

ZONING ORDINANCE



Prepared by:

The Planning Commission of the City of Easley

And

The Appalachian Council of Governments

May 11, 2015

Easley, South Carolina

Zoning Ordinance

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ZONING

ARTICLE I GENERAL AND SUPPLEMENTARY PROVISIONS

§1.1 Title

This ordinance shall be known and may be cited as the "Zoning Ordinance of the City of Easley, South Carolina."

§1.2 Purpose and Intent

§1.2.01 Purpose of Zoning

The purpose of Zoning is to establish standards, procedures, and minimum requirements in accordance with the Comprehensive Plan, to regulate and control the use, bulk, design, and location of land and buildings; the creation and administration of zoning districts; and the general development of real estate in the City of Easley. In addition, it is the purpose of Zoning to:

1. Coordinate and integrate the City's development review process to provide equitable and efficient procedures for the review of proposed developments, the Official Zoning Map amendments, and other provisions contained within Zoning;
2. Ensure proper legal description, identification, monumentation, and recording of real estate boundaries;
3. Guide and regulate orderly, rational, and efficient growth, land development, and land use throughout the City in accordance with the Comprehensive Plan including carefully considered goals, policy statements, and action statements that call for principles and standards which are beneficial to the long term interest and welfare of the citizens of the City of Easley;
4. Discourage haphazard, premature, uneconomical, or scattered land development and promote, in the public interest, the best utilization of land;
5. Ensure safe and convenient traffic control and movement including a reduction or prevention of congestion of public streets, convenience of access, multiple modes of transportation, and an interconnected and well-planned street system;
6. Encourage development of an economically stable and healthy community;
7. Ensure the provision of adequate utilities;
8. Provide for adequate light, air, safety from fire, flood, and other damages;
9. Provide open spaces for recreation, conservation, and a healthy community;
10. Ensure land development with installation of adequate and necessary physical improvements;
11. Ensure that the citizens and taxpayers of the City of Easley will not have to bear the costs resulting from premature, uneconomical, or inefficient development or use of land;

12. Ensure to the purchaser of land {within a subdivision} that necessary improvements have been installed;
13. Protect the established character and social and economic well-being of both public and private property;
14. Facilitate the creation of a convenient, attractive, functional, and harmonious community;
15. Expedite the provision of adequate police, fire protection, disaster evacuation, civil defense and emergency management, transportation, water, sewerage, flood protection, schools, parks, forests, playgrounds and other recreational facilities, airports, and other public requirements;
16. Protect against the destruction of or encroachment upon historic sites and areas and ensure the protection of these resources;
17. Protect against undue concentration of population and overcrowding of land and/or buildings beyond its carrying capacity through regulations and limitations on the height and bulk of buildings, hereafter erected, as said buildings relate to land area;
18. Establish, regulate, and limit the building or setback lines on or along streets, roads, boulevards, avenues, lanes, alleys, other rights-of-way, and property lines;
19. Regulate and limit the intensity of the use of lot areas, and regulate and determine the area and extent of open spaces within the surrounding buildings;
20. Establish standards to which buildings or structures shall conform;
21. Prohibit uses, buildings, or structures that are incompatible with the character of established zoning districts;
22. Protect and enhance the taxable value of land and buildings throughout the City wherever possible;
23. Encourage and assist in the facilitation, attraction, and retention of economic activities that provide desirable employment, expand the tax base, and serve to meet the goals of the Comprehensive Plan;
24. Provide a mechanism so that new growth pays for itself and shares the burden of the provision of public facilities and services with the existing tax base;
25. Provide for the protection and preservation of agriculture, forests, and other environmentally sensitive lands thereby preserving the cultural and natural heritage of The City of Easley;
26. Provide an adequate supply of affordable housing for City residents.

§1.2.02 Purpose of the Comprehensive Plan

The Comprehensive Plan, as may be amended, has been adopted by the City of Easley City Council in 1999, shall be amended from time to time, and shall be updated every five years. The Comprehensive Plan has been adopted for the following purposes:

1. To guide and direct growth and development in the City of Easley;

2. To protect, preserve and enhance the City's cultural, environmental, economic and social resources;
3. To identify current land uses in order to assist the City in making budgetary, utility and other resource allocations;
4. To enable the City of Easley to predict future land uses for planning purposes;
5. To assist the City in fulfilling its statutory and other legal obligations; and
6. To provide a public document which will serve as a means of general information on land use and development for the citizens of the City of Easley and other interested parties.

§1.2.03 Intent of the Zoning Ordinance

It is the intent of the City that to the extent permitted by law, all future project approvals and permits, both for new and existing projects, shall comply with the requirements of the Zoning Ordinance.

§1.2.04 Consistency with and Relationship to Comprehensive Plan

The regulations and requirements herein set forth have been established in accordance with the Comprehensive Plan with reasonable consideration, among other things, to the prevailing land uses, growth characteristics, future prospects, and the character of the respective districts and their particular suitability for their individual uses and to encourage the most appropriate uses of land throughout the City. Specifically, Zoning provides regulations to implement applicable goals, policy statements, and action statements of the Comprehensive Plan. References to individual goals, policy statements, and action statements are contained in the various sections and sections of the Zoning Ordinance.

§1.3 Jurisdiction and Applicability

§1.3.01 Territorial Applicability

The provisions of Zoning shall apply to all land, water, buildings, structures, and uses thereof located within the City of Easley, South Carolina, as identified on the Official Zoning Map of The City of Easley, South Carolina, excepting those areas to be under the control of the United States of America.

§1.3.02 General Applicability

All buildings and structures erected hereafter, all uses of land, water or buildings established hereafter, all structural alterations or reallocations of existing buildings occurring hereafter, and all enlargements of, additions to, changes in and reallocations of existing uses occurring hereafter shall be subject to all regulations of Zoning which are applicable to the zoning districts in which such buildings, structures, uses, or land are located. Existing buildings, structures, and uses that comply with the regulations of Zoning shall likewise be subject to all regulations of Zoning. Existing buildings, structures, and uses which do not comply with the regulations of Zoning shall be permitted to continue subject to the provisions of §1.5.19, "Non-Conforming Buildings or Uses", of Zoning.

§1.3.03 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.

§1.3.04 Repealer

Any ordinance or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed so far as the same affects this Ordinance.

§1.3.05 General Prohibition

1. No building or structure, no use of any building, structure, or land; and no lot of record which did not now or hereafter exist on the effective date of Zoning shall be created, established, altered, moved, diminished, divided, eliminated, or maintained in any manner except in conformity with the provisions of Zoning.
2. No use of land or buildings shall be allowed except in conformance with the provisions of Zoning.

§1.3.06 Exemptions

The following uses are exempt from the application of Zoning:

1. The following utility uses are exempt from the provisions of this section: electrical transmission lines of one hundred fifty (150) volt or more, poles, wires, cables, conduits, vaults, laterals, pipes, mains, valves, or any other similar equipment when used for the purpose of distributing service to individual customers, but not including substations, transmission lines, or trunk lines located on or above the surface of the ground, for the distribution to consumers of telephone, cable television or other communications, electricity, gas or water, or for the collection of sewage or surface water.
2. The height limitations of Zoning shall not apply to gables, penthouses, scenery lofts, cupolas, barns, silos, farm buildings, residential chimneys, spires, flag poles, monuments, or fall zones and cables or other similar structures, and necessary mechanical appurtenances; nor to any smokestack or water tank, except that gross height may be limited by other jurisdiction agencies.
3. All railroad facilities contained within the right-of-way of a railroad company duly recognized by the US Department of Commerce and the South Carolina Department of Transportation (SCDOT), including railroad tracks, signals, bridges, and similar facilities and equipment and the maintenance and repair work on such facilities and equipment.

§1.4 Authority

Zoning is adopted pursuant to the requirements and authority of the South Carolina Comprehensive Planning Enabling Act of 1994 (S.C. Code of Laws, Sections 6-29-310 through 6-29-1200).

§1.5 Supplementary Regulations

§1.5.01 Buffer Yards

Post offices, police, fire and telephone exchanges and repeater stations shall observe the buffer yard requirements for office buildings at the end of Section 5-5, Buffer Yard Requirements; all other uses shall observe the buffer yard requirements for Research and Industrial or Institutional uses as determined by the Zoning Administrator.

§1.5.02 Public Hearing

Prior to the granting of a building permit for any of the above-listed uses in a residential district or within 200' of a residential district, the Planning Commission shall hold a public hearing on the matter. At least fifteen (15) days notice of time and place of which shall be published in a newspaper of general circulation in the City of Easley.

Based on the hearing and the expected impact of such uses on contiguous uses and conditions, the City Council may elect to deny such request in favor of a more acceptable site elsewhere.

§1.5.04 Street Access

Except as herein provided, no building shall be erected, constructed, moved, or relocated on a lot not located on a publicly accepted, or publicly maintained street with a right-of-way of not less than thirty (30) feet.

§1.5.05 Location of Buildings on Lots and Residential Limitations

Every building or use hereafter erected or established shall be located on a Lot of Record, and each one and two-family residential structure, except as herein provided, shall be located on an individual Lot of Record. In all cases, the principal buildings on a lot shall be located within the area formed by the building lines at outer boundaries, and in no case shall such buildings infringe beyond the building lines into the respective front, side, or rear yard setbacks or any other setback requirements for the district in which the lot is located.

§1.5.06 Corner Lots

On lots having frontage on more than one street at an intersection, the minimum street side setback requirement shall be equal to the minimum front yard setback.

§1.5.07 Double Frontage Lots

On lots having frontage on two streets, but not located on a corner, the minimum front setback shall be provided on each street in accordance with the provisions of this Ordinance.

§1.5.08 Pre-Existing Front Setbacks

The setback requirements of this ordinance shall not apply to any lot where the average setback on already built upon lots, located wholly or in part within one hundred (100) feet of each such lot and within the block and zoning district fronting on the same street as such lot, is less than the minimum required setback. In such cases, the setback on such a lot may be less than the required setback but not less than the average of the existing setbacks on the developed lots. However, in no case shall setbacks be less than ten (10) feet.

§1.5.09 Measurement of Setbacks; Determination of Buildable Area

The required front, side, and rear setbacks for individual lots, as set forth for the particular zoning district within which a given lot is located, shall be measured inward toward the center of said lot from all points along the respective front, side, and rear property lines of the lot. Once the setback areas of a given lot have been established, the remaining area of the lot that is not included in any required front, side, or rear lot shall be known as the "buildable area".

§1.5.10 Visibility at Street Intersections

In all zoning districts established by this ordinance, except the CC district, no fence, wall terrace, sign, shrubbery, planting or other structure or object capable of obstructing driver vision between the heights of two and one-half (2 ½) feet and seven (7) feet above the finished street level shall be permitted on a corner lot within fifteen (15) feet of the point formed by the intersection of the street right-of-way lines (or such lines extended in case of a rounded corner) which bound said lot.

§1.5.11 Visibility at Private Drives and Entrances Intersecting with Public Streets

At the intersection of any private drive or entrance or exit with a public street, no fence, wall, hedge, or other planting or sign forming a material impediment to visibility between a height of two and one-half (2 ½) feet and seven (7) feet shall be erected, planted, placed or maintained within fifteen (15) feet of the intersection.

§1.5.12 Street Planting Strips

In all front yards in the GR-1, GR-2, NC, GC, and PUD districts, a planting strip not less than six (6) feet wide shall be provided along the right of way line on the property, which shall be planted and maintained in grass or other suitable ground cover with street trees or in shrub planting or as may be required in approval of the site plans.

§1.5.13 Exceptions to Height Limits

The height limitations of this ordinance shall not apply to church spires, belfries, cupolas and domes not intended for human occupancy; monuments, water towers, observation towers, silos, chimneys, smokestacks, conveyors, flag poles, masts and aerals, provided evidence from appropriate authorities is submitted to the effect that such building or structure will not interfere with any airport approach zones or flight patterns.

§1.5.14 Public and Commercial Recreational Facilities Adjacent to Residential Uses

Any recreational facilities when adjacent to lots that are zoned or used for residential purposes shall comply with the following standards:

1. Facilities and/or structures shall not be closer than fifty (50) feet from the property line.
2. No lighting used in connection with such activities shall be closer than fifty (50) feet from the property line.

§1.5.15 Common Open Space

Common open space is land or water bodies used for recreational amenity. It shall be freely accessible to all residents of a development where required by this Ordinance. Buildings or structures, roads, parking or

road right-of-way shall not occupy common open space. Required open space shall not include setbacks or lots of residential units required to meet minimum lot area or parking requirements.

§1.5.16 Parking, Storage or Use of Campers or Other Major Recreational Equipment

No major recreational equipment, such as a motor home, boat, or trailer, shall be stored on any lot in a residential or CC district or in a neighborhood nearer to the street than the principal building of the lot fronting on that street, provided, however, that such equipment may be parked anywhere on residential premises for a period not to exceed twenty-four (24) hours during loading or unloading. The parking of such equipment shall be in observance of all setbacks, yard, and other requirements set forth within the district in which they are located. No such equipment shall be used for living, sleeping, housekeeping purposes when parked or stored on a residential lot. No such equipment shall be parked in any location not approved for such use.

§1.5.17 Parking and Storage of Certain Vehicles

It shall be unlawful for any person, partnership, corporation, or other legal entity to permit, park or store a truck, automotive vehicle or trailer of any kind or type, on any residentially zoned property within the municipal corporate limits except within a completely enclosed building:

1. That is not operable;
2. That does not display a lawful and current license tag;
3. That does not have current liability insurance thereon.

This ordinance excludes bona fide classic automobiles (by title) that are currently undergoing restoration, and which are covered with factory-made automobile covers, and trailers not required by law to display a license tag.

If in violation of this ordinance, written notice shall be submitted to the owner or permittee of the parked or stored vehicle that such vehicle shall be removed within thirty (30) days from the date of such notice.

§1.5.18 Manufactured Home Standards

All manufactured homes brought into the City of Easley or relocated within the City subsequent to the adoption of this ordinance, whether placed in a manufactured home park or on an individual parcel, shall be required to be in compliance with each of the following requirements:

1. No Certificate of Occupancy shall be issued for any manufactured home originally brought into the City of Easley or relocated within the City subsequent to the adoption of this ordinance unless a Certificate of Zoning Compliance shall have been issued by the Zoning Administrator, to certify that the manufactured home is in full compliance with this ordinance.
2. All manufactured homes subject to this ordinance shall meet or exceed the construction standards promulgated by the US Department of Housing and Urban Development, as well as the South Carolina Manufactured Housing Board, including:

A permanent landing and steps with handrails are required for each outside doorway. The structure must include steps that lead to ground level. The landing, handrails, and steps must meet the requirements below:

1. A minimum 3 ft. by 3 ft. landing shall be required outside of each exit door.
2. The landing shall not be more than 8 ½ inches below the threshold.

3. Steps shall be 8 ¼ inches maximum in height. Treads shall be a minimum of 9 inches wide.
 4. All wood components in contact with the ground must be treated and approved for ground contact.
 5. If steps are 30 inches or greater in height, permanent handrails are to be installed.
- b) The pitch of the roof must have a minimum vertical rise of 2 ½ feet for every twelve feet of horizontal run, and the roof must be finished with a type of shingle that is commonly used in conventional residential site-built dwellings.
- c) The exterior siding shall consist of wood, hardboard, or vinyl comparable in composition, appearance and durability to the exterior siding commonly used in conventional residential site-built dwellings.
- d) Skirting or a curtain wall, un-pierced except for required ventilation and access door, must be installed and maintained so that it encloses the area under manufactured multi-section homes and modular porches, decks, or other additions to ground level. The foundation skirting or curtain wall may be of brick, masonry, or vinyl or similar materials designed and manufactured for permanent outdoor installation. Materials used for skirting should be erected so as not to create a fire hazard and shall be maintained in a state of good repair. The skirting or curtain wall must be installed before a Certificate of Occupancy may be issued.
- e) The home must be placed upon footings and piers that meet the requirements of the Manufacturer's Installation Manual. Should the manufacturer's instructions not be available, the following shall apply:
1. Footings - The base of all piers shall be comprised of solid masonry block at least 3,000 psi strength. Piers less than 80" in height shall use blocks 16" x 16" x 4" in size. Piers more than 80" in height shall use blocks 24" x 24" x 6" in size.
 2. Piers - Piers less than 36" in height shall use 8" x 16" concrete block with open cells vertical.
 3. The piers shall be covered with a 2" x 8" x 16" wood or 4" masonry cap.
 4. All piers between 36" and 80" in height and all corner piers must be double blocked (8" x 16" blocked inter-locked) and capped with a 4" x 16" x 16" pressure treated pier cap or a 4" masonry cap.
 5. Piers over 80" in height require engineering.
- f) Each manufactured home shall be anchored according to the HUD regulations of the National Manufactured Housing Construction and Safety Standards Act or the Manufacturer's Installation Manual. Should the manufacturer's instructions not be available, the table below shall be used.

Multiple section manufactured homes require only the diagonal ties specified in Column C. The tongue, axles, transporting lights and towing apparatus must be removed from the manufactured home after placement on the lot and before occupancy.

TABLE 1.1: Manufactured Home Anchoring Requirements

(A) Length of Home (Feet)	(B) Number of Vertical Ties	(C) No. of Diagonal Ties Per Side	Minimum Number of Anchors
Up to 40	2	4	8
40 to 46	2	4	8
46 to 49	2	5	10
49 to 54	3	5	10
54 to 58	3	5	10
58 to 64	3	6	12
64 to 70	3	6	12
70 to 73	3	7	14
73 to 78	4	7	14

§1.5.19 Non-conforming Buildings or Uses

Non-conforming buildings or uses are declared by this Ordinance to be incompatible with permitted uses in the districts involved. However, to avoid undue hardship, the lawful use of any building or land uses at the time of the enactment of this Ordinance may be continued even though such use does not conform with the provisions of this Ordinance except that the non-conforming building or land use or portions thereof, shall not be:

- a) Changed to another non-conforming use;
- b) Reused or reoccupied after discontinuance of use or occupancy for a period exceeding six (6) months;
- c) Reestablished, reoccupied, or replaced with the same or similar building, or land use after physical removal or relocation from its specific site location at the time of passage of this Ordinance;
- d) Repaired, rebuilt, or altered after damage exceeding fifty (50) percent of its replacement cost at the time of destruction. Reconstruction or repair, when legal, must begin within six (6) months after damage is incurred;
- e) Enlarged or altered in a way which increases its nonconformity.

Nothing in this section shall be meant to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by any official lawfully charged with protecting the public safety, upon order of such official.

§1.5.20 Home Occupation

A home occupation shall be permitted in any residential district, provided such occupation:

- a) Is conducted by no other person than members of the family residing on the premises;
- b) Utilizes not more than twenty-five percent (25%) of the total floor area of the principal building;
- c) Produces no alteration or change in the character or exterior appearance of the principal building from that of a dwelling;
- d) No display or products shall be visible from the street and only articles made on the premises may be sold; except that non-durable articles (consumable products) that are incidental to a service, which service shall be the principle use in the home occupation, may be sold on the premises;

- e) Creates no disturbing or offensive noise, vibration, smoke, dust, odor, heat, glare, traffic hazard, unhealthy or unsightly condition;
- f) No mechanical equipment is installed or used except such as is normally used for domestic or office purposes.
- g) Storage related to a customary home occupation business is permitted in an accessory building, but the use of an accessory building for a separate commercial use is not permitted.
- h) In addition to other uses deemed unacceptable by the Zoning Administrator, the following uses shall not be considered home occupations:
 - 1. animal hospitals, kennels, or stable;
 - 2. dancing schools;
 - 3. funeral homes;
 - 4. medical or dental offices or clinics;
 - 5. hospitals;
 - 6. nursery schools;
 - 7. restaurants;
 - 8. tourist homes
- i) Zoning permits shall be required for all home occupations and shall be submitted to City Hall before a business license is issued. Licenses can be revoked upon receipt of complaints from neighboring citizens.

§1.6 Accessory Uses

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

§1.6.01 Uses Customarily Accessory to Dwellings

- 1. Private garage
- 2. Open storage space or parking area for motor vehicles provided that such space shall not be used for more than one (1) commercial vehicle licensed as one ton or less in capacity per family residing on the premises.
- 3. Shed or tool room for the storage of equipment used in grounds or building maintenance.
- 4. Pet House. Kennels used for commercial purposes are prohibited.
- 5. Private swimming pool and bath house.
- 6. Structures designed and used for purposes of shelter in the event of man-made or natural catastrophes.
- 7. Noncommercial flower, ornamental shrub or vegetable garden or greenhouse.

§1.6.02 Uses Customarily Considered as a Second Primary Use to a Church

1. Religious education buildings.
2. Parsonage or parish house, together with any use accessory to a dwelling as specified above.

§1.6.03 Uses Customarily Accessory to Retail Businesses, Office Use and Commercial Recreation Facilities

1. Completely enclosed building for the storage of supplies, stock, or merchandise.
2. Light manufacturing and/or repair facility incidental to the principal use provided that dust, odor, smoke, noise, vibration, heat, or glare produced as a result of such manufacturing or repair operation is not perceptible from any boundary line, or the lot on which said principal and accessory uses are located and provided such operation is not otherwise specifically prohibited in the district in which the principal use is located.
3. Satellite dishes. A maximum of one (1) per lot and placed in the rear setback only. Such dish shall not be located closer than ten (10) feet from any property line and must be screened from residential uses by a fence or plantings or combination thereof.

§1.6.04 Uses Customarily Accessory to Industry and Principal Agricultural Use in Industrial Districts

1. Watchman or caretaker's one-family dwelling provided that such a dwelling is located on the premises of a permitted use; and, provided a member of the household is employed by the industry as a watchman or caretaker.
2. Dwelling incidental to a permitted agricultural or horticultural use provided that such related dwellings are occupied by persons employed directly on the premises.
3. Retail or wholesale business or service, provided such business or service is incidental to a permitted industrial use, is located on the same premises, and involves no open storage of junk or salvage materials in conjunction with the operation.
4. Private recreation facilities provided such facility is incidental to a permitted use and located on the same premises.

§1.6.05 Setback and Other Yard Requirements for Accessory Uses

The minimum front setback of the zoning district in which the parcel is located shall serve as the minimum front setback for accessory uses. For accessory structures of not greater than six hundred (600) square feet in area, or fifteen (15) feet in height and swimming pools, the minimum rear setback shall be ten (10) feet and the minimum side setback shall be ten (10) feet. The accessory use shall occupy not more than a total of thirty (30) percent of the required rear and side setback. No accessory structure shall be greater than 800 square feet.

For any accessory use of greater than six hundred (600) square feet in area or fifteen (15) feet in height, except swimming pools, the minimum setbacks of the zoning district in which the use is located shall apply.

§1.7 Required Permits and Approvals

§1.7.01 Permits and Approvals Available in the City of Easley

Any particular development within the City of Easley may require one (1) or more of the various permits and approvals in order to ensure that the development is consistent with the goals and purposes of this Ordinance and with the public health, safety, and general welfare. These are subject to the standards set forth in the Standard Operating Procedures Manual, and include the following:

1. Zoning Verification Permits;
2. Site Plan Review and approval;
3. Subdivisions and Platting;
4. Temporary Land Use Permits;
5. Special Exception Uses;
6. Floodplain development permits;
7. Building Permits and certificates of occupancy
8. Environmental permits and approvals for erosion control plans (for grading and other land disturbing activities);
9. Administrative Approvals; and
10. Other supplementary permits and/or approvals (i.e., septic tank or well permits, Certificate of Approval projects, etc.).

The procedures for reviewing and granting these permits and approvals are set forth in this section, unless otherwise specified in this Ordinance.

§1.7.02 Procedures for Development Projects Requiring a Public Hearing

1. Public Information: Public Hearings, Meetings, Notice, and Access to Records

All hearings, meetings, notice and records relative to this Ordinance shall follow the procedures established in this section, unless otherwise specified in this Ordinance.

- a. Notice

- 1) Content of Notices

All notices that this Ordinance requires for public hearings shall identify the following information:

- a) The date, time and location of the meeting.
- b) The nature and character of the proposed action.
- c) The existing zoning of the property.
- d) The existing and proposed land use of the property.
- e) The address of the property.
- f) The size of the property.

- 2) Published Notice

Notice of any public hearing shall be published in the newspaper of general circulation of the City of Easley at least fifteen (15) days, but not more than forty-five (45) days, prior thereto. The notice shall appear as a legal advertisement in said newspaper.

3) Posted Notice

If the proposed amendment is for a rezoning, temporary land use, Special Exception use or variance of property (to be furnished by the Zoning Administrator), placed every three hundred (300) feet of property frontage, containing the same information as required in the published notice, shall be posted upon the property not less than fifteen (15) days prior to the date of the hearing. The sign shall contain letters large enough to be read from the street; whether the property fronts on more than one (1) street, signs shall be posted on at least two (2) streets.

- a) The applicant shall remove and return all posted signs from the subject property within three (3) business days after the date of the hearing, or the applicant forfeits the return of the sign deposit.

b. Public Hearings

All hearings, both regular and special, at which an amendment to this Ordinance is to be discussed, considered, or acted upon by the City Council, shall be open to the public. Notice of special meetings shall be given in accordance with the South Carolina Open Meeting Law as referenced previously.

- 1) A public hearing shall be held separately by the Planning Commission, as a condition precedent to final action by the City Council which results with:

- a) The adoption of zoning regulations or the official zoning map;
- b) The adoption of an amendment to the zoning regulations which changes the text of this Ordinance;
- c) The adoption of an amendment to this Ordinance which rezones property from one zoning classification to another, requiring amendment of the Official Zoning Map; or
- d) The granting of Special Exception shall be considered by the Board of Zoning Appeals.

2) Public Hearings by Planning Commission

The Planning Commission Chairman calls the meeting to order and explains the procedures of the day and instructs the Zoning Administrator to call each case for a public hearing. A public hearing is called to order by the chairman. At the public hearing, the applicant for the request shall first be afforded a reasonable opportunity to explain why the request is being sought; thereafter, all interested persons shall be afforded a reasonable opportunity to speak either for or against the request. Speakers shall be limited to a reasonable time, irrelevant or repetitious comments shall be avoided, and decorum shall be maintained. After the Zoning Administrator summarizes the request, a staff recommendation is presented. The Planning Commission then deliberates, and may ask the applicant further questions. After a motion and second regarding the application, the

Planning Commission votes on a formal recommendation to the City Council, who renders a final decision at a separate meeting.

3) Attendance Requirements

It is strongly recommended that the applicant or his representative attend all public hearings on the application. The failure to attend may result in dismissal, rejection of the application, or continuance of the hearing at the Planning Commission's sole discretion.

4) Public Information

Copies of the proposed amendment, including the application, supporting documents and plats, the recommendations of the Zoning Administrator, and minutes of the Planning Commission, shall be maintained by the Zoning Administrator and available for public inspection and copying. Copies of this Ordinance, as from time to time amended, shall be published in booklet form and available to the public at reasonable charge.

2. Withdrawal of Application

An application may only be withdrawn upon a joint written request of the record titleholder and applicant. All requests to withdraw must be given to the Zoning Administrator at least seven (7) days prior to the public hearing. In no event shall an application be withdrawn more than once without prejudicing the right of the applicant to apply for such request within twelve (12) months of the first application.

3. Re-submittal of Rejected or Dismissed Rezoning Applications

- a. If an application for rezoning is rejected or deleted to another zoning classification, then any portion of the same property may not again be considered for rezoning for a period of six (6) months from the date of the City Council decision.
- b. The City Council may only consider property for rezoning within the six (6) month time period in connection with settlement of litigation or pursuant to an order by a court of competent jurisdiction. However, the City Council, if time permits, shall direct staff to advertise, post the property, and notify the applicant and owner in writing prior to taking such action.

4. Application Disapproval and Appeal of Decisions

a. Disapproval

If, in the opinion of the City Council, the proposed amendment would tend to create conditions which would be unfavorable to or would adversely affect the health, safety, convenience, prosperity, or general welfare of the citizens of the City of Easley, then the City Council may disapprove the application and shall notify the applicant in writing by regular mail of its decision within ten (10) days of the date of the meeting at which the City Council took action.

b. Appeals

Any person or persons aggrieved by any decision of the City Council relating to this Ordinance may seek review of such decision in the Circuit Court. An appeal from the decision of the City Council shall be filed within thirty (30) days after the date of decision by the City Council and upon failure to file the appeal within thirty (30) days of the decision, the decision shall be final.

§1.8 Transitional Rules

§1.8.01 Existing Unlawful Uses and Structures

A structure or use not lawfully existing at the time of the adoption of Zoning is hereby deemed lawful as of the effective date of Zoning, provided that it conforms to all of the requirements of Zoning. However, if such structure or use does not conform to all of the requirements of Zoning, then such structure or use shall continue to be unlawful hereunder.

§1.8.02 Uses Rendered Non-Conforming

When a lot is used for a purpose which was a lawful use before the effective date of Zoning, and Zoning or any amendment thereto no longer classifies such use as either a permitted use or Special Exception use in the zoning district in which it is located, such use is hereby deemed a nonconforming use and shall be controlled by the provisions of this Section.

§1.8.03 Buildings, Structures, Signs and Lots Rendered Non-Conforming

Where any building, structure, sign, or lot which existed on the effective date of Zoning does not meet all standards set forth in Zoning or any amendment thereto, such building, structure, or lot is hereby deemed non-conforming and shall be controlled by the provisions of this Section.

§1.8.04 Right to Occupy as Nonconformity

Upon completion pursuant to Subsection 1 hereof, such structure may be occupied by, and a Certificate of Occupancy shall be issued for, the use designated on such permit, subject thereafter to the provisions of this section.

§1.9 Interpretation and Conflicts

§1.9.01 Interpretation of the Zoning Ordinance

1. In interpreting and applying the provisions of Zoning, they shall be held to be the minimum requirements for the promotion and protection of the public safety, health, convenience, comfort, prosperity, or general welfare, as set forth in the provisions hereof establishing the intent and purpose of Zoning in general and its various Sections in particular.
2. All applications for a permitted or Special Exception use set forth in each commercial zoning district shall be submitted to the Zoning Administrator for a use interpretation, pursuant to the standards and procedures set forth in Section 5-2-23, "Administrative Mechanisms" of Zoning.

§1.9.02 Conflict with Public and Private Provisions

Whenever a conflict exists between the provisions of Zoning and the provisions of any other public or private restrictions, the following shall govern:

1. Public Provisions

These regulations are not intended to interfere with, abrogate, or annul any other rule, regulation, statute, or other provision of law. Where any provision of these regulations imposes restrictions different from those imposed by any other provision of these regulations or any other rule, or other provision of law, whichever provisions are more restrictive, or impose higher standards, shall control.

2. Private Provisions

These regulations contained in the zoning ordinance are not intended to interfere with, abrogate, or annul any easement, covenant, or any other private agreement, legal relationship, or restriction such as HOA agreements; provided that, where the provisions of these regulations contained in the zoning ordinance are more restrictive or impose higher standards or regulations than such easement, covenant, or private agreement or restriction, the requirements of these regulations shall govern.

§1.10 Codes and Specifications

When reference is made in Zoning to statutes, codes, specifications, or other regulations, it is intended that subsequent amendments to such codes, statutes, specifications or regulations will be automatically adopted by reference herein except as provided by subsequent resolutions of the City Council.

§1.11 Previously Issued Building Permits

§1.11.01 Building Permit Eligibility

Notwithstanding the terms of §5-2-21.6 and §5-2-21.9, "Consistency with and Relationship to Comprehensive Plan" and "Codes and Specifications", of Zoning, any development for which a building permit has been issued prior to the effective date of Zoning, or prior to the effective date of any amendment hereto which renders the development non-conforming, may be carried out in accordance with that building permit and shall be deemed lawfully existing under the terms of Zoning, provided that:

1. The permit was validly issued;
2. The permit has not expired;
3. The permit has not been revoked; and
4. Construction pursuant to such permit or approval is commenced prior to the expiration of such permit or approval.

§1.12 Site Plan Review Subsequent to Adoption of Ordinance

All new commercial development shall be required to submit a site plan. This site plan shall meet minimum standards for a site plan, and shall be reviewed and approved by staff. In addition, all commercial properties seeking approval for an addition, alteration or modification, shall be required to submit a site plan. Finally, all non-commercial properties seeking conversion to a commercial use shall be required to submit a site plan.

§1.13 Posting of Street Address

All improved commercial buildings or properties shall be posted with a street address number assigned by the Pickens County 911 Department. The street address number must be clearly visible from the street or road.

§1.14 Altering of Ordinances Prohibited

It shall be unlawful for any person to change or amend, by addition or deletion, any part or portion of Zoning, or to insert or delete pages or portions thereof, or to alter or tamper with such code, in any manner whatsoever, which will cause the law of the City to be misrepresented thereby.

§1.15 Penalties

Any person, whether as owner, lessee, principal, agent, employee or otherwise, who violates any of the provisions of Zoning, as the same exists or as may hereafter be amended; permits any such violation to continue; or otherwise fails to comply with the requirements of Zoning or of any plan or statement submitted and approved under the provisions of Zoning, shall be guilty of an ordinance violation and subject to prosecution as provided above. The owner of any buildings or premises or parts thereof where anything in violation of Zoning shall be placed or shall exist and/or any representative of the owner who may have assisted in the commission of such violation shall be punished as a misdemeanor. Upon conviction such person shall be fined not less than fifty dollars (\$50) nor more than seven hundred fifty dollars (\$750), imprisoned for not more than thirty (30) days for each offense; and in addition shall pay all costs and expenses involved in the case as determined by the court. Each day such violation continues, shall be considered a separate offense. At the option of the City, a violation may be processed through the City's code enforcement process as an alternative to prosecution under this section.

§1.16 Injunctive Relief

In addition to any penalty provided by law for the violation of any of the provisions of Zoning, the City Council may bring suit in the appropriate circuit court to enjoin, restrain, or otherwise prevent the violation of any of the provisions of Zoning.

§1.17 Conflict with Other Regulations

Whenever the regulations of Zoning require a greater width, size of yards, courts, other open spaces, lower height of buildings, smaller number of stores, greater percentage of lot to be left unoccupied, or impose other more restrictive standards than are required in or under any other statute, the regulations and requirements of Zoning shall govern. Whenever the provisions of any other statute require more restrictive standards than are required by Zoning, the provisions of such statute shall govern.

§1.18 Severability

It is hereby decreed to be the intention of the City Council that the sections, subsections, paragraphs, sentences, clauses, words, or any other part of Zoning are severable and if any word or words, clause or clauses, sentence or sentences, paragraph or paragraphs, section or sections, or any other part or parts of Zoning shall be declared unconstitutional, unlawful, or invalid by the sound judgment or decree of any court of competent jurisdiction, such unconstitutionality, unlawfulness, or invalidity shall not affect any of the remaining sections, subsections, paragraphs, sentences, clauses, words, or any other part of this resolution as the same would have been enacted by the City Council without the incorporation in this resolution of any such unconstitutional word or words, clause or clauses, sentence or sentences, paragraph or paragraphs, section or sections.

§1.19 Effective Date

The effective date of the Ordinance is March ____, 2015.

§1.20-99 Reserved.

ARTICLE II**ZONING DISTRICTS****§2.1 Purpose and Intent**

The purpose of this Section is to establish general provisions and guidelines that shall govern all zoning districts and that shall be universally applicable.

1. In order to carry out the purposes of Zoning and to allow a variety of uses in different districts which are appropriate to the character of the individual district, the area of the City of Easley, South Carolina shall be divided into the following general use districts, the boundaries of which shall be shown on the Zoning Map of the City of Easley, South Carolina, as amended.
2. Lands within the area of the City of Easley, South Carolina also may be classified into one or more of the “overlay districts” or “floating zones.” Where the property is classified in an overlay or floating district as well as a general use district, then the regulations governing development in the overlay or floating district shall apply in addition to the regulations governing development in the underlying general use district. In the event of an express conflict between the standards set forth in this Section and the standards set forth in any Section governing overlay districts that may apply to a particular property, the standards set forth for the overlay or floating district shall apply.

§2.2 Applicability

The requirements herein established shall apply to all land within the incorporated area of the City of Easley. Where there is a conflict between the terms and/or requirements contained in this section and another section contained in Zoning, as amended, or any other ordinance, code, or regulation of the City of Easley, South Carolina, the stricter shall apply.

§2.3 Allowable Uses*

No use shall be established in any zoning district unless it is expressly designated by Zoning as a “permitted use”, “conditional use”, “Special Exception use”, “accessory use”, “Temporary Land Use”, or “temporary or seasonal use” in the district in which the use is to be located, or the Zoning Administrator makes a determination that such use is of the same general character and has the same effect as other uses in the zoning district. The range of uses allowed as “permitted uses”, “conditional uses”, “Special Exception uses”, and “accessory uses” is provided in each zoning district’s regulations.

*Refer to Appendix A for a table of permitted and conditional for the City of Easley Zoning Districts.

§2.3.01 Permitted Uses

The designation of “permitted uses” is established to provide for the location of particular uses that are considered appropriate within a given zoning district and require no special treatment under this Section different from the provisions generally applying to the zoning district in which the use is located. Only those uses which this Section designates as permitted uses in a given district shall be treated as such.

§2.3.02 Conditional Uses

1. The designation of “conditional uses” is established to provide for the location of particular uses that are considered appropriate within a given zoning district provided that specific conditions

that are designed to minimize the effect of the use or ensure compatibility with adjacent uses shall be met. Only those uses which this Section designates as conditional uses in a given district shall be treated as such.

§2.3.03 Special Exception Uses

1. The classification of “Special Exception Uses” is established to provide for the location of those uses which are generally compatible with the other land uses permitted in a zoning district but which, because of their unique characteristics or potential impacts on the surrounding neighborhood and the City as a whole, require individual consideration and scrutiny of their location, design, configuration, and/or operation at the particular location proposed. Such individual consideration may also call for the imposition of individually tailored conditions in order to ensure that the use is appropriate at a particular location and compatible with adjacent uses to the greatest extent possible.
2. Any unusual or unique circumstances shall be considered which may affect the suitability of each special exception use to the site upon which it is proposed. Additional requirements and conditions may be imposed in a particular instance where deemed to be in the best interest of the general public health, safety, morals, and welfare and for a specific purpose. However, it is the intent of this Section that special exception uses be approved which comply with the conditions imposed herein, which allow reasonable use of the land relative to the character of the area in which the development will occur and which do not hamper ultimate development of the land.
3. Accordingly, any use designated in this Section as a special exception in an individual zoning district shall not be established without the recommendation of the Board of Zoning Appeals for a special exception. Final approval of special exceptions shall be the responsibility of the Board of Zoning Appeals.

§2.3.04 Accessory Uses

The designation of “accessory uses” is established to provide for the location of particular uses that are considered appropriate within a given zoning district and generally require no special treatment under this Section different from the provisions generally applying to the zoning district in which the use is located. However, such accessory uses shall be clearly secondary and subordinate to the primary or principal use of the property. Only those uses which this Section designates as accessory uses in a given district shall be treated as such.

§2.3.06 Temporary or Seasonal Uses

The designation of “temporary or seasonal uses” is established to provide for the location of particular uses that are considered temporary or seasonal in nature. Only those uses which this Section designates as temporary uses in a given district shall be treated as such. No use that is classified as a “temporary or seasonal use” in the zoning district in which it is located shall be placed or established on the property without first receiving a temporary or seasonal use permit from the City of Easley Building Codes Department.

§2.3.07 In-Home Occupation Use

The designation of an in-home occupation use is established to provide for the location of particular uses that are defined as an in-home occupation. Only those uses which this Section designates as an in-home

occupation uses in a given district shall be treated as such. No use that is classified as an in-home occupation use in the zoning district in which it is located shall be placed or established on the property without first receiving a in-home occupation permit from the Zoning Administrator.

§2.4 Official Zoning Map & District Boundaries

§2.4.01 Zoning Map

4. The Official Zoning Map of the City of Easley, South Carolina, shall hereinafter be referred to in Zoning as the Zoning Map.
5. The City is hereby divided into the zoning districts listed in this Section and as shown on the Zoning Map, which, along with all notations, references, and other information shown thereon, is hereby incorporated into and made part of Zoning.
6. The Zoning Map shall be located in the office of the Zoning Administrator and shall be the final authority as to the current zoning status of land and water areas, buildings and other structures in the City save for subsequent amendments enacted by the City Council and not yet officially recorded on said map.

§2.4.02 Zoning District Boundaries

Where uncertainty exists as to the boundaries of zoning districts as shown on the Zoning Map, the following rules shall apply:

1. Boundaries indicated as approximately following the center lines of streets, highways, or alleys shall be construed to follow center lines of rights-of-way or prescriptive easements. In case of closure of a street or alley, or vacation of an easement, the boundary shall be construed as remaining at its prior location unless ownership of the closure or vacated area is divided other than at the center, in which case the boundary shall be construed as moving to correspond with the ownership, but not beyond any previous right-of-way or easement line.
2. Boundaries indicated as approximately following platted lot lines shall be construed as following lot lines.
3. Boundaries indicated as following City limit lines shall be construed as following such City limits.
4. Boundaries indicated as following railroad lines shall be construed as to be midway in the right-of-way.
5. Boundaries indicated as following shorelines of bodies of water shall be construed to follow such shorelines. Boundaries indicated as approximately following the center lines of creeks, streams, rivers, canals, or other predominately linear bodies of water shall be construed to follow such center lines.

Boundaries indicated as parallel to or concentric with, or extensions of features indicated in Paragraphs (1) through (5) above shall be so construed. Distances and dimensions not specifically indicated on the Zoning Map shall be determined from the Zoning Map by the Zoning Administrator and as so noted on the map.

7. Where areas appear to be unclassified on the Zoning Map, and classification cannot be established by the above rules, such areas shall be considered to be classified R-10 until action is taken to amend the Zoning Map.
8. Where territory is added to the jurisdictional area, it shall be considered to be classified as R-10 until action is taken to amend the Zoning Map.
9. Where natural or man-made features actually existing on the ground are at variance with those shown on the Zoning Map, the Zoning Administrator shall interpret the district boundaries as so noted on the map.
10. Where uncertainties continue to exist and/or further interpretation is required beyond that presented in the above paragraphs, the question shall be presented to the Zoning Administrator for interpretation and as so noted on the map.

§2.5 Zoning Districts

The City of Easley is hereby subdivided into the following districts:

**Table 2.1
Zoning District
District Description**

Zoning District	District Description
R-10 R-7.5 RPH-6	One-Family Residential Districts: These districts are intended to foster, preserve and protect areas of the community where the principal use of land is for detached, single-family dwellings and related support facilities.
GR-1	General Residential District: This District is intended to accommodate manufactured home development in concert with single-family, conventional dwellings or in planned parks or courts. It is further intended to foster manufactured home development as an alternative to conventional stick-built housing.
GR-2	General Residential District: This District is intended to accommodate higher density residential development and a variety of housing types on small lots or in project settings.
OI	Office-Institutional District: This District is intended to accommodate office, institutional and residential uses in areas whose character is neither exclusively commercial nor residential in nature. It is designed principally for areas in transition along major streets and for the purpose of ameliorating the consequences of change impacting established residential areas.
NC	Neighborhood Commercial District: This District is intended to meet the commercial and service needs generated by nearby residential areas. Goods and services normally available in this district are of the “convenience variety.” The size of any such districts should relate to surrounding residential markets and the locations should be at or near major intersections.
GC	General Commercial District: The intention of this district is to accommodate the broadest possible range of commercial uses, determined principally by market conditions, while protecting the environment from potential objectionable development.
CC	Core Commercial District: The intent of this intent of this district is to promote the concentration and vitality of commercial and business uses in downtown Easley. This district is characterized by wall-to-wall development, pedestrian walkways, and public parking lots.

Zoning District	District Description
IND	Industrial District: The intent of this district is to accommodate wholesaling, distribution, storage, processing and manufacturing in an environment suited to such uses and operations while promoting land use compatibility both within and beyond the boundaries of such districts. Toward these ends, residential development is not permitted, nor is the establishment of this district on other than a collector or arterial street.
MED	Medical District: The intent of this district is to create an environment conducive to medical practice and operations, and to concentrate medical facilities and related uses in “complex” settings to better accommodate the needs of the medical profession and those served by it.
PUD	<p>Planned Unit Development District: The Intent of the Planned Unit Development District is to encourage flexibility in the development of land in order to promote its most appropriate use; and to do so in a manner that will enhance the public health, safety, morals, and general welfare.</p> <p>Within the PUD zones, regulations adapted to such unified planning and development are intended to accomplish the purposes of zoning and other applicable regulations to an equivalent or higher degree than where such regulations are designed to control unscheduled development on individual lots, to promote economical and efficient land use, provide an improved level of amenities, foster development of cohesive mixed uses, encourage creative design, and promote a better environment.</p> <p>In view of the substantial public advantage of planned unit development, it is the intent of these regulations to promote and encourage mixed use development through the PUD requirements where appropriate in location, character and timing.</p>

§2.6 District Regulations

The following regulations pertain to the districts established by this ordinance.

§2.6.01 R-10 One Family Residential District

This district is intended to foster, preserve and protect areas of the community in which the principal use of land is large lot, detached, single family dwellings and related support facilities.

1. Permitted Uses.

The following uses shall be permitted in any R-10 Zoning District:

- a. Single-family detached dwellings meeting the International Building Code as adopted by the City of Easley.
- b. Non-commercial horticulture or agriculture, but not including the keeping of poultry, livestock, or kennels..
- c. Golf, Tennis, and Swim Clubs.

2. Conditional Uses.

The following uses shall be permitted in any R-10 Zoning District on a conditional basis, subject to the conditions of this section and Article VI, Code Enforcement.

