characteristics of use, design of access patterns, and relationships of uses within the PD District with uses in adjacent districts. It is the intent that such design features be incorporated properly into the PD District with uses in adjacent districts. It is the intent that such design features be incorporated properly into the PD District plan, and that the Planning Commission and City Council shall consider the existence and appropriateness of the design features before any amendments to the Zoning Map are adopted to create a PD District.

13.4 APPLICATION FOR ESTABLISHMENT OF A PD DISTRICT

The applicant shall request an amendment to the Zoning Map to establish a PD District, utilizing the amendment procedure established in the Zoning Ordinance. The amendment request shall be accomplished by the Proposed Site Plan as described below.

13.5 MINIMUM DEVELOPMENT STANDARDS

1. Planned Development Project area shall contain a minimum of five (5) contiguous acres of land.
2. The minimum lot size, maximum lot coverage, maximum height, maximum density, street width, and setbacks in a Planned Development shall meet general health, safety, and welfare requirements and be in harmony with good planning practices as determined by the Planning Commission.

13.6 COMMON OPEN SPACE REQUIREMENTS

The total usable open space within a Planned Development shall be a minimum of fifteen (15) percent of the gross acreage of the Planned Development. No more than twenty-five (25) percent of the required usable open space shall be in the form of water surfaces. Areas designated as wetlands shall not be included in the percentage of area set aside for open space. Such required usable open space shall be set aside for passive and active recreation areas.

13.7 UTILITIES, SERVICES, AND BASEMENTS

Structures within a Planned Development shall be connected to city water and sewer lines and all utility lines shall be placed underground except for major electrical transmission lines. Adequate provisions to maintain on-site and off-site drainage shall be provided. Adequate provisions for utility and drainage easements shall be provided.

13.8 ACCESS AND CIRCULATION

A circulation system shall be designed so as to provide for safe and convenient access to dwelling units, open space, community facilities, commercial uses, and industrial uses in the Planned Development. Principal vehicular access points shall be designed to permit smooth traffic flow and minimum hazards to vehicular, bicycle, or pedestrian traffic. Cul-do-sacs shall be discouraged; sidewalks and bicycle lanes shall be encouraged. Adequate access and circulation for emergency and service vehicles shall be provided.

13.9 APPLICATION AND APPROVAL OF PLANNED DEVELOPMENTS

A. Prior to a formal application being filed to rezone property to Planned Development, a sketch plan shall be submitted to the City Planner. Such sketch plan shall illustrate the boundaries of the proposed area to be rezoned to Planned Development; the proposed land uses, a proposed lot layout and street configuration, estimated gross densities, and estimated usable open space.

B. The City Planner shall submit the proposed sketch plan to the Planning Commission with a recommendation as to whether the proposed design concept is consistent with the Comprehensive Plan and Planned Development standards. The Planning Commission shall either instruct the applicant to proceed with the drafting of a detailed master plan based on the proposed sketch plan or resubmit a revised sketch plan.

C. The applicant shall prepare and submit a detailed master plan for the entire Planned Development to the Planning Commission. The master plan shall contain all relevant information deemed necessary by the Planning Commission and/or City Planner. Relevant Information may include but shall not be limited to the following:

1. A plan illustrating the proposed land use of each lot or tract within the development;
2. A plan illustrating the circulation patterns of vehicular, pedestrian, or other traffic;
3. A plan illustrating proposed community facilities and proposed usable open space;
4. A plan illustrating the location and specifications of existing and proposed utilities along with documentation of availability of each utility service;

5. A plan illustrating the location and specifications of existing and proposed drainage along with the impact on adjacent properties;
6. A site plan illustrating the proposed location of existing structures, proposed new structures, type of structures, density of structures, renovations, and/or additions to include a legal description of the site boundaries and the total area of the site,
7. A landscape plan prepared in accordance with this ordinance;
8. A topographical survey which illustrates existing elevations, the location of the existing trees with a minimum caliber of eight (8) inches, or other significant and natural features;
9. Statistical data necessary to evaluate the total development including, but not limited to the following:
 - i. Amount of land proposed to be used for public or semipublic uses such as religious institutions, educational facilities, etc.;
 - ii. Amount of land proposed to be set aside for recreational use;
 - iii. Amount of land in the floodplain or unusable land within the project boundary;
 - iv. Average daily traffic counts (ADT) of proposed streets;
 - v. Proposed number of parking spaces for cars and recreational vehicles and the number of parking spaces per unit
 - vi. Gross density of the Planned Development computed by dividing the total number of proposed dwelling units in the development by the gross development area;
 - vii. The name, professional title, and address of the planner, urban designer, architect, or engineer who prepared the proposed plan development;
 - viii. Total area of impervious surfaces.
10. The plans shall be prepared in accordance with the standards set forth in the City of Loris Land Development Regulations;
11. Description of open spaces, recreational uses, and areas to be dedicated for public Ownership;
12. Economic feasibility, justification for commercial uses, and economic impact on the community.
13. Methods for dealing with the impact of projected traffic volumes on uses on-site and adjacent streets and areas;
14. Steps to comply with sediment and erosion control requirements;