- a. Public park, playground, unlighted golf courses (excluding miniature golf courses and driving ranges), or other public recreation area or community recreation building, libraries, police and fire departments in compliance with all supplementary provisions of this Ordinance.
 - b. Electric, Gas, & Sanitary Services substations.
 - c. Cemetery, provided that such use:
 - 1) consists of a site of at least five (5) acres;
 - 2) includes no crematorium or dwelling unit other than for a caretaker and immediate family members; and
 - a) has a front yard setback of at least forty-five (45) feet from the edge of the street right-of-way.
 - d. Elementary, middle, or high school or institution of higher learning provided that the lot is at least five (5) acres in size, no structure or parking area is placed within fifty (50) feet of any property line, and all of the parking requirements of this Ordinance are provided on site.
 - e. Church, synagogue, temple and other places of worship, provided that:
 - 1) Such use is housed in a permanent structure which meets all building, electrical, and plumbing codes for places of public assembly;
 - 2) Such use is located on a lot not less than 40,000 square feet in area;
 - 3) Exterior and parking lot lights do not reflect on to adjoining residences; and
 - 4) No structure or parking area is placed within fifty (50) feet of any property line, and all of the parking requirements contained in this Ordinance are provided on site.
3. Special Exception Uses.

The following uses shall be permitted in the R-10 Zoning District as a special exception, subject to the conditions of this section:

- a. Bed and Breakfast Inn provided that it meets the following conditions:
 - 1) The inn must be operated by members of the household living on the premises;
 - 2) A maximum of one Bed and Breakfast Inn shall be permitted on any parcel;
 - 3) The inn must be operated in a structure constructed prior to the passage of this amendment;
 - 4) The inn shall have no more than 8 guest rooms;
 - 5) The inn shall not require any alteration or change in the essential residential character of the dwelling;
 - 6) The operation of the inn shall involve no exterior storage of materials or supplies;

- 7) There shall be no exterior displays or signs, except for one on-site sign no larger than twenty square feet stating the name of the inn;
- 8) The inn shall provide at least one paved parking space on the property for each guest room. Parking spaces shall be located behind the front line of the structure;
- 9) The resident operator of the inn shall keep a current guest register, including the names, addresses, and occupancy dates of all guests;
- 10) No guest shall occupy the inn for more than seven consecutive nights;
- 11) The inn may serve only a breakfast meal;
- 12) The inn may only serve meals to registered guests; and
- 13) The Board of Zoning Appeals must hold a public hearing to determine if the proposed Bed and Breakfast Inn is consistent with a quiet residential neighborhood.

4. Prohibited Uses.

The following uses are prohibited in the R-10 Zoning District.

- a) Sexually Oriented Businesses
- b) Cellular Towers
- c) Manufactured Homes - Single Section Mobile Homes
- d) Off-premise Signs

5. Dimensional Requirements.

Uses permitted in the R-10 Zoning District shall be required to conform to the following standards, except that the use of substandard lots of record as of the effective date of this ordinance may be subject to the relief provided in this ordinance.

Table 2.2

R-10 Dimensional Criteria	
Minimum Lot Area:	10,000 square feet for residential uses 20,000 square feet for non-residential uses
Minimum Lot Width:	80 feet @ the building line
Setbacks: Minimum Front Setback:	30 feet* for local roads 40 feet* for collector roads
Minimum Side Setback:	10 feet* for residential uses 50 feet* for non-residential uses
Minimum Rear Setback:	25 feet* for residential uses 50 feet* for non-residential uses
Maximum Building Height:	45 feet* (except upon Fire Chief's written approval with conditions stated therein.)
Maximum Impervious Surface Ratio	0.35
Maximum Residential Density	4.3
Maximum F.A.R. (Non-Res. Only)	0.25

*(See General Supplementary Provisions).

6. Parking and Loading.

Uses permitted in the R-10 Zoning District shall meet standards set forth in Article III, Off-Street Parking and Loading.

7. Signs.

Signs permitted in the R-10 Zoning District, including the conditions under which they may be located are set forth in Article IV, Sign Regulations.

8. Buffer yard Requirements.

Where a conditional use borders any residential zone, a buffer yard in compliance with Article V, Landscaping and Buffering, shall be required along abutting property lines.

§2.6.02 R-7.5 - One Family Residential District

This district is intended to foster, preserve and protect areas of the community in which the principal use of land is large lot, detached, single family dwellings and related support facilities.

1. Permitted Uses.

The following uses shall be permitted in any R-7.5 Zoning District:

- a. Single-family detached dwellings meeting the International Building Code as adopted by the City of Easley.
- a) Non-commercial horticulture or agriculture, but not including the keeping of poultry, livestock, or kennels.
- b) Golf, Tennis, and Swim Clubs.

2. Conditional Uses.

The following uses shall be permitted in any R-7.5 Zoning District on a conditional basis, subject to the conditions of this section and Article VII, Code Enforcement.

- a. Public park, playground, unlighted golf courses (excluding miniature golf courses and driving ranges), or other public recreation area or community recreation building, libraries, police and fire departments in compliance with all supplementary provisions of this Ordinance.
- b. Electric, Gas, & Sanitary Services Substations
- c. Cemetery, provided that such use:
 - 1) Consists of a site of at least five (5) acres;
 - 2) Includes no crematorium or dwelling unit other than for a caretaker and immediate family members; and

- 3) Has a front yard setback of at least forty-five (45) feet from the edge of the street right-of-way.
 - d. Elementary, middle, or high school or institution of higher learning provided that the lot is at least five (5) acres in size, no structure or parking area is placed within fifty (50) feet of any property line, and all of the parking requirements of this Ordinance are provided on site.
 - e. Church, synagogue, temple and other places of worship, provided that:
 - 1) Such use is housed in a permanent structure which meets all building, electrical, and plumbing codes for places of public assembly;
 - 2) Such use is located on a lot not less than 40,000 square feet in area;
 - 3) Exterior and parking lot lights do not reflect on to adjoining residences; and
 - 4) No structure or parking area is placed within fifty (50) feet of any property line, and all of the parking requirements contained in this Ordinance are provided on site.
3. Special Exception Uses.

The following uses shall be permitted in the R- Zoning District as a special exception, subject to the conditions of this section and Article VII, Code Compliance:

- a. Bed and Breakfast Inn, provided that it meets the following conditions:
 - 1) The inn must be operated by members of the household living on the premises;
 - 2) A maximum of one Bed and Breakfast Inn shall be permitted on any parcel;
 - 3) The inn must be operated in a structure constructed prior to the passage of this amendment;
 - 4) The inn shall have no more than 8 guest rooms;
 - 5) The inn shall not require any alteration or change in the essential residential character of the dwelling;
 - 6) The operation of the inn shall involve no exterior storage of materials or supplies;
 - 7) There shall be no exterior displays or signs, except for one on-site sign no larger than twenty square feet stating the name of the inn;
 - 8) The inn shall provide at least one paved parking space on the property for each guest room. Parking spaces shall be located behind the front line of the structure;
 - 9) The resident operator of the inn shall keep a current guest register, including the names, addresses, and occupancy dates of all guests;
 - 10) No guest shall occupy the inn for more than seven consecutive nights;
 - 11) The inn may serve only a breakfast meal;

- 12) The inn may only serve meals to registered guests; and
- 13) The Board of Zoning Appeals must hold a public hearing to determine if the proposed Bed and Breakfast Inn is consistent with a quiet residential neighborhood.

4. Prohibited Uses.

The following uses are prohibited in the R-7.5 Zoning District.

- a. Sexually Oriented Businesses
- b. Cellular Towers
- c. Manufactured Homes - Single Section Mobile Homes
- d. Off-premise Signs

5. Dimensional Requirements.

Uses permitted in the R-7.5 Zoning District shall be required to conform to the following standards, except that the use of substandard lots of record as of the effective date of this ordinance may be subject to the relief provided in this ordinance.

Table 2.3

R-7.5 Dimensional Criteria	
Minimum Lot Area:	7,500 square feet for residential uses 12,000 square feet for non-residential uses
Minimum Lot Width:	60 feet @ the building line
Setbacks: Minimum Front Setback:	20 feet* for local roads 40 feet* for collector roads
Minimum Side Setback:	10 feet* for residential uses 40 feet* for non-residential uses
Minimum Rear Setback:	15 feet* for residential uses 40 feet* for non-residential uses
Maximum Building Height:	35 feet* (except upon Fire Chief's written approval with conditions stated therein.)
Maximum Impervious Surface Ratio	0.45
Maximum Residential Density	5.5
Maximum F.A.R. (Non-Res. Only)	0.30

*(See General Supplementary Provisions).

6. Parking and Loading.

Uses permitted in the R-7.5 Zoning District shall meet standards set forth in Article III, Off-Street Parking and Loading.

7. Signs.

Signs permitted in the R-7.5 Zoning District, including the conditions under which they may be located are set forth in Article IV, Sign Regulations.

8. Buffer yard Requirements.

Where a conditional use borders any residential zone, a buffer yard in compliance with Article V, Landscaping and Buffering, shall be required along abutting property lines.

§2.6.03 RPH-6 – Single Family Residential Patio Home District

The purpose of this district is provided to allow for development of "zero-lot line" homes in a modified residential district, which encourages greater use of the side yard areas. Clustered lot patterns with a common usable open space system can be incorporated as an integral part of the development. Through design and planning controls, higher densities can be accommodate without sacrificing usable open space, privacy or environmental quality.

1. The following uses shall be permitted in any RPH-6 Zoning District:

- a) Zero-lot line, or patio home, residential detached dwellings in a platted subdivision.
- b) Community Owned or Multiple Ownership Areas.

Open space, community center, an access gate, an entrance guard facility, recreational building and facilities are permitted uses provided they are incidental to the above-described residential uses, are approved on a Final Plat, and meet the following conditions.

- a. In accordance with the Subdivision Ordinance, a HOA shall be established to maintain open space, recreational areas, and other commonly owned facilities.
 - i. The developer is responsible for drafting the HOA documents pertaining to the HOA's responsibilities to maintain these areas.
 - ii. Prior to approval of a Final Plat, a document establishing the HOA shall be submitted to the city for review and approved by the City Attorney for conformance with all requirements and other applicable ordinances.
 - iii. The City Attorney shall review and approve the HOA documents pertaining to maintenance of the HOA areas prior to their recording at the County.
- c) Single-family detached dwellings meeting the International Building Code as adopted by the City of Easley.
- d) Accessory uses and structures associated with the use of the land for residential purposes.

2. Conditional Uses.

The following uses shall be permitted in any RPH-6 Zoning District on a conditional basis, subject to the conditions of this section and Article VII, Code Enforcement.

- a. Public or quasi-public facilities and utilities in compliance with other regulations of this Ordinance.

3. Special Exception Uses.

The following uses shall be permitted in the RPH-6 Zoning District as a special exception, subject to the conditions of this section and Article VII, Code Compliance:

- a. No use approved as special exceptions

4. Prohibited Uses.

The following uses are prohibited in the RPH-6 Zoning District.

- a. Sexually Oriented Businesses
- b. Cellular Towers
- c. Manufactured Homes - Single Section Mobile Homes

5. Dimensional Requirements.

Uses permitted in the RPH-6 Zoning District shall be required to conform to the following standards, except that the use of substandard lots of record as of the effective date of this ordinance may be subject to the relief provided in this ordinance.

Table 2.3

RPH-6 Dimensional Criteria	
Minimum Lot Area:	6,000 square feet for residential uses
Minimum Lot Width:	50 feet @ the right of way
Setbacks: Minimum Front Setback:	20 feet* for local roads 30 feet* for collector roads
Minimum Side Setback:	0 feet* for residential uses but with a minimum distance between dwelling units on adjoining lots of ten (10) feet. 10 feet* if adjacent to other residential districts or non-residential uses
Minimum Rear Setback:	20 feet* for residential uses 30 feet* for non-residential uses
Maximum Building Height:	35 feet* (except upon Fire Chief's written approval with conditions stated therein.)
Maximum Impervious Surface Ratio	0.60
Maximum Residential Density	7.25

*(See General Supplementary Provisions).6.

6. Parking and Loading.

Uses permitted in the RPH-6 Zoning District shall meet standards set forth in Article III, Off-Street Parking and Loading.

7. Signs.

Signs permitted in the RPH-6 Zoning District, including the conditions under which they may be located are set forth in Article IV, Sign Regulations.

8. Buffer yard Requirements.

Where a conditional use borders any residential zone, a buffer yard in compliance with Article 5, Landscaping and Buffering, shall be required along abutting property lines.

9. General and Supplementary Regulations.

Uses permitted in the RPH-6 Zoning District shall meet standards set forth in the General Supplementary Provisions.

§2.6.04 GR-1 - General Residential District 1

This district is intended to accommodate manufactured home development in concert with single-family, conventional dwellings or in planned parks or courts. It is further intended to foster manufactured home development as an alternative to conventional stick-built housing.

1. Permitted Uses.

The following uses shall be permitted in any GR-1 Zoning District:

- a. Detached single-family dwelling meeting existing City Codes requirements not including manufactured homes.
- b. Non-commercial horticulture or agriculture, but not including the keeping of poultry, livestock, or kennels.
- c. Golf, Tennis, and Swim Clubs.
- d. Child Day Care Services
- e. Residential Care Services

2. Conditional Uses.

The following uses shall be permitted in any GR-1 Zoning District on a conditional basis, subject to the conditions of this section.

- a) Public park, playground, unlighted golf courses (excluding miniature golf courses and driving ranges), or other public recreation area or community recreation building, libraries, police and fire departments in compliance with all supplementary provisions of this Ordinance.
- b) Electric, Gas, & Sanitary Services substations.
- c) Cemetery, provided that such use:
 - 1) Consists of a site of at least five (5) acres;
 - 2) Includes no crematorium or dwelling unit other than for a caretaker and immediate family members; and
 - 3) Has a front yard setback of at least forty-five (45) feet from the edge of the street right-of-way.
- d) Elementary, middle, or high school or institution of higher learning provided that the lot is at least five (5) acres in size, no structure or parking area is placed within fifty (50) feet of any property line, and all of the parking requirements of this Ordinance are provided on site.
- e) Church, synagogue, temple and other places of worship, provided that:
 - 1) Such use is housed in a permanent structure which meets all building, electrical, and plumbing codes for places of public assembly;
 - 2) Such use is located on a lot not less than 40,000 square feet in area;

- 3) Exterior and parking lot lights do not reflect on to adjoining residences; and
 - 4) No structure or parking area is placed within fifty (50) feet of any property line, and all of the parking requirements contained in this Ordinance are provided on site.
- f) Manufactured Home Park, provided it meets the following conditions:
- 1) The minimum park or court area shall be two acres.
 - 2) The maximum number of manufactured homes per acre shall not exceed seven.
 - 3) The park shall be served by city sewer and water systems, a system of storm drainage, and refuse disposal facilities, not less than 40 feet from any manufactured home.
 - 4) Roadways, which are not to be dedicated as public streets, shall have a minimum travel width of twenty feet exclusive of parking.
 - 5) Paved roadways shall be required of all parks.
 - 6) All on-site roadway intersections shall be provided with a streetlight, and interior lights shall be provided at not less than 400-foot intervals.
 - 7) Each manufactured home stand shall be at least 30 feet from any other stand and at least 20 feet from the right-of-way of any drive which provides common circulation, and 30 feet from any side or rear property line, and shall meet the front yard setbacks for the street on which it is to front.
 - 8) No manufactured home shall have direct access to a public street and will only have access to the roadways within the boundaries of a Mobile Home Park.
 - 9) Two parking spaces shall be provided for each manufactured home space. Parking must be provided on the manufactured home lot.
 - 10) In the development of a park, existing trees and other natural site features shall be preserved to the extent feasible.
 - 11) A minimum of 10 percent of the park site shall be reserved and developed for usable recreational purposes or play areas; however, no recreation area shall be less than 500 square feet in area.
 - 12) Buffer areas shall be provided on the perimeter of the park or court in accord with the requirements of Article V.
 - 13) Manufactured homes shall be placed on one of the following types of foundations which shall be subject to the approval by the Building Official:
 - a) Piers under frame made of masonry construction on 16x16x4”thick foundation.
 - b) Masonry curtain -wall foundation of solid continuous construction around the entire perimeter of the manufactured home.

- c) Concrete or masonry footings.
 - d) Foundations shall be so constructed as to prevent settling and accumulation of water under the manufactured home.
 - e) All manufactured homes placed on a concrete slab foundation or on a concrete or masonry footing foundation shall be provided with appropriate skirting of solid durable material around the entire perimeter. Each manufactured home shall be securely underpinned and anchored.
- 14) Space Numbers: Permanent space numbers shall be provided on each manufactured home space and shall be located so as to be visible from the street or driveway. Signs identifying space locations shall be provided at each street or driveway intersection.
- 15) License Required; Revocation: A business license shall be prerequisite to the opening or operation of a manufactured home park in the City of Easley. Said license may be revoked by City Council for a violation of this Ordinance or other applicable ordinance and regulations governing the operation of such uses.
- h) Bed and Breakfast Inn, provided that it meets the following conditions:
- 1) The inn must be operated by members of the household living on the premises;
 - 2) A maximum of one Bed and Breakfast Inn shall be permitted on any parcel;
 - 3) The inn must be operated in a structure constructed prior to the passage of this amendment;
 - 4) The inn shall have no more than 8 guest rooms;
 - 5) The inn shall not require any alteration or change in the essential residential character of the dwelling;
 - 6) The operation of the inn shall involve no exterior storage of materials or supplies;
 - 7) There shall be no exterior displays or signs, except for one on-site sign no larger than twenty square feet stating the name of the inn;
 - 8) The inn shall provide at least one paved parking space on the property for each guest room. Parking spaces shall be located behind the front line of the structure;
 - 9) The resident operator of the inn shall keep a current guest register, including the names, addresses, and occupancy dates of all guests;
 - 10) No guest shall occupy the inn for more than seven consecutive nights;
 - 11) The inn may serve only a breakfast meal;
 - 12) The inn may only serve meals to registered guests; and
 - 13) The Board of Zoning Appeals must hold a public hearing to determine if the proposed Bed and Breakfast Inn is consistent with a quiet residential neighborhood.

3. Prohibited Uses.

The following uses are prohibited in the GR-1 Zoning District.

- a) Sexually Oriented Businesses
- b) Cellular Towers
- c) Off-premise Signs

4. Dimensional Requirements.

Uses permitted in the GR-1 Zoning District shall be required to conform to the following standards, except that the use of substandard lots of record as of the effective date of this ordinance may be subject to the relief provided in this ordinance.

Table 2.4

GR-1 Dimensional Criteria	
Minimum Lot Area:	6,000 square feet for residential uses 10,000 square feet for non-residential uses
Minimum Lot Width:	60 feet @ the building line
Setbacks: Minimum Front Setback:	30 feet* for local roads 40 feet* for collector roads
Minimum Side Setback:	10 feet* for residential uses 40 feet* for non-residential uses
Minimum Rear Setback:	15 feet* for residential uses 40 feet* for non-residential uses
Maximum Building Height:	35 feet* (Except upon Fire Chief's written approval with conditions stated therein.)
Maximum Impervious Surface Ratio	0.45
Maximum Residential Density	7.0
Maximum F.A.R. (Non-Res. Only)	0.35

*(See General Supplementary Provisions).

6. Parking and Loading.

Uses permitted in the GR-1 Zoning District shall meet standards set forth in Article III, Off-Street Parking and Loading.

7. Signs.

Signs permitted in the GR-1 Zoning District, including the conditions under which they may be located are set forth in Article IV, Sign Regulations.

8. Buffer yard Requirements.

Where a conditional use borders any residential zone, a buffer yard in compliance with Article V, Landscaping and Buffering, shall be required along abutting property lines.

§2.6.05 GR-2: General Residential District 2

This district is intended to accommodate higher density residential development and a variety of housing types on small lots or in project settings.

1. Permitted Uses.

The following uses shall be permitted in any GR-2 Zoning District:

- a. Any use, together with the conditions attached thereto, permitted in the R-10 through GR-1 districts.
- b. Attached single-family dwelling meeting existing City Codes requirements.
- c. Duplex (two-family attached dwelling).
- d. Triplex (three-family attached dwelling); Quadruplex (four-family attached dwelling).
- e. Rooming and Boarding Houses.
- f. Lodging Houses.
- g. Townhouse
- h. Patio House
- i. Multi-family Residential Development
- j. Apartment

2. Conditional Uses.

The following uses shall be permitted in any GR-2 Zoning District subject to the conditions of this section, unless otherwise noted:

- a. All conditional uses permitted in 2.6.04 Subsection 2, with the exception of Manufactured Homes and Manufactured Home Parks, shall be permitted in any GR-2 district on a conditional basis subject to the conditions set forth in that section. Manufactured homes and manufactured home parks are not included as conditional uses in this district.

3. Special Exception Uses.

The following uses shall be permitted in the GR-2 Zoning District as a special exception, subject to the conditions of this section.

- a. Bed and Breakfast Inns, subject to the conditions of Section 2.6, Sub-section 01.3.

4. Prohibited Uses.

The following uses are prohibited in the GR-2 Zoning District.

- a. Sexually Oriented Businesses.

- b. Cellular Towers.
- c. Off-premise Signs

5. Dimensional Requirements.

Uses permitted in the GR-2 Zoning District shall be required to conform to the following standards, except that the use of substandard lots of record as of the effective date of this ordinance may be subject to the relief provided in this ordinance.

Table 2.5

GR-2 Dimensional Criteria	
Minimum Lot Area:	6,000 square feet for the 1 st unit, 2,800 square feet for each additional unit
Minimum Lot Width:	60 feet @ the building line
Setbacks: Minimum Front Setback:	30 feet* for local roads 40 feet* for collector roads
Minimum Side Setback:	10 feet* for single and two family dwellings; 20 feet for all other residential uses 40 feet* for non-residential uses
Minimum Rear Setback:	15 feet* for single and two family dwellings; 25 feet for all other residential uses 40 feet* for non-residential uses
Maximum Impervious Surface Ratio	0.65
Maximum Residential Density	14.0
Maximum F.A.R. (Non-Res. Only)	0.65

*(See General Supplementary Provisions).

6. Parking and Loading.

Uses permitted in the GR-2 Zoning District shall meet Article III, Off-Street Parking and Loading standards.

7. Signs.

Signs permitted in the GR-2 Zoning District, including the conditions under which they may be located set forth in Article IV, Sign Regulations.

8. Buffer yard Requirements.

Where a conditional use borders any residential zone, a buffer yard in compliance with Article V of this ordinance shall be required along abutting property lines.

9. General and Supplementary Regulations.

Uses permitted in the GR-2 Zoning District shall meet the General and Supplementary Regulations standards.

§2.6.06 NCD: Neighborhood Commercial District

This district is intended to meet the commercial and service needs generated by nearby residential areas. Goods and services normally available in this district are of the "convenience variety." The size of any such districts should relate to surrounding residential markets.

1. Permitted Uses.

The following uses shall be permitted in the NCD Zoning District:

- a. Any use, together with the conditions attached thereto, permitted in the GR-1 district.
- b. General Offices.
- c. Government offices/buildings.

2. Conditional Uses.

The following uses shall be permitted in any NCD Zoning District on a conditional basis, subject to conditions of this section, unless otherwise noted.

- b. All conditional uses permitted in the GR-1 and GR-2 district as shown in Article II, Zoning Districts, shall be permitted in any NCD district on a conditional basis subject to the conditions set forth for the district in which the conditional use is first listed. Manufactured homes and manufactured home parks are not included as conditional uses in this district.
 - a. Retail store including convenience store, provided there is no external storage of inventory, parts, machinery or equipment.
 - b. Personal service businesses, including, but not limited to barbers, beauticians, coin laundry and dry cleaning without dry cleaning plant, photographers, and shoe repair, provided all services take place within an enclosed building and there is no external storage of inventory, parts, machinery or equipment.
 - c. Animal hospital or animal boarding facility provided all board arrangements are maintained within a building and no noise connected with the operation of the facility is audible beyond the premises.

3. Special Exception Uses.

The following uses shall be allowed in the NCD Zoning District as a special exception, subject to the conditions of this section:

- a. Bed and Breakfast Inn, provided that it meets the following conditions:
 - 1) The inn must be operated by members of the household living on the premises.
 - 2) A maximum of one Bed and Breakfast Inn shall be permitted on any parcel.
 - 3) The inn must be operated in a structure constructed prior to the passage of this amendment.
 - 4) The inn shall have no more than 8 guest rooms.

- 5) The inn shall not require any alteration or change in the essential residential character of the dwelling
 - 6) The operation of the inn shall involve no exterior storage of materials or supplies.
 - 7) There shall be no exterior displays or signs, except for one on-site sign no larger than twenty square feet stating the name of the inn.
 - 8) The resident operator of the inn shall keep a current guest register, including the names, addresses, and occupancy dates of all guests.
 - 9) No guest shall occupy the inn for more than seven consecutive nights.
 - 10) The inn may serve only a breakfast meal.
 - 11) The inn may only serve meals to registered guests.
 - 12) The Board of Zoning Appeals must hold a public hearing to determine if the proposed Bed and Breakfast Inn is consistent with a quiet residential neighborhood.
 - 13) Small functions such as weddings, receptions, teas and baby showers, may be held for groups of up to twenty-five (25) people.
 - 14) To ensure compatibility with surrounding residences, functions shall end no later than 8 p.m.
 - 15) The inn shall provide at least one paved parking space on the property for every two (2) possible guests. Parking spaces shall be located behind the front line of the structure.
4. Prohibited Uses.

The following uses are prohibited in the NCD Zoning District.

Sexually Oriented Businesses.
Cellular Towers.
Off-premise Signs

5. Dimensional Requirements.

Unless otherwise specified elsewhere in this ordinance, uses permitted in the NCD Zoning District shall be required to conform to the following standards:

Table 2.6

NCD Dimensional Criteria	
Minimum Lot Area:	6,000 square feet
Minimum Lot Width:	50 feet @ the building line
Setbacks: Minimum Front	30 feet* for local roads 40 feet* for collector roads
Minimum Side Setback:	10 feet* for all residential uses 10 feet* shall be required on one side only, except that commercial condominium projects shall be allowed to share interior property lines; provided a 10' setback is observed at both ends, and that no such project shall exceed 600 feet parallel to the street.
Minimum Rear Setback:	15 feet* for all residential uses 15 feet* for non-residential uses
Maximum Building Height:	35 feet (except upon Fire Chief's written approval with conditions stated therein.)
Maximum Impervious Surface Ratio	0.80
Maximum Residential Density (2)	14.0
Maximum F.A.R. (Non-Res. Only)	0.65

* See General Supplementary Provisions).

** Front setbacks may be used for parking or service drives, but must remain unobstructed by structures and buildings and must be designed in conformance with Article III, Off-Street Parking and Loading, if used for parking.

7. Parking and Loading.

Uses permitted in the NCD Zoning District shall meet the parking and loading standards set forth in Article III, Off-Street Parking and Loading.

8. Signs.

Signs permitted in the NCD Zoning District, including the conditions under which they may be located are set forth in Article IV, Sign Regulations.

9. Buffer yard Requirements.

Where this district abuts any residential district not separated by a street right-of-way, a buffer yard, in compliance with Article 5, Landscaping and Buffering,, shall be required along abutting property lines. Where two residential properties abut no buffer yard shall be required.

10. General and Supplementary Regulations.

Uses permitted in the NCD Zoning District shall meet standards set forth in the General Supplementary Provisions.

11. Street Planting Strips.

In all front setbacks, a strip not less than six (6) feet in width shall be provided along the right of way line on the property, which shall be planted and maintained in grass with street trees or in shrub planting or as may be required in approval of the site plans. Signs shall not be erected in this area with the exception of official traffic and regulatory signs. Residential uses shall be exempt from this requirement.

§2.6.07 OI: Office-Institutional

This district is intended to accommodate office, institutional and residential uses in areas whose character is neither exclusively commercial nor residential in nature. It is designed principally for areas in transition along major streets and for the purpose of ameliorating the consequences of change impacting established residential areas.

1. Permitted Uses.

The following uses shall be permitted in any OI Zoning District:

- a. Any use, together with the conditions attached thereto, permitted in the GR-2 district excluding: golf, tennis, and swimming clubs; organizational hotels and lodging houses; Rooming and boarding houses.
- b. United States Postal Services.
- c. Electric, Gas, & Sanitary Services Substations.
- d. Financial, Insurance, & Real Estate Office
- e. Barber Shops & Beauty Salons.
- f. Photography Studio.
- g. Funeral Service Institution.
- h. Public Golf Courses.
- i. Health Service Institutions, excluding hospitals
- j. Legal Service Institution
- k. Educational Service Institutions
- l. Social Service Institutions, excluding arboreta, botanical, and zoological gardens.
- m. Membership Organization Institution
- n. Public Administration and Governmental Office Institutions, excluding correctional facilities.

2. Conditional Uses.

The following uses shall be permitted in the OI Zoning District on a conditional basis, subject to conditions included herein.

All conditional uses permitted in the GR-2 Zoning District as shown in Section 2.1, Sub-section 2b, shall be permitted in any OI Zoning District on a conditional basis subject to the conditions set forth in that section, with the exception of Manufactured Homes and Manufactured Home Parks.

Public park, playground or other public recreation area or community recreation building, libraries, police and fire departments in compliance with all supplementary provisions of this Ordinance.

3. Special Exceptions.

The following uses shall be permitted in the OI Zoning District as a special exception, subject to the conditions of this Section:

- a. Bed and Breakfast Inn, subject to the conditions found in Section 2.6, Sub-section 01.3.

4. Prohibited Uses.

The following uses are prohibited in the OI Zoning District.

- a. Sexually Oriented Businesses.
- c. Cellular Towers.
- d. Off-premise Signs

5. Dimensional Requirements.

Table 2.7

OI Dimensional Criteria		
Minimum Lot Area:	Single Family:	8,000 square feet
	Two-Family:	10,000 square feet
Minimum Lot Width:	Single Family:	50 feet @ the building line
	Two-Family:	60 feet @ the building line
Setbacks:	Minimum Front	30 feet* for local roads 40 feet* for collector roads
	Minimum Side Setback:	10 feet* for all residential uses 20 feet* for all other residential uses 15 feet* for non-residential uses
	Minimum Rear Setback:	15 feet* for all uses
Maximum Impervious Surface Ratio		0.80
Maximum Residential Density (2)		14.0
Maximum F.A.R. (Non-Res. Only)		0.65

*(See General Supplementary Provisions).

6. Parking and Loading.

Uses permitted in the OI Zoning District shall meet Article III, Off-Street Parking and Loading standards.

7. Signs.

Signs permitted in the OI Zoning District, including the conditions under which they may be located set forth in Article IV, Sign Regulations.

8. Buffer yard Requirements.

Where a conditional use borders any residential zone, a buffer yard in compliance with the Landscaping and Buffering Regulations shall be required along abutting property lines.

9. General and Supplementary Regulations.

Uses permitted in the OI Zoning District shall meet the General and Supplementary Regulations.

§2.6.08 GCD: General Commercial District

1. Purpose.

The intent of this district is for business development on major roadways for the convenience of local residents and for the traveling public.

2. Permitted Uses.

The following uses shall be permitted in the GCD Zoning District:

- a. Any use, together with the conditions attached thereto permitted in the NCD, Zoning District.
- b. General retail stores, provided that any external storage of inventory, parts, or machinery is established to the rear of the front line of the principal structure and provided that such storage be completely enclosed by a solid fence or wall of at least six feet in height composed of treated wood or brick.
- c. Service businesses, including, but not limited to plumbers, electricians, small engine machine shops, repair services, and similar uses, provided all services take place within an enclosed building and any external storage of inventory, parts, or machinery is established to the rear of the front line of the principal structure and provided that such storage is completely enclosed by a solid fence or wall of at least six feet in height composed of treated wood or brick.
- d. Restaurants (with or without drive-in window).
- e. Food stores, including general grocers, produce stands, bakeries, meat markets (without slaughtering on-site).
- f. Food preparation establishments for off-premise delivery.

- g. Schools.
 - h. Care homes.
 - i. Funeral homes.
 - j. Miniature golf course and driving range.
 - k. Mini-warehouses.
 - l. Horticulture nurseries.
3. Conditional Uses.

The following uses shall be permitted in any GCD Zoning District subject to conditions of this section, unless otherwise noted.

- a. Machine Service and repair and automobile gas station, body shop, and garage, provided:
 - 1) there is no open storage of wrecked vehicles; dismantled parts, or parts visible beyond the premises,
 - 2) such facilities shall be arranged so that all servicing is conducted on the premises and out of the public right-of-way, and
 - 3) gasoline pumps shall be no closer than twenty-five (25) feet to the right-of-way line of the street and all fuel tanks shall be installed underground.
- b. Combination of residential units with any use permitted herein provided that all dwelling units have direct access to the outside of the structure. Parking provisions shall be complied with for each use.
- c. Newspaper publishing plant provided that the requirements for parking, loading, and unloading conform to those for industrial buildings, as set forth in Article III, Off-Street Parking and Loading.
- d. Car wash, provided an off-street paved parking area accommodating at least one-half of the hourly vehicle washing capacity for vehicles awaiting entrance to the washing process is suitably located and maintained on the premises. Such space shall contain at least two hundred (200) square feet per waiting vehicle and no safety hazard or impediment to traffic movement shall be created by the operation of such an establishment.
- e. Animal hospital or animal boarding facility provided all board arrangements are maintained within a building and no noise connected with the operation of the facility is audible beyond the premises.
- f. Automobile, farm equipment, boat and/or recreational vehicle sales, open yard for the sale, rental, and/or storage of materials or equipment excluding junk or other salvage.
- g. Hospitals or clinics including any functions that relate directly to the operation of the hospitals or clinics and are contained within the confines of said hospital or clinic.
- h. Truck terminal, provided paved acceleration and deceleration lanes are at least ten (10) feet in width and one hundred (100) feet in length, respectively, are furnished and maintained where

- trucks enter at or leave terminal sites, and provided sites for such facilities have direct access to major streets.
- i. Cemetery, provided that such use
 - 1) consists of a site at least five (5) acres in size,
 - 2) includes no crematorium or dwelling unit other than for a caretaker and immediate family members,
 - 3) has a front setback of at least seventy (70) feet from the center line of the street right-of-way.
 - j. Radio and television stations provided that the requirements for parking, loading, and unloading, conform to those for industrial buildings as set forth in Article III, Off-Street Parking and Loading.
 - k. Multi-family residence, provided (1) it is in existence at the time of this ordinance.
 - l. Sexually-Oriented Businesses, subject to the following conditions:
 - 1) Sexually Oriented Businesses are classified as follows:
 - a) Adult arcades
 - b) Adult bookstores, or adult video stores
 - c) Adult novelty shop
 - d) Adult cabaret
 - e) Adult motel
 - f) Adult motion-picture theater
 - g) Adult theaters
 - h) Escort(s) agencies
 - i) Nude model studios
 - j) Sexual encounter centers
 - 2) Permit and/or License Required
 - a) A person must have a license, issued by the City for the particular type of business to operate a sexually oriented business.
 - b) An application for a permit and/or license must be accompanied by a sketch or diagram showing the configuration of the premises, including a statement of total floor space occupied by the business. The sketch or diagram need not be professionally prepared but must be drawn to scale or drawn with marked dimensions of the interior of the premises to an accuracy of plus or minus 6 inches.
 - c) If a person who wishes to operate a sexually oriented business is an individual, he must sign the application for the permit and/or license as applicant. If an entity who wishes to operate a sexually oriented business is other than an individual, each individual who has a 10 percent or greater interest in the business must sign the application for a permit and/or license as applicant. If a corporation is listed as owner of a sexually oriented business or as the entity that wishes to operate such a business, each individual having 10 percent or greater interest in the corporation must sign the application for a permit/license as applicant.

- d) The fact that a person possesses other types of state, City, or City permits and/or licenses does not exempt him from the requirement of obtaining a sexually oriented business permit and/or license.

3) Issuance of Permit

- a) The City zoning administrator shall approve the issuance of a permit and/or license to an applicant within 30 days after receipt of an application unless he finds one or more of the following to be true:
 - 1) The applicant is under 18 years of age;
 - 2) An applicant or applicant's spouse is overdue in his payment to the City taxes, fees, fines or penalties assessed against him or imposed upon him in relation to a sexually oriented business;
 - 3) An applicant has failed to provide information reasonably necessary for issuance of the permit or has falsely answered a question or request for information on the applicant form;
 - 4) An applicant is residing with a person who has been denied a permit and/or license by the City to operate a sexually oriented business within the preceding 12 months, or residing with a person whose permit and/or license to operate a sexually oriented business has been revoked within the preceding 12 months;
 - 5) The premises to be used for the sexually oriented business have not been approved by the health department, fire department, police department, zoning official and the building official as being in compliance with applicable laws and ordinances;
 - 6) The permit and/or license fee required by this ordinance has not been paid; and
 - 7) An applicant of the proposed establishment is in violation of or is not in compliance with any provisions of this ordinance.
- b) The permit and/or license, if granted, shall state on its face the name of the person or persons to whom it is granted, the expiration date and the address of the sexually oriented business. The permit shall be posted in a conspicuous place at or near the entrance to the sexually oriented business so that it may be easily read at any time.

4) Fees

The annual fee for a sexually oriented business permit and/or license is five hundred dollars (\$500). This is in addition to the City's required business license fee.

5) Inspection

- a) An applicant and/or licensee shall permit representatives of the police department, health department, fire department, planning and codes administration, or other City departments or agencies 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.
- b) 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 for business.

6) Expiration of Permit

- a) Each permit and/or license shall expire one year from the date of issuance and may be renewed only by making application. Application for renewal should be made at least 30 days before the expiration date, and when made less than 30 days before the expiration date, the expiration of the permit and/or license will not be affected.
- b) When the Zoning Administrator denies renewal of a permit and/or license, the applicant shall not be issued a permit and/or license for one year from the date of denial. If subsequent to denial, the zoning administrator finds that the basis for denial of the renewal permit and/or license has been corrected and abated, the applicant may be granted a permit and/or license if at least 90 days have elapsed since the date denial became final.

7) Suspension of Permit

- a) The Zoning Administrator shall suspend a permit and/or license for a period not to exceed 30 days if he determines that an applicant an/or licensee or an employee of an applicant 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, or
 - (3) Refused to allow an inspection of the sexually oriented business premises as authorized by this section, or
 - (4) Knowingly permitted gambling or any other unlawful activity by any person on the sexually oriented business premises.

8) Revocation of Permit

- a) The zoning administrator shall revoke a permit and/or license if a cause for suspension occurs and the permit has been suspended within the preceding 12 months.
- b) The zoning administrator shall revoke a permit if he determines that:
 - (1) An applicant and/or licensee knowingly gave false or misleading information in the application submitted to the zoning department during the application process, or
 - (2) An applicant and/or licensee or an employee has knowingly allowed possession, use, or sale of controlled substances on the premises, or
 - (3) An applicant and/or licensee or an employee has knowingly allowed prostitution on the premises, or
 - (4) An applicant and/or licensee or an employee knowingly operated the sexually operated business during a period of time when the applicant and/or licensee's permit was suspended, or
 - (5) An applicant and/or licensee or an employee had knowingly allowed any act of sexual intercourse, sodomy, oral copulation, masturbation or other sexual conduct to occur in or on the permitted premises, or
 - (6) An applicant and/or licensee is delinquent in payments to the City, City or state for any taxes or fees past due related to the sexually oriented business.

- c) When the zoning administrator revokes a permit for a sexually oriented business, the owner must correct or abate all issues cited for revoking the permit prior to receiving a newly approved permit. If, subsequent to revocation the zoning administrator finds that the basis for the revocation has been corrected or abated, the applicant may be granted a permit no sooner than 90 days since the date the revocation became effective.

9) Transfer of Permit

An applicant and/or licensee shall not transfer his permit and/or license to another, nor shall an applicant and/or licensee operate a sexually oriented business under the authority of a permit and/or license at any place other than the address designated in the application.

10) Location

- a) A sexually oriented business may not be located within six hundred fifty (650) feet of:
 - (1) A religious institution;
 - (2) A school;
 - (3) A boundary of a residential district;
 - (4) A property line of a lot devoted to residential use;
 - (5) A public park or recreation area;
 - (6) A child care center;
 - (7) A public building; or
 - (8) A youth activity center
- b) The establishment, substantial enlargement or transfer of ownership or operation of a sexually oriented business is prohibited within six hundred fifty (650) feet of another sexually oriented business.
- c) The establishment or operation of more than one sexually oriented business in the same building, structure, or portion thereof, or the increase in floor areas of any sexually oriented business in any building, structure, or portion thereof containing another sexually oriented business is prohibited.

11) Measurement of Distance

The distance between any two sexually oriented businesses shall be measured in a straight line without regard to intervening structures or objects, from the closest property lines of the pertinent premises. The distance between any sexually oriented business and any religious institution, a school, a boundary of a residential district, a public park or recreation area, a property line of a lot devoted to residential use, a public building, or a youth activity center shall also be measured in a straight line, without regard to intervening structures or objects, from the nearest property line of the premises where the sexually oriented business is conducted or proposed to be conducted, to the nearest property line of the premises of a religious institution, a school, a boundary of a residential district, a property line of a lot devoted to residential use, a public park or recreation area, a public building, or a youth activity center.

12) Signs

Sexually oriented businesses shall not display a sign or signs visible from public streets or sidewalks or outside the premises, which are pictorial, illustrative of or depicting of sexually oriented entertainment, services, or merchandise offered on the premises.

13) Nonconforming Sexually Oriented Businesses

- a) A sexually oriented business lawfully operating as of the date of this ordinance's adoption that is in violation of this section shall be deemed a nonconforming use. The nonconforming use will be allowed to continue until but not beyond one (1) calendar year from the passage of this Ordinance, unless sooner terminated for any reason or voluntarily discontinued for a period of thirty (30) days or more. Such non-conforming uses shall not be increased, enlarged, extended or altered except that the use may be changed to a conforming use. If two (2) or more sexually oriented businesses are within six hundred fifty (650) of one another and otherwise in a permissible location, the sexually oriented business which was first established and continually operating at a particular location is the conforming use and the later established business is nonconforming.
- b) A sexually oriented business lawfully operating as a conforming use is not rendered a nonconforming use by the location, subsequent to the grant or renewal of the sexually oriented business permit and/or license, of a religious institution; school; boundary of a residential district; property line of a lot devoted to residential use; public park; or recreation area; public building; or youth activity center. This provision applies only to the renewal of a valid permit and/or license, and does not apply when an application for a permit and/or license is submitted after a permit and/or license has expired or has been revoked.

14) Additional Regulations for Adult Motels

- a) Evidence that a sleeping room in a hotel, motel or similar commercial establishment has been rented and vacated two (2) or more times in a period of time that is less than ten (10) hours creates a refutable presumption that the establishment is an adult motel as that term is defined in this Section.
- b) A person commits a misdemeanor if, as the person in control of a sleeping room in a hotel, motel or similar commercial establishment that does not have a sexually oriented permit and/or license, he rents or sub-rents a sleeping room to a person and within 10 hours from the time the room is rented, he sub-rents the same sleeping room again.
- c) For purposes of subsection b of this section, the terms "rent" and "sub-rent" mean the act of permitting a room to be occupied for any form of consideration.

15) Regulations for Exhibition of Sexually Explicit Films or Videos

- a) A person who operates or causes to be operated a sexually oriented business, other than an adult motel, which exhibits on the premises in a viewing room of less than 150 square feet of floor space, a film, video cassette or other video reproduction

which depicts “specified sexual activities” or “specified anatomical areas”, shall comply with the following requirements:

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

It shall be the duty of the owners and operator, and it shall also be the duty of duty of any agents and employees present in the premises to ensure that the view area specified in subsection (5) of this section remains unobstructed by any walls, merchandise, display racks or other materials at all times and to ensure that no patron is permitted access to any area of the premises which has been designated as an area in which patrons will not be permitted in the application filed pursuant to subsection (1) of this section.

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

- (7) The premises shall be equipped with overhead lighting fixtures of sufficient intensity to illuminate every place to which patrons are permitted access at an illumination of not less than one foot-candle as measured at the floor level.
 - (9) It shall be the duty of the owners and operator and it shall be the duty of any agents and employees present in the premises to ensure that the illumination described above, is maintained at all times that any patron is present in the premises.
- a) A person having a duty under subsection (1) through (9) of subsection (a) above commits a misdemeanor if he knowingly fails to fulfill that duty.

16) Exemptions

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

17) Injunction

A person who operates or causes to be operated a sexually oriented business without a valid permit and/or license or in violation of this Section is subject to a suit for injunction as well as prosecution for criminal violations. Such violations shall be punishable as described this Ordinance

4. Dimensional Requirements.

Unless otherwise specified elsewhere in this ordinance, uses permitted in the GCD Zoning District shall be required to conform to the following standards:

Table 2.8

GCD Dimensional Criteria	
Minimum Lot Area:	6,000 square feet
Minimum Lot Width:	50 feet @ the building line
Setbacks: Minimum Front Setback:	30 feet* for local roads 40 feet* for collector roads
Minimum Side Setback:	6 feet* for residential uses 10 feet * for non-residential uses
Minimum Rear Setback:	15 feet* for residential uses 6 feet* for non-residential uses
Maximum Building Height:	50 feet* (except upon Fire Chief's written approval with conditions stated therein.)
Maximum Impervious Surface Ratio	0.92
Maximum Residential Density	7.0
Maximum F.A.R. (Non-Res. Only)	NA

* Front setback may be used for parking and service drives but must remain unobstructed by structures or buildings, and must be designed in conformance with Article III, Off-Street Parking and Loading, if used for parking. For exceptions to this requirement, see General Supplementary Provisions.

** Rear setback may be used for parking and service drives but must remain unobstructed by structures or buildings, and must be designed in conformance with Article III, Off-Street Parking and Loading, if used for parking. For rear yard requirements pertaining to double frontage lots see General Supplementary Provisions.

5. Parking and Loading.

Uses permitted in the GCD Zoning District shall meet the parking and loading standards set forth in Article III, Off-Street Parking and Loading.

6. Signs.

Signs permitted in the GCD Zoning District, including the conditions under which they may be located are set forth in Article IV, Sign Regulations.

7. Buffer yard Requirements.

Where this district abuts any residential district not separated by a street right-of-way, a buffer yard in compliance with Article 5, Landscaping and Buffering, shall be required along abutting property lines.

8. General and Supplementary Regulations.

Uses permitted in the GCD Zoning District shall meet standards set forth in the General Supplementary Provisions.

9. Street Planting Strips.

In all front setbacks, a strip not less than six (6) feet in width shall be provided along the right of way line on the property, which shall be planted and maintained in grass with street trees or in shrub planting or as may be required in approval of the site plans. Signs shall not be erected in this area with the exception of official traffic and regulatory signs.

§2.6.09 CCD: Core Commercial District

1. Purpose.

The intent of this district is to promote the concentration and vitality of business and governmental uses in downtown Easley. Wall-to-wall development, pedestrian walkways, and public parking characterize this district.

2. Permitted Uses.

The following uses shall be permitted in the CCD Zoning District:

- a. General retail stores including convenience stores.
- b. Personal service businesses such as laundries and dry cleaners, alterations, barber and beauty shops, shoe repair shops, secretarial services, interior decorators, photographers and similar kinds of activities.
- c. General offices and government offices and buildings.
- d. Restaurants and drinking establishments including bakeries but excluding drive-in and drive-through establishments.
- e. Kindergarten, preschool and day care centers.
- f. Cultural and community centers, including museums, art galleries, facilities of civic, fraternal or charitable organizations, libraries, theaters, neighborhood recreation centers, and similar facilities.
- g. Public and private recreation establishments, including parks, movie theaters, pool and video game rooms, dancing and staged entertainment, bowling and skating rinks, tennis and basketball courts.
- h. Hotels, motels, and tourist homes.
- i. Parking lots and garages.
- j. Churches and other religious facilities.

- k. Noncommercial horticulture.
- l. Banks and other financial institutions.
- m. Grocery stores

3. Conditional Uses.

The following uses shall be permitted in any CCD Zoning District subject to conditions of this section.

- a. Combination of residential units with any use permitted herein provided that all units have direct access to the outside of the structure. Parking provisions shall be complied with for each use.
- b. Newspaper publishing plant provided that the requirements for parking, loading, and unloading conform to those for industrial buildings, as set forth in Article III, Off-Street Parking and Loading.
- c. Radio and television stations provided that the requirements for parking, loading, and unloading, conform to those for industrial buildings as set forth in Article III, Off-Street Parking and Loading.
- d. Animal hospital or animal boarding facility provided all board arrangements are maintained within a building and no noise connected with the operation of the facility is audible beyond the premises.
- e. Single-family residence meeting existing City Codes Requirements, provided it is in existence at the time of this ordinance.
- f. Multi-family residence provided it is in existence at the time of this ordinance.

4. Prohibited Uses.

The following uses are prohibited in the CCD Zoning District.

- a. Sexually Oriented Businesses.
- b. Cellular Towers.
- c. Off-premise Signs

5. Dimensional Requirements.

Unless otherwise specified elsewhere in this ordinance, uses permitted in the CCD Zoning District shall be required to conform to the following standards:

Table 2.9

CCD Dimensional Criteria	
Minimum Lot Area:	none
Minimum Lot Width:	none
Setbacks:	
Minimum Front Setback:	none
Minimum Side Setback:	none
Minimum Rear Setback:	25 feet*
Maximum Building Height:	50 feet (except upon Fire Chief's written approval with conditions stated therein.)
Maximum Impervious Surface Ratio	1.00
Maximum Residential Density	NA
Maximum F.A.R. (Non-Res. Only)	NA

* Rear setback may be used for parking and service drives but must remain unobstructed by structures or buildings, and must be designed in conformance with Article III, Off-Street Parking and Loading if used for parking.

6. Signs.

Signs permitted in the CCD Zoning District, including the conditions under which they may be located are set forth in Article IV, Sign Regulations.

7. Buffer yard Requirements.

Where this district abuts any residential district not separated by a street right-of-way, a buffer yard in compliance with Article 5, Landscaping and Buffering, shall be required.

8. General and Supplementary Regulations.

Uses permitted in the CCD Zoning District shall meet standards set forth in the General Supplementary Provisions

9. External Storage.

Any external storage of inventory, parts, or machinery shall be established to the rear of the front line of the principal structure and shall be completely enclosed by a solid fence or wall composed of treated wood or brick.

§2.6.10 IND: Industrial District

1. Purpose.

The intent of this district is to accommodate wholesaling, distribution, storage, processing and manufacturing in an environment suited to such uses and operations while promoting land use compatibility both within and beyond the boundaries of such districts. Toward these ends, residential development is not permitted, nor is the establishment of this district on other than a collector or arterial street.

2. Permitted Uses.

The following uses shall be permitted in the IND Zoning District:

- a) Any use permitted in any GCD zoning district, subject to the standards set forth in that section, including construction, transportation, wholesaling, laundry and dry cleaning facilities, automotive repair shops, with the exception of residential uses.
- b) Any industrial use plus operation incidental to such use which involves manufacturing, processing, repair or assembly operations, or the storage and sale of heavy materials, products, or equipment, but not including junk or salvage yards or uses which may cause injurious or noxious noise, vibration, smoke, gas fumes, odor, dust, fire hazards, dangerous radiation or other similar conditions.
- c) Bulk storage of petroleum or chemical products.

3. Conditional Uses.

The following uses shall be permitted on a conditional basis in the IND Zoning District subject to the conditions of this section, unless otherwise noted.

- a) Any industrial use which may produce significant noise, vibrations, smoke, gas, fumes, odor, dust, fire hazard, dangerous radiation or other objectionable conditions, provided such objectionable condition does not constitute a nuisance to adjoining properties; provided such use is located at least fifty (50) feet from any abutting property line; and provided such use is located on a site at least five (5) acres in size, except that if such use borders a parcel zoned for residential usage, it shall be located at least seventy (70) feet from such property line. A buffer area in compliance with Article V, Landscaping and Buffering, of this ordinance shall be required.
- b) Open yard use for the sale, rental and/or storage of new, used or salvaged materials or equipment, provided that such use is conducted in a manner that it will be located on a site no less than one (1) acre in size, and provided no burning of materials or products is conducted on the premises except by means approved by the Fire Chief for the City of Easley; and in the case of external storage of used or salvaged materials and/or equipment, a buffer strip in compliance with Article 5, Landscaping and Buffering, of this ordinance shall be required along all property lines.
- c) Cellular Towers, subject to the conditions listed below:
 - 1) Conditions.
 - a) Illumination. Communications towers shall be illuminated only as required by the federal Communications Commission (FCC) and/or the Federal Aviation Administration (FAA).
 - b) Color. Communications towers shall not be painted unless otherwise provided for by state or federal regulations.
 - c) Signs. A single sign, two (2) square feet in size which includes the name(s) of the company/companies operating the equipment and a phone number for emergencies shall be displayed in a visible location on or near the communication tower. No advertising of any type may be attached to a communication tower.

- d) Removal. A communication tower that is not used for a continuous one year period shall be removed within one-hundred twenty (120) days. Companies must notify the City within 30 days if telecommunications cease operations at the tower or antenna. All structures, fencing, screening and other improvements must be removed and the site returned to its original condition at the company's expense.
- e) Security. A freestanding communication tower and associated structures shall be secured by a fence or masonry wall measuring at least eight (8) feet in height.
- f) Landscaping. (As applied to communication towers this section supersedes the Landscaping and Buffering Section. Evergreen shrubs capable of creating continuous hedge and obtaining a height of at least five (5) feet, within three (3) years, shall be planted with a maximum spacing of five (5) feet around the immediate perimeter of the security fence surrounding the communication tower and associated structures. Plants shall be at least three (3) gallon container plants or 24 inches tall at the time of planting. At least one row of evergreen trees with a minimum caliper of 1.75 inches at the time of planting shall be installed at a maximum spacing of 25 feet within a 50 foot radius of the communication tower.

A certificate of occupancy shall not be issued until the required landscaping is completed. When the occupancy of a structure is desired prior to the completion of the required landscaping, a Certificate of Occupancy may be issued only if the owner or developer provide to the City form of surety satisfactory to the City Attorney and in an amount equal to one hundred twenty-five percent (125%) of the costs of the remaining plant materials, and installation (with the costs agreed to by the Zoning Administrator). The form of the surety shall be in conformity with the Subdivision Regulations for the City of Easley. All required landscaping shall be installed and approved by the first planting season following issuance of the Certificate of Occupancy or bond will be forfeited to the City of Easley.

The owners and their agents shall be responsible for providing, protecting and maintaining all required landscape material in healthy condition, replacing unhealthy or dead plant materials within one year or by the next planting season, whichever comes first. Replacement material shall comply with the approved landscape plan.

- g) Antenna Capacity. Wind Load. The communication tower shall be designed to withstand winds in accordance with ANSI/ETA/TIA 22 (latest revision) standards. Certification from a structural engineer registered in South Carolina shall constitute proof that such standard has been met.
- h) License. The owners of a communication tower shall possess a valid FCC license for the proposed activity.
- i) Design for Multiple Use. A new communication tower shall be designed to accommodate additional antennae equal in number to applicant's present and reasonably anticipated future requirements.
- j) Safety Codes. A communication tower shall comply with all applicable health, nuisance, noise, fire, building and safety code requirements.

- k) Distance from Existing Tower. A permit for a proposed communication tower site within 1,300 feet of an existing communication tower shall not be issued unless the applicant certifies that the existing communication tower does not meet applicant's structural specifications and applicant's technical design requirements, or that a co-location agreement could not be obtained.

Setbacks. Respective zoning district setbacks shall apply, except that in sites bordering residential uses, the bordering side of such sites shall observe setbacks equal to 150% of applicable district setbacks and must adhere to a fall zone requirement of at least 50% of the height of the tower.

- m) Permitted Height of Freestanding Communication Towers.

<u>District</u>	<u>Height</u>
IND	225 feet

- n) Permitted Height of Building Mounted Communications Tower. A communication tower shall not exceed 20 feet in height if mounted on a building or any structure other than a freestanding or guyed communications tower.

2) Application Requirements

- a) Specifications. One copy of typical specifications for proposed structures and antennae, including description of design characteristics and material.
- b) Site Plan. A site plan drawn to scale showing property boundaries, communication tower location, communications 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 use on adjacent property. A site plan may be required if antenna is to be mounted on an approved existing structure. Prototypical drawings indicating various types of equipment to be located on the communication tower may be submitted at the time of the permit application.
- c) Location Map. A current map, or update for all existing maps on file, showing locations of proposed antennae, facilities, existing communication towers, and proposed communication towers, serving any property within the City.
- d) Antenna Owners. Identification of the owners of all antennae and equipment to be located on the site.
- e) Owners Authorization. Written authorization from the site owner for the application.
- f) Visual Impact Analysis. A line of sight analysis showing the potential visual and aesthetic impacts on adjacent residential districts.
- g) Location Alternatives. Satisfactory evidence shall be provided indicating:
- (1) The proposed antenna and equipment cannot be accommodated and function as required by applicable regulations and applicant's technical design requirements

without unreasonable modifications on any existing structure or communication tower under the control of applicant; and

(2) Available publicly owned sites, and available privately owned sites occupied by a compatible use, are unsuitable for operation of the facility under applicable communications regulation and applicant’s technical design requirements.

h) Indemnity. Applicant must show by certificate from a registered engineer that the proposed facility will contain only equipment meeting FCC rules, and must file with the Zoning Administrator a written indemnification of the municipality and proof of liability insurance or financial ability to respond to claims up to \$1 million in the aggregate which may arise from operation of the facility during its life, at no cost to the municipality, in form approved by the municipal attorney.

i) Application Fees. All applications for approval of a communication tower must be accompanied by a fee of \$200.00 and, if applicable, any additional fees required by the municipality on applications for special exceptions or variance.

4. Prohibited Uses.

The following uses are prohibited in the IND Zoning District:

- a) Sexually Oriented Businesses.
- b) Off-premise Signs.

5. Dimensional Requirements.

Unless otherwise specified elsewhere in this ordinance, uses permitted in the IND zoning district shall be required to conform to the following standards:

Table 2.10

IND Dimensional Criteria	
Minimum Lot Area:	5 acres
Minimum Lot Width:	100 feet @ the building line
Setbacks: Minimum Front Setback:	50 feet* for collector roads
Minimum Side Setback:	25 feet*
Minimum Rear Setback:	25 feet**
Maximum Building Height:	60 feet (except upon Fire Chief’s written approval with conditions stated therein.)
Maximum Impervious Surface Ratio	0.80
Maximum Residential Density	NA
Maximum F.A.R. (Non-Res. Only)	NA

* when the property abuts a non-industrial zoning district, 50 feet shall be required. For side yard requirements pertaining to corner lots, see General Supplementary Provisions.

** where the property abuts another zoning district, 70 feet shall be required. For rear yard requirements pertaining to double frontage lots, see General Supplementary Provisions.

6. Parking and Loading.

Uses permitted in the IND Zoning District shall meet the parking and loading standards set forth in Article III, Off-Street Parking and Loading.

7. Signs.

Signs permitted in the IND Zoning Districts, including the conditions under which they may be located, are set forth in Article IV, Sign Regulations.

8. Buffer yard Requirements.

Where this district abuts any residential district not separated by a street right-of-way, a buffer yard in compliance with Article V, Landscaping and Buffering, shall be required along abutting property lines.

9. General and Supplemental Regulations.

Uses permitted in IND Zoning Districts shall meet the standards set forth in the General Supplementary Provisions.

11. Street Planting Strips.

In all front setbacks, a strip not less than six (6) feet in width shall be provided along the right of way line on the property, which shall be planted and maintained in grass with street trees or in shrub planting or as may be required in approval of the site plans. Signs shall not be erected in this area with the exception of official traffic and regulatory signs.

11. External Storage.

Any external storage of inventory, parts, or machinery shall be established to the rear of the front line of the principal structure and such storage shall be completely enclosed by a solid fence or wall of at least six feet in height composed of treated wood or brick.

§2.6.11 MED: Medical District

1. Purpose.

The intent of this district is to create an environment conducive to medical practice and operations, and to concentrate medical facilities and related uses in “complex” or “campus” settings to better accommodate the needs of the medical profession and those served by it.

2. Permitted Uses.

The following uses shall be permitted in the MED Zoning District:

- a. Research or experimental laboratory.
- b. Horticultural nursery.
- c. Noncommercial horticulture/agriculture.

- d. Radio and/or television station and/or transmission tower.
- e. Office building and/or offices for governmental, professional, or general purposes.
- f. Commercial, trade, or vocational school.
- g. Off-street commercial parking lot or garage, as well as Article III, Off-Street Parking or storage area for customer, client, or employee-owned vehicles.
- h. Restaurants.
- i. Food preparation establishments for off-premise delivery.
- j. Retail stores or convenience stores.
- k. Grocery stores.
- l. Hospitals and clinics.
- m. Newspaper publishing plant.

3. Conditional Uses.

The following uses shall be permitted in any MED Zoning District subject to the conditions of this section, unless otherwise noted.

- a) Public park, playground or other public recreation area or community recreation building, libraries, police and fire departments in compliance with all supplementary provisions of this Ordinance.
Elementary, middle, or high school or institution of higher learning provided that the lot the lot is at least five (5) acres in size, no structure or parking area is placed within fifty (50) feet of any property line, and all of the parking requirements of this Ordinance are provided on site.

4. Prohibited Uses.

The following uses are prohibited in the MED Zoning District.

- a. Sexually Oriented Businesses.
- b. Cellular Towers.
- c. Off-premise Signs.

5. Dimensional Requirements.

Unless otherwise specified elsewhere in this ordinance, uses permitted in the MED Zoning District shall be required to conform to the following standards:

Table 2.11

MED Dimensional Criteria	
Minimum Lot Area:	10,000 square feet
Minimum Lot Width:	80 feet @ the building line
Setbacks: Minimum Front Setback:	30 feet* for local roads 40 feet* for collector roads
Minimum Side Setback:	15 feet*
Minimum Rear Setback:	25 feet*
Maximum Building Height:	50 feet* (except for hospital facilities which may exceed such limit, subject to written approval of the Fire Chief)
Maximum Impervious Surface Ratio	0.80
Maximum Residential Density	NA
Maximum F.A.R. (Non-Res. Only)	NA

* 15 feet on each side, except that when the property abuts a non-industrial zoning district, at least 25 feet on that particular side shall be required. For side setback requirements pertaining to corner lots, see General Supplementary Provisions.

** when the property abuts a non-industrial zoning district, 40 feet shall be required. For rear yard requirements pertaining to double frontage lots, see General Supplementary Provisions.

6. Parking and Loading.

Uses permitted in the MED Zoning District shall meet the parking and loading standards set forth in Article III, Off-Street Parking and Loading.

7. Signs.

Signs permitted in MED Zoning Districts, including the conditions under which they may be located are set forth in Article IV, Sign Regulations.

8. Buffer Yard Requirements.

Where this district abuts any residential or commercial district not separated by a street right-of-way, a buffer yard in compliance with Article V, Landscaping and Buffering, shall be required along abutting property lines.

9. General and Supplemental Requirements.

Uses permitted in MED Zoning Districts shall meet the standards set forth in the General Supplementary Provisions

10. Street Planting Strips.

In all front setbacks, a strip not less than six (6) feet in width shall be provided along the right of way line on the property, which shall be planted and maintained in grass with street trees or in shrub planting or as may be required in approval of the site plans. Signs shall not be erected in this area with the exception of official traffic and regulatory signs.

11. External Storage.

Any external storage of inventory, parts, or machinery shall be established to the rear of the front line of the principal structure and provided that such storage shall be completely enclosed by a solid fence or wall of at least six feet in height composed of treated wood or brick.

§2.6.12 PUD: Planned Unit Development District

1. Purpose.

The intent of the Planned Unit Development District is to encourage flexibility in the development of land in order to promote its most appropriate use; and to do so in a manner that will enhance the public health, safety, morals, and general welfare.

Within the PUD zones, regulations adapted to such unified planning and development are intended to accomplish the purposes of zoning and other applicable regulations to an equivalent or higher degree than where such regulation are designed to control unscheduled development on individual lots, to promote economical and efficient land use, provide an improved level of amenities, to foster a harmonious variety of uses, encourage creative design, and to promote a better environment.

In view of the substantial public advantage of the planned unit development, it is the intent of these regulations to promote and encourage or require development in this form where appropriate in location, character and timing.

2. Permitted Uses.

The Planning Commission and City Council may establish any use or combination of uses meeting the objectives of Section 2.6.01-99, in this district upon review and approval. Once approved, the approved use(s) and no others shall be permitted in the district. Said uses shall be identified and listed on the basis of retail, office, wholesale, residential multi-family, residential single-family detached, manufacturing, etc. The list of approved uses shall be binding on the applicant and any successor in title, so long as the PUD zoning applies to the land, unless otherwise amended by Ordinance.

3. Site Plan Requirements.

A site plan showing the proposed development of the area (zone) shall be prerequisite to approval of a PUD zone. The Site Plan shall adhere to the requirements of this Section and shall address or show the following:

- a) The proposed title of the project, project designer, and the developer.
- b) The boundaries of the property involved, the general location of all existing easements, property lines, existing streets, buildings and other existing physical features on the project site.
- c) The approximate location of existing and proposed sanitary and storm sewers, water mains, street lighting, and other underground facilities in or near the project site.

- d) The general location and dimensions of proposed streets, driveways, curb cuts, entrances and exits, parking and loading areas (including numbers of parking spaces).
- e) The general location of the proposed lots, setback lines, easements and a conceptual land use plan.
- f) The general location and approximate heights of all principal and accessory buildings and dimensions of structures.
- g) The general location and number of dwelling units for multi-family projects.
- h) The general location and description of all fences, walls, screens, buffers, plantings and landscaping.
- i) The general location, character, size and height of all signs.
- j) The location of all stormwater detention systems.
- k) The position of the proposed development in relation to its surroundings.
- l) A tabulation of the number of acres in the project by use.

The Planning Commission may establish additional requirements for Site Plan approval, and in special cases, may waive a particular requirement, if in its opinion, the inclusion of that particular requirement is not essential to a proper assessment of the project.

4. Prohibited Uses.

The following uses are prohibited in the PUD Zoning District.

- a) Sexually Oriented Businesses.
- b) Cellular Towers

5. Dimensional Requirements.

- a) Unless otherwise specified elsewhere in this ordinance, the minimum area requirement for establishing a PUD on the Official Zoning Map shall be five acres.
- b) The Planning Commission and City Council shall approve residential density.
- c) There is a common open space requirement of at least twenty percent (20%) of the total land area.

6. Parking and Loading.

Uses permitted in the PUD Zoning District shall meet the parking and loading standards set forth in Article III, Off-Street Parking and Loading.

7. Signs.

Signs permitted in PUD Zoning Districts, including the conditions under which they may be located are set forth in Article IV, Sign Regulations.

8. Buffer Yard Requirements.

Where this district abuts any residential or commercial district not separated by a street right-of-way, a buffer yard in compliance with Article V, Landscaping and Buffering, shall be required along abutting property lines.

9. General and Supplemental Requirements.

Uses permitted in PUD Zoning Districts shall meet the standards set forth in the General Supplementary Provisions

10. Private Streets

Private streets are permitted in an approved PUD; Provided such streets meet the design and construction standards of the city's subdivision ordinance.

11. External Storage.

Any external storage of inventory, parts, or machinery shall be established to the rear of the front line of the principal structure and provided that such storage shall be completely enclosed by a solid fence or wall of at least six feet in height composed of treated wood or brick.

12. Actions by Planning Commission and City Council

Action by the Planning Commission and City Council is required to approve the Plan and application to establish a PUD, to include specific modifications to the Plan, or to deny the application to rezone and establish a PUD. If the Plan and Zoning are approved, the applicant shall be allowed to proceed in accord with the approved PUD Zone Plan as supplemented or modified in a particular case, and shall conform to any time or priority limitations established for initiating and/or completing the development in whole, or in specified stages. If the application is denied, the applicant shall be so notified.

13. Administrative Action

After a PUD district has been established on the Official Zoning Map, building and sign permits shall be issued in accord with the approved Plan as a whole or in stages or portions thereof. Said permits shall be issued in the same manner as for building and sign permits generally.

Except as provided below, approved PUD plans shall be binding on the owner and any successor in title, so long as PUD zoning applies to the land.

14. Changes in Approved Site Plans

1. Minor changes in approved PUD site plans may be accommodated by the Zoning Administrator, on application by the applicant, upon making a finding that such changes are:

- a. In accord with applicable regulations in effect at the time of the amendment creating the PUD District, as modified in the amending action, or
 - b. In accord with all applicable regulations currently in effect, without modifications.
2. Major Changes - In reaching a decision as to whether the change is minor or substantial enough to require reference back to the Planning Commission for approval, the Zoning Administrator shall use the following Criteria.
- a. Any increase in intensity of use shall constitute a modification requiring Planning Commission approval. An increase in intensity of use shall be considered to be an increase in usable floor area, an increase in the number of dwelling or lodging units, or an increase in the amount of outside land area devoted to sales, displays, or demonstrations.
 - b. Any change in parking areas resulting in an increase or reduction of five percent or more in the number of spaces approved shall constitute a change requiring Planning Commission approval.
 - c. Structural alterations significantly affecting the basic size form and style of a building, as shown on the approved Plan, shall be considered a change requiring the Planning Commission approval.
 - d. Any reduction in the amount of open spaces resulting in a decrease of more than five percent or any substantial change in the location or characteristics of the open space shall constitute a change requiring the Planning Commission approval.
 - e. Any change in use from one use group to another shall constitute a change requiring the Planning Commission approval.
 - f. Substantial changes in pedestrian or vehicular access or circulation shall constitute a change requiring Planning Commission approval.

Changes other than as indicated above shall be made only by reference to City Council and the creation of a new PUD or other map amendment.

15. Expiration of Time Limits on PUD Amendments

If a time limit is set as part of the establishing agreement and action is not taken within that time limit set, the Building Official shall review the circumstances and recommend to the Planning Commission:

- a. That PUD zoning for the entire area be continued with revised time limits; or
- b. That PUD zoning be continued for part of the area, with or without revised time limits, and the remainder be rezoned to an appropriate category; or
- c. That the entire district be rezoned from PUD to an appropriate category. Such recommendation shall include proposals for appropriate action in respect to any legal instruments in the case.

§2.6.13 Overlay Districts

An overlay district is a separate set of regulations applicable only to a specific geographic area. An Overlay District may grant additional uses, restrict permitted uses, or impose development requirements differing from those in the underlying zoning district. The underlying zoning district and overlay districts together will control development. Overlay district designations are established below; if the two conflicts, the overlay district takes precedence over the underlying zoning district. Overlay districts include:

Historic Design Overlay District:

Historic Downtown/TIF District Design Overlay (OD-TIF) – Applies to properties that are within the Historic Downtown and City’s TIF District boundaries.

Transitional Corridor Overlay Districts:

Highway 8 South Overlay District (OD-SC8-S) – Applies to properties with frontage along SC Highway 8 that are within the city limits at the time of adoption of this ordinance (Atlantic Avenue to City Limits).

Highway 93 South Overlay District (OD-SC93-S) – Applies to properties with frontage along SC Highway 93 that are within the city limits at the time of adoption of this ordinance (Smith Grove Road to Intersection of SC93 and SC 8).

Highway 135 North Overlay District (OD-SC135-N) – Applies to properties with frontage along SC highway 135 that are within the city limits at the time of adoption of this ordinance (Main Street to Pierce Lane).

1. Downtown/TIF Design Overlay District

The Historic Downtown/TIF District Design Overlay is coded to encourage the redevelopment and expansion of the traditional City center. Main Street shops and public uses (i.e. library, post office, and City Hall) define this area. This center is intended to serve as the civic, cultural, and governmental hub of activity for the entire Easley community.

Downtowns traditionally form near the convergence of large, coherent neighborhoods. The downtown should provide higher-density, balanced growth of workplaces, commerce, and new homes at all income levels. The area should balance the needs of pedestrians and automobiles, while also facilitating the provision of regional public transit. Increased street connectivity and accessibility in this area is important since it is the community’s commercial, civic, and cultural hub. While allowing an array of permitted building types encourages mixed uses, new development in this area should retain and reinforce the area as the commercial center of the City.

Minimum building heights are established along main corridors to ensure proper spatial definition and encourage strong pedestrian spaces. Transitions from Neighborhood Residential areas should be accomplished through architectural design and streetscape treatment. Individual buildings are encouraged to be mixed vertically with street level commercial and upper level residential. Higher densities of residential development are encouraged. This area is supported by the continued development of a coherent street network constructed to support the traffic demands of both the auto

and the pedestrian. Minimum parking requirements may be satisfied using on-street parking, shared rear-lot parking areas, or small scale parking lots adjacent to buildings.

2. Design guidelines and certificate of appropriateness.

- a. Downtown Easley has long been the commercial and cultural center of the City. In recent years, it has become a center for arts and entertainment and is now becoming a preferred place to live. Downtown is a mix of new multifamily residential buildings, mixed in with the older two and three-storied brick commercial storefronts. While accommodating new development, Easley must encourage the preservation of those characteristics which give the downtown its unique identity.
- b. Design guidelines. Pursuant to procedures and conditions otherwise provided in this chapter, the Board of Architectural Review shall administer design guidelines applicable to structures and other surface improvements in the Downtown/TIF Design Overlay District to promote the foregoing purposes. The guidelines shall promote compatibility but shall not require design conformity among structures. The guidelines shall consider the following criteria in achieving the purposes of this section:
 1. Assist in creating a diverse downtown which is safe, clean, and prosperous;
 2. Assure that new development is at a human scale and that it relates to the character and scale of the area and the downtown;
 3. Establish a design relationship between the core commercial district, historic districts, downtown neighborhoods, and the greater downtown area;
 4. Maintain and or increase property values;
 5. Provide for a pleasant, rich, diverse pedestrian experience in the downtown;
 6. Encourage urban design excellence in the downtown;
 7. Promote the development of diversity and areas of special character within the Core Commercial District;
 8. Promote the arts, history, and culture in downtown's past, present, and future.
- c. All new construction of any type and all exterior changes to existing structures and improvement in the Downtown/TIF Design Overlay District must be in compliance with the terms and conditions of a certificate of appropriateness issued pursuant to procedures otherwise provided in this chapter and in accordance with the Downtown/TIF Design Overlay District guidelines.

3. Transitional Corridor Overlay Districts

The Transition Corridor Overlay Districts are coded to provide integration between existing or established neighborhoods and market driven pressures for increased mixed-use development resulting from the location of transportation infrastructure in adjacent areas. Pedestrian-scaled mixed-use development are encouraged that compliment surrounding neighborhoods and are supported by existing and planned transportation networks constructed to support the traffic demands of both the auto and the pedestrian. Corridors of mixed-use buildings typically form entryways into the formalized City Center and promote a higher level of commercial development due to the presence of

transportation infrastructure. These districts permit the construction of medium density residential homes and opportunities for various scales of commercial activity along the transportation corridors (SC93, SC 8, and SC 135). The intent of this section is to facilitate mixed-use development that will provide convenient access, minimize traffic congestion, and reduce visual clutter along the transitional corridors in Easley.

The architectural guidelines detailed in this section are enumerated to permit the construction of various building types that better relate to the character of the Easley area. In order to preserve the architectural heritage of Easley, existing residential structures proposed for mixed use along SC 8, SC 93, and SC 135, should be preserved in lieu of new construction.

Generally, parking is permitted on the side or rear of the buildings only. Parking may be permitted in a courtyard area created by the articulation of the building (or buildings) around the lot. No parking space shall be closer to the street than the building. Parking may be satisfied using on-street parking or shared rear-lot parking areas.

4. Interpretation of Terms used in this Document

These definitions apply to terms related to compliance in the proceeding text.

Appropriate – In some cases, a stated action or design choice is defined as being “appropriate in the text. In such cases, by choosing the design approach referred to as “appropriate,” the reader will be in compliance with the guideline. However, in other cases, there may be a design that is not expressly mentioned in the text that also may be deemed “appropriate by the Design Review Board.

Consider – When the term “consider” is used, a design suggestion is offered to the readers as an example of one method of how the design guidelines at hand could be met. Applicants may elect to follow the suggestion, but may also seek alternative means of meeting it. In other cases, the reader is instructed to evaluate the ability to take the course recommended in the context of the specific project.

Context – In many cases, the reader is instructed to relate to the context of the project area. The “context” relates to those properties and structures adjacent to, and within the same block as, the proposed project.

Should – If the term “should” appears in a design guideline, compliance is strongly encouraged, but is not required.

5. Definitions

Addition: (1) A structure added to the original structure after the completion of the original; (2) An extension or increase in floor area or height of a building or structure.

Adjacent, Adjoining Lot or Land : A lot or parcel of land that shares all or part of a common lot line or boundary with another lot or parcel of land or that is directly across a public street or right-of-way.

Alteration: Any change or expansion in the size, configuration, or location of a structure; or any change or expansion in the use of a structure or lot, from a previously approved or legally existing size, configuration, location, or use.

Arcade: A walkway adjacent to a building that is covered by a roof, yet is not fully enclosed.

Architectural Feature: A prominent or significant part or element of a building, structure, or site.

Architectural Style: The characteristic form and detail of buildings. Common styles in Easley include Colonial, Neo-Classical, Federal, American Victorian, and Arts & Crafts.

Attached Home: Rear yard buildings that share common side walls. Attached homes may be townhomes or condominium units.

Awning: A structure made of cloth, metal, or other material affixed to a building in such a manner that the structure may be raised or retracted from a building to a flat position against the building, but not a canopy.

Building Mass: The height, width, and depth of a structure.

Civic Uses: Uses intended to serve as public gathering places. Such uses include governmental offices, churches or other places of worship, schools, post offices, and non-profit or charitable clubs and organizations.

Community Character: The image of a community or area as defined by such factors as its built environment, natural features and open space elements, type of housing, architectural style, infrastructure, and the type and quality of public facilities and services.

Detached Home: Allyard or sideyard buildings that function as a principal residential for one or two families.

Expansion: An increase in the size of an existing structure or use, including physical size of the property, building, parking, and other improvements or structures.

Façade: Front or principal face of a building, any side of a building that faces a street or other open space

Frontage: The lot boundary which coincides with a public thoroughfare or space. The facade of a structure facing the street.

Gazebo: A free standing, roofed, open sided structure providing a shady resting place.

Open Space: Any area which does not consist of buildings, streets, right of ways, parking, or easements, and serves as a passive or active recreational area, as conservation land for important vistas and topographic features

Overlay District: A set of regulations which add an additional layer of design provisions to an underlying zoning district.

Porch: A projection from the outside wall of a dwelling covered by a roof which can project beyond setback. Roofed open areas may be screened, attached to or part of and with direct access to or from a building.

Portico: An open porch or walkway covered by a roof and typically leading to the building entrance. Elevation of the reservoir or to the ridgeline of the watershed; or within 10 miles upstream and draining to the intake located directly in the stream or river or to the ridgeline of the watershed.

Public Street: Any public right of way used for vehicular traffic that is permanently maintained by the City or State of South Carolina and is open to all traffic.

Traditional: Based on or established by the history of the area.

§2.6.14 Overlay District Architectural Requirements

1. Architectural Requirements

Design regulations are not intended to promote the replication of the existing built form of Easley, but to allow imaginative design that is respectful of its neighborhood. The regulations are meant to help achieve good design, not a certain stylistic result. They will also establish a consistent framework for submitting and assessing proposed development.

The following section, General Principles – Building Design, is a narrative that is intended to serve as a definition of the architectural building requirements that will be applied to the design overlay districts throughout the City of Easley. This section sets out general principles intended to recognize and preserve the unique character and integrity of the community’s special areas and properties while also allowing for their active use. The key architectural elements of building type, style and frontage serve as the essential elements of all district provisions. This includes components such as setbacks, height, detailing and use of a buildings public façade. The narrative is intended to serve as a guide to those interpreting the specific requirements of this Section. It does not serve as the requirements themselves and should not be applied as such.

All new construction shall conform to the architectural requirements of this Section. The Design Review Board may approve minor variations to this section provided similar materials, configurations, and/or techniques are used that fulfill the intent of this Section. Major variation to building façade requirements due to unique building use requirements may be approved by the Design Review Board, provided the overall pedestrianism of the street is maintained in accordance with all other standards. All variations shall be noted on the final approved plan.

2. General Principles – Building Design

1. Architectural style

New buildings should be designed to be respectful in context to the existing built environment, not as explicit reproductions of past historical styles. This regulation does not preclude use of materials, scale or massing found on older buildings. Spatial elements like massing, proportions, scale, setbacks, spaces between buildings, and their relative positions should be used to integrate new development into existing neighborhoods.

Buildings that are stylized in an attempt to use the building itself as advertising should be discouraged, particularly where the proposed architecture is the result of a “corporate” or

franchise style. New construction should provide variety and diversity and express its own uniqueness of structure, location or tenant.

2. Scale and proportion

The patterns, sizes, and shapes of elements, materials, and openings all influence a building's scale. Two important considerations are how these elements relate to human size and how they relate to each other in terms of scale. Proportion is the relationship of one dimension to another and creates visual order among the elements of a building.

Height can lend a building dignity and grace. Conversely, it can contribute to unacceptable bulk and dominance. It is the height in combination with other features that results in a positive or negative outcome. The height and scale of each building should take into consideration its site and existing (or anticipated) neighboring buildings.

Windows, doors, columns, eaves, parapets, and other building components should be proportional to the overall scale of the building. Changes of plane should have clearly delineated material transitions.

3. Façade articulation and detailing

Buildings serve to spatially define streets. Proper spatial definition is achieved with buildings or other architectural elements that make up street edges aligned in a disciplined manner with an appropriate ratio of height to width.

Architectural elements like openings, sill details, bulkhead, posts, and other architectural features should be used to establish human scale at the street level. Buildings should avoid long, monotonous, uninterrupted walls or roof planes on their visible facades. Building wall offsets, including projections, recesses, and changes in floor level should be used in order to: add architectural interest and variety; relieve the visual effect of a single, long wall; and subdivide the wall into human size proportions. Similarly, roofline offsets should be provided to lend architectural interest and variety to the massing of a building and to relieve the effect of a single, long roof. For larger scale developments, the building façade should create repetitive bays, or the façades should be divided into a balanced, yet asymmetrical, composition.

All sides of the building should use materials consistent with those on the front if visible from public streets or neighboring properties, and should be carefully designed with similar detailing, and be comparable in quality and materials. Useable porches and stoops should form a predominant motif of the building design and be located along the front and/or side of the home. A porch with a depth of at least six feet and extending along at least 50% of the facade is generally defined as useable. Useable porches are encouraged to bring people out of their homes, encourage more interaction between neighbors, and promote an improved sense of community.

4. Roof Form and Pitch

The character of the roof is a major feature of all buildings. When repeated along the street, the repetition of similar roof forms also contributes to the sense of visual continuity. In each case, the roof pitch, its materials, size and orientation are all important

to the overall character of the building. New construction should not break from this continuity. New structures and their roofs should be similar in character to their neighbors.

5. Window and Door Proportions and Design

The location of window of door size and location also contributes to a sense of visual continuity along the street. In order to maintain this sense of visual continuity, a new building should maintain the basic window and door proportions and placement seen traditionally.

The arrangement of windows and doors on a house also contributes to the character of a district. Most buildings have similar amounts of glass, resulting in a relatively uniform solid to void ratio. This ratio on a new building should be similar to that of traditional buildings.

6. Building and Street Lighting

The character and level of lighting that is used on a building is a special concern. Traditionally, these exterior lights were simple in character and used to highlight entrances, walkways, and signs. Most fixtures had incandescent lamps that cast a color similar to daylight, were relatively low intensity and were shielded with simple shade devices. Although new lamp types may be considered, the overall effect of modest, focused light should be continued.

7. Signs

A sign typically serves two functions: first, to attract attention, and second to convey information, essentially identifying the business or services offered within. If it is well designed, a building front alone can serve the attention-getting function, allowing the sign to be focused on conveying information in a well-conceived manner. All new signs should be developed with the overall context of the building and of the area in mind.

8. Building Materials and Color

Building materials of new structures should contribute to the visual continuity of the neighborhood. They should appear similar to those seen traditionally to establish a sense of visual continuity. While color in itself does not affect the actual form of a building, it can dramatically affect the perceived scale of a structure and it can help to blend a building with its context.

Building materials should be similar to the materials already being used in the neighborhood, or if dissimilar materials are being proposed, other characteristics such as scale and proportion, form, architectural detailing or color and texture, should be used to ensure that enough similarity exists for the building to relate to the rest of the neighborhood.

Materials should be selected for suitability to the type of building and design for which they are used. Material or color changes at outside corners of structures, which give the impression of “thinness” and artificiality, are prohibited. Piecemeal embellishment and

frequent changes in material should be avoided. Metal buildings should be prohibited except as specifically allowed in the planning area regulations.

Accessory buildings, particularly in residential areas, must be of similar design, materials, and colors as the principal building and should be appropriately landscaped. Vinyl siding is discouraged but may be appropriate for some single-family attached or detached residential structures.

9. Mechanical Screening

Utilities that serve properties may include telephone and electrical lines, ventilation systems, utility meters, mechanical equipment, transformers, generators, air conditioners, and similar features or other utility hardware. Adequate space for these utilities should be planned in a project from the outset and they should be designed such that their visual impacts are minimized. Service areas for trash, recycling containers, loading facilities, and site maintenance equipment should be carefully planned as an integral part of a site. At the same time, the visual impacts of service areas should be minimized. When laying out a site, adequate provisions should be made for service areas. They should not simply be located in left over side yards, for example.

3. General Requirements (applies to all structures)

1. To perpetuate the unique building character of the City, development shall generally employ building types that are sympathetic to the traditional architectural vocabulary of the area in their massing and external materials.
2. The front elevations facing the street and the overall massing shall be pedestrian in scale.
3. Adjacent buildings shall be architecturally compatible through similar silhouettes, spacing between facades, setbacks, proportions, treatments, exterior materials, scale, massing, and/or architectural style.
4. The Primary Entrance shall be both architecturally and functionally designed on the front façade of the building facing the primary public street. Such entrances shall be designed to convey their prominence on the fronting façade. The use of fire escape or exit-only doors as Primary Entrances is explicitly prohibited.
5. All new construction shall generally conform in street orientation, massing, lot width and setbacks to adjacent existing and proposed structures.
6. Project elements like mechanical equipment, electrical and telephone lines, utility meters, storage areas, trash enclosures, transformers, generators and similar features or other utility hardware on roof, ground, or buildings shall be screened from public view of the façade with materials similar to the structure. Ground mounted mechanical equipment shall be located to the rear or side yard and screened from off-site view. Roof-mounted mechanical equipment shall be screened from off-site view by a parapet wall and shall not be visible from the street. Unused equipment should be removed. Noise from HVAC or other operation equipment associated with the function of proposed structures shall not exceed 55 decibels as defined by the manufacturer.

7. Loading and service delivery areas shall be located to the rear or side yard away from the primary street frontage.
8. Canopies and awnings shall be canvas or similar material and shall be permitted to encroach over a sidewalk to within two feet of a public street curb and may be illuminated by external lighting only.
9. Open decks, patios, and steps are permitted with rear and side yards and may encroach into required setback to within 5 feet of all property lines.
10. Colors should be used to create coordinated color schemes for buildings. Employ color schemes that are simple in character with one base color that should be muted and only one or two accent colors. Reserve the use of bright colors for accents only.

4. Residential Buildings

1. General Requirements
 - a. When adapting a residence to a commercial use, respect the residential character of the building. Seek uses that are compatible with the traditional character of the building.
 - b. Maintain the line of building fronts in a block. The front yard setback of a new building should match the established range of adjacent buildings. Where setbacks are uniform, the new building should be placed in general alignment with its neighbors. In those areas where setbacks vary, new buildings should be placed within 10 feet of the average setback along the block.
 - c. Orient the front of the house to the street and clearly identify the front door.
 - d. Exterior lights should be simple in character and low in intensity so as to minimize the visual impacts of exterior lighting.
 - e. Garages with front loading bays shall be recessed from the front facade of the house and visually designed to form a secondary building volume. Two car garages visible from the street should be designed with two single doors or visually similar to two single doors for consistency of visual proportion. All garages with more than two bays should be turned such that the bays are not visible from the street. At no time shall the width of an attached garage exceed 40% of the total building facade. Exception: Corner lots may have garage access (side loaded) from the non-fronting street.
 - f. Side Loaded Garages may be permitted on corner lots from the non-fronting street.
 - g. Garage doors are not permitted on the front elevation of any multi-family dwelling.
 - h. New outbuildings should be subordinate to the primary structure on a site, located to the rear of the lot and should be similar in character to those seen traditionally.

2. Materials

- a. Residential building walls shall be wood clapboard, wood shingle, wood drop siding, primed board, wood board and batten, brick, stone, stucco, vinyl, or similar material. Accessory buildings with a floor area greater than 150 square feet shall be clad in materials similar in appearance to the principal structure.
- b. Garden walls may be of brick, stone or stucco matching the principal building. Front yard fences shall be wood picket, wrought iron, or similar material only. Side and rear yard fences may be chain link, wood, wrought iron, or similar material. All side and rear yard fences over 5 ft in height shall be wood or similar material.
- c. Residential roofs shall be clad in wood shingles, standing seam metal, terne, slate, diamond tab asphalt shingles or similar material.

3. Configurations

- a. Main roofs on residential buildings shall be symmetrical gables or hips with a pitch between 4:12 and 12:12. Monopitch (shed) roofs are allowed only if they are attached to the wall of the main building. No monopitch roof shall be less than 4:12.
- b. Design of new additions should be such that the original character of the building can be clearly seen and should be compatible in scale, materials and character with the main building.
- c. Any roof-top addition should keep the mass and scale subordinate to the primary building and be in character with the primary structure's design.
- d. Two wall materials may be combined horizontally on one facade. The heavier material should be below.
- e. Exterior chimneys shall be finished in brick or other material approved by the Design Review Board.
- f. The crawlspace of buildings shall be enclosed.

4. Techniques

- a. Overhanging eaves may expose rafters.
- b. Flush eaves shall be finished by profiled molding or gutters.
- c. Water from downspouts should drain away properly.
- d. All rooftop equipment shall be enclosed in building material that matches the structure or is visually compatible with the structure.

5. General Requirements

- a. Maintain the alignment of buildings at the sidewalks edge by locating the front building wall at the sidewalk line when feasible. Where a building must be set back from the sidewalk, use landscape elements to define the sidewalk edge.
- b. Orient the front entrance of the building toward the street and clearly identify the primary entrance. A secondary public entrance to commercial spaces is also encouraged on larger buildings.
- c. New outbuildings should be subordinate to the primary structure on a site, located to the rear of the lot and should be similar in character to those seen traditionally.
- d. When adapting a residence to a commercial use, respect the residential character of the building. Seek uses that are compatible with the traditional character of the building.
- e. Use of trees and flowering plants is strongly encouraged to enhance the pedestrian experience.
- f. Minimize the visual impacts of a parking lot by locating surface lots in the interior of a block whenever possible. Where a parking lot shares a site with a building, place the parking at the rear of the site or beside the building.
- g. Where a parking lot abuts a public sidewalk, provide a visual buffer such as a landscaped strip, planter, or wall.