15. Proposed landscaping and buffers, both within the development and separating the development from adjacent land uses;
16. Details of planned homeowners' association, property organization, or other organizations involved in maintenance, including procedures and methods of operation;
17. An outline of the phasing of the development indicating the timing of the proposed elements or phases;
18. Design standards, administrative procedures, and other characteristics which demonstrate that the development is an integrated, functionally operable, and well-planned whole;
19. Proposed restrictive covenants to be recorded which will assure that future development is compatible with the standards of the plan;
20. Proposed surety bonds guaranteeing compliance with the plan and completion of the development in accordance with the proposed schedule;
21. Any pending litigation against the land or development corporation and potential delays;
22. References on similar projects;
23. Documentation on ownership (Company name, owners, corporate status, etc.)
24. Other information which may be appropriate for the Planning Commission.

D. The Planning Commission shall review the master plan and make a recommendation to the City Council as to whether to approve or deny the requested rezoning to Planned Development. The City Council shall in turn hold a public hearing on the proposed rezoning in accordance with this ordinance, Following the public hearing, City Council shall consider an ordinance rezoning the property to Planned Development. If the request is approved by two (2) readings of the ordinance; the rezoning shall become the zoning standards for the property.

E. Following the adoption of the master plan by City Council, the applicant shall record the master plan at the Register of Deeds for Horry County.

13.10 DESIGN REVIEW

The Planning Commission shall have the authority to require the applicant to submit sketches of proposed facades and signage and landscape plans for commercial uses in planned developments to the Architectural Review Board for review and approval. The Board shall determine if the proposals are consistent with design standards. Such submittal shall be made in accordance with the requirements in Article 12 of the City of Loris Zoning Ordinance.

13.11 REVIEW AND APPROVAL PROCESS

The following process for review and approval of the PD District requests is established:

1. Upon determination that the application meets the above requirements, the City Planner shall forward the application to the Planning Commission for review and recommendation to the City Council as required for zoning amendments;
2. Because of the detailed nature of the PD District plans, the Planning Commission may request a review session with the developer, and may seek clarification on the details of the site plan;
3. Upon receipt of a recommendation from the Planning Commission, the City Council shall conduct a public hearing as required for zoning amendments, and may approve, approve with modifications, or disapprove the proposed amendment;
4. Zoning and building permits shall not be issued for any part of the PD project until the zoning is approved by the City Council, and the approved plats, descriptive statements, restrictive covenants, are filed for record with the Municipal Clerk and Clerk of Court for Horry County, and the required bonds are posted with the Municipal Clerk;
5. This site plan approved by the City Council shall be the zoning district map for the PD District created and shall be the basis for issuance of zoning and building plans.

13.12 CHANGES TO PLAN

During the implementation of the development plan for the PD District, it may become necessary to undertake changes in the plan due to unforeseen circumstances or market environment. Changes which alter district boundaries or which materially affect the use characteristics of the PD District shall be submitted under normal zoning amendment procedures. Changes proposed in writing by the developer which involve minor revisions and which do not materially affect the approved plan or violate any applicable regulations may be approved by the City Planner. These may include changes such as revisions of nom plans, relocation of driveways, alterations to utilities and drainage facilities, and changes in landscaping which do not reduce the effective buffers. If requested changes are not approved by the City Planner, the developer may submit the requested change under zoning amendment procedures,

13.13 FAILURE TO IMPLEMENT PLAN

If the developer fails to begin, fails to progress, or fails to complete development as agreed in the site plan, the City may enforce and collect on bonds, may charge the developer with violation of this Ordinance, may rezone the property, or may take any combination of these actions.

13.14 PLAT APPROVAL

Planned Developments which require the subdivision of property shall adhere to the requirements for plat approval in the City of Loris Land Development Regulations.

13.15 PROCEDURE FOR PHASED DEVELOPMENT

Nothing in this section shall prevent an applicant from developing a Planned Development in phases provided the following conditions are met:

1. A phase of development shall be part of the overall approved Planned Development.
2. The proposed phases shall be delineated on the plan of development.
3. A construction timetable shall be submitted and approved showing the estimated completion dates for each phase.
4. The gross densities of phases shall not vary by more than ten (10) percent of the gross density approved for the total development
5. In a phased Planned Development, each phase shall provide a minimum of ten (10) percent of the gross site area of that particular phase as open space.
6. When any phase of a Planned Development is developed, such phase shall conform to the master plan for the Planned development as approved or amended.

AMENDED 10/07/2002
ORDINANCE NO. 17-02