6. **Materials**

- a. Commercial building walls shall be brick, cast concrete, stucco, stone, marble, or other materials similar in appearance and durability and in keeping with the traditional architecture of the area. Regular or decorative concrete block may be used on building walls not visible from a public street or as an accent material only. All accessory buildings shall be clad in materials similar in appearance to the principal structure.
- b. Pitched roofs shall be clad in wood shingles, standing seam metal, corrugated metal, slate, diamond tab asphalt shingles or similar material.
- c. Windows shall be vertically proportioned wherever possible. Also, to the extent possible, upper story windows shall be vertically aligned with the location of windows and doors on the ground level, including storefront or display windows.
- d. Signs on the inside of glazed openings may be neon.

5. **Configurations**

1. Two wall materials may be combined horizontally on one facade. The heavier material should be below.
2. Skylights shall be flat (non-bubble).

3. At least 70% of the street level frontages should be in windows or doorways. Street level windows shall be visually permeable. Mirrorized glass is not permitted in any location. Faux or display casements are not permitted in lieu of exterior window treatments for the frontage elevation.
4. No frontage wall shall remain unpierced by a window or functional general access doorway for more than 16 feet.
5. Design of new additions should be such that the original character of the building can be clearly seen and should be compatible in scale, materials and character with the main building.
6. An addition should not damage or obscure architecturally important features.
7. Any rooftop addition should keep the mass and scale subordinate to the primary building and be in character with the primary structure's design.

6. Techniques

1. Stucco shall be float finish.
2. Windows shall be set to the inside of the building face wall in most cases unless otherwise provided for by the decision of the Design Review Board.
3. All rooftop equipment shall be enclosed in building material that matches the structure or is visually compatible with the structure.

7. Lighting

1. Street lighting should be used to enhance the pedestrian experience at night by providing a well-lit environment.
2. Light pole and lamp design should be similar to those used by the City of Easley.
3. Streetlights should convey a pedestrian oriented scale and convey a color spectrum that is similar to daylight.
4. Exterior lights should be used to accent architectural details, building entrances, signs, and illuminate sidewalks.
5. Minimize the visual impacts of site and architectural lighting through the use of low intensity white lights that are similar to daylight.
6. Prevent glare by using shielded and focused light sources that focus light downward. Unshielded, high intensity lights sources and those that direct light upward should not be permitted.
7. Shield lighting associated with service areas, parking lots, and parking structures.

8. Civic Buildings (Churches, Schools, Government Offices, other Civic Facilities)

1. Schools, churches, and government buildings should be built so that they shall be of sufficient design to create visual anchors for the community. Civic buildings shall adhere to the provisions as marked below.
2. Materials
 - a. Civic building walls should be clad in stone, stucco, brick, and marble or other appropriate material. Decorative cast concrete and wood or vinyl siding may be used as a minority element on facades facing public streets.
 - b. Civic roofs shall be clad in slate, sheet metal, corrugated metal, or diamond tab asphalt shingles, or other material similar in appearance and durability.
 - c. Gutters and down spouts shall be made of copper or galvanized painted metal and do not expel onto the street.
 - d. The columns, if provided, shall be made of wood or cast concrete or other appropriate material.
 - e. Stained glass or other decorative window treatments are encouraged.
3. Configurations
 - a. Two wall materials may be combined horizontally on one facade. The heavier material should be below.
 - b. Flat roofs are allowed, but principal civic buildings adjacent to residential structures are encouraged to have pitched roofs or similar architectural features to ensure compatibility.
4. Techniques
 - a. Windows shall be set to the inside of the building face wall.
 - b. All rooftop equipment shall be enclosed in building material that matches the structure or is visually compatible with the structure.

9. Light and Heavy Industrial Buildings

1. Materials
 - a. All building walls visible from a public street shall be brick, cast concrete, stucco, stone, marble, decorative concrete masonry unit or other materials similar in appearance and durability.
 - b. All accessory buildings shall be clad in materials similar in appearance to the principal structure.

- c. Pitched roofs shall be clad in wood shingles, standing seam metal, corrugated metal, slate, diamond tab asphalt shingles or similar material.
 2. Configurations
 - a. Two wall materials may be combined horizontally on one facade. The heavier material should be below.
 - b. Skylights shall be flat (non-bubble).
 3. Techniques
 - a. Windows shall be set to the inside of the building face wall in most cases unless otherwise provided for by the decision of the Design Review Board.
 - b. All rooftop equipment shall be enclosed in building material that matches the structure or is visually compatible with the structure.

10. Renovation of Existing Structures

1. All new construction, including additions to existing buildings, must comply with these regulations.
2. Changing or rebuilding 75% or more of any façade of a building requires the entire building to comply with the regulations.
3. Changing or rebuilding less than 75% of any façade of a building, requires only that façade to comply.
4. All new windows, entrances, storefronts, and doorways must be designed in accordance with these regulations.
5. Any addition of 50% or more of the first floor area requires the entire building to come into compliance.
6. Routine maintenance and repair are exempt from these requirements.

11. Design Guidelines for Signs

1. Signs should be coordinated with the composition of the overall façade and in proportion to the building such that it does not dominate the appearance.
2. Locate signs on a building such that it will emphasize design elements of the façade itself and fit within existing architectural features.
3. When feasible, place a wall sign such that it aligns with others on the block. If decorative moldings exist that could define a sign panel, locate a flush-mounted sign to fit within the panel formed by the moldings or transom panels.
4. Window signs may be painted on the glass or hung inside the window and should cover no more than 20% of the total window area.

5. Projecting signs may be considered. Small projecting signs should be located near the business entrance, just above the door or to the side of it while large projecting signs should be mounted higher and centered on the façade or positioned at the corner.

Signs not attached to buildings should be ground mounted signs that are no more than 20 than 20 square feet in area and 5 feet in height All ground mounted signs shall be located a minimum of five (5) feet behind the street right-of way. No ground-mounted sign greater than five (5) square feet in area shall be located closer than ten (10) feet to any adjacent lot line. A fifteen (15) foot side-yard setback shall be required if the side lot line abuts a residential district. An arm sign may be substituted for a ground mounted sign but shall meet all height and area requirements as provided. The height of a sign shall be measured from the highest point of a sign to the point of ground surface beneath it. Ornamentation such as caps and spires are not included in this measurement. The use of berms or raised landscape areas is only permitted to raise the base of the sign to the mean elevation of the fronting street.

7. Sign materials should be compatible with that of the building façade and should use colors that are compatible with those of the building front.
8. All lighted signs shall have their lighting directed in such a manner as to illuminate only the face of the sign. No commercial sign within 100 linear feet of a pre-existing residential structure may be illuminated between the hours of 12:00 midnight and 6:00 a.m. A residence shall be deemed "pre-existing" for purposes of this Section if it has a valid building permit in effect for construction of said structure or if construction of said structure was complete on or prior to the effective date of this provision.
9. Internally illuminated signs, signs with lights inside the sign itself, will be prohibited in the overlay districts.
10. Flashing signs, signs with flashing or reflective disks, signs with flashing lights or lights of changing degree of intensity or color or signs with electrically scrolled messages (except government signs and signs which give time and temperature information) are prohibited. If a time and temperature sign alternates between a time message and a temperature message it shall continuously show one message a minimum of three (3) seconds in time before switching to the other message.

§2.6.14-99 Reserved.

ARTICLE III**OFF-STREET PARKING AND LOADING****§3.1 Off-Street Parking Requirements**

The parking standards contained within this ordinance apply to all zoning districts, with the exception of the CC District. Parking requirements shall be considered at the time of initial construction, or when there is an increase in dwelling units, guest rooms, floor area, seating or bed capacity, or when a conversion in use occurs. The number of parking spaces provided shall be at least as great as the minimum number of spaces specified for the use in the parking chart below. The parking space requirements for a use not specifically listed shall be the same as for a listed use of similar characteristics of parking demand as determined by the Zoning Administrator. When application of said provision results in a fractional space requirement, the next larger requirement shall prevail. Such off-street parking areas shall have direct access to a street or alley, and shall be provided and maintained in accordance with the following requirements:

§3.1.01 Off-Street Parking and Loading

1. Applicability

The off-street parking and loading standards of this section shall apply to any new building constructed and to any new use established.

2. Exemptions

The off-street parking and loading standards of this section shall not apply in the C-4 district. However, prior to issuance of any building permit or certificate of occupancy, whichever is issued first, the owner of any new building constructed or any new use established in the CC district shall submit to the Administrator an estimate of the parking requirements that the building or use is expected to generate, based on the ratios established in this section, and an indication of where or how that parking will be provided.

The off-street parking and loading standards of this section shall not apply to historic properties.

The off-street parking and loading standards of Section **§3.1.01** and **Section §3.1.02, Parking Requirements**, shall not apply to parking areas which constitute the principal use of a site (commercial parking lots and parking structures).

The maximum off-street parking standards of Section **§3.1.01** and **Section §3.1.02 Parking Requirements**, shall not apply to developments which incorporate a parking structure.

3. Expansions and Alterations

The off-street parking and loading standards of this section shall apply when an existing structure or use is expanded or enlarged. Additional off-street parking and loading spaces shall be required to serve on the enlarged or expanded area, provided that in all cases the number of off-street parking and loading spaces provided for the entire use (pre-existing plus expansion) must equal at least 75 percent of the minimum ratio established in this section.

4. Change of Use

Off-street parking and loading shall be provided for any change of use or manner of operation that would, based on the minimum ratios established in this section, result in a requirement for more parking or loading spaces than the existing or previous use. Any additional parking required by this section shall be installed prior to issuance of a certificate of occupancy.

§3.1.02 Parking Requirements

1. Schedule A

Unless otherwise expressly stated in this Ordinance, off-street parking spaces shall be provided in accordance with Table 3.1-1 below:

Table 3.1-1

USE CATEGORY	USE TYPE	MINIMUM SPACES REQUIRED	MAXIMUM SPACES ALLOWED
Residential Uses			
Residential	Single Family Dwellings and Duplex Buildings	2 per dwelling unit	See schedule B
	Multi-Family Dwellings	1.5 per dwelling unit	See schedule B
	All other Non-group Household Living uses	2 per dwelling unit	See schedule B
Group Living	Boarding House	2 plus 1 for each bedroom rented	See schedule B
	Household Living Uses specifically for elderly or Handicapped Residents	0.5 per dwelling unit	See schedule B
	All other Group Living Uses	1 per each 2 beds	1 per each bed
Public and Institutional Uses			
Community Facilities	Library, Museum, Community Center, etc.	1 per 1,000 square feet	See schedule B
Day Care	Day care center (13+ people)	1 per 375 square feet	1 per 250 square feet
	Group day care home (7 to 12 people)	2 plus requirement for principal use	See schedule B
Educational Facilities	Preschool	See schedule B	See schedule B
	Business School	See schedule B	See schedule B

USE CATEGORY	USE TYPE	MINIMUM SPACES REQUIRED	MAXIMUM SPACES ALLOWED
	College or university	See schedule B	See schedule B
	School, public or private	See schedule B	See schedule B
	Trade School	1 per 200 square feet	1 per 150 square feet
Government Facilities	Detention Center	See schedule B	See schedule B
	Emergency Response Facility	See schedule B	See schedule B
	Maintenance, storage, and distribution facility	1 per 1,000 square feet	See schedule B
	Post Office	1 per 300 square feet	See schedule B
Health Facilities Care	Hospital	1 per 400 square feet	See schedule B
	Medical facility, other than hospital	1 per 200 square feet	1 per 100 square feet
Institutions	Religious Institution	1 per 6 permanent seats in the main sanctuary	1 per 3 seats in the main sanctuary
	All other Institutions	0.3 per bed plus 1 per employee	See schedule B
Parks and Open Areas	All uses	See schedule B	See schedule B
Utilities	Communication Tower	None	See schedule B
	Utility, major or minor	1 per 1,500 square feet	See schedule B
Commercial Uses			
Eating Establishments	Restaurant with drive-through	1 per 150 square feet of customer service area plus vehicle stacking spaces	1 per 75 square feet of customer service area plus vehicle stacking spaces
	Restaurant with no seating	1 per 200 square feet	1 per 100 square feet
	Restaurants with seating, and similar establishments	1 per 100 square feet	1 per 60 square feet
Offices	Radio or TV broadcasting studio	1 per 400 square feet	See schedule B
	Other offices	1 per 350 square feet	1 per 150 square feet
Offices	Kennel or veterinary clinic	1 per 600 square feet	See schedule B
	Civic Club	1 per 300 square feet	See schedule B

USE CATEGORY	USE TYPE	MINIMUM SPACES REQUIRED	MAXIMUM SPACES ALLOWED
Outdoor Entertainment	All uses	1 per 5,000 square feet of land area, or one per three persons capacity (maximum), whichever is greater	See schedule B
Outdoor Entertainment	Convenience Store	1 per 200 square feet plus vehicle stacking spaces for gasoline service	1 per 100 square feet plus vehicle stacking spaces for gasoline service
Retail Sales and Services	Bank, financial institution, or ATM	1 per 300 square feet plus vehicle stacking spaces for automated banking	1 per 200 square feet plus vehicle stacking spaces
	Convention and Exhibition Hall	See schedule B	See schedule B
	Department or Discount Store, exceeding 25,000 gross square feet	1 per 300 square feet	1 per 200 square feet
	Grocery Store	1 per 500 square feet	1 per 250 square feet
	Photography, art, dance studio or gallery	1 per 400 square feet	1 per 200 square feet
	Personal services, all other uses	1 per 500 square feet	1 per 250 square feet
	Prefabricated building display and sales	See schedule B	See schedule B
	Health Club or Spa	1 per 250 square feet	1 per 100 square feet
	Indoor entertainment facility	1 per three fixed seats, or one per 300 square feet, whichever is greater	See schedule B
	Shopping Center	1 per 500 square feet	1 per 250 square feet
	Retail sales and services, all other uses	1 per 500 square feet	1 per 250 square feet
Entertainment	Nightclub or bar	1 per 100 square feet	See schedule B
Self-Service Storage	All uses	1 per 20 storage units	1 per 10 storage units
Vehicle Sales and Service	Automobile rental and sales	See schedule B	See schedule B
	Automobile repair	1 per 300 square feet	See schedule B

USE CATEGORY	USE TYPE	MINIMUM SPACES REQUIRED	MAXIMUM SPACES ALLOWED
	Automobile servicing	1 per 300 square feet	See schedule B
	Automobile wash and detailing	1 per 500 square feet of sales, office, or lounge area, plus vehicle stacking spaces	See schedule B
	Recreational vehicle rental and sales	See schedule B	See schedule B
	Towing service	See schedule B	See schedule B
	Truck or trailer rental	See schedule B	See schedule B
	Bed and breakfast inn	0.5 per guest room plus two per permanent residence	1 per guest room plus two per permanent residence
Visitor Accommodations	Hotel or Motel	0.75 per guest room, plus 1 per 800 square feet of conference and restaurant space	1 per guest room, plus 1 per 400 square feet of conference and restaurant space
Services and Industrial Uses			
Funeral Home, Mortuary	1 per 4 seats in main assembly room	See schedule B	Funeral Home, Mortuary
Industrial Services	All uses	See schedule B	See schedule B
Manufacturing and Production	All uses	See schedule B	See schedule B
Warehouse and Freight Movement	All uses	See schedule B	See schedule B
Waste-Related Services	All uses	See schedule B	See schedule B
Wholesale Sales	All uses	1 per 1500 square feet	See schedule B

2. Schedule B

Uses that reference “Schedule B” have widely varying parking and loading demand characteristics, making it impossible to specify a single off-street parking or loading standard. Upon receiving a development application for a use subject to Schedule B standards, the Administrator shall apply the off-street parking and loading standard specified for the listed use that is deemed most similar to the proposed use or establish minimum off-street parking requirements on the basis of a parking and loading study prepared by the applicant. Such a study shall include estimates of parking demand based on recommendations of the Institute of Transportation Engineers (ITE), or other

acceptable estimates as approved by the Administrator, and should include other reliable data collected from uses or combinations of uses that are the same as or comparable with the proposed use. Comparability will be determined by density, scale, bulk, area, type of activity, and location. The study shall document the source of data used to develop the recommendations.

§3.1.02 Credit for on-street parking

Legal on-street parking spaces may be used to satisfy the minimum parking space requirements of this Part. The use of on-street parking spaces to satisfy the minimum parking space requirements of this Part, however, in no way limits the use of said parking spaces to customers, employees or visitors of that particular use. Such parking spaces shall be available to the general public. The use of this provision shall be in accordance with the following:

- (a) Credit for on-street parking spaces may be given only in the Neighborhood, Traditional Neighborhood, Traditional Marketplace Corridor, Traditional Workplace, Town Center, Downtown and Village Form Districts.
- (b) Any on-street parking space used in this manner must be located on a public street directly abutting and on the same side of the street as the development site.
- (c) On-street parking spaces whose use is governed by parking meters or by peak hour parking restrictions may not be used to satisfy the minimum parking requirements of residential uses, but may be used for all other uses as long as the restricted hours of use do not overlap with the land use’s peak hours of operation. Bus stops, clear zones adjacent to curb cuts and other areas in which parking is prohibited shall not be included in the calculation of on-street parking spaces.
- (d) On-street parking spaces that are not directly abutting the development site may be counted towards the minimum parking space requirements only if specifically authorized by a Parking Waiver.
- (e) For the purposes of this section an on-street parking space shall be a minimum of 20 feet in length. Fractional spaces less than .8 (16 feet) shall not be counted as a parking space.

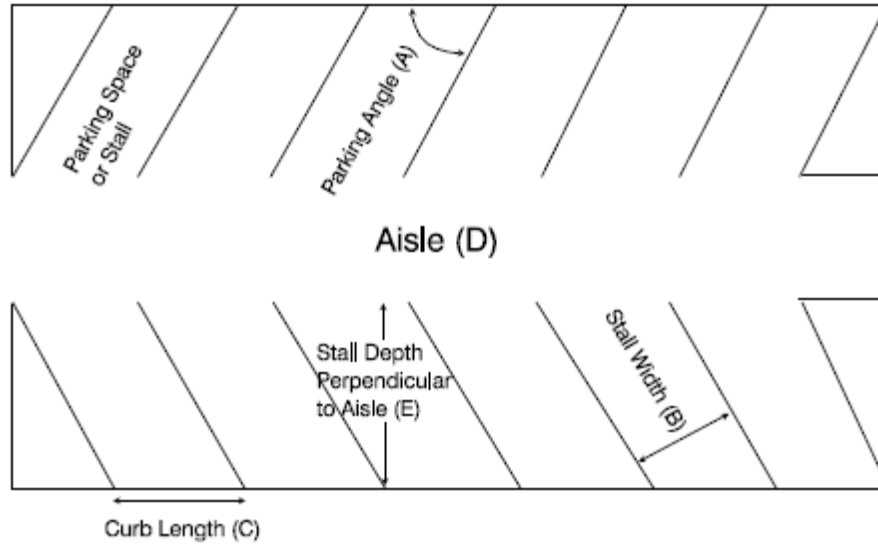
§3.1.03 Parking Lot Design Requirements

Parking lot design shall conform to the following standards.

Table 3.1-2

Parking Space Sizes				
Angle of Parking Space	Width of Stall	Depth of Stall	Min. Aisle Width	Length of Curb
Parallel	8'	22' 0"	12' - 24'	22' 0"
30 Degree	9'	17' 0"	12' - 24'	18' 0"
45 Degree	9'	19' 0"	14' - 24'	12' 9"
60 Degree	9'	20' 0"	18' - 24'	10' 5"
90 Degree	9'	18' 0"	24' - 24'	9' 0"

Parking Dimension Factors



§3.1.04 Parking Alternatives

The administrator has the power to approve alternatives for provisioning the necessary number of parking spaces in accordance with the standards outlined below:

1. Shared Parking

The administrator may approve shared parking for facilities for development or uses with different operating hours or peak demands. Shared parking facilities though must comply with these standards:

2. Location

If located off-site, the shared parking spaces must be located within 600 feet of the primary entrance of all uses served, unless remote parking shuttle bus service is provided.

3. Zoning Classification

Shared parking areas must be located on a site with the same or a more intensive zoning classification than required for the primary uses served.

4. Shared Parking Study

A shared parking study that clearly demonstrates the feasibility of shared parking shall be submitted to the Administrator. The study must be provided in a form established by the Administrator. It must address, at a minimum, the size and type of the proposed development, the composition of tenants, the anticipated rate of parking turnover, and the anticipated peak parking and traffic loads for all uses that will be sharing off-street parking spaces. Use of data provided in Table 3.1-3, Shared Parking Demand by Land Use and Time of Day, may be accepted as a shared parking study.

Land Use	Weekday		Weekend		Nighttime (midnight – 6 am)
	Daytime (6am – 5 pm)	Evening (5pm – Midnight)	Daytime (6am – 5pm)	Evening (5pm – Midnight)	
Office	100%	10%	10%	5%	5%
Retail	60%	90%	100%	70%	5%
Residential	30%	90%	80%	90%	100%
Restaurant	50%	100%	100%	100%	10%
Hotel/Motel	75%	100%	75%	100%	75%
Entertainment	40%	100%	80%	100%	10%
Religious Institution	10%	30%	100%	30%	5%

To Use Table 3.1-3, 1) determine the minimum parking requirements in accordance with Table 3.1-1, Off Street Parking Requirements, for each land use as if it is a separate use; 2) multiply each amount by the corresponding percentages for each of the five time periods; 3) calculate the total for each time period; 4) select the column with the highest total and use this number as the required minimum number of parking spaces.

5. Agreement for Shared Parking

A shared parking plan (where the minimum required parking spaces are provided off-site) will be enforced through written agreement among all owners of record. An attested copy of the agreement between the owners of record must be submitted to the Administrator in a form established by the City Attorney. The agreement must be recorded with the County Registrar of Deeds before issuance of a building permit for any use to be served by the parking area. A shared parking agreement may be revoked only if all required off-street parking spaces will be provided in accordance with the requirements of Section §3.1.01 and Section §3.1.02, Parking Requirements.

6. Off-Site Parking

The Administrator may approve the location of required off-street parking spaces on a separate lot from the lot on which the principal use is located if the off-site parking complies with all of the following standards:

7. Ineligible Activities

Off-site parking may not be used to satisfy the required off-street parking standards for residential uses (except for guest parking), convenience stores, or other convenience-oriented uses. Required parking spaces for persons with disabilities shall not be located off-site.

8. Location

No off-site parking space may be located more than 600 feet from the primary entrance of the use served unless remote parking shuttle bus service is provided. Off-site parking spaces may not be separated from the use served by a street wider than three lanes, unless a grade-separated pedestrian walkway, or other traffic control or remote parking shuttle bus service is provided.

9. Zoning Classification

Off-site parking areas require the same or a more intensive zoning classification than required for the primary use served.

10. Agreement for Off-Site Parking

In the event that an off-site parking area is not under the same ownership as the principal use served, a written agreement between the record owners will be required. The agreement must guarantee the use of the off-site parking area for at least ten years. An attested copy of the agreement between the owners of record must be submitted to the Administrator for recording in a form established by the City Attorney. Recording of the agreement must take place before issuance of a building permit or certificate of occupancy for any use to be served by the off-site parking area. An off-site parking agreement may be revoked only if all required off-street parking spaces will be provided in accordance with the requirements of, Section **§3.1.01**, and Section **§3.1.02 Parking Requirements**. No use shall be continued if the parking is removed unless substitute parking facilities are provided, and the Administrator shall be notified at least 60 days prior to the termination of a lease for off-site parking.

11. Tandem Parking

The Administrator may approve an off-street parking program utilizing limited tandem parking for commercial and industrial uses provided that the development requires 50 or more parking spaces. No more than 30 percent of the total number of spaces shall be designated as tandem.

12. On-Street Parking

Existing on-street parking spaces may be accepted by the Administrator to meet the minimum parking requirements of this section.

13. Other Eligible Alternatives

The Administrator may approve other alternatives to providing off-street parking spaces on the site of the subject development if the applicant demonstrates to the satisfaction of the Administrator that the proposed plan will protect surrounding neighborhoods, preserve historic or heritage trees, maintain traffic circulation patterns, and promote quality urban design to at least the same extent as would strict compliance with otherwise applicable off-street parking standards.

§3.01.05 Markings

All paved parking spaces shall be identified by surface markings and shall be maintained in a manner so as to be readily visible at all times. Such markings shall be arranged to provide for orderly and safe loading, unloading, parking, and storage of vehicles. Parallel parking spaces shall be marked with standard 'cross' and 'T' pavement markings. All striping shall be marked with 4-inch lines. As appropriate, time and use restrictions may apply and signs shall be posted displaying the required information.

§3.1.06 Backing Movements Prohibited

All off-street parking spaces and driveways, with the exception of parking areas for one- and two-family detached dwellings, shall be arranged to require ingress and egress from the lot to a public street by forward motion of the vehicle. For single- and two-family residences only, driveways may be used to satisfy minimum off-street parking requirements, provided that sufficient space is available to satisfy the minimum design standards.

§3.1.07 Vehicle Queuing Spaces

The vehicle queuing standards of this section shall apply unless otherwise expressly approved by the Administrator:

1. Minimum Number of Spaces

Off-street queuing spaces shall be provided as follows:

TABLE 3.1-4: VEHICLE QUEUING AREAS		
ACTIVITY TYPE	MINIMUM QUEUING SPACES	MEASURED FROM
Bank teller lane	4	Teller or window
Automated teller machine (ATM)	3	Teller machine
Restaurant drive-through	6	Order box
Restaurant drive-through	4	Order box to pick-up window
Car wash stall, automatic	6	Entrance
Car wash stall, self-service	3	Entrance
Gasoline pump island	2	Pump island
Other	Determined by Administrator based on traffic study.	

2. Design and Layout

Required queuing spaces are subject to the following design and layout standards.

3. Size

Queuing spaces shall be a minimum of eight feet by 20 feet in size.

4. Location

Queuing spaces may not impede on- or off-site traffic movements or movements into or out of off-street parking spaces.

5. Design

Queuing spaces shall be separated from other internal driveways by raised medians if deemed necessary by the Administrator for traffic movement and safety.

§3.1.08 Accessible Parking for Disabled Persons

A portion of the total number of required off-street parking spaces in each off-street parking area shall be specifically designated, located, and reserved for the use by persons with physical disabilities as set out . For more information reference American National Standards Institute (ANSI) A117.1, as adopted by the state of South Carolina.

1. Residential Uses

For residential uses, accessible parking shall be provided at the rate of one space per each dwelling unit that is designed for occupancy by the physically disabled.

2. Non-Residential Uses

For non-residential uses, accessible parking spaces for disabled persons shall be provided at the rate shown in the table below:

TABLE 3.1-5: ACCESSIBLE PARKING REQUIREMENTS FOR NON-RESIDENTIAL USES	
TOTAL NUMBER OF REQUIRED PARKING SPACES	NUMBER OF REQUIRED ACCESSIBLE SPACES
1-25*	1
26-50	2
51-75	3
76-100	4
101-150	5
151-200	6
201-300	7
301-400	8
401-500	9
501-1,000	2 percent of total spaces
Above 1,000	20 spaces, plus one space for each 100 over 1,000 spaces or fraction thereof.
*For parking lots of 5 or less spaces, the accessible space must be provided, but need not be designated as reserved for the physically disabled.	

3. Relationship to General Off-Street Parking Requirements

Accessible parking required by this section shall count towards the fulfillment of the general off-street parking requirements of Section **§3.1.02, Parking Requirements.**

§3.1.09 Extension of Parking Space Into a Residential District

Required parking space may extend up to one hundred twenty (120) feet into a residential zoning district, provided that:

1. The parking space adjoins a commercial or industrial district;
2. Has its only access to, or fronts upon, the same street as the property in the commercial or industrial district for which it provides the required parking space; and
3. Is separated from abutting properties in the residential district by a twenty (20) foot wide buffer strip with a six (6) foot tall evergreen hedge obscuring the parking lot from view by the residential lots.

§3.1.10 Minimum Area.

For the purpose of these regulations, an off-street parking space is an area not in a street or alley, permanently reserved for the temporary storage of one automobile and connected with a street or alley by an asphalt or concrete driveway which affords ingress and egress.

§3.1.11 Drainage and Maintenance.

Off-street parking facilities shall be properly graded for drainage to prevent damage to abutting property and/or public streets and alleys. All surface material for parking spaces and their corresponding access drives shall consist of a suitable paving material to prevent the exposure of subsoil. Suitable paving material for parking areas includes asphalt, concrete, porous paving blocks or any other maintenance material approved by the administrator that will not result in substantial maintenance problems.

Alternative paving materials will be considered only if the material exhibits equivalent load bearing and wear characteristics as concrete or bituminous asphalt. For a paving space to be considered pervious at least five percent of the parking area must consist of permeable pavement or surface treatment. Stormwater reductions that result from the use of permeable pavement may be considered in any kind of stormwater management plans or requirement for mitigation.

§3.1.12 Separation from Walkways and Street.

Off-street parking spaces shall be separated from walkways, sidewalks, streets, or alleys, and required setbacks by curbing or other protective device approved by the Zoning Administrator.

§3.1.13 Spacing Requirements for Curb Cuts.

Curb cuts for service drives, entrances, exits and similar facilities shall not be located closer than fifty (50) feet to the intersection of any public street right-of-way lines. Private curb cuts shall be no greater than forty (40) feet in width for non-residential driveways/access easements and no greater than twenty (20) feet for residential driveways and access easements. Driveways/access easements shall be placed no closer than ten (10) feet to any property or lot line. Duplicate curb cuts shall be no closer than twenty-five (25) feet from the intersection of a roadway (private or public). Entrance and exit driveways at other locations or at intersections not covered by the above restrictions may be denied if such a location will create an accident hazard for normal traffic.

§3.1.14 Lighting.

Adequate lighting shall be provided in off-street parking areas. Lighting used to illuminate off-street parking area shall be designed and equipped to cast light down from the fixture head, away from residential properties and public streets so that it may not cause a glare into abutting or adjacent lots.

§3.1.15 Landscaping.

Refer to the Landscaping and Buffering section of the zoning ordinance for information regarding the necessary landscaping of parking areas.

§3.1.16 Use of Required Off-Street Parking Areas

1. General

Required off-street parking areas shall be used solely for the parking of licensed, motor vehicles in operating condition. Required spaces may not be used for the display of goods for sale or lease or for long-term storage of vehicles, boats, or building materials, except as expressly allowed in this section.

2. Parking of Commercial Vehicles in Residential Districts

Excluding a school or church bus being used for its intended purpose, only one commercial vehicle shall be permitted per family within a residential district. Oversized vehicles or vehicles used for hauling explosives, gasoline or liquefied petroleum shall not be parked or stored in a residential district.

3. Parking of Recreational Vehicles in Residential Zones

Not more than one recreational vehicle per dwelling may be parked or stored on a lot in any residential zone and shall be located to the side or rear of the building on the lot on which the vehicle is located and shall not be located closer to the street than any adjoining residential structure.

§3.1.17 Cross Access

Cross access between two (2) or more contiguous sites/land uses shall provide alternative access between compatible land uses that front major/minor thoroughfares so that patrons leaving one (1) business may access adjoining businesses without having to reenter a busy public street system. It is not the intent of this section to reduce the number of driveways beyond what is already allowed in the Driveway Manual.

1. *Cross Access Required:* Any new non-residential developments, as well as any additions of over three thousand (3,000) square feet of gross floor area to existing non-residential developments; and all uses of land without buildings which involve more than forty thousand (40,000) square feet; are all required to provide cross access.
2. *Cross Access Not Required:* Cross access will not be required between residential uses, nor will it be required when a property suffers from the following hardships:
 1. The properties do not have common frontages along the same street.
 2. Significant topography differences in existing or proposed conditions prohibit connectivity.
 3. Significant natural features exist.
 4. Other safety and security factors exist.
 5. Land uses are incompatible.
 6. Existing infrastructure obstructions prohibit connectivity.
3. *No Obstruction of Access:* Once built to the property line (or lease line) from both directions, an access way shall not be blocked off, parked in or obstructed in any way, unless significant redevelopment of the lots involved will be occurring.

§3.1.18 Off-Street Loading Requirements

Unless otherwise approved by the Administrator, every building or structure erected and used for business, trade, or industry shall provide space as indicated in this section for the loading and unloading of vehicles, with access to a public street or alley. The spaces shall be arranged so that no vehicle will be required to back onto a public street or way and so that vehicles may maneuver for loading and unloading entirely within the property lines of the premises. Off-street loading spaces shall be provided in the following numbers:

1. Commercial Uses

Each use shall provide one loading space, measuring ten (10) feet by 25 feet with overhead clearance of 14 feet, for each 20,000 square feet of gross floor area or fraction thereof.

2. Service and Industrial Uses

Each use shall provide loading spaces that measure ten (10) feet by 50 feet with overhead clearance of 14 feet, based on the gross floor area as show below:

TABLE 3.1-6: OFF-STREET LOADING FOR SERVICE AND INDUSTRIAL USES	
GROSS FLOOR AREA IN STRUCTURE (SQ. FT.)	NUMBER OF BERTHS
0 – 25,000	1
25,001 – 50,000	2
50,001 – 100,000	3
100,001 – 150,000	4
150,001 – 200,000	5
Each 100,000 above 200,000	1

3. Bus and Truck Terminals

Sufficient spaces to accommodate the maximum number of buses or trucks to be loading, unloading or stored at the terminal at any one time.

§3.1.19 Parking Variances

The Zoning Administrator may grant a variance with respect to off-street parking facilities or off-street loading facilities as the variance was applied for or in modified form if, on the basis of the application and investigation, the Zoning Administrator makes the following findings:

1. That neither present nor anticipated future traffic volumes generated by the use of the site or use of sites in the vicinity reasonably require strict or literal interpretation and enforcement of the specified regulation.
2. That the granting of the variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic on the streets.
3. That the granting of the variance will not create a safety hazard or any other condition inconsistent with the objectives of the zoning ordinance.

The following materials must be submitted along with a variance application to be considered for a parking variance:

1. A completed application form, signed by the property owner or authorized agent, accompanied by the required fee, copies of deeds, any required powers of attorney, plans and mapping documentation, or other information required on the application or deemed necessary by the Zoning Enforcement Official to assume the completion of the application, in the form prescribed by the Zoning Enforcement Official;
2. A vicinity map showing the location and street address of the development site.

§3.1.20-99 Reserved.

ARTICLE IV

SIGN REGULATIONS

The regulations herein shall apply and govern all signs located in the City of Easley. This section establishes the standards for the design, location, and characteristics of signs that are permitted as principal or accessory uses. No sign is permitted in the City except in conformity with this section.

§4.1 Purpose

The purposes of these sign regulations are to:

1. **Encourage Effective Communication** - Encourage the effective use of signs as a means of communication in the City;
2. **Maintain a Pleasing Appearance** - Maintain and enhance the pleasing look of the City, which attracts to the City major events of local, regional, and statewide interest;
3. **Attract Business** - Preserve Easley as a community that is attractive to business;
4. **Improve Safety** - Improve pedestrian and traffic safety;
5. **Minimize Adverse Effects** - Minimize the possible adverse effects of signs on nearby public and private property; and
6. **Ensure Compatibility** - Ensure that signs in the community are compatible with the high quality image that the City seeks and in which the City continuously invests.

§4.2 Definitions

For the purposes of this Code Section, certain terms and words are hereby defined. As used in this Code Section, unless the context otherwise indicates, the following words and terms shall have the meaning ascribed to them:

Abandoned sign: A permanent principal use sign on property containing a building or activity that has ceased operations. Permanent principal use signs on property shall be considered abandoned when there is clear evidence that a business or activity has vacated the building or grounds; provided, however, that this definition shall not apply to any case where a business or activity is temporarily suspended and there is evidence that the business or activity will resume operations within a six-month period.

Advertising device: Any structure or device erected or intended for the purpose of displaying advertising or for which is designed to or attracts attention to the premises, situated upon or attached to real property. For purposes of this Code Section, an advertising device is a “sign.”

Animated sign: A sign with action, motion, sound, or changing colors which accomplishes such action, motion, sound, or changing colors with or without electrical energy. This includes signs with lights or other illuminating devices that blink, flash, fluctuate, or have a changing light intensity, brightness, or color. This definition does not include a “swinging sign” or “multiple message sign” as defined by this Code Section.

Area of sign: The area within a continuous perimeter enclosing the limits of writing, representation, emblem, figure, or character together with any frame, other material, open space, or color forming an

integral part of the display or used to differentiate such writing, representation, emblem, figure, or character from the background against which it is placed. For double-faced signs, only the largest display face shall be measured in computing the sign area, or only one face shall be measured in computing sign area if the display faces are the same size. The display of street address on a ground sign, wall, or window shall not be computed in determining the maximum allowable area of a ground, wall, or window sign.

Awning: An architectural projection or shelter projecting from and supported by the exterior wall of a building and composed of a covering of rigid or non-rigid materials and/or fabric on a supporting framework that may be either permanent or retractable.

Awning sign: An awning that contains letters, numbers, symbols, pictures, logos, or visual display, or other communication, attached, painted on, or made an integral part of an awning. For purposes of this Code Section, “awning signs” shall be considered “wall signs.”

Banner: A sign with or without characters, letters, illustrations, or ornamentation applied to cloth, paper, plastic, or natural or synthetic fabric of any kind with only such material for a backing. For purposes of this Code Section, a “banner” is a “sign.”

Building marker: Any sign cut into a masonry surface or made of bronze or other permanent material.

Canopy, attached: A multi-sided structure or architectural projection supported by attachment to a building on one or more sides and also supported by columns at additional points. Signs placed on attached canopies are considered “wall signs” for the purposes of this Code Section.

Canopy, freestanding: A multi-sided structure or architectural projection supported by columns. Signs placed on freestanding canopies are considered “wall signs” for the purposes of this Code Section.

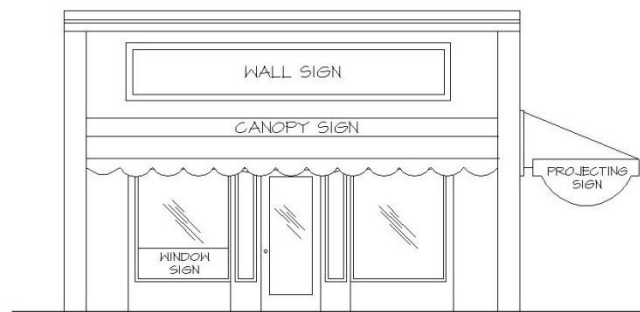
Canopy sign: A sign on a canopy. For purposes of this Code Section, a sign on a canopy is a “wall sign” (see figure, “Types of Attached Signs”).

Derelict sign: A sign that is dilapidated or in such condition as to create a hazard or nuisance, or to be unsafe or fail to comply with the Building or Electrical Codes applicable in the jurisdiction.

Directory sign for multi-tenant development: A sign, distinguished from a project entrance sign, which is allowed on a premise with more than one tenant or occupants of a building.

It may be freestanding or a building (wall) sign. Such signs are not usually visible from the public street right-of-way of a development which provides initial access to the property, but rather are located within the development, along a driveway, access way, or parking aisle.

Double-faced sign: A sign which has two (2) display areas against each other or where the interior angle formed by the display areas is sixty (60) degrees or less, where one face is designed to be seen from one direction and the other face from another direction. Only one face shall be used in computing allowable sign area.



TYPES OF ATTACHED SIGNS

Electronic Message Board (EMB's): A permanent sign consisting of text, symbolic imagery, or both, that uses an electronic display created through use of a pattern of lights in a dot matrix configuration allowing the sign face to intermittently change the image without having to physically or mechanically replace the sign face, including an LED (Light Emitting Diode) sign, as distinguished from a static image sign.

Erect: To construct, build, raise, assemble, place, affix, attach, create, paint, draw, or in any other way bring into being or establish, but it shall not include any of the foregoing activities when performed as an incident to the change of advertising message or the normal maintenance or repair of a sign structure.

Flag: A sign with or without characters, letters, illustrations, or ornamentation applied to cloth, paper, plastic, or natural or synthetic fabric of any kind with only such material for a backing. For purposes of this Code Section, except as otherwise provided herein, a "flag" is a "sign."

Frontage, building: The width in linear feet of the front exterior wall of a particular building in which an establishment is located.

Frontage, road: The distance in linear feet of each lot where it abuts the right-of-way of any public street.

Ground sign: A permanently affixed sign which is wholly independent of a building for support (i.e., freestanding). A ground sign may consist of more than one sign panel, provided all such sign panels are attached to or integrated into one sign structure.

Height of sign: The distance in vertical feet from the ground to the highest point of the sign, whether that highest point is the frame of the sign face or panel or the support of the sign.

Holiday decorations: Displays erected on a seasonal basis in observance of religious, national, or state holidays, which are not intended to be permanent.

Inflatable sign: Any sign that is or can be filled with three (3) cubic feet or more of air or gas.

Internally illuminated sign: A sign illuminated by an internal light source which is viewed through a translucent panel.

Marquee sign: A sign painted on, attached to, or hung from a marquee. For purposes of this Code Section, marquee signs shall be considered "wall signs."

Monument sign: A sign where the structural part of the sign below the sign face encompasses an area at least forty (40) percent of the area of the sign face but no more than 1.5 times the area of the sign face, and which is composed of brick, stone, or other material approved by the Zoning Official. A monument sign is a ground sign.

Multiple message sign: A sign, display, or device which changes the message or copy on the sign electronically by movement or rotation of panels or slats.

Nonconforming sign: Any sign which lawfully existed on the effective date of this Code Section but which does not conform to the provisions of this Code Section, or which does not comply with this Code Section due to amendments to this Article since the date of erection of the sign.

Pennant: A small, triangular or rectangular flag or multiples thereof, made of lightweight plastic, fabric, or other material, individually supported or attached to each other by means of a string, rope, or other

material and meant to be stretched across or fastened to buildings, or between poles and/or structures, and which is designed to move in the wind. For purposes of this Code Section, pennants are “signs.”

Portable sign: Any sign whether on its own trailer, wheels, or otherwise, which is designed to be transported from one place to another. It is characteristic of a portable sign that the space provided for advertising messages may be changed at will by the replacement of lettering or symbols (i.e., a changeable copy sign). Even if the wheels or supports of such sign are removed and the sign converted and attached, temporarily or permanently, to the ground or other structure, said sign shall remain a portable sign. In addition, the following shall be deemed a portable sign:

- A sign mounted or painted upon a parked vehicle that is positioned for the primary purpose of acting as a sign exposed to the public and is not in use in the ordinary course of carrying out its transportation function.

Portico: A porch or walkway, open to the outside air, that is covered by a roof supported by columns or pillars, typically leading to the entrance of a building. Signs attached to porticos are considered “wall signs” for purposes of this Code Section.

Principal use sign: Any notice or advertisement, which is permitted in conjunction with (but not necessarily containing copy specifically related to) a single principal use or single principal building located on the property, and which may display a noncommercial, commercial, or other message, the content of which is not regulated by this Code Section.

Project entrance sign: A sign located at a discernible entrance into a property consisting of more than one subdivided lot or developed with more than one principal building (e.g., a particular residential subdivision, multi-family residential development, or office or industrial park).

Projecting sign: A sign projecting more than fourteen (14) inches from the outside wall or walls of any building, or canopy, portico, or awning, upon which it is located (see also figure, “Types of Attached Signs”).

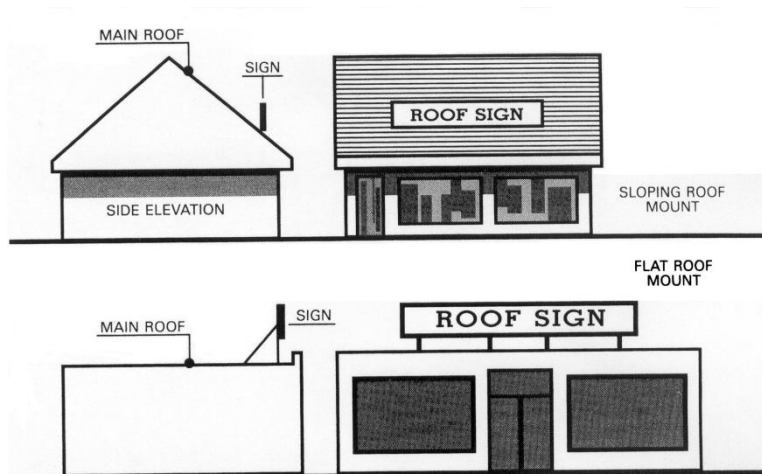
Public Agency: Any governmental body (including city, county and state bodies or agencies, and special purpose districts such as fire, water, and sewer districts) that has jurisdiction over property or infrastructure within the City of Easley.

Replacement Cost: Cost of replacing a structure or building at current costs at the time of the loss, identical to the one that was destroyed or is being replaced, without application of depreciation.

Roof sign: A sign projecting higher than the front building wall or any sign supported by or attached to said roof.

Sidewalk sign: A movable sign not secured or attached to the ground or surface upon which it is located.

Sign: A lettered, numbered, symbolic, pictorial, illuminated, or colored visual display, device, or communication designed or used for the purpose of identifying,



announcing, directing, informing, or bring to the attention of others the subject thereon, that is visible from the public right-of-way, a driveway or parking lot with access to a public right-of-way, or from an adjacent property, except as specifically noted otherwise in this Code Section. For purposes of this Code Section, the term “sign” includes but is not limited to “banners,” “balloons,” “flags,” “pennants,” “streamers,” “windblown devices,” and “advertising devices.” Furthermore, the term “sign” includes the sign structure, supports, lighting system, and any attachments, ornaments, or other features used to draw the attention of the observers.

Signable area: In the case of a wall sign, signable area shall be the building face on which the sign is proposed, excluding windows and doors. In the case of marquees or canopies, signable area shall be the area of the marquee or canopy wall on which the sign is proposed. For window signs, signable area shall be measured and calculated on the basis of the proportion of area within each individual window frame, not the total window area of all building windows visible from a street.

Sign face: That part of a sign that is or can be used for advertising purposes.

Special Event: Means a non-routine activity within the City of Easley that brings together a number of people including, but not limited to, a performance, exhibition, festivals, concerts, carnivals, arts and craft shows, meeting, assembly, contest, exhibit, ceremony, parade, or athletic competition for which specific space is requested to be reserved. Special Event shall not include casual park use by visitors or tourists.

Streamers: See “Pennants.”

Swinging sign: A sign other than an animated sign as defined by this Article, where the sign copy area is attached to a sign structure in a way that can be set in motion with pressure, and where the sign structure is attached to a building at a height above normal eye level. This term does not include any freestanding signs. A swinging sign may be considered in lieu of permitted wall signage.

Temporary sign: Temporary signs include but are not limited to banners, emblems, portable signs, inflatables, wind signs including balloons, pennants and streamers or any other sign that moves in the wind (excluding national or state flags), or any other temporary advertising media intended to identify or direct attention to a product, service, place, activity, or business.

Visible: Capable of being seen (whether or not legible) without visual aid by a person of normal visual acuity.

Wall sign: A single-sided sign with one visible face applied to or mounted to the wall or surface of a building or structure, the display surface of which if attached to a wall or portico and does not project more than fourteen (14) inches from the outside wall of such building or structure, or if on an awning or canopy, is flush with the material of said awning or canopy (see also figure, “Types of Attached Signs”).

Windblown or air-blown device: Any device not otherwise specifically defined in this Code Section, that is designed to inform or attract, whether or not such device carries a message, and which all or part of the device is set in motion by wind or mechanically compressed air. For purposes of this Code Section, windblown devices are “signs.”

Window sign: A sign installed on or within two (2) feet of an exterior window or door and intended to be visible from the exterior of the building. Displays which show products or depict services sold on the premises and which are more than two (2) feet from an exterior window or door shall not be classified as window signs (see also figure, “Types of Attached Signs”).

§4.3 General Provisions

§4.3.01 General Standards

1. A permit shall be required for the erection, alteration, or reconstruction of any sign intended for view from the public right-of-way unless otherwise noted, and shall be issued by the Zoning Administrator in accordance with this Ordinance.
2. All signs shall be constructed and installed in accordance with the structural and safety requirements of the International Building Code. All signs shall be maintained in sound structural condition. No sign shall be allowed to deteriorate to a condition in which it requires repairs or renovations in an amount that exceeds 50 percent (50%) of its current replacement cost as determined by a licensed sign company. This includes signs which are defaced, missing some or all illumination or characters, and whose finishes or facings are chipping, peeling, cracking, or broken in any way shall be deemed to be in disrepair. Signs that deteriorate to such a condition that they are in violation of this Ordinance shall be either removed or replaced within 60 days. If a sign is replaced, it shall comply with the standards in this section at the time of replacement.
3. No part of a freestanding sign, while permitted in required setbacks, shall be located closer than ten (10) feet to any property line.
4. No signs, except as otherwise provided, shall exceed the height limitations of the district in which they are located.
5. No sign or lighting device shall be placed or directed to permit the beams and illumination to be directed or beamed upon a public road, highway, sidewalk or adjacent premises or residence, or skyward so as to cause a traffic hazard or nuisance.
6. The placement of signs shall ensure visibility at intersections and ingress and egress points.

§4.3.02 Applicability

1. General

Unless exempted in accordance with this ordinance, no sign allowed by this section shall be erected, repaired, altered, relocated, maintained or displayed without first being issued a Sign Permit and complying with the relevant standards of this section.

2. Responsibility for Compliance

Review for compliance with the standards of this section shall occur at the time of application for a Sign Permit, Site Plan, Minor Subdivision, Preliminary Plat for Subdivision, Planned Development or Zoning Permit, whichever is appropriate.

3. Termination

If a business discontinues the use of a site, sign faces/message used by the business that were previously erected on the site, or off-premise freestanding signs shall be considered as abandoned and shall be fully removed within one hundred twenty (120) days of vacating the site. General information such as "For Lease" or "For Sale" and contact information is permitted to assist in leasing or selling the site. It shall be

the responsibility of the owner of the land to remove all abandoned signs. Abandoned signs may not be leased, rented, or sold for off-site advertising.

§4.4 Prohibited Signs

The following signs are prohibited in the City of Easley:

1. Signs Imitating Warning Signals

No sign shall display intermittent lights resembling the flashing lights customarily used in traffic signals or in police, fire, ambulance, or rescue vehicles, nor shall any sign use the words "stop", "danger", or any other phrase, symbol, or character in a manner that might mislead or confuse the driver of an automobile.

2. Flashing, Animated or Moving Signs

Flashing, animated, non-stationary or rotating signs or appurtenances to signs, or signs that are not effectively shielded to prevent beams or rays of light from being directed at the main-traveled way of the street and that are of such intensity or brilliance as to cause glare or to impair the vision of any driver of any motor vehicle, or which may otherwise interfere with any driver's operation of a motor vehicle or pose a hazard to traffic safety. This includes signs or other displays with either kinetic or illusionary motion powered by natural, manual, mechanical, electrical or other means, including but not limited to flags having commercial messages, and all pennants, banners, streamers, propellers, and discs, as well as flashing signs, signs with illuminated elements that are used to simulate the impression of motion, and searchlights or beacons. Signs in the Public Rights-of-Way. No signs, whether temporary or permanent, except traffic signs, signals, or information signs erected by a public agency approved by the Zoning Administrator are permitted within any street or highway right-of-way which includes bridges and overpasses.

3. Signs Obscuring Official Signage/Signals

Signs located or illuminated to interfere with the effectiveness of or obscure an official traffic sign, device or signal, such as by providing a background of colored lights blending with traffic signal lights or that might otherwise reasonably confuse a motorist when viewed from a normal approach position of a vehicle at a distance of up to four hundred (400) feet.

4. Signs Inside Sight Triangles

On any corner lot no sign shall be erected or placed in a manner to impede or obstruct vision between a height of two and one-half (2 1/2) and eight (8) feet above the center line grades of the intersecting streets in the area bounded by the street lines of such corner lots and a line joining points along said street lines seventy-five (75) feet from the point of the intersection.

5. Certain Attached and Painted Signs.

Signs painted on or attached to trees, fence posts, and telephone or other utility poles, rocks or other natural features, the roofs of buildings, pavement of any street or sidewalk, or on other unapproved supporting structures outside of the public right-of-way.

6. Fluttering Ribbons and Banners.

Fluttering ribbons, banners, wind-blown or air-blown devices, or similar devices are prohibited within the OI, NC, GC, CC, IND and MED Districts, except the flags of governments and their agencies or as otherwise listed in this Ordinance for special events. Placement of banners on or between sign supports, buildings, utility poles, or otherwise outside of the allowed sign face is prohibited.

7. Vehicular Signs

Any sign displayed on a parked trailer or other vehicle where the primary purpose of the vehicle is to advertise a product, service business, or other activity. This regulation shall permit the use of business logos, identification or advertising on vehicles primarily and actively used for business purposes.

8. Portable Signs

Portable signs will not be allowed as freestanding on-premises signs within the City Limits.

9. Billboards

New billboards are prohibited. Billboards, for the purposes of this ordinance, are signs used for off-site advertising for hire or general advertising; and the sign is a principal use of a parcel. Companies have the right to maintain any non-conforming billboard sign in existence at the time of adoption of this ordinance. However, this right shall be terminated and cease to exist when the billboard structure is destroyed or is damaged. A billboard structure is considered damaged when the structural support has failed either by fracture or exceeding its yield point.

10. Roof Signs

No signs are permitted on the roofs of any building.

§4.5 Signs for Which a Permit Is Not Required

A permit is not required for the following types of signs in any zoning district. However, such signs shall conform to the applicable requirements set forth in this Section.

1. Traffic, directional, warning, or information signs authorized by any public agency.
2. Traffic safety and traffic directional signs (including direction of travel, speed limits, etc.) along private streets and driveways, and in off-street parking lots that are installed per the requirements of the Zoning Administrator and which do not exceed four (4) square feet each.
3. Public notice signs and signs of a public interest, erected by or on the order of a public entity in the performance of their duty.
4. One non-illuminated "for sale," "for rent", "for lease", or "for auction" sign not exceeding six (6) square feet in area in residential districts and twenty (20) square feet in other than residential districts and located at least ten (10) feet back from the street right-of-way line, unless attached to the front wall of a building. In addition, realty directional signs not to exceed two (2) square feet are allowed from 6:00 a.m. Friday until 6:00 a.m. Monday of any calendar week at the intersections or subdivision entrance leading to the property being advertised. Real Estate signs must be removed within seven (7) days following the property closing.

5. Signs erected in connection with elections or political campaigns. Such signs shall be removed within seven (7) days following the election or conclusion of the campaign. No such sign may exceed sixteen (16) square feet in surface area. In accordance with S.C. law, no such political signs shall be placed within two-hundred (200) feet of any building in which an election poll is being conducted. Signs are not permitted in the public right-of-way and must be confined to private property with the permission of the property owner
6. On site directional signs provided such sign bears no commercial message and does not exceed four (4) square feet in area. Also, signs not oriented or intended to be legible from a public right-of-way, private road or private driveway, including signs or stickers which are designed to be read only from close range (i.e., five feet), attached to a device or structure more than twenty-five (25) feet from the right-of-way of a road, not to exceed four (4) square feet each sign or sticker. Examples include but are not limited to the following: lettering, credit card stickers, and inspection certificates on gasoline pumps; "flammable" signs on enclosures for fuel canisters, and similar information.
7. Signs attached or integrated into a gasoline pump, automatic bank teller machine, or drive through component of a fast food restaurant, which give operational instructions to users, the price of the product, the brand name of the product, or descriptive information about the product. Display/Menu boards located next to drive-through lanes are allowed provided they do not exceed six (6) feet in height or thirty-six (36) square feet in area and shall be limited to one per ordering station.
8. Sandwich Board Signs are permitted in all commercial zoning districts and in the Central Business District. They will be limited to a maximum area of nine (9) square feet in area per side and cannot exceed 42 inches in height. They shall not be placed more than five (5) feet from the front primary entrance of the business and be displayed only during business hours of the business utilizing the sandwich board. Only one (1) sandwich board sign per business shall be permitted and they shall not be permitted within a roadway or public right of way, except in cases where the Zoning Administrator may approve a permit for it to be located within a public sidewalk directly adjacent to a business. In such cases it shall not be placed so as to cause the width of the sidewalk to be reduced below four and one-half feet (4'6") in width, nor shall it prevent free ingress or egress from any door, window, or fire escape.
9. Street address identifiers and building identification numbers on multi-tenant buildings located in the OI, NC, GC, CC, IND and MED Districts, which are essential to the location of such buildings as long as such sign does not exceed four (4) square feet of copy area and do not contain a commercial message.
10. Bulletin boards, which are defined as permanent signs which primarily display the name of a noncommercial place of public assembly and announces the upcoming events of that organization but is not intended to be read from the public right of way. To not require a permit, such a sign shall not exceed 15 (15) square feet of copy area or five (5) feet in height. Signs of this type shall be restricted to one (1) per parcel of land.
11. Signs to identify a new subdivision development or announcing new buildings or projects, erected after the commencement of construction. Signs will not exceed twenty-five (25) square feet in residential districts, or one hundred (100) square feet in non-residential zones. No more than one sign per road frontage is permitted and signs must be at least 300 feet apart and shall be set back at least ten (10) feet from any street right of way or boundary line of the subdivision land. The signs may not be illuminated and must be removed prior to the completion of 90% of the development or upon erection of the approved subdivision ground sign, whichever occurs first.

12. Signs identifying a project under construction which denote the name of the project, the architect, engineer, contractor, owner, etc., as long as such sign does not exceed twenty-five (25) square feet in residential districts, or one hundred (100) square feet in non-residential zones, is not illuminated, and is removed within seven days of completion of the project. Each construction site shall be limited to one construction sign per road frontage.
13. Signs on the interior side of window glass are permitted. Signs may be hung inside the window, painted, affixed, or etched on the glass, or included within stained glass. The signage shall cover no more than 25% of the total window area on the side of the building on which it is displayed. For commercial and institutional zoning districts and uses, such signs can advertise the business, merchandise, services, and/or events within the business/institute or within the community, Help Wanted, Coming Soon, Open/Closed, Going Out of Business, real estate, contractor/builder, auction, warning, directions, short-term personal information/event signs, and expressive/seasonal signs.
14. Decorative flags and banners which contain no commercial message when displayed on a residence or at the entrance to a subdivision or apartment complex.
15. Holiday lights and decorations.
16. Handicapped parking signs, when required per local, state or federal law.
17. Murals may be painted on the walls of buildings provided that said murals are non-advertising and do not display lewd or illegal portrayals. Murals depicting historical events from the City, the State or the Nation are encouraged. All murals must receive prior approval from the Planning Commission, or the Architectural Review Board, if the mural will be in the Central Business District, and City Council.

In any case where a sign of a certain size is exempted by this section and an applicant desires to erect a larger size sign than the area of sign exempted but said sign is not allowed, said sign shall only be permitted upon approval of a variance in accordance with the provisions of this Ordinance.

§4.6 Regulations Applying To Specific Types of Signs

A permit shall be obtained prior to the erection, installation, or display of any signs except those as described in Section 5-2-27.4. The following permanent signs and no others shall be allowed, subject to the issuance of a sign permit and compliance with all applicable development standards of this article. The following regulations apply to the following specified types of signs:

§4.6.1 Wall Signs

Signs on the wall of a building (including signs attached flat against the wall, painted wall signs and projecting signs) shall meet the following requirements:

1. **Allowable Area.** If there is no ground sign on the site or developed lot, 1 ½ square feet of wall signage shall be permitted for each lineal foot of the building front of the principal building. If a ground sign is on the site or developed lot, then only 1 square foot of wall signage shall be permitted for each lineal foot of the building front of the principal building.
2. **Double Frontage Lots.** With regard to wall sign allowances, if a building, structure, or freestanding canopy faces more than one road frontage, each wall facing a road frontage shall be permitted to have the sign area specified for such building, structure, or freestanding canopy in this Code Section.

3. **Signs on the Front Surface of a Building.** The total area of signs on the exterior front surface of a building shall not exceed twenty (20%) percent of the front surface of the building, as long as the figure does not exceed the total amount of sign area permitted within the zoning district where the sign or signs are to be located.
4. **Signs on the Side and Rear Surface of a Building.** The total area of signs on a side or rear surface of a building shall not exceed twenty-five (25%) percent of the exterior side or rear surface of the building, respectively, as long as this figure does not exceed the total amount of sign area permitted within the Zoning District where the sign or signs are to be located.
5. **Projecting Signs and Awnings.** Wall signs attached flat against a wall may extend not more than twenty-four (24) inches from the wall. Awnings and/or signs projecting from a wall may be located no closer than eighteen (18) inches to a vertical plane at the street curb line. A projecting awning and or sign shall not extend above the top of the structure. In no case shall awnings and/or signs project beyond property lines. Projection signs and awnings shall:
 1. Minimum height above grade or sidewalk level of such awning and/or signs shall be at least ten (10) feet;
 2. The proposed extension presents no physical threat of safety to pedestrians, motor vehicle drivers and passengers;
 3. A detailed drawing signed and sealed by a South Carolina registered engineer, showing point of attachment and supports. Design must meet the requirements of the current adopted building code requirements for loading such as snow and wind;

§4.6.2 Ground Signs

1. One ground sign is allowed for each developed site, lot or parcel. Where a site or parcel fronts on more than one street, one additional ground sign is permitted for each additional street upon which is fronts.
2. With regard to ground sign allowances, if a property faces more than one road frontage, each road frontage shall be permitted to have the number of signs and sign area specified for such property in this Ordinance.
3. Where 2 or more detached buildings occupy the same lot or parcel, only 1 ground sign for the aggregate business shall be permitted per street frontage.
4. Where 2 or more attached buildings occupy the same site, lot or parcel, only 1 ground sign for the aggregate business shall be permitted per street frontage.
5. The sign area allotted to one road frontage or building frontage shall not be transferred to another road frontage or building frontage.
6. Landscaped islands shall be required to be placed around all new signs within 30 days of sign erection. Shrubbery and/or plantings must not exceed a height that would interfere with foot or vehicle traffic or visibility of the sign. At any time an existing sign is altered or improved, not including regular maintenance, the landscaped island must be installed in accordance with the requirements for a new sign within 90 days of notification from the Zoning Official.

7. Free-standing signs shall meet International Building Code structural provisions and UL (Underwriter's Laboratories) electrical requirements.

§4.6.3 Signs on Corner and Double Frontage Lots

1. **Wall signs.** With regard to wall sign allowances, if a building, structure, or freestanding canopy faces more than one road frontage, each wall facing a road frontage shall be permitted to have the sign area specified for such building, structure, or freestanding canopy in this Code Section.
2. **Ground signs.** With regard to ground sign allowances, if a property faces more than one road frontage, each road frontage shall be permitted to have the number of signs and sign area specified for such property in this Ordinance.
3. **Transfer of allowances between road frontages.** The sign area allotted to one road frontage or building frontage shall not be transferred to another road frontage or building frontage.

§4.7 Signs Permitted In Residential Districts

Within residential districts as delineated by the Easley Zoning Ordinance, permanent signs are permitted subject to the provisions as set forth herein.

1. Signs for which permits are not required.
2. Signs may be permitted at the main entrances to subdivisions or to planned unit or multi-family developments that consist of thirty-six (36) or more dwelling units subject to the approval of the Easley Zoning Official. One (1) sign may be permitted, on each side of any entrance, if such sign is on private property. No such sign may be located in a median unless approved by the Easley Zoning Official.

All large residential signs shall be integrally designed as a part of a permanently constructed and maintained wall, fence, or similar feature or shall be a ground sign. All such areas shall be landscaped. A large residential sign shall not exceed seventy-five (75) square feet in size. The maximum height of such sign shall be four (4) feet when constructed as a ground sign. A ground sign which is integrated into a brick, stone, or wood architectural feature or an earth berm, all of which shall be permanently landscaped, may exceed four (4) feet in height to a maximum of seven (7) feet.

Any large residential sign and the attendant landscaped area shall be owned and maintained either by the owner/developer or by a legally established homeowner's association. Any lighting on such signs shall be integrated into the entrance feature and shall be subdued and shall light only such sign. No light shall shine or reflect on or into any nearby residential structure.

1. For multiple family dwellings, group dwellings, manufactured home parks, attached dwellings/duplexes and for buildings other than dwellings, one (1) non-illuminated business identification sign or bulletin board per entrance, not exceeding twenty-four (24) square feet in area. Such sign or bulletin board shall be set back at least ten (10) feet from any street right-of-way line.
2. A community facility activity as defined by the Easley Zoning Ordinance may have one (1) civic sign constructed as a ground sign and one as a wall sign. A ground sign shall not exceed four (4) feet in height and forty-eight (48) square feet in size. Ground signs which are integrated into a brick, stone, or wood architectural feature or an earth berm, all of which shall be permanently landscaped, may exceed four (4) feet in height to a maximum of seven (7) feet. Ground signs may not be located

in the right-of-way. Civic signs shall be set back from the street right-of-way a minimum of ten (10) feet.

A wall sign shall not exceed thirty-two (32) square feet in size. Civic signs may be illuminated by indirect means or with luminous background. Indirect lighting shall not exceed fifty (50) foot candles, and a luminous background shall not exceed ninety (90) foot lamberts in brightness. In no event shall the light from any sign exceed one (1) foot candle at the lot line.

§4.8 Signs Permitted In Non-Residential Zoning Districts

§4.8.1 Permitted Signs and Conditions

The following types of signs are permitted in the commercial and industrial districts:

1. All signs permitted in residential districts are permitted in commercial and industrial districts.
2. **Allowable Area.** Freestanding signs are allowed in commercial districts with an allowable space of one square foot of sign space per lineal foot of street frontage for the first 100 feet; and one-half (1/2) square foot of sign space for each lineal foot of street frontage in excess of 100 feet, but not to exceed the square footage limits set forth by the following table.

Zoning District	# or Street Frontages	
	1 Street	2 or more Streets
OI, Office Institutional	40 sf	60 sf
NC, Neighborhood Commercial	50 sf	75 sf
GC, General Commercial	125 sf	150 sf
CC, Core Commercial	65 sf	90 sf
IND, Industrial	125 sf	150 sf
MED, Medical	40 sf	60 sf

3. Electronic Message Boards

Electronic message boards (EMB) are signs that convey a changing message intended to be viewed off-site or attract the attention of motorists; EMBs intended for on-site viewing located outside of all building setbacks; time and/or temperature signs located outside all building setbacks, and EMBs similar to that of a manually changeable sign face on traditional commercial signage. EMBs are only allowed within the General Commercial and Central Business Districts with the following conditions:

- a) Only one such sign shall be permitted per developed lot whether installed as a wall sign or part of a free standing sign on the site.
- b) EMBs shall only display an image that shall remain fixed for at least six (6) seconds. When a message is changed, it shall be accomplished within an interval of two seconds or less.
- c) The maximum square footage allowed is ± 50 square feet.
- d) EMBs in the Central Business District shall be constructed with material that is consistent with the façade of the building and use colors that are compatible with those of the building front.

- e) EMBs in the Central Business District shall get prior approval of the Architectural Review Board prior to construction.
 - f) Off-premise advertising is prohibited. This section does not pertain to community announcements and non-profit fundraising information (ex. advertising Easley High School events; United Way annual giving campaign).
4. Signs in commercial districts may be illuminated subject to the following standards:
- a) Exposed bulbs are prohibited with the exception of neon lights meeting the following illumination requirements.
 - b) No sign shall change color or intensity.
 - c) The brightness and surface illumination shall not exceed:
 - a. Luminous background - 150 foot lamberts
 - b. Indirect Illumination - 50 foot candles
 - d) In no event shall the light from any illuminated sign exceed one (1) foot-candle at the property line of any lot that is zoned residential.
 - e) The light from any illuminated sign shall be shaded, shielded, or directed downward onto the sign so that the light intensity or brightness shall not adversely affect the surrounding or facing premises nor adversely affect safe vision of operators of vehicles moving on public or private streets or parking areas. Light shall not shine or reflect on or into any residential structure.
 - f) This section shall apply only to those uses engaged in the retail petroleum and petroleum products business. The following additional (supplemental) provisions shall apply:
 - a. One (1) permanent price sign per street frontage. Such sign shall be affixed to or made part of the permitted pole sign and shall not exceed twenty (20) square feet in size. Such sign shall be setback from the right-of-way a minimum of ten (10) feet.
 - b. Two (2) non-illuminated self-service or full-service signs per pump island. Such signs shall not exceed one hundred sixty (160) square inches per sign and shall be located at the ends of the pump island perpendicular to the street. Also, a "pump topper" sign no larger than eighty (80) square inches per sign shall be allowed on each pump.

§4.9 Signs in the Central Business District

The following regulations shall apply to all signs located within the Central Business District:

§4.9.1 Design Guidelines for Signs

1. All signs in the Central Business District shall get approval from the City's Architectural Review Board.
2. Signs should be coordinated with the composition of the overall façade and in proportion to the building such that it does not dominate the appearance.

3. Locate signs on a building such that it will emphasize design elements of the façade itself and fit within existing architectural features.
4. When feasible, place a wall sign such that it aligns with others on the block. If decorative moldings exist that could define a sign panel, locate a flush-mounted sign to fit within the panel formed by the moldings or transom panels.
5. Window signs may be painted on the glass or hung inside the window and should cover no more than 20% of the total window area.
6. Projecting signs may be considered. Small projecting signs should be located near the business entrance, just above the door or to the side of it. Large projecting signs should be mounted higher and centered on the façade or positioned at the corner.
 - a) Meets with the approval of the Architectural Review Board.
 - b) Minimum height above grade or sidewalk level of such awning and/or signs shall be at least ten (10) feet.
 - c) The proposed extension presents no physical threat of safety to pedestrians, motor vehicle drivers and passengers, or others in lawful use of the right-of-way or public space, or to their property.
 - d) A detailed drawing signed and sealed by a South Carolina registered engineer, showing point of attachment and supports. Design must meet the requirements of the current adopted building code requirements for loading such as snow and wind.
 - e) The proposed extension is compatible in use and design with the right-of-way or public space;
 - f) Owners and occupants of property located within 100 feet of the proposed encroachment have been sent written notice by mail, facsimile transmission, or e-mail of the proposed encroachment and have been provided an opportunity to respond within ten days of the date notice is sent.
7. Signs not attached to buildings should be ground mounted signs that are no more than 20 square feet in area and 5 feet in height All ground mounted signs shall be located a minimum of five (5) feet behind the street right-of way. No ground-mounted sign greater than five (5) square feet in area shall be located closer than ten (10) feet to any adjacent lot line. A fifteen (15) foot side-yard setback shall be required if the side lot line abuts a residential district. An arm sign may be substituted for a ground mounted sign but shall meet all height and area requirements as provided. The height of a sign shall be measured from the highest point of a sign to the point of ground surface beneath it. Ornamentation such as caps and spires are not included in this measurement. The use of berms or raised landscape areas is only permitted to raise the base of the sign to the mean elevation of the fronting street.
8. Sign materials should be compatible with that of the building façade and should use colors that are compatible with those of the building front.
9. All lighted signs shall have their lighting directed in such a manner as to illuminate only the face of the sign. No commercial sign within 100 linear feet of a pre-existing residential structure may be illuminated between the hours of 12:00 midnight and 6:00 a.m. A residence shall be deemed "pre-existing" for purposes of this Section if it has a valid building permit in effect for construction of said structure or if construction of said structure was complete on or prior to the effective date of this provision.

10. Internally illuminated signs, signs with lights inside the sign itself, will be prohibited in the overlay districts.
11. Flashing signs, signs with flashing or reflective disks, signs with flashing lights or lights of changing degree of intensity or color or signs with electrically scrolled messages (except government signs and signs which give time and temperature information) are prohibited. If a time and temperature sign alternates between a time message and a temperature message it shall continuously show one message a minimum of three (3) seconds in time before switching to the other message. Approved EMB's are excluded from this clause.

§4.10 Temporary Sign Provisions

Temporary signs shall be permitted for any lawful activity on a lot or parcel subject to the provisions set forth herein.

§4.10.1 General Requirements

1. A permit shall be required for all temporary signs except as permitted in Section §4.5.
2. Banners may be used as temporary signs.
3. One banner shall be permitted per lot, which shall not exceed thirty-two (32) square feet in area or ten (10) feet in height. Such banner may be temporarily placed or attached to a building wall, window, or it may be freestanding between two poles or stakes.
4. All such signs shall be securely installed or fastened and positioned in place so as not to constitute a hazard of any kind.
5. No temporary sign shall be displayed on a roof.
6. No temporary sign shall be permitted to project into or over any public street right-of-way, except a banner, ground sign or festoon announcing a fair, festival, parade, special events, activity sign-ups (e.g., basketball registration, football registration, etc...), and Christmas festivities, or similar activity that will be open to the general public unless authorized pursuant to §4.5.3.
7. Temporary signs shall be limited to thirty (30) calendar days.
8. Display of all temporary signs on a lot or parcel except for those in Section §4.10.1 and §4.10.7 above shall be limited to a maximum of thirty calendar (30) days per calendar year.

§4.10.3 Display Surface Area, Height, and Illumination

1. Maximum display surface area shall be thirty-two (32) square feet total on any lot except for street banners which shall not be limited.
2. Maximum height shall be twelve (12) feet, except that banners displayed over a public street shall have a minimum clearance of fifteen (15) feet.
3. Temporary signs shall not be illuminated except in commercial or industrial districts.

§4.10.4 Location of Temporary Signs

No temporary sign shall be located closer than ten (10) feet from any public right of way except in zoning districts as established by the Easley Zoning Ordinance which have a front building setback established at less than ten (10) feet. In these districts, the front setback for the temporary sign shall be equal to the front setback as established for the zoning district.

§4.11 Nonconforming and Non-complying Sign Provisions

§4.11.1 General

Any sign lawfully existing at the time of the enactment of this ordinance or any amendment thereto but which is not permitted either by type of sign, location, or district or which fails to meet the standards or regulations shall be classified as either nonconforming or non-complying as per definitions.

Signs existing on the effective date of this Ordinance which do not conform to the regulations set forth in this Ordinance shall become non-conforming uses and shall be discontinued within a reasonable period of amortization of the sign. Uses of signs, which become non-conforming by reason of a subsequent change in this Ordinance, shall also be discontinued within a reasonable period of amortization of the sign. The period of amortization caused by changes to this Ordinance for signs shall expire on:

1. Advertising signs – January 1st, 2021
2. Business signs – January 1st, 2021

In addition, nonconforming signs shall removed when the Enforcing Officer utilizing certain appropriate sections of the adopted building code, the Easley Municipal Code, and/or various provisions of this ordinance deem such signs as being dilapidated and constituting a definite health hazard to the public.

§4.11.2 Alterations to Nonconforming and Non-complying Signs

Prior to the end of the above referenced amortization period, a nonconforming or non-complying sign may be altered subject to the following conditions:

1. The non-conforming or non-complying sign structure shall not increase the non-conforming or non-compliant portions of the sign nor shall they be increased to exceed the height and area limits of the site on which it is located.
2. Alterations are limited to the changing of a copy of a permitted changeable copy sign, or the painting or refinishing of the surface of a sign face or sign structure so as to maintain an adequate appearance. The alterations of advertising signs which are nonconforming or non-complying must adhere to all the requirements cited in the Ordinance. In all cases, the business owner shall obtain a sign permit in accordance with the terms of this Ordinance.
3. A non-conforming or non-complying sign structure, with the exception of billboards, shall not be reerected, relocated or replaced unless it is brought into compliance with the requirements of this ordinance including all applicable yard, setback, size, and height requirements as stipulated within this ordinance.
4. Obsolete sign copy shall be removed by covering the sign face, replacing the sign face with a blank sign face, or replacing the obsolete sign copy with sign copy that is not obsolete. Failure to comply

with such notice within the time specified in such notice shall be considered a violation of the terms of this section.

5. All non-conforming signs shall be removed upon a business ceasing operations for more than ninety (90) days. Non-conforming sign structures shall be removed by the owner of the property, his agent, or the person having the beneficial use of the building or structure upon which such sign or sign structure is erected within thirty days after written notification from the Planning and Development Director or his representative. If the location re-establishes a business within ninety (90) days, the sign must be brought into compliance.
6. All non-conforming signs shall be removed when the current business undergoes a renovation in which the renovation costs is greater than 25% of the property tax value.

§4.12 Calculation of Display Area for Signage

1. General

The sign face area shall be the advertising display surface of the sign.

2. Size of Sign Face Area

In the case of freestanding signs, the sign face area consists of the entire surface area of the sign on which copy could be placed.

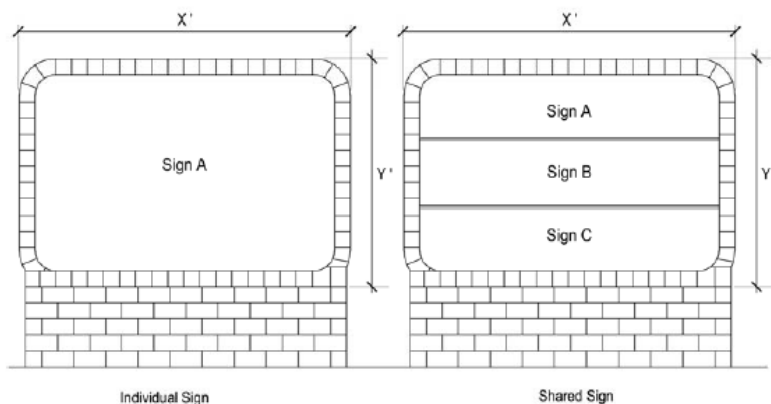
3. Supporting Structure Not Counted

The supporting structure or bracing of a sign shall not be counted as part of sign face area unless such structure or bracing is made a part of the sign's message.

4. Co-location

Individual uses on adjoining lands may place their individual freestanding signage on a single sign support structure provided the combined sign face area does not exceed the amount of sign face area permitted if the freestanding signs would have been constructed separately. Sign support structures shall comply with the height limits regardless of the number of collocated signage.

Figure 1: Co-Location Sign

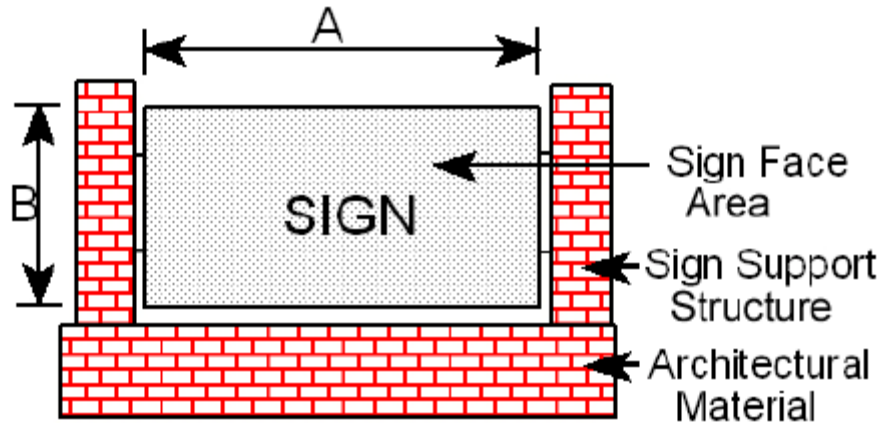


5. Two-

Sided Signs

Where a sign has two (2) display faces back to back, the area of only one (1) face shall be considered the sign face area. Where a sign has more than one (1) display face, all areas that can be viewed simultaneously shall be considered the sign face area as depicted in Figure 2, Two-Sided Sign:

Figure 2: Two-Sided Signs

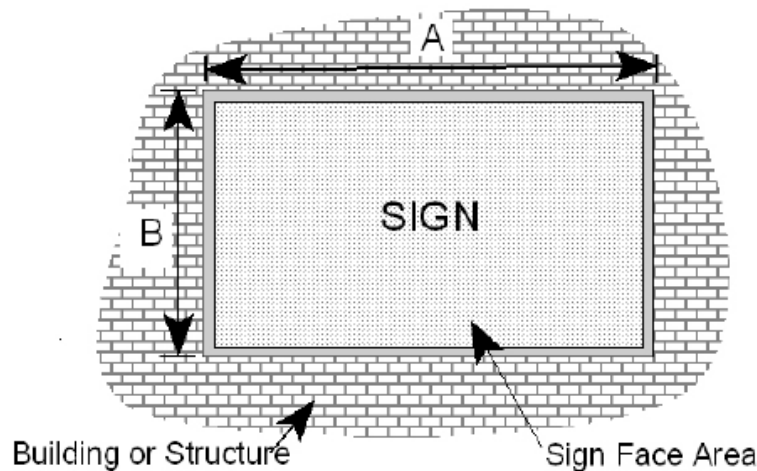


$$\text{Sign Area} = (A) \times (B)$$

6. Signs With a Background

In the case of a sign whose message is fabricated together with the background which borders or frames that message, the sign face area shall be the total area of the entire background as depicted in Figure 3, Signs with a Background:

Figure 3: Signs with a Background



$$\text{Sign Area} = (A) \times (B)$$

7. Signs with No Border or Frame

In the case of a sign whose message is applied to a background which provides no border or frame, sign face area shall be the area of the smallest rectangle that can encompass all words, letters, figures, emblems, and other elements of the sign message as depicted in Figure 4

Figure 4: Signs with No Border or Frame:

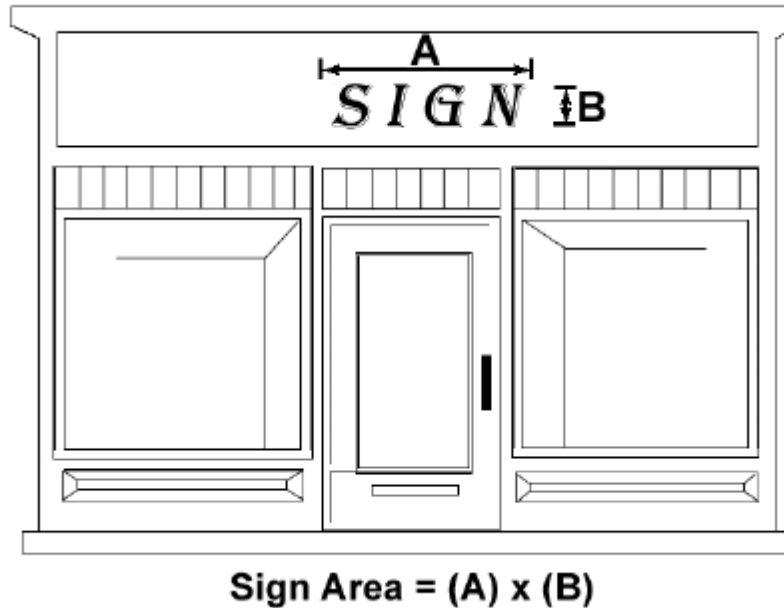


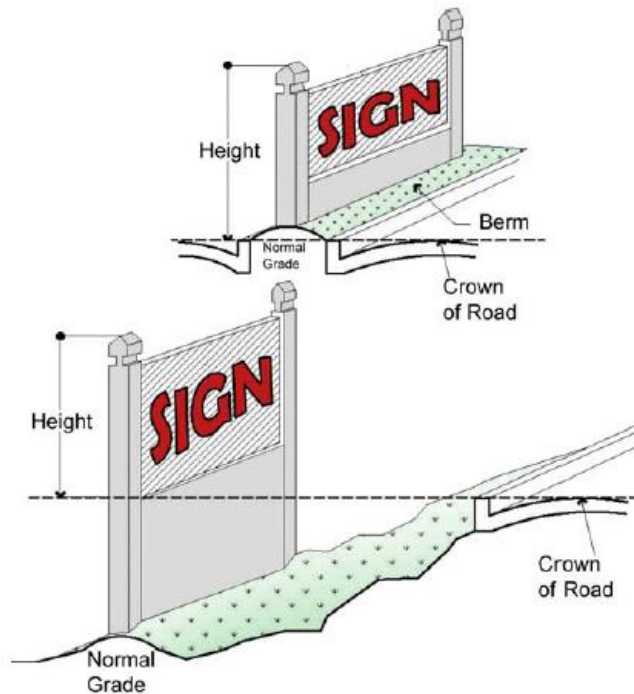
Figure 5: Sign Height

8. Sign Height

No freestanding sign shall exceed 10' in height as measured from the base of the sign in the OI, NC, CC and MED Districts, or 15' in height as measured from the base of the sign in the GC or IND Districts.

City Council shall re-visit the height requirements within five (5) years of adopting this ordinance.

Sign height shall be measured from the base of the sign at normal grade to the highest point of the sign support structure, or sign face, whichever is higher. For the purposes of this subsection, "normal grade" shall mean the newly established grade after construction, not including any filling,



berming, mounding, or excavating solely for the purpose of locating the sign. In cases where the normal grade is below the grade of the street to which the sign is oriented, sign height shall be computed on the assumption that the elevation of the normal grade at the base of the sign is equal to the elevation of the crown of the adjacent street as depicted in Figure 5.

§4.13 Sign Application Process

§4.13.1 General

Applications for sign permits shall include a scaled drawing of the sign, which depicts and describes:

1. size
2. shape
3. colors
4. materials to be utilized
5. copy/wording and designs
6. illumination type and electrical detail
7. location on building, if wall sign

§4.13.2 Ground Signs

In addition, permit applications for detached signs shall be accompanied by a plot plan or sketch of the site, to show:

1. font
2. the location of the sign on the lot
3. scale
4. dimensions of parcel lines
5. height of the sign
6. any support structure to be utilized
7. electrical sources
8. base landscaping

§4.13.3 Application Determination

A denial or approval of sign applications will be issued no later than thirty days after receipt of the application in the Planning & Development Office unless the application is for a property within the specified Central Business District. This application upon receipt will be scheduled with the next assigned Architectural Board meeting which is scheduled for the fourth Thursday of each month at 5:00 p.m. in the conference room of the Planning & Development Department. Any sign applicant who does not purchase his sign permit within 30 days of application approval allows application to become null and void and a new application process must begin.

§4.13.4 Enforcement

Signs which are found to be in violation of the provisions of this article shall be subject to the following provisions. Where notice is required, such notice shall be by certified mail or by facsimile or by phone call, or all, as may be reasonable under the circumstances surrounding the violation. Notices sent by certified mail shall be addressed to the last known address of the business for which the sign represents.

1. The Zoning Official and/or his assignees shall have the authority to enter upon the premises of any nonconforming and/or violating property to address the sign issue or to remove the non-compliant sign from the premises.
2. The Zoning Official may send notice to the sign owner and/or the business for which the sign represents, stating the nature of the violation and granting an appropriate period of time to correct the violation. Continued violation may be subject to the following:
 - a. Impoundment.

The Zoning Official or other authorized city staff may impound the sign. The zoning official shall have the authority to dispose of such sign without compensation to the sign owner/business for which the sign represents.

- b. Payment of Costs of Sign Removal

If the Zoning Official or other authorized city staff determines that it is necessary under the terms of this article to remove a sign, he shall use either city staff or a private contractor, depending on the availability of budgeted funds and /or manpower and equipment to undertake this work. The sign owner/business for which the sign represents shall pay all costs incurred directly to the city or the cost will become a lien against the real property upon which such cost was incurred, and such costs shall be collected in the same manner as city taxes are collected, or by such other method as applicable law may permit. When private contractors are utilized, the lowest responsible bidder shall be awarded the contract.

§4.13.5 Penalty

Whenever in this chapter the doing of an act is required or failure to any act is declared to be unlawful or an offense, where no specific penalty is provided therefore, the violation of any such provision of this chapter shall be punished by a fine of not more than \$500 or imprisonment for a period not exceeding 30 days, plus any additional state assessments; provided, that such penalty shall not exceed the penalty provided by state law for similar offenses. Except where otherwise provided, each day any violation of any provision of this chapter shall continue shall constitute a separate offense. Violator has the right to appeal to the Planning & Development Office. If not satisfied with the results of this appeal, violator has the right to appeal to the City Council.

§4.13.7 Variance

Recognizing that the strict application of the requirements of this Article may cause an undue hardship on certain applicants, variances from strict application of the provisions of this Chapter may be granted as set out in the Variance Procedures for the Zoning Ordinance by the Board of Zoning Appeals. Each application shall be made a part of the public records of the duly assigned committee's minutes. The Board of Zoning Appeals meets on the third day of each month at 5:00 pm. Application to appear before this committee must be received no later than thirty (30) days prior to the committee meeting.

§4.1.18-99 Reserved.

ARTICLE V**BUFFER YARD REGULATIONS****§5.1 Purpose**

Trees and landscaping contribute to the public health, safety and welfare of the community. For these reasons, the City of Easley has set standards for landscaping and screening. The standards within this Article are intended to: improve the appearance of vehicular use areas (VUAs) and property abutting public rights-of-way; improve buffering/screening between incompatible land uses; protect, preserve and promote the aesthetic appeal, character and value of the surrounding neighborhoods; strengthen environmental quality and promote public health and safety through the reduction of noise pollution, air pollution, visual pollution, air temperature, and artificial light glare; enhance the community's natural resources through tree preservation and planting of native species; and break up large areas of impervious surface.

It is not the intent of this Article to be rigid in its requirements to the point of preventing innovative, aesthetically pleasing landscaping that improves the appearance of the area requiring landscaping, yet differs from this Article's requirements. It is recognized that there are other methods to improve and buffer property, and that there may be mitigating factors, which may offset the need for certain requirements.

§5.2 Definitions

DBH: Diameter at Breast Height, which shall be measure vertically 4.5 feet from the ground. (See Section 7.4.20 TREE DIAMETER.)

GROUND COVER: Any plant material which serves to prevent soil erosion by covering large areas of ground, and which does not grow beyond twelve inches in height.

HEDGE: A row of shrubs or evergreen trees planted to form a continuous visual screen.

INTERIOR LANDSCAPING AREA (ILA): A planting or landscaping area that is located within a vehicle use area (VUA). It is often peninsular or island-shaped, with the express purpose of mitigating the environmental and visual effects of a VUA.

LANDSCAPE BUFFER AREA (LBA): An area that must be set aside, free from development, to accommodate the required landscaping and buffering materials. No gravel, pavement, buildings, or structures shall be allowed within a required LBA, with the exception of fences, walls, and similar structures used for screening and buffering, as described within this Article.

SCREEN: A fence, wall, berm, or hedge that is designed and constructed as a permanent improvement for the purpose of blocking 100% of the view of items on the other side of it.

TYPE A TREE: A large tree that will reach a mature height of over fifty (50) feet. Also referred to as an overstory tree, canopy tree or a shade tree. (See Section 7.4.20)

TYPE B TREE: A medium tree that will reach a mature height of approximately twenty-five (25) to fifty (50) feet. Also referred to as an understory tree. (See Section 7.4.20)

TYPE C TREE: A small tree that will reach a mature height of approximately ten (10) to twenty-five (25) feet. Also referred to as an understory tree. (See Section 7.4.20)

VEHICLE USE AREA (VUA): A vehicle use area (VUA) is any open or unenclosed area used by five (5) or more of any type of vehicle, whether moving or parked, including, but not limited to, parking lots, loading and unloading areas, and vehicle sales, storage, and service areas. Driveways or drive aisles for non-residential uses may be considered to be VUAs, depending upon their impact on adjacent residential uses or zones.

§5.3 Sites Affected

1. NEW DEVELOPMENT – No site development, building, or structure shall hereafter be constructed, nor vehicle use area (VUA) created, unless landscaping is provided as required by the provisions of this Article. Any building, structure, or VUA that in its entirety is removed and reconstructed, or relocated to a new location, shall be considered new development for purposes of this Article. Any VUA that in its entirety is changed from grass, gravel, stone or similar material to asphalt, concrete, or other pavement shall be considered new development for purposes of this Article. When building/developing adjacent to a vacant parcel, assume that the vacant parcel contains a use requiring the new development to provide the most intense buffering and screening requirements corresponding to each parcel's zoning district.
2. EXISTING DEVELOPMENT -
 - Existing development is subject to this Article as defined by the following situations:
 - a. Any reconstruction or expansion of an existing building or structure resulting in an increase of impervious surface by 25% or more.
 - b. Any expansion of an existing VUA by 25% or more.
 - c. Any change of 25% or more of grass, gravel, stone, or similar material, to asphalt, concrete, or other pavement.
 - d. Any combination of items a., b., and c. above, resulting in at least a 25% increase in impervious surface area.
 - e. All increases in impervious surfaces as mentioned in a.-d. above shall be cumulative from the date of passage of this ordinance.
 - When any of the above improvements are made, the following landscape provisions shall be required:
 - a. Expansion by greater than 25% and less than 50% - Only the area within and/or surrounding the new improvements shall be subject to the requirements of this Article.
 - b. Expansion by 50% or greater - The entire site shall be subject to the requirements of this Article.
3. CHANGE OF USE - Change in the use of property from a use not required to provide landscaping and buffering to a use that is required to provide landscaping and buffering shall cause the entire site to be subject to the requirements of this Article.

§5.4 General Landscaping Requirements

1. All land used for required landscape buffer areas and all vegetation used to fulfill requirements of this Article shall be located on-site.
2. All planting areas shall be protected from vehicle damage by the installation of curbing, wheel stops, or other methods approved by the **Zoning Administrator or designee.**

3. Landscape Plans with VUAs greater than 30,000 square feet shall require the seal of a registered Landscape Architect.
4. Plants listed within the Prohibited Plant List shall not be planted within any type of landscape buffer area or interior landscape island, shall not be planted as a street tree or used as hedge vegetation, and shall not be used to meet any requirements within this Article.
5. Fences and walls used to satisfy landscape requirements shall have a finished side facing adjoining property and roadways. The interior side of the fence or wall may be finished as the owner deems appropriate. The fence or wall may be placed anywhere within the landscape buffer area; it is not required to be on the property line.
6. Where required or allowed, berms may be located anywhere within the landscape buffer area. They may be parallel to the property line, or be designed in a serpentine manner.
7. When a property line divides a driveway used for common access to two (2) or more properties, or when a VUA contains parking spaces used to fulfill the parking requirements for two adjoining properties (parking lot/VUA for the common use of both properties), no landscape buffer area and no screening is required along the shared property line.
8. All plant and other materials used to comply with this Article shall be placed in such a manner as to ensure maintenance access, to provide unobstructed sight distances for vehicles and pedestrians (see Sections 1.5.10 and 1.5.11), to avoid encroachment on neighboring property, and shall contain a plant species suitable for the proposed location. Shrubs and trees must be alive, healthy, and free of pests and disease.
9. Where overlap occurs between buffer types (i.e. property perimeter LBAs and VUA LBAs), duplicative planting shall not be required, as long as the most stringent vegetation amounts, buffer area widths, and screening requirements for the buffers in questions are provided.
10. In case of any conflict with the terms of this Article and the terms of any other Article (Ordinance, Regulation, etc.), the most stringent requirements shall be enforced.
11. Appeals from decisions by the **Zoning Administrator or designee** shall be heard by the Board of Zoning Appeals.

§5.5 Vegetation Choice, Diversity, and Quality

1. The *Preferred Plant List* shall be consulted when choosing vegetation required per this Article. This list contains species that are either native to Upstate South Carolina, or that perform particularly well in the area, or both, and can be found in Appendix A. This list is not intended to be all-inclusive, but does include common trees and shrubs suitable for use in this region. Professional expertise should be sought to determine the appropriate plant materials for the site's soil, moisture, topography, and microclimate conditions. In order to use a species not included on the *Preferred Plant List*, the **Zoning Administrator or designee** must approve the requested plant as part of the landscape plan review.
2. Plants listed within the *Prohibited Plant List* shall not be planted within any type of landscape buffer area or interior landscape island; shall not be planted as a street tree or used as hedge

vegetation; and shall not be used to meet any requirements within this Article. Use in non-regulated areas is at the discretion of the land owner.

3. Over-dependence on a single genus may result in extensive loss due to disease, insects or other pests. To ensure a diversity of species, the mix of required vegetation for all development proposals shall include no more than 50% of any single tree or shrub species.
4. Plant materials shall conform to the standards of the American Association of Nurserymen and shall have passed any inspections required under state regulations. Therefore, plants shall not be transplanted from the wild.
5. Xeriscaping shall be encouraged, via the use of drought-tolerant vegetation and the reduction of turf areas. Vegetative groundcover, organic mulch, or inorganic mulch (i.e. recycled materials such as rubber or tire mulch) may be used instead of traditional turf grasses.

§5.6 Minimum Plant Size and Spacing

Plants shall be sized according to Table 5.1, “Minimum Plant Sizes,” to insure buffering and screening at the time of installation.

1. Shrubs used to comply with the six (6) foot tall screening requirement shall be at least 36” tall at time of planting, and shall be a species that will achieve a six (6) foot height within three (3) growing seasons from the time of planting.
2. Shrubs used to comply with the three (3) foot tall screening requirement shall be at least 24” tall at time of planting, and shall be of a species that will achieve a three (3) foot height within three (3) growing season from the time of planting.
3. Shrubs used to comply with the two (2) foot tall screening requirement shall be at least 18” tall at time of planting, and shall be of a species that will achieve a two (2) foot height within three (3) growing season from the time of planting.
4. Hedges used as buffer screens shall contain at least 75% evergreen species, and shall be planted no farther apart than three (3) feet on center, in order to provide maximum opacity for screening. Depending upon the species, this spacing distance may be increased or decreased, as required by the **Zoning Administrator or designee**.

Table 5.1

Minimum Plant Sizes and Spacing		
Plant Material Type	Minimum Plant Size	Minimum Plant Spacing on Center (o.c.)
Canopy Tree (Type A)	2” Caliper	30’ o.c. from another plant, 15’ o.c. from a building
Understory Tree (Type B or C)		15’-20’ o.c. from another plant, 10’ o.c. from a building
Deciduous	1-1/2” Caliper	
Evergreen	5’-6’ Height	
Shrub		3’ o.c. from another shrub to form a hedge row, or as approved by the <u>Zoning Administrator or designee</u>
Deciduous or Evergreen	36” Height for 6’ Tall Screen	
Deciduous or Evergreen	24” Height for 3’ Tall Screen	
Deciduous or Evergreen	18” Height for 2’ Tall Screen	

§5.7 Property Perimeter Landscape Buffer Areas

Property perimeter landscape buffer areas (LBAs) are required between adjoining lots with differing land uses and/or zoning districts. Table 5.2, along with the illustrations that follow it, specifies the types and quantities of plant materials required within each property perimeter LBA. The requirements are stated in terms of width of the LBA and the number of plants required per 100 feet of LBA length. The width and vegetation requirements of an LBA may be met by any of the options illustrated.

The "plant unit multiplier" is a factor by which the basic number of plant materials required for a particular buffer yard is determined when varying yard widths are allowed. However, minimum amounts of Type A canopy trees must be provided, regardless of the "plant multiplier." The minimum required number of canopy trees differ in quantity depending upon the buffer type.

The illustrations following Table 5.2 depict the variety of LBAs allowed between two uses. Whenever a wall, fence, or berm is required within a buffer yard, they are shown as "structures" in the illustrations; wherein their respective specifications are listed with a letter and number (i.e. F1), and are detailed in the "Structure Illustrations" section.

1. All property perimeter LBAs shall abut a property line and shall run the length of that property line.
2. All plantings required for property perimeter LBAs shall be within the property perimeter LBA.
3. Property perimeter LBAs may contain walks, trails, park benches, lamp posts, or other similar elements, provided that:
 - The required plant material is not eliminated, removed, or damaged;
 - The use shall not impose undue or excessive impacts upon abutting properties;
 - The LBA is at least 30 feet wide and the walk or trail is no wider than 6 feet wide.
4. Outdoor storage or stockpiling of materials is not permitted within property perimeter LBAs.
5. Property perimeter LBAs shall be free of paved areas, except that sidewalks and driveways shall be allowed to cross the LBAs perpendicularly or at a similar angle.
6. Property perimeter LBAs shall be free from all other development including parking, buildings, and other structures, except those structures attendant to public utility service within a dedicated easement (see §5.12 Landscaping in Easements for specific requirements).

§5.8 Vehicle Use Area Landscape Buffer Area (NEW)

Vehicle use area landscape buffer areas (VUA LBAs) are required around parking lots and other vehicle use areas. Table 5.3 specifies the types and quantities of plant materials required within each VUA LBA, along with options regarding the widths of the buffer areas.

1. VUA LBAs shall be free of paved areas, except that sidewalks and driveways shall be allowed to cross the VUA LBAs perpendicularly or at a similar angle.
2. VUA LBAs shall be placed at the edge of pavement (or back of curb, if present) of the VUA, when the elevation of the VUA is equal to or higher than the adjacent property. When the VUA is constructed at a lower elevation than the adjacent property, the buffer and screen shall be placed at the common property line.

3. Landscape material within all VUA LBAs shall be protected from injury by vehicles. Curbing and/or wheel stops shall be used to ensure that vehicles cannot trespass more than thirty (30) inches (2.5 feet) into any landscaped area.

TABLE 5.2

Vehicle Use Area Landscape Buffer Areas (VUA LBAs)			
A. When the following:	B. Adjoins the following:	C. A minimum LBA of this width is required:	D. Which shall contain the following material:
1.) Any property containing any VUA.	Any property with any type of residential use or zone.	10 feet wide, if wheel stops are used to keep parked vehicles from overhanging into the LBA. Buffer width must be 15 feet wide if wheels stops are not used in parking spaces.	One tree/50' of lineal boundary of LBA, or fraction thereof, using Type A trees; or one tree/40' of LBA, or fraction thereof, using a mixture of Type B and C trees. Additionally, add a 6' high continuous screen (hedge, fence, or wall) around the VUA area.
2.) Any VUA in any zone; except those founding 3.) or 4.) below.	Any public or private streets, including all freeways, access easements, access roads, alleys, and any other rights-of-way for vehicular travel.	5 feet wide, if wheel stops are used to keep parked vehicles from overhanging into the LBA. Buffer width must be 10 feet wide if wheels stops are not used in parking spaces.	One tree/50' of lineal boundary of LBA, or fraction thereof, using Type A trees, or one tree/40' of LBA, or fraction thereof, using a mixture of Type A and B trees. Additionally, add a 3' high continuous screen (hedge, fence, wall or berm) around the VUA area. - No screen required along freeways. - No trees required along alleys.
3.) Any vehicular sales facility, financial institutions with drive-through or ATM facilities, or fast food restaurants with drive-through facilities.	Any public or private streets, including all freeways, access easements, access roads, alleys, and any other rights-of-way for vehicular travel.	5 feet wide, if wheel stops are used to keep parked vehicles from overhanging into the LBA. Buffer width must be 10 feet wide if wheels stops are not used in parking spaces.	One tree/50' of lineal boundary, or fraction thereof, using Type A or B trees, planted in groups or clusters to allow views of displayed vehicles. Additionally, add a 2' high continuous hedge or wall around the VUA area. - No hedge, fence, wall or berm required along freeways. - No trees required along alleys
4.) Car, truck, or other vehicle storage lot; loading areas or docks; vehicle bays of service stations, police stations, and fire stations.	Any property with any residential, office, or commercial use or zone. Any public or private streets, including all freeways, access easements, access roads, alleys, and any other rights-of-way for vehicular travel.	15 feet wide, if wheel stops are used to keep parked vehicles from overhanging into the LBA. Buffer width must be 20 feet wide if wheels stops are not used in parking spaces.	One tree/50' of lineal boundary of LBA, or fraction thereof, using Type A trees; or one tree/40' of LBA, or fraction thereof, using a mixture of Type B and C trees. Additionally, add a 6' high continuous screen (hedge, fence, wall, or berm) around the VUA area.

§5.9 VUA Interior Landscape Areas

In addition to all other landscape requirements, all parking lots subject to this Article shall provide and maintain landscaped planting areas within the interior of a parking lot in order to break up the expanse of pavement while mitigating the heat island effect caused by large expanses of pavement. The standards in this Section shall not apply to parking structures, vehicle display/sales areas, or parking lots with less than five (5) parking spaces. Any parking lot that adds parking spaces cumulatively to exceed the existence of five (5) parking spaces shall obey the requirements of this Section.

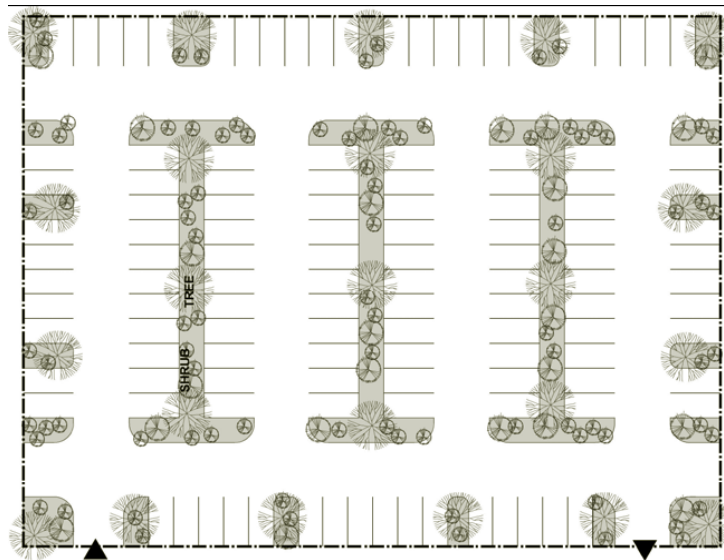
Interior landscape areas (ILAs) shall be designed within parking areas as:

1. ILAs located at the end of parking bays; and
2. ILAs within rows of parking spaces;

Optionally, ILAs can be placed between double-row parking spaces as medians, which shall have a minimum width of:

1. Five (5) feet for medians with shrubs and Type B trees;
2. Ten (10) feet for medians with shrubs and Type A trees; or
3. Fifteen (15) feet medians containing a five (5) foot wide sidewalk with Type A or B trees and shrubs on both sides of the sidewalk.

Example of Interior Landscape Areas (ILAs) Within a Parking Lot



Source: Greenville, SC Land Management Ordinance, Jan. 1, 2008.

The following outlines minimum requirements for ILAs:

1. The amount of ILA required shall equal or exceed five percent (5%) of the total VUA square footage (parking lot, driveways, etc.).
2. Each non-median ILA shall consist of at least 150 square feet, and shall be at least nine (9) feet wide in any direction to allow proper root growth.

3. ILAs shall be placed at approximately 120-foot intervals within parking space rows. For example, if parking spaces are nine (9) feet wide, then one (1) ILA must be placed after every 13th parking space. However, planting areas should be distributed as evenly as possible throughout the parking area, so the amount of parking spaces between ILAs may vary for aesthetic purposes.
4. Landscape material within all ILAs shall be protected from injury by vehicles. Curbing and/or wheel stops shall be used to ensure that vehicles cannot trespass more than thirty (30) inches (2.5 feet) into any landscaped areas
5. A minimum of one (1) Type A or B shade tree shall be required for every 250 square feet of ILA, or fraction thereof. Therefore, not all ILAs are required to contain trees. The remaining area within an ILA shall be landscaped with shrubs, grass or groundcover.
6. All ILA trees shall be located within ILAs.
7. Tree and shrub species shall be chosen per the guidelines in **Section 5.5 Vegetation Choice, Diversity, and Quality**.
8. No more than fifty percent (50%) of any one species of tree or shrub may used, in order to ensure variety.
9. Trees shall have a clear trunk (no branches) to at least eight (8) feet above the ground for safe vehicular, bicycle, and pedestrian site clearance.
10. Shrubs shall maintain a height of not more than two (2) feet tall in ILAs at the end of parking bays for traffic safety. All other ILA shrubs may grow to a maximum height of four (4) feet.

§5.10 Street Trees

Street trees are mandatory plantings for all new or redeveloped sites, with the exception of residential re-platting of lots, or new subdivisions containing five (5) lots or less. Street trees shall be planted within or adjacent to public or private vehicular rights-of-way, and shall be maintained in accordance with the following requirements:

1. Street tree species shall be chosen per the guidelines in **Section 5.5 Vegetation Choice, Diversity, and Quality**.
2. No more than fifty percent (50%) of any one species of street tree may used, in order to ensure variety.
3. Street trees shall be planted at a ratio of not less than one (1) Type A tree per fifty (50) linear feet of right-of-way frontage, or one (1) Type B tree per 40 linear feet, or one (1) Type C tree per 30 linear feet. Type C trees may be used only where utility lines or other site constraints will not allow installation of Type A or B trees.
4. Vary the spacing of street trees to add interest and diversity to roadways.
5. Street trees shall be planted adjacent to the right-of-way/property line boundary, in a minimum five (5) foot wide planting area, in order to provide adequate space for proper root

growth. Trees shall be planted no farther than fifteen (15) feet from the right-of-way/property line boundary.

6. All trees planted within a public or private right-of-way shall receive prior approval from the owner of the right-of-way. If approval is not given, then street trees must be located on the development site, as mentioned in #5 above.
7. In order to provide adequate site clearance for pedestrians, bicyclists, and vehicles, plant trees at least fifteen (15) feet away from driveways, thirty-five (35) feet away from minor collector intersections, fifty (50) feet away from major collector intersections, and one hundred (100) feet away from arterial intersections.
8. Trees shall have a clear trunk (no branches) to at least eight (8) feet above the ground for safe vehicular, bicycle, and pedestrian site clearance.

§5.11 Additional Screening Requirements

Screening shall be required to conceal specific areas of high visual impact or hazardous areas. The following shall be screened:

1. Dumpsters, trash compactors, or exterior garbage containers (excluding containers or groups of containers with a combined capacity of less than six cubic yards).
2. Recycling drop off centers.
3. Ground level mechanical, electrical, heating and air conditioning equipment (except for single-family detached dwellings).

These items shall be screened on all but one side, by an F3 or F4 fence or wall, a vegetative hedge, or other suitable opaque enclosure, as determined by the Zoning Administrator or designee. The height of the enclosure shall be one (1) foot taller than the height of the container, but shall not be required to exceed eight (8) feet in height. The open side shall not be visible from the street.

§5.12 Landscaping in Easements

Utility easements (e.g., drainage, sewer, gas/electric) are allowed to encroach into as much as 50% of the width of any required landscape area (LBA, VUA LBA, ILA, street tree planting area), provided that:

1. The required screening can still be achieved.
2. The amount of required landscape material can be provided.
3. The intent of the landscape area is achieved.

If work is required within an easement causing removal or damage of any required landscape materials (vegetation, fences, walls, etc.), the property owner shall be responsible for the replacement of materials according to the approved landscape plan. Type 'C' trees may be planted under overhead utility lines at a minimum spacing of 1 tree per 30 feet of linear boundary, if approved by the utility company and the Zoning Administrator or designee, in order to meet tree planting requirements.

§5.13 Preservation of Wooded Areas and Trees

The preservation of existing vegetation shall be encouraged, and the practice of clear-cutting shall be prevented. Clear-cutting is a practice which leads to slope instability, sedimentation and erosion

problems, contributes to air and water pollution, destroys wildlife habitat, and unnecessarily eliminates the City of Easley's natural environment.

Preservation requirements:

1. Wooded areas of a site which contain individual trees or stands of trees and/or shrubs shall be preserved if at all possible. Such areas shall be preserved along property boundaries, along road frontages where site clearance is not obstructed, and within areas of a site where no development is proposed. Preservation areas shall be delineated on a landscape plan, showing the wooded areas and/or individual trees to be preserved. The landscape plan must be approved before the issuance of grading and/or building permits.
2. Before grading or building begins, protective fencing shall be installed outside the dripline of all wooded areas and/or individual trees that are to be preserved. If a tree is especially large, the **Zoning Administrator or designee** may approve the fencing to be located inside the dripline, provided that the fencing is at least ten (10) feet away from the trunk of the tree being preserved. Protective fencing shall be four (4) feet high or taller and made of durable material. Acceptable fencing material includes orange polyethylene web fencing (snow fencing) or silt fencing (metal reinforced backing required). Both materials shall be held in place by wooden or metal stakes. Other protective fence materials may be approved by the **Zoning Administrator or designee**. Signs stating "Tree Save Area" shall be secured to the protective fencing.
3. No clearing, grading, or other land disturbing activities shall be allowed within the area enclosed by the protective fencing. No storage of materials, dumping of waste materials or fill, no parking of equipment or vehicles, and no trespassing shall be allowed within the boundary of the root protection zone enclosed by the protective fencing.
4. Protective fencing shall be maintained during the period of all construction activity on the site. The **Zoning Administrator or designee** must approve the removal of the fencing before it is dismantled.
5. The above procedures shall be incorporated as notes on the grading and erosion control plans and on the landscape plan.

§5.14 Use of Existing Landscape Material

The use of existing landscape material to meet the requirements of this Article shall be encouraged. If existing trees are preserved in order to meet the planting requirements, then a reduction in the new planting requirements will be given. Additionally, existing healthy stands of trees and/or shrubs may be substituted for required screening if they create an opaque screen year round. Any existing vegetation used toward the requirements of this Article shall be protected and documented as described in section 5.13 above.

Credit for existing healthy trees shall be granted per the following criteria:

- One tree 2" – 6" caliper DBH = 1 planted trees
- One tree 6" – 10" caliper DBH = 2 planted trees
- One tree 10" – 15" caliper DBH = 3 planted trees
- One tree larger than 15" caliper DBH = 4 planted trees

§5.15 Alternative Landscape Plans

Alternative landscaping plans, plant material, planting methods, or landscape design may be used where unreasonable or impractical situations would result from application of landscaping requirements, or where necessary to protect existing vegetation, or where a more creative plan is proposed which substantially complies with the intent of these requirements. Landscaping requirements may be reduced if existing trees or other types of existing vegetation are preserved, as mentioned in Section 5.14. Such alternative landscape plans, materials, or methods may be justified per natural conditions such as streams, natural rock formations, topography, and other physical conditions related to the site. Lot configuration and the presence and location of utility easements may justify an alternative landscaping plan. Alternative landscaping plans must be reviewed by the **Planning Commission** for approval.

§5.16 Additional Requirements for the Physically Disabled

All construction shall be made to comply with the Americans with Disabilities Act of 1990 (and all subsequent amendments to this Act). Additionally, locally adopted building codes and other laws concerning physically disabled persons shall be respected in the design and construction of landscaped areas. Interior landscape islands, landscaped medians, vegetation, parking areas, and walkways/pathways shall not be placed or designed to cause an undue burden on persons with physical disabilities.

§5.17 Responsibility for Providing Landscape Buffer Areas and Screening

When a use is the first to develop on two adjacent vacant parcels, the owner of the first use shall provide the buffer, as specified by Table 5.1. At the time it develops, the owner of the second use to develop shall provide any additional plant material required, along with any structures and/or additional land necessary to provide the total buffer yard width required between the two uses, as specified by Table 5.1.

If a parcel containing a more intensive zoning district or more intensive land use is already developed, and if the required landscape material and landscape buffer area have not been provided, then the owner of the parcel with the proposed activity or development shall meet the buffer requirements of Tables 5.1 and 5.2 in order to buffer their property. **EXCEPTION:** Single-family residential parcels of record and parcels of record containing duplexes are partially exempt from this requirement. These uses must provide a five (5) foot wide landscape buffer area with a six (6) foot tall screen (material of their choice), when located adjacent to a commercial, industrial, or institutional use, if such use is built after the more intensive use.

§5.18 Compliance

Landscaping shall be installed and inspected prior to receiving a certificate of occupancy. All plants shall be installed in a manner to ensure their best chance of survival and to reduce the potential expense of replacing damaged plant material. If the season or weather conditions prohibit the planting of trees or other vegetation, then the **Zoning Administrator or designee** may allow the developer to provide a bond or other financial surety in order to receive a certificate of occupancy, without having first installed the required landscape material.

The bond, irrevocable letter of credit, or other financial surety shall be equal to one hundred twenty-five percent (125%) of the cost of installing the required vegetation, in order to guarantee the completion of the required planting. Upon approval of the financial surety, the certificate of occupancy shall be issued.

The financial surety shall be canceled and/or returned upon completion of the required landscaping, as reviewed and approved by the **Zoning Administrator or designee**.

The owner/developer has one year from the date of issuance of the certificate of occupancy to install the required landscaping without incurring a violation of this ordinance and/or forfeiting the money held in the surety. Change of ownership prior to or during the bonded one-year landscape installation period shall not extend or annul the one year time period. If ownership does change during this time period, then the prior owner/developer shall notify any new owner(s) of the existing deadline date for the installation of the landscaping, and the new owner shall be held responsible for installing and maintaining the landscaping.

§5.19 Required Maintenance

The owner of the property where landscaping is required shall be responsible for the maintenance and protection of all plants and other screening materials. Landscaped areas shall be maintained in good condition and kept free of debris. Failure to maintain vegetation or replace dead, damaged or diseased plants shall constitute a violation of this ordinance.

§5.20 Violations

If the **Zoning Administrator or designee** finds that any of the provisions of this Article are being violated, including the removal of existing trees or wooded areas designated for preservation on an approved landscape plan, he/she shall notify the property owner, in writing, of such violation. The notice shall specify what steps are necessary for compliance. No violation may be cited more than five (5) years after damage can be proven to have occurred.

If the owner of the property subject to the violation notice fails to comply within the time specified on the notice, he/she shall be subject to citation for violation of this ordinance. Each calendar day a violation exists shall be considered a separate offense. Penalties for violation of this Article may include:

- (1) Fines. A fine may be charged of up to \$500.00 per day, per violation.
- (2) Stop work orders.
- (3) Revocation, suspension, or voiding of building permits or certificates of occupancy.

To remedy a violation concerning the removal of preserved trees or wooded areas, the owner of the property shall replace the removed trees with trees of a variety approved by the **Zoning Administrator or designee**. The replaced trees shall have a minimum caliper of three (3) inches DBH and shall have a cumulative caliper at least equal to that of the trees removed. If the **Zoning Administrator or designee** determines that adequate room is not available on the site, then the replacement trees shall be planted on property owned by the City of Easley. The location shall be chosen by the **Planning Commission**, per recommendations by the **Parks and Recreation Director** and the **Zoning Administrator or designee**.

The **Planning Commission** shall determine the remedy to all other violations of this Article that do not include removal of preserved trees or wooded areas.

§5.21 Plan Submission and Approval

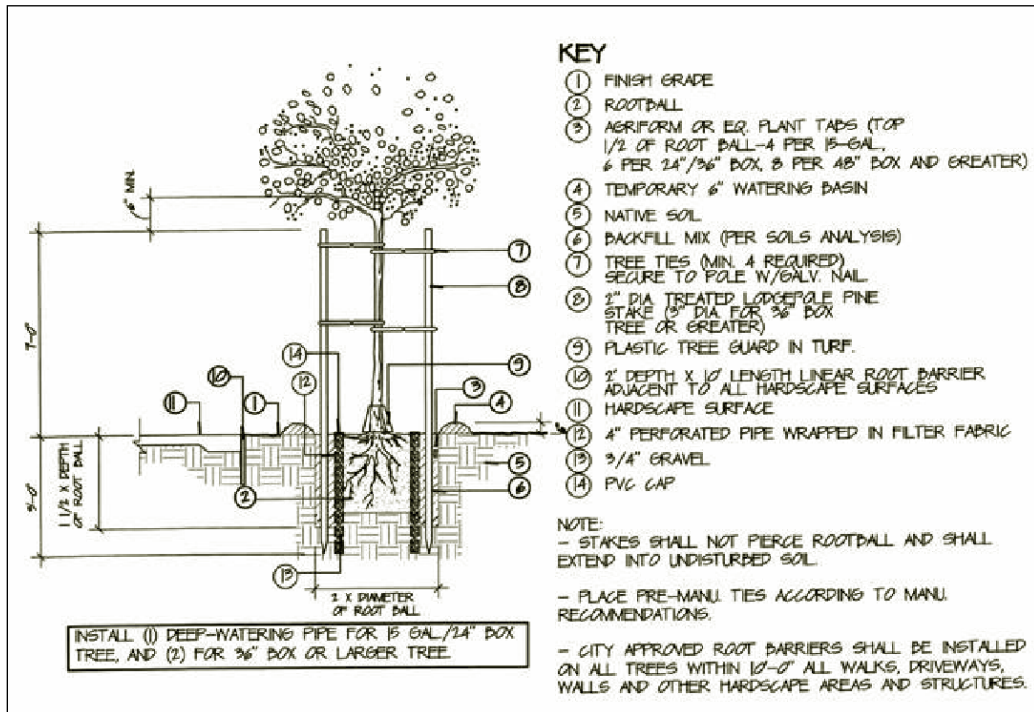
Whenever property is affected by the requirements of this Article, including the street tree requirement, the property owner or developer shall submit a landscape plan to the **Zoning Administrator or designee**. All landscape plans with VUAs over 30,000 square feet shall be prepared by a registered Landscape

Architect and bear the seal, name, and address of the same. Landscape plans must be approved before any building, grading or other land disturbing activity occurs. No certificates of occupancy shall be issued until all landscape materials have been installed as shown on the approved landscape plan (see section 5.18 for exceptions per financial sureties). The requirements of this Article shall be followed in the content and preparation of the landscape plan.

The content of a landscape plan shall include the following:

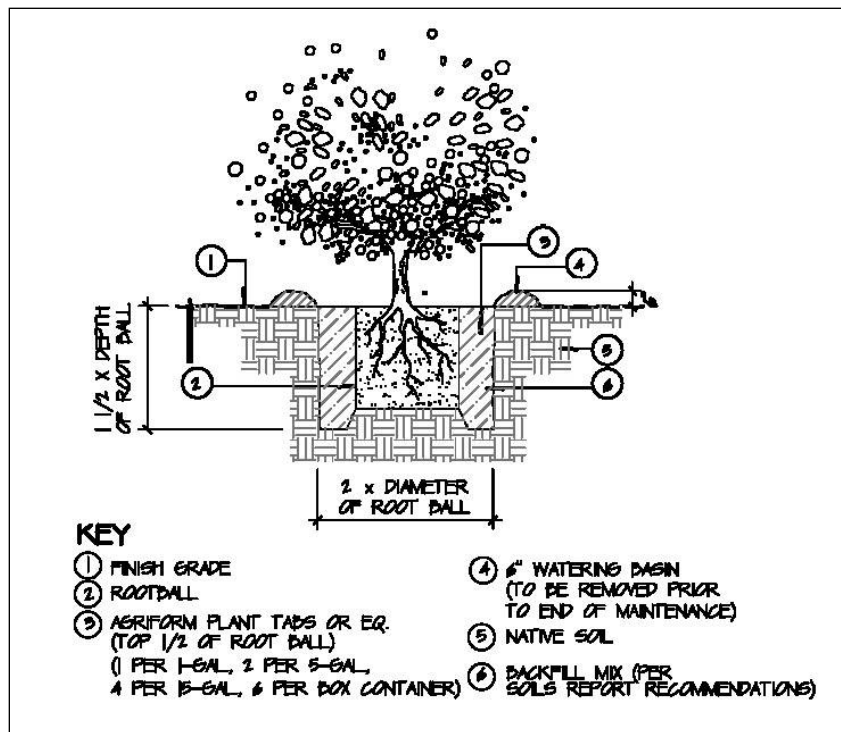
1. Site plan, drawn to an easily readable scale, showing and labeling (with bearings and dimensions) all existing and proposed property lines, right-of-way lines, sidewalks, easements (especially sewer and water, along with other utilities above and below ground), any overlap of easements with LBAs (up to 50% overlap allowed), and footprints of buildings and other structures (including decks and paved recreation areas).
2. Vicinity map.
3. Existing and proposed site contours at two (2) foot intervals, including contours of berms and retention/detention basins, unless waived by the **Zoning Administrator or designee**.
4. Title block with project name, street address, date, scale, north arrow; names, addresses and telephone numbers of both the property owner and the person preparing the plan.
5. VUAs including: parking stall striping and typical dimensions (include ADA), drive aisles, driveways, vehicular access easements, service areas, drive-through areas, total square footage of VUAs, calculation of required ILA square footage, total amount of ILA square footage actually provided, etc.
6. A note stating that site triangles will not be obstructed.
7. Landscape areas (including LBAs, ILAs, and street tree areas) with dimensions, widths, and square footages (if needed or required).
8. Curb stops, concrete curbs, or other devices to prevent vehicular damage to required vegetation shown and labeled.
9. A table of planting materials including: botanical name, common name, installation size (caliper, height, etc.), quantity of each plant, percentage mix of plant material (no more than 50% of any single tree or shrub species allowed, hedges used as buffer screens shall contain at least 75% evergreen species), on-center spacing dimensions (where applicable), symbol representing each plant, specification of turf or ground cover.
10. Proposed tree and shrub locations (use symbols).
11. Existing trees and wooded areas shown, faded to a light color if removal is proposed.
12. Trees and wooded areas to be preserved shown and labeled with species name (if known), caliper of DBH, location on the site, and height, with approximate location of preservation fencing delineated.
13. Notes containing material of tree protection fencing and other specific preservation notes per section 5.13.
14. Tree and shrub planting details with general planting notes.
15. Fence, wall, and berm locations, with material and height labeled (where applicable). Include elevations, cross sections, or details (where applicable).
16. Approximate centerlines of existing water courses, location of the 100-year floodplain, FEMA flood zones, and approximate location of significant drainage features.

Example of Tree Planting Detail and Notes



Source: http://ci.moorpark.ca.us/moorparkcity/img/cd_lsstds.pdf

Example of Shrub Planting Detail and Notes



Source: http://ci.moorpark.ca.us/moorparkcity/img/cd_lsstds.pdf

TABLE 5.2

Property Perimeter Landscape Buffer Areas

Proposed Land Use	Existing Adjacent Zoning Districts and Land Uses										
	<u>Single Family Res. on Local Streets</u>	All Other Single Family Res.	Manufactured Home Park	Multi-Family & All Other Res.	Religious, Recreation & Child Care	Office & Commercial	Industrial	Research & Institutional	Vacant Industrial & Commercial	Vacant Single Family Res.	Streets
Single Family Residences and Duplexes	0	0	0	0	0	0	0	0	0	0	0
Multi-Family Residential:											
1-3 units per gross acre	2	0	0	0	1	1	1	1	1	2	1
4-11 units per gross acre	4	1	1	1	1	1	2	2	1	4	1
12 or more units per gross acre	5	2	1	2	1	1	2	2	1	5	1
Manufactured Home Park	4	2	0	2	2	1	2	2	2	2	2
Religious, Recreational, or Child Care	2	2	2	2	0	0	0	0	0	2	0
Office & Commercial Use:											
less than .35 F.A.R.	4	2	1	2	2	0	0	2	0	2	1
.35 to 1.00 F.A.R.	5	3	2	3	3	0	0	2	0	3	1
1.00 F.A.R. to shopping Centers	6	5	4	4	4	3	0	6	2	5	2
Industrial	6	5	4	5	5	3	0	5	3	5	2
Research & Institutional Uses	4	3	2	3	3	1	1	0	2	3	1





Legend: If the value is 0, then no buffer yard is required. For any other value, the number refers to the class of the buffer yard required.

* F.A.R. refers to the floor area ratio

Note: Uses not general included in one of the above shall be assigned by the administrative official to one of the buffer yard categories illustrated by the ordinance, as appropriate scale and intensity of the proposed use relative to existing adjacent land uses.


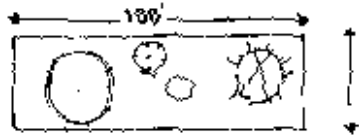
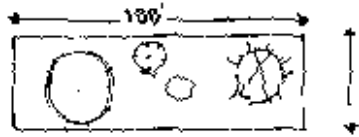

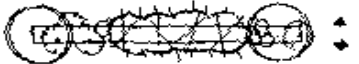
BUFFERYARD 1

Required Plants per 100' of Length

- 2 Canopy Trees 
- 4 Understory Trees 
- 4 Evergreens/Conifers 
- 4 Shrubs 





14 Total

*A minimum of one (1) Canopy Tree must be provided, regardless of the plant multiplier.

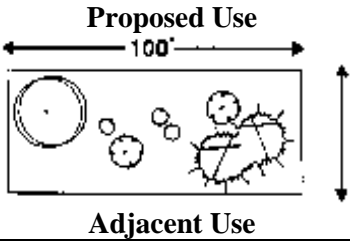


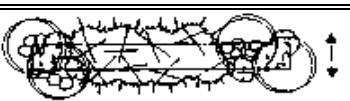
Percentage of Required Plant Material		Buffer Yard Width
25%	<p>Proposed Use</p>  <p>Adjacent Use</p> 	30 feet
50%		20 feet
75%		10 feet
100%		5 feet

BUFFERYARD 2

Required Plants per 100' of Length





4	Canopy Trees	
6	Understory Trees	
8	Evergreen/Conifers	
10	Shrubs	
<hr/>		
28	Total	

*A minimum of two (2) Canopy Trees must be provided, regardless of the plant multiplier.

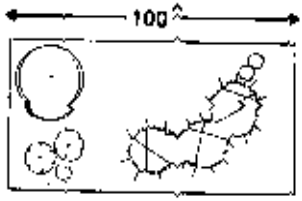


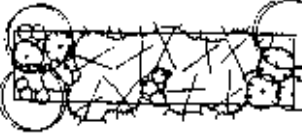
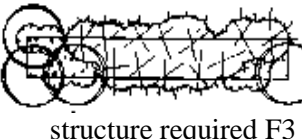
Percentage of Required Plant Material		Buffer Yard Width
25%	<p style="text-align: center;">Proposed Use</p>  <p style="text-align: center;">Adjacent Use</p>	40 feet
50%		30 feet
75%		20 feet
100%		10 feet

BUFFERYARD 3

Required Plants per 100' of Length





4	Canopy Trees	
8	Understory Trees	
12	Evergreens/Conifers	
12	Shrubs	
<hr/>		
36	Total	

*A minimum of three (3) Canopy Trees must be provided, regardless of the plant multiplier.

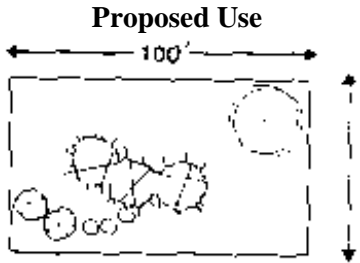
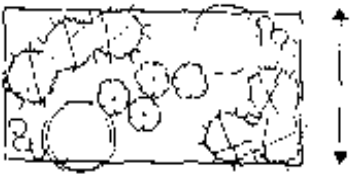


Percentage of Required Plant Material		Buffer Yard Width
25%	<p>Proposed Use</p>  <p>Adjacent Use</p> 	50 feet
50%	 <p>structure required B1</p>	40 feet
75%	 <p>structure required B3</p>	25 feet
100%	 <p>structure required F3</p>	15 feet

BUFFERYARD 4

Required Plants per 100' of Length





4	Canopy Trees	
8	Understory Trees	
12	Evergreens/Conifers	
12	Shrubs	
<hr/>		
36	Total	

*A minimum of four (4) Canopy Trees must be provided, regardless of the plant multiplier.

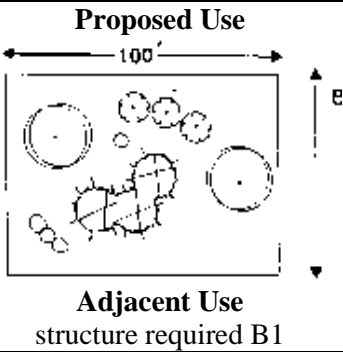
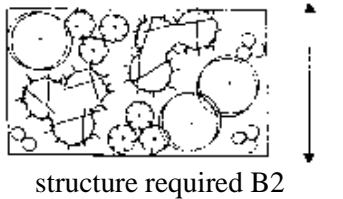

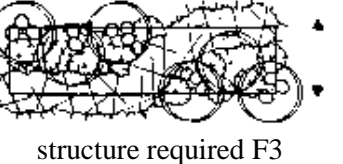
Percentage of Required Plant Material		Buffer Yard Width
25%	<p>Proposed Use</p>  <p>Adjacent Use</p>	60 feet
50%	 <p>structure required B1</p>	50 feet
75%	 <p>structure required B3</p>	30 feet
100%	 <p>structure required F3</p>	20 feet

BUFFERYARD 5

Required Plants per 100' of Length





6	Canopy Trees	
12	Understory Trees	
12	Evergreen/Conifers	
16	Shrubs	
<hr/>		
46	Total	

*A minimum of five (5) Canopy Trees must be provided, regardless of the plant multiplier.

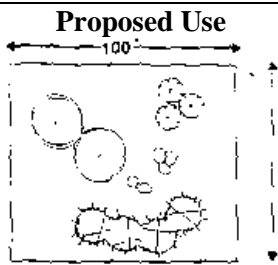
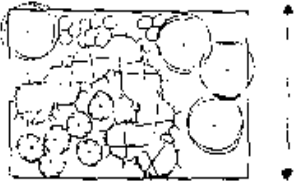
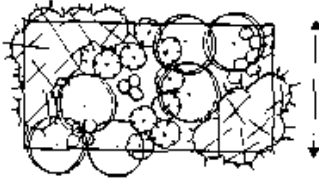

Percentage of Required Plant Material		Buffer Yard Width
25%	<p>Proposed Use</p>  <p>Adjacent Use structure required B1</p>	75 feet
50%	 <p>structure required B2</p>	60 feet
75%	 <p>structure required B3/F1</p>	35 feet
100%	 <p>structure required F3</p>	25 feet

BUFFERYARD 6

Required Plants per 100' of Length

8	Canopy Trees *	
12	Understory Trees	
16	Evergreens/Conifers	
20	Shrubs	
56	Total	

*A minimum of six (6) Canopy Trees must be provided, regardless of the plant multiplier.

Percentage of Required Plant Material		Buffer Yard Width
25%	<p>Proposed Use</p>  <p>Adjacent Use structure required B1</p>	90 feet
50%	 <p>structure required B2</p>	70 feet
75%	 <p>structure required F3/B3</p>	45 feet
100%	 <p>structure required F4/B1</p>	30 feet

STRUCTURE ILLUSTRATIONS

FENCES:

<u>Symbol</u>	<u>Height</u>
F1	3 feet
F2	4 feet
F3	6 feet



Wood Stockade/Opaque Fence (non-perishable supports)

WALLS:

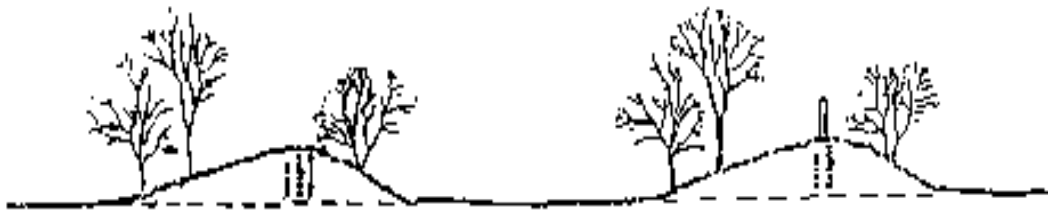
<u>Symbol</u>	<u>Height</u>
F4	6 feet
F5	8 feet



Masonry Wall (poured concrete, stucco, concrete block, brick, etc.)

BERMS:

BERMS/FENCES

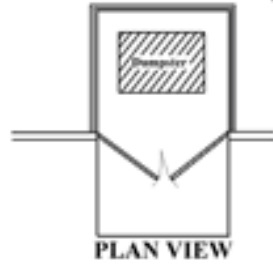


<u>Symbol</u>	<u>Height</u>	<u>Material</u>	<u>Symbol</u>	<u>Height</u>
B1	3 feet	Earth	BF1	3 foot berm with 3 foot stockade fence
B2	4 feet	Earth	BF2	4 foot berm with 4 foot stockade fence
B3	5 feet	Earth	BF3	5 foot berm with 5 foot stockade fence

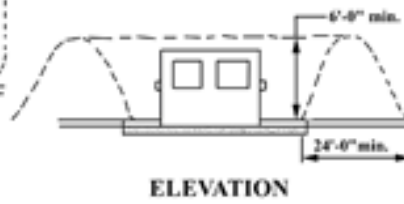
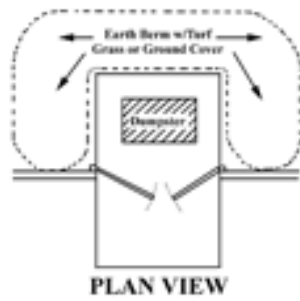
SERVICE AREA SCREENING AND LANDSCAPE REQUIREMENTS

(Example)

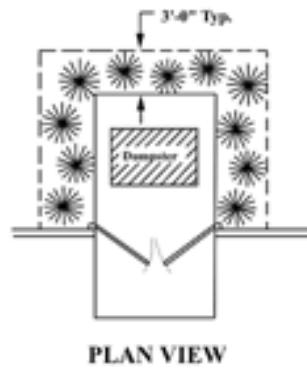
Fence Or Wall Screen



Berm Screens



Landscape Screens



§5.13-99 Reserved.

ARTICLE VI ADMINISTRATION, ENFORCEMENT, APPEALS

§6.1 Administration and Enforcement

The duly appointed Building Official is hereby given the authority to administer and enforce the provisions of this Ordinance.

The Building Official 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, cause to be kept records and files of any and all matters referred to him and to execute any and all reports as the Mayor and City Council may require.

If the Building Official 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, or of illegal additions, alterations, or structural changes; discontinuance of any illegal work being done; or shall take any other action authorized by this Ordinance to ensure compliance with or to prevent violation of its provisions.

§6.2 Building and/or Sign Permits Required

No building, structures, or sign or any part thereof shall be erected, added to or structurally altered, nor shall any excavation be commenced until a Building or Sign Permit has been issued.

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.

§6.3 Application Requirements for Building Permit

Each application for a permit for a building or structure other than a sign shall be accompanied by the following or as much thereof as the Building Official shall find necessary to determine whether the proposed building or use will be in compliance with the provisions of this Ordinance:

1. Assurances as to the acceptable performance of non-residential uses, where applicable.
2. A plat and/or site plan, prepared by a professional in the building profession, with date and scale showing the actual shape and dimensions of the lot to be built upon; the exact size and location on the lot of existing buildings and structures, and the lines within which the proposed building, structure, or facilities are to be erected, altered, or constructed; the existing and intended use of each building or part of building; the number of families or housekeeping units the building is designed to accommodate; buffer areas; flood and wetland areas; proposed parking; building elevations and 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.

§6.4 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. Identification of ownership and/or leaseholder of property on which sign is to be erected, including street address.
2. Name and address of the owner of the sign.
3. Site Plan sketch with dimensions (non-professionally drafted plan is acceptable) showing the location of the sign with respect to the property and right-of-way lines, building and setback lines, and any buildings, parking areas, existing free-standing signs, and buffer areas.
4. Correct size, shape, configuration, face area, height, nature, number, and type of sign to be erected.
5. The value of the sign and sign structure.
6. The Building Official may waive any of the informational requirements listed above deemed unnecessary to process an application.

§6.5 Certificate of Occupancy Required

No building, other structure or land shall be used; nor shall any building, structure or land be converted, wholly or in part to any other use, until a Certificate of Occupancy, certifying compliance with this Ordinance has been issued by the Building Official. No Certificate of Occupancy shall be issued where such use is in violation of the provisions of this Ordinance, or of any other applicable law or regulation.

§6.6 Application Requirements for Certificate of Occupancy

- a) Application materials required for a Building Permit and on file in the Building Department shall constitute the basis for compliance determination and the subsequent issuing of a Certificate of Occupancy. Each application for a Certificate for Occupancy shall be made subsequent with the application for a Building Permit, and shall be issued upon finding by the Building Official that the building or structure has been constructed, erected, or altered in accord with all applicable requirements of this Ordinance.
- b) Failure to comply with the standards and requirements of this Ordinance may result in with holding the issuance of such permit and prevent the use of said building or property until compliance is certified. Failure to obtain a Certificate of Occupancy shall be a violation of this Ordinance, and is punishable under section 1209.

§6.7 Expiration of Building and Sign Permits

If the work described in any building or sign permit has not begun within 6 months from the date of issuance thereof, said permit(s) shall expire; it shall be canceled by the Building Official and written notice thereof shall be given to the persons affected. An applicant can request an extension for an additional 6 months with a written request submitted to the Building Official at least 15 days prior to the original deadline.

§6.8 Fees

A fee to cover the administrative cost of issuing permits and certificates shall accompany all requests for such permits and certificates. The amount of the fee shall be determined by the Mayor and city Council, a schedule of which shall be available at the office of the Building Codes Department.

§6.9 Filing of Applications

Applications for permits and certificates shall be signed by the owner or his designee and shall be filed on forms provided by the building Department.

§6.10 Inspections for Compliance

The Building Official may make or require inspections at any time during construction to ascertain compliance with the provisions of this Ordinance and other laws that are in force and to ascertain that such building or structure is constructed or erected as indicated on the approved permit application.

§6.11 Complaints Regarding Violations

Whenever a violation of this Ordinance occurs, or is alleged to have occurred, the building 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.

§6.12 Remedies

In any case in which a building or structure is erected, constructed, reconstructed, altered, maintained, or used; or any land is used in violation of this Ordinance, the Building Official, the City Council, the city Attorney or any other person aggrieved may, in addition to other remedies provided by law, institute injunction, mandamus, or any other appropriate action or proceeding to prevent, enjoin, abate, or remove such unlawful erection, construction, reconstruction, alteration, maintenance or use.

§6.13 Penalties For Violation

Any person violating any provisions of this Ordinance shall upon conviction be guilty of a misdemeanor and shall be fined as determined by the court for each offense.

In case 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 Building Official or other appropriate administrative officer, or neighboring property owner who would be specifically damaged by such violation, may in addition to other remedies, 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 of land. Each day such unlawful erection, construction, reconstruction, alteration, conversion, maintenance, or use continues shall be deemed a separate offense.

§6.14 Appeal to the Board of Zoning Appeals

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

§6.15 Establishment of Board of Appeals

A Board of Appeals is hereby established. Said board shall consist of five members, who shall serve for one year, or until reappointed or until their successors are appointed. The Board shall appoint a Secretary, who may be a City officer, an employee of the City, a member of the Planning Commission, or a member of the Board of Appeals. The board shall adopt rules and bylaws in accordance with Section 6-7-740 of the South Carolina Code of Laws. Meeting of the Board shall be held at the call of the Chairman and at such times as the Board may determine. All meetings of the Board shall be open to the public.

§6.16 Decisions of the Board of Appeals

The concurring vote of three members of the Board of Appeals shall be necessary to reverse any order, requirement, decision, or determination of the Building Official, or to decide in favor of the applicant on any matter upon which it is required to pass under this Ordinance, or to affect any variation of this Ordinance. The Board shall keep minutes of its proceedings, showing the vote, indicating such fact and shall keep records of its examinations and other official action, all of which shall be immediately filed in the office of the Board and shall be public record. On all appeals, applications, and matters brought before the Board, the Board shall inform in writing all the parties involved of its decisions and reasons for these decisions.

§6.17 Appeals, Hearings, and Notices

Appeals to the Board shall be taken within a reasonable time, as provided by the rules of the Board, by filing notice of appeal specifying the ground thereof with the Building Official, who shall forthwith transmit to the Board all the papers constituting the record upon which the action appealed from was taken.

An appeal stays all legal proceedings in furthermore of the action appealed from, unless the officer from whom the appeal is taken certifies to the Board, after the notice of appeal shall certificate a stay would, in his 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 Building Official and on due cause shown.

The Board will fix a reasonable time for the hearing of the appeal or other matter referred to it, and give 15 days public notice thereof as well as due notice to the parties in interest, and decide the same within 30 days. At the hearing any party may appear in person or by agent or by attorney.

§6.18 Powers and Duties of the Board of Appeals

The board of Appeals shall have the following powers and duties:

- a. To hear and decide appeals where it is alleged there is an error in any order, requirement, decision, or determination made by the Building Official in the enforcement of this Ordinance.

- b. 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 upon a finding by the Board that:
 - 1. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography, and
 - 2. The application of the Ordinance on this particular piece of property would create an unnecessary hardship; and
 - 3. Such conditions are peculiar to the particular piece of property involved, and
 - 4. Relief, if granted, would not cause substantial detriment to the public good or impair the purpose and intent of the Ordinance of the comprehensive plan, provided however, that non variance may be granted for a use of land or building or structure that is prohibited in a given district.
- c. To decide on other such matters where the provisions of the Ordinance may specifically require a decision of the Board of Appeals.

In exercising the above powers, the Board may, in conformity with the provisions of State Law, reverse or affirm, wholly or in part, or may modify the order, requirement, decision, or determination and, to that end, shall have the powers of the officer from whom the appeal is taken and may issue or direct the issuance of a permit. The Board, in the execution of the duties for which appointed, may subpoena witnesses and, in case of contempt may certify such fact to the Circuit Court in and for the County of Pickens.

§6.19 Appeals from Decisions of Board of Appeals

Any person who may have a substantial interest in any decision of the Board of Appeals may appeal any decision of the Board to the Circuit Court in and for the County of Pickens by filing with the clerk of such Court a petition in writing setting forth plainly, fully and distinctly wherein such decision is contrary to law. Such appeal shall be filed within 30 days after the decision of the Board is rendered.

§6.20 Establishment of Board of Architectural Review

A Board of Architectural Review is hereby established. Said board shall consist of five members, who shall serve for one year, or until reappointed or until their successors are appointed by the city council. The Board shall appoint a Secretary, who may be a City officer, an employee of the City, a member of the Planning Commission, or a member of the Board of Architectural Review. The board shall adopt rules and bylaws in accordance with Section §6-29-870 of the South Carolina Code of Laws. Meeting of the Board shall be held at the call of the Chairman and at such times as the Board may determine. All meetings of the Board shall be open to the public. The Board of Architectural Review serves without compensation. All appointments to the Board of Architectural Review shall be for staggered terms of three years, or until successors are appointed. Should a vacancy occur on the Board of Architectural Review, the city council shall appoint another member to serve for the unexpired term.

§6.21 Powers and Duties of the Board of Architectural Review

The Board of Architectural Review shall have the following powers and duties:

- a. In accordance with the procedures set forth in this division, to consider and act upon applications for certificates of appropriateness within the Downtown/TIF Design Overlay District and Transitional Corridor Overlay Districts.
- b. To have appellate jurisdiction from the zoning administrator's rulings pursuant to the provisions of this division and S.C. Code 1976, § 6-29-890.
- c. To nominate buildings, structures, sites, objects or districts to the National Register of Historic Places in accordance with the criteria set forth by the United States Department of the Interior and the state historic preservation officer.
- d. To conduct first review and evaluation of all proposed National Register nominations within the city in accordance with procedures established by the state historic preservation officer.
- e. To recommend the establishment, expansion, reduction or elimination of the Downtown/TIF Design Overlay District and Transitional Corridor Overlay Districts.
- f. To establish and amend design guidelines for the Downtown/TIF Design Overlay District and Transitional Corridor Overlay Districts, subject to city council approval by resolution, with due regard for the purposes of the district, the uses allowed in the district, the history of the district and the architectural styles of the district. To establish and amend design guidelines for monument signs, subject to city council approval by resolution.
- g. To give advice and assistance to the city council, city departments, agencies, commissions and other governmental units concerning matters under its purview or of mutual interest.
- h. To provide advice and assistance to property owners and their designees concerning the treatment of the historical and visual characteristics of their properties listed on the National Register of Historic Places or located within the Downtown/TIF Design Overlay District, and concerning the treatment of architectural characteristics of their properties located in the Downtown/TIF Design Overlay District and Transitional Corridor Overlay Districts.
- i. To maintain an inventory of buildings, structures, objects, sites and districts that comprise the historic resources of the city.

§6.22 Procedure for Obtaining a Certificate of Appropriateness

- a. *Consultation.* Prior to submitting an application for a certificate of appropriateness, a property owner may appear before the Board of Architectural Review to seek advice on matters pertaining to this division or section 2.6 et al
- b. *Required application procedure.* An application for a certificate of appropriateness may be obtained from and submitted to the zoning administrator.
 1. The Board of Architectural Review shall, in its rules of procedure, require data as are reasonable and necessary to determine the nature of the application. An application shall

not be considered complete until all the required data have been submitted. Nothing shall prevent the applicant from filing with the application additional relevant information bearing on the application.

c. Procedure for review for certificate of appropriateness. Applications for certificate of appropriateness shall be reviewed by the Board of Architectural Review according to the following procedure:

1. Complete applications for a certificate of appropriateness shall be submitted to the zoning administrator at least 17 calendar days prior to the next regularly scheduled Board of Architectural Review meeting; otherwise, consideration shall be deferred to the following meeting.
2. Upon receipt of a complete application, the zoning administrator shall forward copies of the application to the Board of Architectural Review prior to its regularly scheduled meeting.
3. Notice of public meeting shall be posted on the property for which the application is sought at least 15 days prior to the public meeting. The applicant shall follow the procedures for posting of signs as established by the zoning administrator.
4. Written notice shall be sent to all property owners of record adjacent to the subject property, exclusive of streets and alleys, at least 15 days prior to the public meeting. Such notice shall contain the date, place and time of the public meeting, name of the applicant and street address or descriptions of the property.
5. The Board of Architectural Review shall hold a public meeting concerning the application. Any party may appear in person or by agent or by an attorney. The Board of Architectural Review shall provide procedures through which such parties may make comments to the Board of Architectural Review concerning the application.
6. The Board of Architectural Review shall, using guidelines as referenced in section 2.6.12 and 2.6.13 for the Downtown/TIF Design Overlay District and Transitional Corridor Overlay Districts, make a finding of fact to decide whether or not the applicant's plans are appropriate. The Board of Architectural Review's action on the application shall be approval, approval with conditions or disapproval.
7. If the Board of Architectural Review approves the application with conditions, or disapproves the application, the Board of Architectural Review must submit in writing a notice of action that details the reasons for its ruling and shall notify the applicant within five working days.
8. The Board of Architectural Review may delegate review of certain types of applications for certificate of appropriateness to the zoning administrator. When reviewing such delegated applications, the zoning administrator shall use the following procedure:
 - a. The zoning administrator shall, using design guidelines as referenced in sections 2.6.12 and 2.6.13, make a finding of fact to decide whether or not the applicant's plans are appropriate. At his discretion, the zoning administrator may consult with members of the Board of Architectural Review, other staff members and other professionals to help him make his determination.

- b. In certain circumstances, the zoning administrator may defer action on the application to the Board of Architectural Review to be heard at their next meeting.
 - c. If the zoning administrator approves the application with conditions, or disapproves the application, he must submit in writing a notice of action that details the reasons for his ruling and notify the applicant within five working days.
9. *Time limits.* If the zoning administrator or the Board of Architectural Review fail to take action upon any application within 60 days after the complete application is received, the application shall be considered approved.
10. *Submission of new application.* If the zoning administrator or the Board of Architectural Review disapproves a certificate of appropriateness, the applicant may at any time submit a new application which addresses the reasons for disapproval as outlined in the notice of action.
11. *Maintenance, repair, interior and use of projects.* Nothing in this section shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature of structures designated as historic when the repair does not involve a change in design, material, color or outer appearance of the structure. Certificates of appropriateness are not required for alterations to the interior of a building or alterations to the use of a building, uses being regulated by other provisions of this chapter.
12. *Board of Architectural Review initiation of changes.* The Board of Architectural Review shall not initiate or require action on a property owner who has no plans to alter, construct additions or demolish his property.

§6.23 Appeals from Decisions of Board of Architectural Review

- a. Any person aggrieved by the final decision of the zoning administrator may appeal the decision to the Board of Architectural Review pursuant to S.C. Code 1976, § 6-29-890 within ten business days of receiving the notice of action.
- b. Any person aggrieved by the final decision of the Board of Architectural Review may appeal the decision to the courts of the state pursuant to S.C. Code 1976, § 6-29-900.

§6.24 Compliance and Enforcement

- a. Compliance with the terms of the certificate of appropriateness shall be enforced by the zoning administrator. Failure to comply with a certificate of appropriateness shall be a violation of this chapter. The discontinuance of work or the lack of progress toward achieving compliance with a certificate of appropriateness for a period of six months shall be considered as a failure to comply with a certificate of appropriateness.
- b. Nothing contained in this division shall be construed as limiting the application of other provisions of municipal law regulating the maintenance or alteration of real property or the construction, maintenance, restoration, alteration, removal or demolition of improvements on real property. Nor shall this division be interpreted to restrict the city's enforcement measures for such

regulation in accord with law otherwise applicable. The provisions of this division are cumulative to and not in lieu of other regulations of property, including enforcement measures.

- c. Whenever the enforcement provisions under this section may be insufficient to achieve the purposes of sections 2.6.12 and 2.6.13, the city administrator shall be authorized to petition the court of common pleas, or any other court of competent jurisdiction, for remedies otherwise available in equity or at law.

§6.25-99 Reserved.

ARTICLE VII

DEFINITIONS REFERENCED

§7.1 Purpose and Intent

It is the purpose of this Section to maintain the definitions of terms for all of the Zoning Ordinance of the City of Easley, South Carolina, and to provide the rules of interpretation of such terms as they apply to the provisions of Zoning.

§7.2 General Provisions

The following general provisions shall be utilized specifically for all terms used and generally for all requirements specified in Zoning.

§7.3 Rules of Interpretation

1. Interpretation of Zoning

a. Generally

In the interpretation and application of this code all provisions shall be liberally construed in favor of the objectives and purposes of the City and deemed neither to limit nor repeal any other powers granted under State statutes.

b. Responsibility for Interpretation

In the event that any question arises concerning the application of regulations, performance standards, definitions, development criteria, or any other provision of this code, the Zoning Administrator shall be responsible for interpretation and shall look to the Comprehensive Plan for guidance. Responsibility for interpretation by the director shall be limited to standards, regulations and requirements of this code, but shall not be construed to include interpretation of any technical codes adopted by reference in this code, not be construed as overriding the responsibilities given to any commission, board or official named in other sections of Zoning.

2. Delegation of Authority

Whenever a provision appears requiring the head of a department or some other City officer or employee to do some act or perform some duty, it is to be construed to authorize delegation to professional-level subordinates to perform the required act or duty unless the terms of the provision or section specify otherwise.

3. Gender

Words importing the masculine gender shall be construed to include the feminine and neuter.

4. Person

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

5. Present/Future Tense

Words used in the present tense include the future tense.

6. Number

Words in the singular shall include the plural and words in the plural shall include the singular.

7. Lot

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

8. Building

The word "building" includes the word "structure."

9. Shall, May

The word "shall" is mandatory; "may" is permissive.

10. Used/Occupied

The word "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged or designed to be used or occupied."

11. Map

The word "map," "zoning map" or "The City of Easley zoning map" means the "Official Zoning Map of The City of Easley, South Carolina." The requirements of the Zoning Map are specified in "Official Zoning Map and District Boundaries" of Zoning.

§7.4 Words Defined

When used in Zoning, the following words and terms shall have the meaning set forth in this Section, unless other provisions of Zoning specifically indicate otherwise:

§7.4.01 "A" - Definitions

ABANDONMENT: The relinquishment of property; a cessation of the use of the property, by the owner or lessee without any intention of transferring rights to the property to another owner or of resuming the use of the property.

ABATEMENT: To abate or diminish. The method of reducing the degree and intensity of pollution or other hazard or nuisance.

ABUT: To physically touch or border upon; or to share a common property line but not overlap.

ACCESS: A way or means of approach to provide vehicular or pedestrian physical entrance to a property.

ACCESSORY BUILDING OR STRUCTURE: A building or use customarily incidental and subordinate to the principal use or building and located on the same lot with such principal use or building (Also **Outbuilding**)

ACCESSORY USE: See **Use, Accessory**.

ADDITION (to an existing building): Any walled and roofed expansion to the perimeter of a building to which the addition is connected by a common load-bearing wall other than a fire wall. Any walled and roofed addition which is connected by a fire wall or is separated by independent perimeter load-bearing walls is new construction.

ADJACENT LAND, LOT, OR PARCEL: See **Adjoining Land, Lot or Parcel**

ADJOINING LAND, LOT, OR PARCEL: A lot or parcel of land that shares all or part of a common lot line with another lot or parcel of land. See **Abut**.

ADULT ENTERTAINMENT: Any one or more of the following described businesses: adult arcade, adult book store, adult dancing establishment, adult motion picture booth, adult mini-motion picture theater or drive-in, adult hotel or motel, adult personal service business, and adult theater or drive-in.

ADVERSE INFLUENCE OR IMPACT: A condition that creates, imposes, aggravates, or leads to inadequate, impractical, unsafe, or unhealthy conditions on a site proposed for development or on off-tract property or facilities.

AESTHETIC: The perception of artistic elements or elements in the natural or created environment that are pleasing to the eye.

AFFORDABLE HOUSING: A sales price or rent within the means of a low- or moderate-income household as defined by State or Federal legislation.

AGRICULTURAL PRODUCE STAND: A structure not greater than five hundred (500) square feet for the purpose of seasonal sales of products grown or produced on the premises on which it is located. Also **Farm Stand**.

AGRICULTURE: The production, keeping, or maintenance, for sale, lease, or personal use, of plants and animals useful to man, including but not limited to: forages and sod crops, grains and seed crops, dairy animals and dairy products, poultry and poultry products; livestock, including beef cattle, sheep, swine, horses, ponies, mules, or goats or any mutations or hybrids thereof, including the breeding and grazing of any or all of such animals; bees and apiary products; fur animals; trees and forest products; fruits of all kinds; including grapes, nuts, and berries; vegetables; nursery, floral ornamental, and greenhouse products; or lands devoted to a soil conservation or forestry management program.

ALLEY: A minor, permanent, public servicerway providing a secondary means of public access to abutting property and not intended for general traffic circulation.

ALTERATION OF BUILDING: Any change in the supporting members of a building (such as bearing walls, beams, columns or girders) except such changes as may be required for its safety; any addition to a building; any changes in use from that of one district classification to another; or of a building from one location to another.

ALTERNATIVE TOWER STRUCTURE: Man-made trees, clock towers, bell steeples, flag poles, and similar alternative-design mounting structures designed as a location for telecommunications antennas.

AMENITIES: A natural or created feature that enhances the aesthetic quality, visual appeal, or makes more attractive or satisfying a particular property, place, or area.

AMERICANS WITH DISABILITIES ACT (ADA): A 1990 federal law designed to bring disabled Americans into the economic mainstream by providing them equal access to jobs, transportation, public facilities, and services.

AMUSEMENT CENTER: Any establishment that allows or provides three (3) or more coin-operated amusement machines for use within one (1) enclosure.

AMUSEMENT PARKS: Facilities including water parks, skateboard parks, and other outdoor amusement facilities.

ANCHOR TENANT: The major store or stores within a shopping center.

ANIMAL: Any description of vertebrate, excluding Homo sapiens.

ANIMAL BOARDING/ BREEDING KENNEL: A commercial establishment in which dogs or domesticated animals are housed, groomed, bred, boarded, trained, or sold, all for a fee or compensation.

ANIMAL CONTROL: The Pickens County Animal Control Department.

ANIMAL HOSPITAL: A place where animals are given medical care and the boarding of animals is limited to short term care incidental to the hospital use.

ANIMAL SHELTER: Any facility operated by any governmental entity, humane society, or other organization for the purpose of impounding or caring for animals held under the authority of State law.

ANNEXATION: The incorporation of land area into an existing community with a resulting change in the boundaries of that community.

ANTENNA: Any exterior apparatus or device designed to be used to transmit and/or receive radio or electromagnetic waves between terrestrially and/or orbitally based structures.

APPEAL:

- a. A petition by any person or persons aggrieved to revisit any decision made by a governing or deciding body.
- b. A request for a review by the appointed Duncan staffs' interpretation of any provision of Zoning or a request for a variance.

APPLICANT: Any person making a request to the City for any approval, permit, or authorization under the procedures contained in Zoning.

APPLICATION: The application form and all accompanying documents and exhibits required of an applicant by an approving authority for development review purposes.

APPROVAL, TO APPROVE: An act by an authorized City Executive or staff member whereby such official finds that an application, plan, or other submittal has been found acceptable in accordance with

applicable standards, specifications, and requirements as stated in Zoning, or that criteria has been accepted by such official.

APPROVE WITH CONDITIONS: To approve an application, site plan, subdivision plat or other development project or request with specific lawful conditions attached to such approval.

A.S.L.A.: The American Society of Landscape Architects.

AUCTIONS: Any place or facility where animals are regularly bought, sold or traded. Individual sales of animals by owners are not auctions as herein defined.

AUTOMOBILE RENTING AND LEASING; CARS, VANS AND LIGHT TRUCKS: A building and/or an open area, other than a right-of-way or public parking area, used for display of rental vehicles in operable condition and where no repair work is performed.

AUTOMOBILE SALES, NEW CARS, VANS, AND LIGHT TRUCKS: The use of any building, land area, or other premise for the display and/or sale of new automobiles generally and may include light trucks or vans, trailers, or recreation vehicles; with vehicle preparation and repair work conducted as an accessory use.

AUTOMOBILE SALES, USED CARS, VANS, AND LIGHT TRUCKS: The use of any building, land area, or other premise for the display and/or sale of used automobiles generally but may include light trucks or vans, trailers, or recreation vehicles and including and vehicle preparation or repair work conducted as an accessory use.

AUTOMOBILE SERVICE STATION: Any building, land area, or other premises, or portion thereof, used for the retail dispensing or sales of vehicular fuels; servicing and repair of vehicles; and including as an accessory use the sale and installation of lubricants, tires, batteries, and similar vehicle accessories for cars, vans, and light trucks only.

AUTOMOBILE STORAGE YARD AND WRECKER SERVICE: An establishment used for the short term storage of damaged or confiscated vehicles. Also **Auto Salvage Yard** or **Junkyard**.

AUTOMOBILE SALVAGE AND WRECKING YARDS: Any place where two or more motor vehicles not in running condition, or parts thereof, are stored in the open and are not being restored to operation, or any land, building or structure used for wrecking or storing of such motor vehicles or farm machinery, or parts thereof, stored in the open and not being restored to operating condition; and including the commercial salvaging of any other goods, articles or merchandise.

AUTOMOTIVE BODY SHOPS: An establishment for restoring auto bodies, painting or refinishing with all activities carried on entirely within an enclosed building for cars, vans, and light trucks only.

AWNING: A roof-like cover that is temporary or portable in nature that projects from the wall of a building for the purpose of shielding a doorway or window from the elements and is periodically retracted into the face of the building.

§7.4.02 "B" - Definitions

BAR: Premises used primarily for the sale or dispensing of liquor by the drink for on-site consumption and where food may be available for consumption on the premises as accessory to the principal use. Also **Tavern, Pub** or **Public House**, and **Saloon**.

BASEMENT:

- a. A space having one-half or more of its floor-to-ceiling height above the average level of the adjoining ground and with a floor-to-ceiling height of not less than six and a half (6½) feet. See also **Cellar**.
- b. That portion of a building having its floor sub-grade (below ground level) on all sides.

BED AND BREAKFAST: Overnight accommodations and a morning meal in a dwelling unit provided to transients for compensation.

BEDROOM: A private room planned and intended for sleeping, separated from other rooms by a door, furnished with a closet, and accessible to a bathroom without crossing another bedroom.

BERM: A mound of earth or the act of pushing earth into a mound, usually landscaped and used for screening purposes.

BLOCK: A piece or parcel of land entirely surrounded by public streets, other than alleys, or other major physical barriers

BOARD OF ZONING APPEALS: The appointed Board of Zoning Appeals of the City of Easley, South Carolina authorized to hear and decide on variance applications, administrative appeals, and other duties as determined by Zoning.

BOND: A bond shall be legal tender of the United States of America, a cashier's check, bank official check, bank or postal money order or a bond instrument issued by a surety company in the State of South Carolina.

BOUNDARY: Any line or thing marking a limit; bound; border.

BRIDGE: A structure built over water, street, railroad, etc., to provide a way across.

BUFFER:

- a. Open spaces, landscaped areas, fences, walls, berms, or any combination thereof used to physically separate or screen one use or property from another so as to visually shield or block noise, lights, or other nuisances.
- b. An area along some natural feature designated to protect and preserve the essential character of such feature and allow it to be maintained in an undisturbed and natural condition. Also **Buffer Area** or **Buffer Strip**.

BUILDABLE AREA: The area of the lot remaining after the dimensional and open space and buffer requirements of Zoning have been met less any land unsuitable for development such as steep slopes, wetlands, flood plains, and the like.

BUILDING: Any structure having a roof supported by columns or by walls and intended for shelter, housing, or enclosure of persons, animals or chattels. See **Structure**.

BUILDING CODE: The 1985 Standard Southern Building Code, with South Carolina amendments.

BUILDING, COMMERCIAL: Any type of building other than residential.

BUILDING COVERAGE: The ratio of horizontal area measured from the exterior surface of the exterior walls of the ground floor of all principal and accessory buildings on a lot to the total lot area.

BUILDING, ELEVATED: A non-basement building built to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, columns (posts and piers), shear walls or breakaway walls.

BUILDING, HEIGHT OF: The vertical distance from finished grade to the top of the highest roof beams on a flat or shed roof, the deck level on a mansard roof, and the average distance between the eaves and the ridge level for gable, hip, and gambrel roofs.

BUILDING LINE: A line parallel to the right of way line touching that part of a building closest to the street.

BUILDING, PRINCIPAL: A building in which is conducted the main or principal use of the lot on which said building is situated.

BUILDING, RESIDENTIAL: Any building or unit of a building intended for occupancy as a dwelling but shall not include a hotel or motel.

BUILDING, SITE BUILT (NON-MANUFACTURED): Any structure or group of structures that encloses a space or spaces for sheltering any occupancy type which utilizes the open construction method, whereby all the installation processes can be readily inspected on site.

BULK STORAGE FACILITY: The storage of chemicals, petroleum products, grains, or other materials in structures for subsequent resale to distributors or retail dealers or outlets.

BUSINESS: A corporation, a partnership, a sole proprietor, or any other person or organization carrying on an enterprise for profit.

§7.4.03 "C" - Definitions

CALIPER: A method of measuring the diameter of a tree trunk for the purpose of size grading or classification. The caliper of the trunk is measured six (6) inches above the ground, up to and including four (4) inch caliper size, and twelve (12) inches above the ground for larger sizes.

CAPACITY, IN PERSONS: The maximum number of persons that can avail themselves of the services or goods of an establishment, at any one time, with reasonable comfort and safety.

CAPACITY, ROADWAY: The maximum hourly rate at which vehicles can reasonably be expected to traverse a point or uniform section of a lane or roadway during a given time period under the prevailing roadway, traffic, and control conditions.

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

CAR WASH: A structure containing facilities for washing automobiles and automatic or semiautomatic application of cleaner, brushes, rinse water, and heat for drying.

CELLAR: A space with less than one-half of its floor-to-ceiling height above the average finished grade of the adjoining ground or with a floor-to-ceiling height of less than six and a half (6½) feet. See also **Basement**.

CENTRAL ON-SITE SEWAGE MANAGEMENT SYSTEM: An on-site sewage management system serving more than one building, business, residence or other facility designed or used for human occupancy or congregation.

CBD: Central Business District or CBD is the area where economic activity in the form of business services and retail functions as well as government services and cultural events are primarily located.

CERTIFICATE OF OCCUPANCY: A Certificate of Occupancy or CO is a permit establishing the right to safe occupancy of a building or structure.

CHURCH: A building(s) or structure(s), not including a residence, that by design and construction are primarily intended for conducting organized religious services and associated accessory uses, and which has been publicly dedicated as a church. Also **Place of Worship, Religious Institution**.

CIRCULATION, PEDESTRIAN: See Pedestrian. Also **Non-Vehicular Circulation**.

CIRCULATION, VEHICULAR: The movement of vehicles, pedestrians, etc., to go from place to place along a street. Also **Traffic Circulation**.

CITY CENTER: A compatible mixture of commercial, cultural, institutional, governmental, and residential uses in compact, pedestrian-oriented centers serving as focal points for substantial residential areas. See **Central Business District**.

CITYHOUSE: A one-family dwelling in a row of at least two (2) such units in which each unit has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one (1) or more vertical common fire-resistant walls. Also **Row Housing**.

CLEARING: The removal of vegetation from a property, whether by cutting or other means, but shall not include the ordinary mowing of grass.

CLERK: The City Clerk of the City of Easley, South Carolina.

CLUB OR LODGE, PRIVATE: A building and related facilities owned or operated by a corporation, association, group of individuals, or a single individual established for the fraternal, social, educational, recreational, or cultural enrichment of its members and not primarily for profit.

CLUSTER HOUSING: A form of development that permits a reduction in lot area and bulk requirements, provided there is no increase in the number of lots permitted under conventional subdivision or increase in the overall density of development, and the remaining land area is devoted to open space, active recreation, preservation of environmentally sensitive areas, or agriculture.

CODE ENFORCEMENT OFFICER: An employee of the City of Easley whose primary responsibility is to enforce the regulations of Zoning and require compliance to those who do not heed the Ordinance.

COIN-OPERATED AMUSEMENT MACHINE: Any amusement machine operated by means of the insertion of a coin, token or similar object, for the purpose of amusement or skill and for the playing of which a fee is charged. The term does not include vending machines which do not incorporate gaming or

amusement features, nor does the term include any coin-operated mechanical musical machines. Also **Video Poker**.

COMMERCIAL AND PERSONAL SERVICES: Those businesses that cater to the personal needs of the community, including such uses as beauty parlors, dry cleaners, barber shops, and similar.

COMMERCIAL USE, GENERAL: Those retail commercial uses which benefit from close proximity to each other retailing, finance, and professional and general office activities. Its primary purpose is to group their uses together in a compact area designed to accommodate pedestrian movement. Also referred to as **General Commercial Uses**.

COMMERCIAL USE, NEIGHBORHOOD: Those uses which serve the local neighborhood; uses which sell goods and services purchased frequently and generally in small amounts by the public in an intimate, pedestrian-oriented scale; excludes retail establishments selling large and heavy products which require substantial trucking activity; sites developed should be architecturally and proportionately compatible with any adjacent residences or residential developments.

COMMERCIAL USE, SPECIALIZED: Those uses that, by their specialized or unique characteristics, set them apart from a general commercial use. Such specialty commercial uses include a landscaping business, an electronics store, an antique store or battery store.

COMMERCIAL VEHICLE: Any self-propelled or towed vehicle used on public highways in interstate commerce to transport passengers or property when:

- a. the vehicle has a gross vehicle weight rating or gross combination weight rating of 10,001 or more pounds; or
- b. is used or designed to be used principally for the purpose of conducting business, governmental or non-profit organizational use or for carrying passengers for hire; or
- c. has a platform, cabinet, box, rack, compartment, or other facility for transportation of materials, equipment, and items other than the personal effects of private passengers; or
- d. the vehicle is designed to transport more than fifteen (15) passengers, including the driver; or
- e. the vehicle is used in the transportation of hazardous materials in a quantity requiring placarding under regulations issued by the Secretary under the Hazardous Materials Transportation Act (49 U.S.C. App. 1801-1813).

The exception to this definition includes: dually that is designed for pulling camping trailers or other recreational equipment and outfitted with a fifth-wheel type hitch; certified for multi-passengers less than fifteen (15); or temporary on-site loading or unloading purposes (i.e., a moving truck).

COMMUNITY CENTER: A place, structure, area, or other facility used for and providing religious, fraternal, social, and/or recreational programs generally open to the public and designed to accommodate and serve significant segments of the community.

COMMERCIAL, RECREATION OR ENTERTAINMENT: Uses established to promote and protect a suitable amusement environment for the public and/or have bright lights and noise.

COMMISSION: The City of Easley Planning Commission.

COMMON AREA: Land amenities, certain areas of buildings such as lobbies, corridors, and hallways, central services and utilities, open space, landscaped areas, detention ponds, any other elements and

facilities owned and used by all members of development such as a condominium or subdivision and designated in the master deed as common area or elements. Also **Common Elements**.

COMMON WALL: A wall, usually load bearing, that serves in-common two or more separate units of a single building such as a Cityhouse, shopping center, apartment building, industrial building or other building where separate tenants are housed under one roof.

COMMUNITY RETAIL USES: Retail commercial stores and services which are assigned to serve several neighborhoods making up a community such as: neighborhood retail uses larger than six thousand (6,000) square feet, department store, discount houses, mini-malls, strip shopping centers, home improvements stores, wholesale outlets, clothing and apparel-marts, indoor flea markets, antique malls, sporting good stores, and the like.

COMPATIBILITY: Capable of living together harmoniously or getting along well together; in agreement; congruous.

COMPOSTING CENTER: A site or facility in which composting activities defined as "a controlled process of degrading organic matter by microorganisms" takes place under controlled conditions.

COMPREHENSIVE PLAN: The "1998 City of Easley Comprehensive Plan" as adopted by the City of Easley City Council on September 24, 1998 and as may be subsequently amended by same.

CONDEMNATION, TO CONDEMN: The exercise by a government agency of the right of eminent domain. (See **Eminent Domain**).

CONDITIONAL USE: See Use, **Conditional**.

CONDOMINIUM: A building, or group of buildings, in which dwelling units, offices, or floor area are owned individually, and the structure, common areas, and facilities are owned by all the owners on a proportional, individual basis.

CONSTRUCTION: The erection of a new building or the alteration of an existing building in connection with its repair or renovation or in connection with making an addition to an existing building and shall include the replacement of a malfunctioning, unserviceable, or obsolete faucet, showerhead, toilet, or urinal in an existing building.

CONTIGUOUS: Abutting directly on the boundary of, separated by a street other than a controlled access highway from, or separated by a street, railroad, or public utility right-of-way.

CONTOUR LINE: A line on a map or plan joining points that have the same elevation above or below the reference plane.

CONTRACT: Any lease, claim, account or demand against or agreement with any person, whether express or implied, executed or executory verbal or in writing.

CONTINUANCE: The postponement or adjournment of proceedings to a later date.

CONVENIENCE FOOD STORE: Any retail establishment with or without fuel sales offering for sale prepackaged food products, beverages, household items, newspapers and magazines, and sandwiches and other freshly prepared foods, such as salads, for off-site consumption.

COVERED PORCH, MINOR: An accessory structure attached to a residence which is less than six (6) square feet and has a roof which is completely attached to the roof of the principal structure without supports from the ground.

CORPORATION: A group of people organized, under a charter granting them as a body some of the legal rights, etc. of an individual.

COVENANT: Private deed restrictions or covenants are imposed on land by private land owners. They bind and restrict the land in the hands of present owners and subsequent purchasers. They are enforced only by the land owners involved and not by any City or other public agency.

CREEK: A continuous flowing body of water that is part of a greater system or watershed. See **Stream** or **River**.

CREMATORIUM: A licensed facility in which human or animal remains are reduced to ash through thermal processes.

CUL-DE-SAC: A street intersecting another street at only one (1) end and designed to be permanently terminated by a vehicular turnaround at or near the opposite end within the preliminary plat area.

CULTURAL FACILITY, PRIVATE: Establishments that document the social and religious structures and intellectual and artistic manifestations that characterize a society and include museums, art galleries, and botanical and zoological gardens of a natural, historical, educational, or cultural interest.

CULVERT: A drain or conduit under a road or embankment.

CUT: A portion of land surface or area from which earth has been removed or will be removed by excavation; the depth below original ground surface. Also **Excavation**.

§7.4.04 "D" - Definitions

DAY CARE CENTER, ADULT: An establishment providing for the care, supervision, and protection of the elderly or adults who cannot perform these functions for themselves.

DAY CARE CENTER, CHILD: An establishment providing for the care, supervision, and protection of children. Also **Child Care Center, Nursery School**.

DAY CARE GROUP HOME, ADULT: A licensed facility for four or more aged, infirm, or disabled adults which is operated during a part of the day only, which provides supplementary care and protection of individuals who reside elsewhere, except a facility or portion of a facility licensed by the State Department of Health and Environmental Control (DHEC) or the Department of Mental Health, Mental Retardation, and Substance Abuse, and the home or residence of an individual who cares for only persons related to him/her by blood or marriage.

DAY CARE HOME, CHILD: *Class I:* A family-based home that receives not less than three (3) and not more than six (6) children nine (9) years of age or younger for care during any part of the day not exceeding twelve hours in a twenty-four (24) hour period. *Class II:* A family-based home that receives not less than seven (7) and not more than eighteen (18) children nine (9) years of age or younger for care during any part of the day not exceeding twelve hours in a twenty-four (24) hour period.

DAY CARE, IN-HOME: Child care provided within single-family districts subject to the following limitations:

- a. Maximum of six (6) children for whom compensation is received;
- b. for purpose of this section only, children who are related by direct blood kin or adoption to the child care provider shall not be included in the calculation of the six (6) children limitation;
- c. the child care shall not create a nuisance to immediately adjacent property owners;
- d. off-street parking must be provided for child pick-up and drop-off; and
- e. no employees.

DECK: A roofless accessory attached or detached platform without exterior walls, generally constructed of wood, which adjoins a residence. Rails or safety features shall not be deemed to be exterior walls.

DEDICATION: The transfer of property by the owner to another party.

DEED: A legal document conveying ownership of real property.

DEFERRAL: To postpone an application to a later date.

DENIED, TO DENY: An act by an authorized City Executive or staff member which prohibits a certain request for development.

DENSITY: The number of families, individuals, dwelling units, households, or housing structures per unit of land.

- a. **Gross Density:** The overall density of a site.
- b. **Net Density:** The density remaining after certain deductions or allowances have been made, such as roadways, infrastructure, natural features, and other considerations.

DESIGN REVIEW: The submission to and subsequent review of a site or building design for compliance with this Ordinance.

DESIGN SPEED: Planning a street or highway for a vehicle to operate at an assured speed.

DETENTION FACILITY: A permanent structure for the temporary storage of runoff and its subsequent gradual discharge.

DEVELOP LAND: To alter the characteristics of a parcel of land in conjunction with residential, commercial, industrial or institutional construction or modification.

DEVELOPER: Any person or persons owning and proposing to develop or construct on a piece of property. The developer of a real estate development is the individual (or individuals) whose name is on the permit issued by the City of Easley for the development. If no name is on the permit, then the owner of the property is also the developer.

DEVELOPMENT The division of a parcel of land into two or more parcels; the construction, reconstruction, conversion, structural alteration, relocation or enlargement of any structure; any mining, excavation, landfill or land disturbance, and any use or extension of the use of land.

DEVELOPMENT, PHYSICAL: Means development which includes, but is not limited to site preparation, erection of structure, road construction, well construction, or installation of on-site sewage management systems.

DEVELOPMENT REGULATIONS: The adopted regulations providing for the subdivision and development of real property within The City of Easley, South Carolina, as amended from time to time by the City Council.

DIMENSION: Any measurable extent, as length, width, depth, etc.

DISTANCE: The measurement in lineal feet from the closest point of one reference such as a lot or building to the closest point of a second or subsequent reference point.

DISTRICT, OVERLAY: A zoning district that encompasses one or more underlying zones and that imposes additional requirements above that required by the underlying zone.

DISTRICT PERIMETER: The boundary of a specific development project.

DISTRICT, ZONING: A part or geographic area within the municipality within which certain zoning or development regulations apply.

DISTURBANCE: Anything that disturbs or creates a nuisance; a departure from normal.

DRAINAGE AREA: That area contributing runoff to a single point measured in a horizontal plane, which is enclosed by a ridge line.

DRAINAGE STRUCTURES:

- a. Any storm drains, collection basins, inlets, berms or other physical construction or provision for the storage or conveyance of stormwater runoff; or
- b. A device composed of a virtually non-erodible material such as concrete, steel, plastic or other such material that conveys water from one place to another by intercepting the flow and carrying it to a release point for stormwater management, drainage control, or flood control purposes.

DRIVE-IN ESTABLISHMENT: An establishment that by design, physical facilities, service, or by packaging procedures encourages or permits customers to receive services, obtain goods, or be entertained while remaining in their motor vehicles.

DRIVEWAY: Vehicle access way into property from a street.

DRIVING RANGE: A tract of land as an accessory use dedicated to driving of golf balls off tees into a designated landing area.

DWELLING: A building designed, arranged, or used for permanent living quarters for one (1) or more families; except that a manufactured structure less than thirty-two (32) feet in length shall not be a dwelling. Also **Dwelling Unit, Home, Apartment, Flat.**

DWELLING, ACCESSORY APARTMENT: A dwelling or apartment within or detached from the principal dwelling of no more than 1200 square feet, the use of which is associated with and subordinate to the principal dwelling and which is located upon the same lot as the principal dwelling, established subsequent to the establishment of the principal dwelling.

DWELLING, ATTACHED: A one-family dwelling attached to two (2) or more one-family dwellings by common vertical walls.

DWELLING, DETACHED: A dwelling that is not attached to any other dwelling by any means.

DWELLING, DUPLEX: A building on a single lot containing two (2) dwelling units, each of which is totally separated from the other by an unpierced wall extending from ground to roof or an unpierced ceiling and floor extending from exterior wall to exterior wall, except for a common stairwell exterior to both dwelling units.

DWELLING, SINGLE-FAMILY: A building containing one (1) dwelling unit and that is not attached to any other dwelling by any means and is surrounded by open space or yards.

DWELLING, TWO-FAMILY: A building on a single lot containing two (2) dwelling units, each of which is totally separated from the other by an unpierced wall extending from ground to roof or an unpierced ceiling and floor extending from exterior wall to exterior wall, except for a common stairwell exterior to both dwelling units.

DWELLING, TRIPLEX OR QUADRUPLEX: Triplex, a building containing three (3) dwelling units, each of which has direct access to the outside or to a common hall. Quadruplex, four (4) attached dwellings in one (1) building in which each unit has two (2) open space exposures and shares one (1) or two (2) walls with adjoining unit or units.

DWELLING, MULTI-FAMILY: A building containing three (3) or more dwelling units, and may be located one over the other.

DWELLING, LOW-RISE: An apartment building containing no more than two (2) stories.

DWELLING, MID-RISE: An apartment building containing from three (3) to seven (7) stories.

DWELLING, HIGH-RISE: A building of eight (8) or more stories.

DWELLING, CITYHOUSE: A one family dwelling in a row of at least three such units in which each unit has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one or more vertical common fire-resistant walls.

DWELLING UNIT: A dwelling, or portion thereof, providing complete living facilities for one (1) family.

§7.4.05 "E" - Definitions

EASEMENT: A grant or reservation by the owner of land for the use of such land by others for a specific purpose or purposes by the public, the City, a corporation or other persons for specified purposes, and which must be included in the conveyance of land affected by such easement.

EGRESS: Area used, primarily by vehicular traffic, to exit or leave a site. Also **Exit**.

ELEVATION:

- a. A vertical distance above or below a fixed reference level; or
- b. A fully dimensional drawing of the front, rear, or side of a building showing features such as windows, doors, and relationship of grade to floor level.

ELEVATION, FINISHED FLOOR: The proposed elevation of the land surface of a site after completion of all site preparation work. Also **Grade**.

ELEVATION, GROUND: The original elevation of the ground surface prior to cutting or filling.

EMPLOYMENT: Any rendering of services on request, whether paid or unpaid.

EROSION: The process by which land surface is worn away by the action of wind, water, ice or gravity.

EROSION AND SEDIMENTATION CONTROL PLAN: A plan for the control of soil erosion and sediment resulting from a land-disturbing activity.

ESTABLISHED: To be set up; cause to happen; to be brought about.

EXCAVATION: Any manmade cavity or depression in the earth's surface, including sides, wall, or faces, formed by earth removal and producing unsupported earth conditions by reasons of the excavation. If installed forms or similar structures reduce the depth-to-width relationship, an excavation may become a trench. See **Cut**.

EXEMPTION: Those land development activities that are not subject to the requirements contained in Zoning.

EXTERNAL: Pertaining exclusively to the area outside of a specific parcel, lot, or tract of land either developed or suitable for development and not to any area within such parcel, lot, or tract.

§7.4.06 "F" - Definitions

FAA: Shall mean the Federal Aviation Administration.

FAMILY: One (1) or more related persons or six (6) or less unrelated persons occupying a dwelling and living as a single housekeeping unit, as distinguished from persons occupying a boardinghouse, rooming house, or hotel, as herein defined.

FAMILY DAY-CARE HOME: A customary home occupation which provides, for no more than six (6) persons who are not residents of the premises, care and supervision by a State of South Carolina registered resident adult for less than twenty-four (24) hours per day on a regular basis for compensation.

FAMILY ENTERTAINMENT: Entertainment suitable for family viewing and not of an exclusive adult entertainment nature.

FAMILY, IMMEDIATE: An official or appointed official and such official's or appointed official's husband, wife, father, mother, brother, sister, son, daughter, mother-in-law, father-in-law, brother-in-law, sister-in-law, grandmother, grandfather, step-father, stepmother, and step-children.

FARM STAND: A structure for the display and sale of farm products. Also **Wayside Stand**.

FAUNA: The animals of a specified region.

FCC: Shall mean the United States Federal Communications Commission.

F.E.M.A: The Federal Emergency Management Agency.

FEE: A set amount of money to be paid to the City, pre-set by the City Council, in return for a service or product to be provided or a permit or other document to be issued by Duncan.

FENCE OR WALL: An artificially constructed barrier of any durable material or combination of materials erected to enclose, screen, or separate areas.

FENCE, CHAIN LINK: A fence consisting of a series of jointed metal links secured to steel pipe.

FENCE, BOARD ON BOARD: A fence consisting of a series of posts and horizontal beams and covered by alternating vertical pickets.

FHA: The United States Federal Housing Administration.

FILL: A portion of land surface to which soil or other solid material has been added; the depth above the original ground.

FILLING: The placement of any soil or other solid material, either organic or inorganic, on a natural ground surface or excavation.

FLAG POLE: A structure used for the elevated display of a flag.

FLEA MARKET: An occasional or periodic market held in an open area or structure where groups of individual sellers offer goods for sale to the public.

FLOOD PLAIN: The channel and the relatively flat area adjoining the channel of a natural stream or river that has been or may be covered by floodwater.

FLOODPLAIN, ONE HUNDRED YEAR: Those lands subject to flooding, which have at least a one percent (1%) probability of flooding occurrence in any calendar year; the floodplain as shown on the Flood Boundary and Floodway Map as prepared by the Federal Emergency Management Agency (FEMA).

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

FLOOR AREA, NET: The total of all floor areas of a building, excluding stairwells and elevator shafts, equipment rooms, interior vehicular parking or loading; and all floors below the first or ground floor, except when used or intended to be used for human habitation or service to the public.

FLOOR AREA RATIO (FAR): The gross floor area of all buildings or structures on a lot divided by the total lot area.

FLORA: The plants of a specified region.

FOSTER HOME: A single-family dwelling which provides a family living environment including supervision and care necessary to meet physical, emotional, and social needs of clients. A foster home may serve children or adults.

FOWL: Any warm-blooded, feathered, flying or non-flying animal.

FREE-FLOWING: A river, stream, creek, or other such body of water that flows freely and uninterrupted, except for periods of drought, for a minimum of nine (9) months of the year and is dry for not more than three (3) months of the year. Free flowing shall also apply to creeks or streams that originate from a spring or other groundwater point of origin.

FREE STANDING: Resting on its own support, without attachment or added support.

FRONTAGE, LOT: That side of a lot abutting on a street; the front lot line.

FUTURE RIGHT-OF-WAY: The area required for future roadway widening and improvements by the comprehensive plan.

§7.4.07 "G" - Definitions

GARAGE: A structure or any portion thereof in which one (1) or more automobiles are housed, kept, or repaired, not including exhibition or showrooms, or storage of cars for sale.

GLARE: The effect produced by brightness sufficient to cause annoyance, discomfort, or loss in visual performance and visibility.

GOVERNING AUTHORITY: The governing authority of the City of Easley is the City Council of the City of Easley.

GRADE:

- a. The average elevation of the land around a building; or
- b. The percent of rise or descent of a sloping surface.

GRADE, EXISTING: The vertical location of the existing ground surface prior to cutting or filling.

GRADE, FINISHED: The final grade or elevation of the ground surface after cutting or filling and conforming to the proposed design.

GRADING: Altering the shape of ground surfaces to specified elevations, dimensions and/or slopes; this includes stripping, cutting, filling, stockpiling and shaping or combination thereof, and shall include the land in its cut or filled condition.

GREENWAY: A linear open space, either privately-owned or publicly-owned, which contains a trail for walking, bicycling, horseback riding, or other passive recreation, but not for use by vehicles for purposes other than maintenance of the greenway.

GROCERY STORE: A retail establishment primarily selling fresh or prepackaged foods including meat, produce, and dairy products as well as other convenience and household goods. Note that grocery stores vary from small neighborhood markets of 8000 square feet or less to large superstores in excess of 100,000 square feet. Also **Food Store, Supermarket.**

GROSS LAND AREA: A term referring to the gross size of a parcel or tract of land prior to subtracting land area for infrastructure, wetlands, steep slopes, and other environmental or codified constraints on the development of such land.

GROUP HOME: A dwelling shared by six (6) or less persons, excluding resident staff, who live together as a single housekeeping unit and in a long-term, family-like environment in which staff persons

provide care, education, and participation in community activities for the residents with the primary goal of enabling the residents to live as independently as possible in order to reach their maximum potential. This use shall apply to homes for the physically or emotionally disabled, elderly, and abused persons. As used herein, the term "disabled" shall mean having:

- a. A physical or mental impairment that substantially limits one (1) or more of such person's major life activities so that such person is incapable of living independently;
- b. A record of having such an impairment; or
- c. Being regarded as having such impairment.

However, "disabled" shall not include current illegal use of or addiction to a controlled substance, nor shall it include any person whose residency in the home would constitute a direct threat to the health and safety of other individuals. The term "group home for the disabled" shall not include alcoholism or drug treatment center, work release facilities for convicts or ex-convicts, or other housing facilities serving as an alternative to incarceration. Also **Personal Care Home**.

GUEST: Any paying customer of a hotel, motel, restaurant, club, or other hospitality establishment.

GUEST HOUSE: Dwelling or lodging units for temporary non-paying guests in an accessory building. Also **Guest Cottage**.

§7.4.08 "H" - Definitions

HAZARDOUS MATERIAL OR SUBSTANCE: Any substance or material that, by reason of its toxic, caustic, corrosive, abrasive, or otherwise potentially injurious properties, may be detrimental or deleterious to the health of any person handling or otherwise coming into contact with such material or substance.

HAZARDOUS WASTE: Solid or liquid waste material resulting from the manufacture or use of pesticides and drugs (other than normal household use); pathological wastes; highly flammable or explosive wastes; toxic wastes; sewage sludge; and other waste material that may be a hazard to the public health, safety or environment, except radioactive waste materials as defined by the State of South Carolina.

HAZARDOUS OR TOXIC WASTE TRANSFER STATION: A facility in which toxic or hazardous wastes are brought in to the site exclusively for transfer to a larger or smaller vehicle that will transport the wastes to another permanent facility.

HEAVY MANUFACTURING ESTABLISHMENT: Manufacturing establishments, other than those classified as light manufacturing, including those involving the conversion of raw materials into usable finished products, provided that manufacturing that will generate liquid waste from the manufacturing process or air pollutants shall comply with antipollution standards established by the state, City and City.

HEIGHT: Shall mean, when referring to a telecommunications tower or other structure, the distance measured from ground level to the highest point on the tower or other structure, even if said highest point is an antenna.

HELIPORT: A field, rooftop, etc., where helicopters land and take off. Also **Helistop, Vertiport**.

HOME OCCUPATION, CUSTOMARY: Any use customarily conducted entirely within a dwelling by members of a family residing therein and the use is clearly incidental to or secondary to the residential use of the dwelling. Also **In-Home Occupation**.

HOMEOWNERS ASSOCIATION: A community association, other than a condominium association, that is organized in a development in which individual owners share common interests and responsibilities for costs and upkeep of common area and facilities.

HOSPITAL: An institution providing primary health services and medical or surgical care to persons, primarily inpatients, suffering from illness, disease, injury, deformity, and other abnormal physical or mental conditions and including, as an integral part of the institution, related facilities, such as laboratories, outpatient facilities, training facilities, medical offices, and staff residences. Also **Clinic, Sanitarium**.

HOTEL: A building(s) or other structure(s) kept, used, maintained, advertised and held out to the public to be a place where sleeping accommodations are offered for adequate pay to travelers and guests, whether transient, permanent or residential in which fifty (50) or more rooms are used for the sleeping accommodations of such guests, which facility also serves food and has one (1) or more public dining rooms, with adequate and sanitary kitchen and a seating capacity of at least eighty (80) persons, where meals area regularly served to such guests and/or to the public at large. Sleeping accommodations and dining rooms shall be accommodated in the same building or in separate buildings or structures used in conjunction therewith that are on the same premises and are a part of the hotel operation. Motels meeting the qualifications set out herein for hotels shall be classified in the same category as hotels. Hotels shall have the privilege of granting franchises for the operation of a lounge, restaurant or nightclub in their premises; and the holder of such franchise shall be included in the definition of hotel hereunder. See **Motel**.

HUD: The United States Department of Housing and Urban Development.

HYDROLOGY: The science dealing with the properties, distribution, and circulation of water and snow.

HYDROLOGY STUDY: A quantitative measure of increased stormwater runoff from storms of a given storm period or return frequency caused by development on a site.

§7.4.09 "I" - Definitions

IMPACT ASSESSMENT: A study to determine the potential direct or indirect effects of a proposed development, rezoning, or change to a future land use designation on activities, utilities, circulation, surrounding land uses, community facilities, environment, and other factors.

IMPERVIOUS SURFACE: Any material that prevents absorption of stormwater into the ground.

IMPROVEMENT: Anything built, installed or established by the developer, whether upon, above or beneath the ground, which tends to facilitate the sale of lots and serves those uses proposed for such lots.

INCIDENTAL: Subordinate and minor in significance and bearing a reasonable relationship with the primary use.

INFRASTRUCTURE: Facilities and services needed to sustain industry, residential, commercial, and all other land use activities and shall include water, sewer, natural gas, electric power, streets and roads, communications, public facilities, and other public services.

INGRESS: Access or entry to a site or structure.

INSTALLATION: The assembly of an industrialized building on site and the process of affixing the industrialized building, component, or system to land, a foundation, footings, or an existing building.

INSTITUTIONAL USES: A non-profit, religious, or public use, such as a church, library, public or private school, hospital, or government owned or operated building, structure, or land used for public purpose.

INTEREST: Any director or indirect pecuniary or material benefit held by or accruing to an official or appointed official as a result of a contract or transaction which is or may be the subject of an official act or action by or with the City. Unless otherwise provided, the term "interest" does not include any remote interest.

INTERNAL: Pertaining exclusively to a specific parcel, lot, or tract of land either developed or suitable for development and not to any area outside of such parcel, lot, or tract.

ISSUING AUTHORITY: The City of Easley City Council.

§7.4.10 "J" - Definitions

JUNK: Means junk vehicle as defined in Zoning, and parts thereof; any litter as defined in this Section, household appliances; scrap building material; scrap contractors equipment; tanks; casks; barrels; boxes; drums; piping; bottles; glass; old iron; machinery; rags; paper excelsior; hair; mattresses; beds and bedding; and any other kind of scrap or waste material which is for sale or in the process of being dismantled, destroyed, processed, salvaged, kept, handled, displayed, stored, baled, disposed, or other use of disposition.

JUNK VEHICLE: Any vehicle as defined in this Section, which does not have a current license plate registered or that is inoperable on its own capacity. The term "junk vehicle" shall not be deemed to include vehicles having historic or antique value when such vehicles are stored in an enclosed structure, or any agricultural vehicles stored on agriculturally used property.

JUNK YARD: Any such use involving the storage or disassembly of wrecked automobiles, trucks or other vehicles; storage, baling or otherwise dealing in bones, animal hides, scrap metal, used paper, used cloth, used plumbing fixtures and used brick, wood or other building materials. Such uses shall be considered "junk yards" whether or not all or parts of such operations are conducted inside a building or in conjunction with, addition to, or accessory to other uses of the premises. Any automobile which does not bear a current license plate shall be deemed a junked or wrecked automobile; the storage of which is forbidden in any district except those permitted in these regulations and under the conditions prescribed herein.

JURISDICTION: A territorial range of authority, the geographic and legal area where the authority of the City of Easley applies.

JURISDICTIONAL: Having authority over a specific region or area.

§7.4.11 "K" - Definitions

KENNEL: Any premises wherein any person engages in the business of boarding, breeding, buying, letting for hire, training for a fee or selling animals.

KIOSK: A freestanding structure upon which temporary information and/or posters, notices, maps and announcements are posted.

§7.4.12 "L" - Definitions

LAND CLEARANCE: Removal of all trees and/or vegetation from the land surface.

LAND DISTURBING ACTIVITY: Any activity which may result in soil erosion from water or wind and the movement of sediments into State Waters, or onto lands within the State, including, but not limited to, clearing, dredging, grading, excavating, transporting and filling of land but not including agricultural practices.

LANDFILL, SANITARY: A site for solid waste disposal.

LANDSCAPING:

- a. An expanse of natural scenery; or
- b. Lawns, trees, plants, and other natural materials, such as rock and wood chips, and decorative features, including sculpture, patterned walks, fountains, and pools.

LANDSCAPE PLAN: A component of a development plan on which is shown: proposed landscape species (such as number, spacing, size at time of planting, and planting details); proposals for protection of existing vegetation during and after construction; proposed treatment of hard and soft surfaces; proposed decorative features; grade changes; buffers and screening devices; and any other information that can reasonably be required in order that an informed decision can be made by the approving authority.

LAND TRUST: An organization or entity, usually non-profit in nature, whose function is to acquire and/or manage undeveloped lands for the purpose of providing stewardship in the preservation of such lands. Also **Conservancy**.

LAND USE: A description of how land is occupied or utilized.

LAND USE PERMIT, SPECIAL: A permit approved by the BOARD OF ZONING APPEALS that allows, under special scrutiny and conditions, certain activities on land not zoned for those activities. Also **Special Exception**.

LAND USE PERMIT, TEMPORARY: A temporary permit approved by the City Council that allows, under special scrutiny and conditions, certain activities on land not zoned for those activities.

LIGHT MANUFACTURING ESTABLISHMENT: An establishment for production, processing, assembly, manufacturing, compounding, preparation, cleaning, servicing, testing, or repair of materials, goods or products; however, the manufacturing and production of any product which emits noxious noise, odor or fumes, bulk storage of flammable materials for resale, and other heavy manufacturing uses listed herein, shall not be permitted.

LITTER: Includes, but is not limited to all sand, gravel, slag, brickbats, rubbish, waste materials, including but not limited to tin or aluminum cans, refuse, garbage, trash, debris, dead animals, weeds, yard or vegetative waste or debris, bottles, scrap glass, scrap metal, junk, junk vehicles, junk vehicle parts, scrap paper, disposable packages, or containers and all other similar materials and any substance of any kind or nature whatsoever and discarded materials of every kind and description that creates a public health, safety, or fire hazard or a public nuisance as defined in this Section.

LITTER RECEPTACLE: A container used to hold garbage, litter, trash garbage, and similar items. Also **Garbage Container**.

LIVE ENTERTAINMENT: Music, comedy, readings, dancing, acting or other entertainment, excluding adult entertainment, performed on the site. This classification includes dancing by patrons to live or recorded music.

LIVESTOCK: The term "livestock" as used herein shall mean and include cattle, horses, goats, sheep, swine and other hoofed animals; poultry, ducks, geese and other live fowl; rabbits, mink, foxes and other fur or hide-bearing animals customarily bred or raised in captivity for the harvesting of their skins; and fish and other aquatic species bred or raised for fodder or food whether owned or kept for pleasure, utility or sale.

LIVING SPACE, PRINCIPAL: That space in a residential structure used as the primary residence on the lot.

LOAD: The amount that can be or usually is carried; a measure or weight or quantity varying with the type of conveyance, often used in combination.

LOADING AREA: An area containing off street spaces or berths used for loading or unloading or cargo, products, or materials from vehicles.

LOT: A portion of a subdivision, or any other parcel of land, intended as a unit for transfer of ownership or for development or both. In determining the area and dimensions of a lot, no part of the public right-of-way of a road or walkway may be included. An easement may be counted when determining the area and dimensions of a lot if the nature of the easement will not eliminate an adequate building site.

LOT, CORNER: A lot or parcel of land abutting upon two (2) or more streets at their intersection or upon two (2) parts of the same street forming an interior angle of less than one hundred thirty-five (135) degrees.

LOT COVERAGE: The percentage of a lot which may be covered with permitted or accessory building or structures, excluding walks, drives, and other similar uses, and recreational facilities which are accessory to a permitted use.

LOT, CUL-DE-SAC: A lot or parcel of land fronting on a cul-de-sac and where the front lot line is less than twenty (20) feet.

LOT, DEPTH OF: The average distance measured from the front lot line to the rear lot line.

LOT, DOUBLE FRONT: A lot, other than a corner lot, abutting upon two (2) or more streets.

LOT, FLAG: A large lot not meeting minimum frontage requirements and where access to the public road is by a narrow, private right-of-way or driveway.

LOT FRONTAGE: The length of the front lot line at the street right-of-way line.

LOT, INDIVIDUAL: A legal lot used or intended to be used as the site for one (1) business or industry, or for one (1) institution or one (1) office or residential building and not used or intended to be used as the site for an apartment complex, other residential complex, a shopping center, office complex, or other multi-use or multi-owner development.

LOT OF RECORD: A lot that exists as shown or described on a plat or deed in the records of the local registry of deeds.

LOT, THROUGH: A lot that fronts upon two (2) parallel streets or that fronts upon two (2) streets that do not intersect at the boundaries of the lot.

LOT, WIDTH OF: The distance between side lot lines measured at the building line.

LOUNGE: A separate room connected with, a part of and adjacent to a restaurant (as defined herein), or located in a hotel (as defined herein), provided, that in no event shall the seating capacity of the lounge exceed that of its connected restaurant.

§7.4.13 "M" - Definitions

MANUFACTURE: The process of making, fabricating, constructing, forming, or assembling a product from raw, unfinished, or semi-finished materials.

MANUFACTURED HOUSING: A new or used structure, transportable in one (1) or more sections, which, in the traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length or, when erected on site, is three hundred twenty (320) or more square feet, built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, includes the plumbing, heating, air conditioning, and electrical systems contained therein; except that such term shall include any structure which meets all the requirements of this paragraph except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the secretary of housing and urban development and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974, 42, U.S.C. Section 5401, et seq.

MARQUEE: A roofed structure attached to and supported by a building and projecting over public or private sidewalks or rights-of-way.

MASONRY: Brickwork, stonework, stucco on block, adobe, or any combination of these materials.

MERCHANDISE: Things bought and sold; goods, commodities, wares. Also **Product**.

MINING: The extraction of minerals, including solids, such as coal and ores; liquids, such as crude petroleum; and gases, such as natural gases.

MIXED USE DEVELOPMENT: The development of a tract of land, building, or structure with a variety of complementary and integrated uses, such as, but not limited to, residential, office, manufacturing, retail, public, or entertainment, in a compact urban form.

MOBILE HOME OR HOUSE TRAILER: A new or used structure, transportable in one (1) or more sections, which in the traveling mode, is eight (8) body feet or more in width or forty (40) body feet or

more in length or, when erected on site, is three hundred twenty (320) or more square feet and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air conditioning, and electrical systems contained therein and built prior to June 15, 1976; except that field offices of a construction company temporarily parked on the site will be allowed for up to one (1) year, if the construction company notifies the permit department of the mobile home prior to it being parked on the site.

MANUFACTURED HOME PARK: A lot or a parcel of land upon which two (2) or more manufactured homes are located for subsequent rental or lease for dwelling purposes. Classified using the acronym MHP.

MANUFACTURED HOME RESIDENTIAL DISTRICT: A set of zoning districts authorized by zoning that contains manufactured home residential development, both for subdivisions and parks, with compatible accessory and other uses and classified using the acronym GR-1.

MANUFACTURED HOME SUBDIVISION: A planned development, similar to a single-family home subdivision, in which manufactured or manufactured homes are permitted as-of-right.

MODULAR HOME OR BUILDING: A factory-fabricated single-family dwelling which is constructed in one (1) or more sections and is manufactured in accordance with the South Carolina Industrialized Building Act and the rules of the commissioner of community affairs. Each modular home must meet the standards of an industrialized building of the South Carolina requirements and must bear the seal of approval. See Industrialized Building.

MOTEL: An establishment providing sleeping accommodations with a majority of all rooms having direct access to the outside without the necessity of passing through the main lobby of the building. See **Hotel**.

MOTOR FREIGHT FACILITY: Terminals with the capability of handling a large variety of goods involving various forms of transportation and providing multi-modal shipping capabilities, such as rail to truck and truck to air.

MOTOR VEHICLE ACCESSORY PARTS OR ESTABLISHMENTS, GENERAL OR SPECIALTY: An establishment for the sales of parts, accessories, and other equipment for motor vehicles.

MOTOR VEHICLE REPAIR ESTABLISHMENTS, SPECIALIZED REPAIR AND SERVICES: A use which provides one or more specialized repair, sales, and/or maintenance functions such as the sale, replacement, installation, or repair of tires, mufflers, batteries, brakes, shock absorbers, instruments, electronics, or upholstery for cars, vans, and light trucks only.

§7.4.14 "N" - Definitions

NATURAL GROUND SURFACE: The ground surface in its original state before any grading, excavating or filling.

NATURE PRESERVE: Designated areas in which human activities are limited; animal and/or plant communities are protected, maintained, enhanced, and nurtured; and where the natural environment in general is protected from man-made or -influenced changes.

NEIGHBORHOOD: An area of a community with characteristics that distinguish it from other areas and that may include distinct demographic characteristics, housing types, schools, or boundaries defined by physical barriers, such as major highways and railroads or natural features, such as rivers.

NEIGHBORHOOD RETAIL USES: Commonly found low scale and low intensity retail uses (square footage not to exceed six thousand [6,000] square feet unless noted below) that offer basic services and frequently purchased goods to the immediate surrounding residential areas such as but not limited to: auto parts store, antique shop, appliance store (home use), bakery, barber and beauty shops, beverage shop, bookstore (but not including adult bookstore), bridal shop, camera shop, china and pottery store, clothing store, dance studio, delicatessen, dog grooming shop, draperies and interior decorating supplies, drug store or hardware store (provided that the gross floor area does not exceed twenty thousand [20,000] square feet total), dry goods store, florist, furniture store, gifts and stationery store, jewelry store, manicurist shop, meat market/butcher shop, millinery store, mimeograph and letter shop, music store, novelty shop, paint store, pedicurist shop, shoe repair shop, shoe store, sporting goods store, supermarket or grocery (provided that the gross floor area does not exceed seventy thousand [70,000] square feet), tailor shop, toy store, variety shop, and video stores.

NIGHTCLUB: An establishment dispensing liquor and meals and in which music, dancing, or entertainment is conducted.

NONCONFORMING USE: A building, structure or use of land existing at the time of enactment of these regulations, and which does not conform to the regulations of the district in which it is located.

NONCONFORMING BUILDING OR STRUCTURE: A building or structure existing at the time of enactment of these regulations, and which does not conform to the regulations of the district in which it is located.

NONCONFORMING LOT: A lot existing at the time of enactment of these regulations, and which does not conform to the regulations of the district in which it is located.

NON-PROFIT ORGANIZATION: An incorporated organization or group whose charter prohibits profit-making endeavors and which enjoys tax exemption privileges.

NURSERY SCHOOL OR KINDERGARTEN: A place or institution where one (1) or more children are received and cared for during some portion of the day for compensation and where such children do not have their place of abode and are not related to the owner or operator of such place by blood, marriage, or adoption.

NURSING HOME: A home for aged or ill persons in which three (3) or more persons not of the immediate family are provided with food, shelter and care for compensation; but not including hospitals, clinics or similar institutions devoted primarily to diagnosis and treatment. Also **Skilled Nursing Facility**.

§7.4.15 "O" - Definitions

OCCUPANT: The individual, individuals, or entity in actual possession of a premise.

OCCUPY: The residing of an individual or individuals overnight in a dwelling unit or the storage and use of equipment, merchandise, or machinery in any public, commercial, or industrial building.

OFFICE: A room or group of rooms used for conducting the affairs of a business, profession, service, industry, or government and generally furnished with desks, tables, files, and communication equipment.

OFFICE, BUSINESS: Structure or space wherein business services are performed involving predominately managerial, administrative, or clerical operations such as accounting, tax preparation, real estate, stock broker, financial consultant, manufacturers representative, insurance, contractor, employment agencies, advertising or public relations agencies, public opinion, business and other research firms, and national, regional, state and local office headquarters for commercial, manufacturing, charitable or other corporations or organizations, or other business functions included under Standard Industrial Classifications Major Group 60, and SIC industry numbers 8721, 8741, 8742, 8743, 8744, and 8748.

OFFICE DISTRICT: A set of zoning districts authorized by zoning that contains low to medium-scale business or office development with compatible accessory and other uses and classified using the acronym OID.

OFFICE, GENERAL: Structure or space wherein services are performed involving predominately managerial, administrative, professional, or clerical operations.

OFFICE, PROFESSIONAL: Structure or space wherein professional services are performed involving predominately professional managerial, administrative, or clerical operations such as law, medicine, optician (including the sale of glasses and contact lenses as accessory to professional eye examinations and the prescription of lenses), audiologist, architect or landscape architect, professional consultant, engineer, professional counselor, dentist, investigative services, photographer, contractor, land surveyor, or other professional services.

OFFICE PARK: A development on a tract of land that contains a number of separate office buildings, accessory and supporting uses, and open space designed, planned, constructed, and managed on an integrated and coordinated basis.

OFFICE SERVICE AND SUPPLY ESTABLISHMENTS: Retail commercial establishments that sell, service and supply small office equipment and supplies such as stores that offer sales of copiers, facsimile machines, typewriters, ribbons, transcribers, dictation equipment, tape, staplers and other general office equipment.

OFFICIAL ACT OR ACTION: Any executive, legislative, administrative, appointive or discretionary act of the City Council or appointed official taken pursuant to a regular discharge of such official's or appointed official's official duties.

OFF-SITE STORMWATER MANAGEMENT: The design and construction of a facility necessary to control stormwater from more than one development.

ON-PREMISES: All enclosed space within the proprietor's building and any other areas outside the proprietor's building which are under the direct control of the proprietor.

ON-SITE SEWAGE MANAGEMENT SYSTEM: A sewage management system other than a public or community sewage treatment system, whether serving single or multiple buildings, manufactured homes, recreational vehicles, residences or other facilities designed or used for human occupancy or congregation Included are conventional septic tank systems, privies, experimental and alternative on-site sewage management systems that may be approved by the State Department of Health and Environmental Control (DHEC).

ON-SITE STORMWATER MANAGEMENT: The design and construction of systems necessary to control stormwater within an immediate development.

OPAQUE: Not letting light pass through, not transparent or translucent.

OPEN SPACE: Any parcel or area of land or water essentially unimproved and set aside, dedicated, designated, or reserved for public or private use or enjoyment or for the use and enjoyment of owners, occupants, and their guests, of land adjoining or neighboring such open space.

ORIENTATION: The relationship of a building or structure with respect to the property and its natural features, adjacent roadways, adjacent properties, and/or the exposure of the building related to solar heating or wind.

O.S.H.A.: The US Department of Labor, Occupational Safety and Health Administration, or successor agency.

OUTBUILDING: A separate accessory building or structure not physically connected to the principal building. Also **Accessory Building**.

OUTDOOR STORAGE: The keeping, in an unenclosed area, of any goods, junk, material, merchandise, or vehicles in the same place for more than twenty-four (24) hours.

OWNER: An individual, firm, association, syndicate, partnership, or corporation having sufficient proprietary interest to seek development of land.

§7.4.16 "P" - Definitions

PAID: The receipt of, or right to receive, a salary, commission, percentage, brokerage or contingent fee.

PARCEL: A contiguous lot or tract of land owned and recorded as the property of the same persons or controlled by a single entity.

PARK: A tract of land, designated and used by the public for active and passive recreation.

PARK, PUBLIC: A tract of land, designated and used by the public for active and/or passive recreation. A public park may include but is not limited to playgrounds, tennis courts, swimming pools, public gardens, nature center, ballfields, and public greenways.

PARKING, FOR VEHICLES: Shall mean to provide a location for on-site parking of automobiles, trucks, and recreational vehicles (with a manufacturer's towing and/or carrying capacity rating of less than one and one-half [1½] tons). This restriction shall not apply to vehicles parked on church property which are operated exclusively for church use.

PARKING, OFF-STREET: A parking space which is designed for the parking or temporary storage of automobiles and is located outside of a dedicated street right-of-way.

PARKING, SHARED: The joint use of a parking area for more than one use.

PARKING SPACE: A space for the parking of a motor vehicle within a public or private parking area.

PARKING LOT: An off-street, ground-level open area, usually improved, for the temporary storage of motor vehicles.

PARKING DECK OR STRUCTURE: A building or structure consisting of more than one (1) level and used to store motor vehicles. Also **Structured Parking**.

PARTIAL DESTRUCTION: A building or structure that because of fire, flood, explosion, or other calamity, requires the rebuilding of less than half of its floor area.

PARTICIPATE: To take part in official acts, actions or proceedings personally as an official or an appointed official through approval, disapproval, decision, or the failure to act or perform a duty.

PASSIVE: Taking no active part, inactive.

PEDESTRIAN: Going or done by foot.

PERFORMING ANIMAL EXHIBITION: Any spectacle, display, act or event other than circuses, in which performing animals are used.

PERSON: Specifically including any individual, partnership, firm, association, joint venture, public or private corporation, trust, estate, commission, board, public or private institution, utility, cooperative, state agency, municipality or other political subdivision of this state, any interstate body or any other legal entity.

PERSONAL CARE HOME: A residence providing the protective care of residents who do not require chronic or convalescent medical or nursing care. Personal care involves responsibility for the safety of the resident while inside the building and may include daily awareness by the management of the resident's functioning and whereabouts, making and reminding a resident of appointments, the ability and readiness for intervention in the event of a resident experiencing a crisis, supervision in the areas of nutrition and medication, and the actual provision of transient medical care. A personal care home is limited to sixteen (16) residents excluding staff. See Group Home.

PET: Any domestic animal owned or kept for pleasure rather than sale, which is an animal of a species customarily bred and raised to live in the habitat of humans and is dependent upon them for food and shelter; except that livestock and wild animals shall not be deemed pets.

PET SHOP: Any person engaged in the business of buying or selling two (2) or more species of live animals with the intent that they be kept as pets.

PHASE OR PHASING: Development undertaken in a logical time and geographical sequence.

PLAN, COMPREHENSIVE: A plan, which may consist of several maps, data, and other descriptive matter, for the physical development of the City or any portion thereof, including any amendments, extensions, or additions thereto recommended by the Planning Commission, and adopted by the City Council, indicating the general location for major streets, parks, or other public utilities, zoning districts, or other similar information. The Comprehensive Plan, of which the transportation and thoroughfare plan is a part, shall be based upon and include appropriate studies of the location and extent of present and anticipated population, social and economic resources and problems, and other useful data.

PLANNED UNIT DEVELOPMENT (PUD): A zoning designation designed to encourage the best possible site plans and building arrangements under a unified plan of development. Also **Planned Urban Development**.

PLANNING AND ZONING COMMISSION: A body appointed by the Mayor and approved by City Council whose duty is to hear and make recommendations on rezoning requests, land use permits, changes to the zoning ordinance and land use regulations, development of the Comprehensive Plan, and consisting of other duties as specified by the City Council. Also **Planning Commission**.

PLAT, FINAL: A finished drawing of a subdivision showing completely and accurately all legal and surveying information and certification necessary for recording.

PLAT, PRELIMINARY: A drawing which shows the proposed layout of a subdivision in sufficient detail to indicate unquestionably its workability, but is not in final form for recording and the details are not completely computed. An approved planned unit development (PUD) may be considered a preliminary plat if it is processed under the terms of the Zoning Ordinance.

PLAZA: An open space that may be improved and landscaped; usually surrounded by streets and/or buildings.

POOLROOM: Any public place where a person is permitted to play the game of pool or billiards. The terms "pool" or "billiards" shall include any game played on a table surrounded by an elastic ledge of cushions with balls which are impelled by a cue (Also **Pool Hall** or **Billiard Parlor**).

PRE-APPLICATION DISCUSSION: A pre-development, pre-submittal meeting between the owner/developer of a property and the members of Duncan staff to discuss the issues and requirements for development. Also **Pre-Application Review**.

PRINCIPAL BUILDING OR USE: The primary or predominant purpose for which a lot is occupied and/or used.

PRINCIPAL LIVING SPACE: The primary or main living unit or space on a specific lot of record.

PRIVATE DEED RESTRICTIONS OR COVENANTS: See **Covenant**.

PROFIT: Financial or monetary gain obtained from the use of capital in a transaction or series of transactions; proceeds from property or investments. Also **Gain**.

PROJECT: A development with the necessary site improvements, on a particular parcel of land.

PROPERTY: Any property, whether real or personal, tangible or intangible, and includes currency and commercial paper.

PROPERTY LINE: A line of record bounding a lot which divides one lot from another lot or from a public or private street or any other public space. Also **Lot Line**.

PROPRIETOR: Any person who, as the owner, lessee or proprietor, has under such person's control any establishment, place or premises in or at which such machine is provided for use of play.

PUBLIC SEWER SYSTEM: Any system, other than an individual septic tank, tile field, that is operated by a municipality, governmental agency, or a public utility for the collection, treatment, and disposal of wastes.

PUBLIC UTILITIES OR PUBLIC UTILITY USES: A closely regulated enterprise with a franchise for providing to the public a utility service deemed necessary for the public health, safety, and welfare.

PUBLIC WATER SYSTEM: A system other than an individual well, for the public of piped water for human consumption, if such system has at least fifteen (15) service connections, or regularly serves an average of at least twenty-five (25) individuals daily, at least sixty (60) days out of the year.

§7.4.17 "Q" - Definitions

QUORUM: A majority of the full, authorized membership of a board or agency unless otherwise specified.

§7.4.18 "R" - Definitions

RADIOACTIVE: Giving off, or capable of giving off, radiant energy in the form of particles or rays, as alpha, beta, and gamma rays, by the spontaneous disintegration of atomic nuclei and their products.

RECOMMENDATION: Advice, council; the act of recommending or calling attention to a thing as suited to some purpose.

RECYCLING CENTER: A lot or parcel of land, with or without buildings, upon which used materials are separated and processed for shipment for eventual reuse in new products. No smelting or other processing activities are permitted.

RECYCLING COLLECTION LOCATIONS: Metal or heavy-duty plastic containers designed for short term holding of pre-bagged recyclable items such as tin, aluminum, glass, and paper (no perishable or food items allowed) for scheduled, minimum monthly pickup with no on-premise sorting.

REGIONAL SHOPPING CENTERS AND RETAIL USES: A group of commercial establishments planned, constructed, and managed as a total entity, with customer and employee parking provided on-site, provision for goods delivery separated from customer access, aesthetic considerations and protection from the elements, and landscaping and signage in accordance with an approved plan.

RELIGIOUS INSTITUTION: An institution in which worship, ceremonies, rituals, and education pertaining to a particular system of beliefs is held. A religious institution may include but not necessarily be limited to the terms chapel, church, mosque, synagogue, or temple. See **Church** or **House of Worship**.

REMODELING: To construct an addition or alter the design or layout of a building or make substantial repairs or alterations so that a change or modification of the entrance facilities, toilet facilities, or vertical access facilities is achieved.

REPAIR SHOP, NON-AUTOMOTIVE: Commonly found low intensity repair shops that repair items such as jewelry, camera, home appliance, televisions, and videocassette recorders.

RESEARCH AND DEVELOPMENT: A use engaged in that involves research and product development of a commercial or industrial nature but not involving actual production processes for the purpose of commercial distribution of such product.

RESIDE: The act of living in a dwelling unit at a specific point in time.

RESPONSIBLE PERSON: Any legally accountable human being.

RESTAURANT: Any public place, kept, used, maintained, advertised and held out to the public as a place where substantial meals are regularly and actually prepared and served, excluding periods for holidays, vacations and redecorating; having adequate and sanitary kitchen and dining room equipment and personnel and a minimum seating capacity of eighty (80) persons at tables or booths wherein the principal business is the serving of such meals.

RETAIL SALES, OUTDOOR: The display and sale of products and services primarily outside of a building or structure, including vehicles, garden supplies, gas, tires and motor oil, food and beverages, boats and aircraft, farm equipment, motor homes, burial monuments, building and landscape materials, and lumber yards.

RETAIL SALES, SEASONAL: The temporary establishment of a retail use during a period for which the commodity sold is only available or appropriate to a specific season or period.

RETENTION STRUCTURE: A permanent structure that provides for the storage of runoff by means of a pool of water.

RETIREMENT COMMUNITY: Any age-restricted development, which may be in any housing form, including detached dwelling units, apartments, and residences offering private and semi-private rooms.

RIGHT-OF-WAY (ROW):

- a. A strip of land acquired by reservation, dedication, forced dedication, prescription, or condemnation and intended to be occupied by a road, cross walk, railroad, electric transmission lines, oil or gas pipeline, water line, sanitary storm sewer, and other similar uses; or
- b. Generally, the right of one to pass over the property of another.

RIGHT-OF-WAY, FUTURE: The distance required by the City of Easley shall be as follows:

- a. **Arterial:** One hundred (100) or one hundred twenty (120) foot right-of-way width
- b. **Major Collector:** Eighty (90) foot right-of-way width
- c. **Minor Collector:** Sixty (66) foot right-of-way width

RIVER: A continuous flowing body of water that is part of a greater system or watershed. See **Stream** or **Creek**.

ROADWAY DRAINAGE STRUCTURE: A device such as a bridge, culvert, or ditch, composed of a virtually non-erodible material such as concrete, steel, plastic, or other such material such that conveys water under a roadway by intercepting the flow on one side of a traveled way consisting of one or more defined lanes, with or without shoulder areas, and carrying water to a release point on the other side.

ROOMING HOUSE OR BOARDING HOUSE: A dwelling, other than a hotel, motel, lodging house or group home, where meals or housing accommodations, for more than four (4) persons, are provided for hire.

RUNOFF: The portion of rainfall, melted snow, irrigation water, and any other liquids that flow across ground surfaces and eventually is returned to rivers or streams.

§7.4.19 "S" - Definitions

SCALE:

- a. The relationship between distances on a map and actual ground distances; or
- b. The proportioned relationship of the size of parts to one another.

SCHOOL: Any building or part thereof which is designed, constructed, or used for education or instruction in any branch of knowledge.

SCREENING:

- a. A method of visually shielding or obscuring one abutting or nearby structure or use from another by fencing, walls, berms, or densely planted vegetation; or
- b. the removal of relatively coarse floating and/or suspended solids by straining through racks or screens.

SEASONAL OUTDOOR SALES: See **Retail Sales, Outdoor.**

SECONDARY: Any building, structure or use that is not the primary building, structure or use. Also **Subordinate.**

SEDIMENT: Solid material, both mineral and organic, that is in suspension, is being transported or has been moved from its site of origin by air, water, ice or gravity; the product of erosion.

SEDIMENTATION: The process by which eroded material is transported and deposited by the action of water, wind, ice or gravity.

SEPTAGE: A waste that is a fluid mixture of partially treated or untreated sewage solids, liquids and sludge of human or domestic waste, present in or pumped from septic tanks, malfunctioning on-site sewage management systems, grease traps or privies.

SEPTIC TANK: An approved watertight tank designed or used to receive sewage from a building sewer and to effect separation and organic decomposition of sewage solids, and discharging sewage effluent to an absorption field or other management system. See **Alternative Wastewater Treatment System.**

SEPTIC TANK SYSTEM, CONVENTIONAL: Includes any septic tank, absorption field and all associated devices and appurtenances intended to be used for disposal by soil absorption, but does not include alternative or experimental systems.

SERVICE ESTABLISHMENT, PERSONAL BUSINESS: Businesses primarily engaged in providing assistance, as opposed to products, to or individuals, businesses, industry, government, and other enterprises, including personal, business, and repair services including shoe repair, leather goods repair, and small machinery, watch, and instrument repair; health and beauty including nail salon; key duplicating and locksmith; re-upholstery and furniture repair; interior decorators, travel agents, technical and other professional services; educational and tutoring services; membership organizations; and other miscellaneous services including those listed under Standard Industrial Classification Major Group 72 and 73.

SETBACK: The distance required between a property line and any building or structure, as measured along the shortest straight line between them.

SEWAGE: Human excreta, all water-carried wastes, and liquid household waste from residences or commercial and industrial establishments.

SHELTER, HOMELESS: Charitable, nonprofit, short term housing and/or room and board accommodations for poor, transient, or needy individual or family. Also **Transitional Shelter**.

SHELTER FOR VICTIMS OF DOMESTIC VIOLENCE: A building, or portion thereof, in which residential accommodations are provided on an emergency basis for persons who are victims of abusive treatment.

SHOPPING CENTER: A group of commercial establishments, planned, constructed, and managed as a total entity, with customer and employee parking provided on-site or nearby, provision for goods delivery separated from primary customer access, aesthetic considerations and protection from the elements, and landscaping and signage in accordance with an approved plan. Types of shopping centers include:

- a. Neighborhood Shopping Center
- b. Community Shopping Center
- c. Regional and Super-Regional Shopping Center
- d. Specialty Shopping Center
- e. Storefront Shopping Center

SIGHT DISTANCE: An unobstructed view of the entire intersection and sufficient lengths of the intersecting highway to permit control of the vehicle to avoid collisions.

SIGN: Any name, identification, description, display, illumination, or device which is affixed to or represented directly or indirectly upon the exterior of a building, structure, or land in view of the general public which directs attention to a product, place, activity, person, business or institution.

SIGN, ANIMATED: A sign with action or motion, with moving characters, or changing color which require electricity, but not including wind activated elements, such as flags or banners. This definition does not include time and temperature signs.

SIGN, ANNOUNCEMENT: A single-face non-illuminated professional or incidental sign not exceeding two (2) square feet in area, and attached wholly to a building, window, or door. Such sign only includes emergency information, business hours, credit card honored and other accessory information.

SIGN, AREA OF: The area within a continuous perimeter enclosing the limits of writing, representation, emblem or any figure or character, together with any frame or other material of color forming an internal part of the display or used to differentiate such sign from the background against which it is placed; excluding the necessary supports or uprights on which such sign is placed; provided, however, any open space contained within the outer limits of the display face of a sign or between any component, panel or strip, or figure of any kind composing the display face shall be included in the computation of the area of the sign, whether such open space be enclosed or not by a frame or border. For projecting or double-faced signs, only one (1) display face shall be measured in computing sign area where the sign faces are parallel or where the interior angle framed by the faces is sixty (60) degrees or less. If the two (2) faces of a double-faced sign area of unequal area, the area of the sign shall be taken as they are of the larger face.

SIGN, BUILDING IDENTIFICATION: A fascia sign used to identify or indicate the name of a building.

SIGN, BUSINESS: A sign identifying the business, service or profession located on the lot on which the sign is erected and/or displayed. Almost all of the message area of a business sign will be devoted to the name of the business (or businesses) on the property and/or the principal product sold or service rendered, but a small part of the sign may be devoted to hours of operation, prices, special sales or information which the owner of the business, service or profession believes is important for the public to know about his business on the site.

SIGN, CANOPY: A sign either temporarily or permanently affixed to, superimposed upon, or painted on any roof-like structure, which is extended over a sidewalk or walkway or vehicle access area. A flush canopy sign is one that is mounted in such a manner that a continuous plane with the canopy is formed. A hanging canopy sign is one suspended from or beneath the canopy.

SIGN, CORNER DIRECTION: A corner direction sign is a sign erected at the intersection of two (2) streets which indicates to motorists traveling along one (1) street that they should turn onto the other street in order to reach the property or building shown on the sign.

SIGN, ENTRANCE: A freestanding or wall sign identifying a subdivision, residential development, apartment, City house, or condominium complex, a shopping center, or an office or industrial park placed at an entrance to said development.

SIGN, FACIA: A single face sign which is in any manner attached or fixed flat to an exterior wall of a building or structure, included in this definition shall be individual letters and "box type" (i.e. letters and symbols on an attached backing).

SIGN, FLASHING: A sign, the illumination of which is not kept constant in intensity at all times when in use, and which exhibits sudden or marked changes in lighting effect. Illuminated signs which indicate the time, temperature, or date shall not be considered a flashing sign.

SIGN, FREE-STANDING: A sign which is supported by one or more columns, uprights, or braces in or upon the ground and is not attached to a building and is not mobile or temporary.

SIGN, HEIGHT: The distance from the ground to the top of the sign as measured between the furthestmost points.

SIGN, IDENTIFICATION: A sign identifying the business, shopping center, office, institution, building, development, or use of the property upon which it is placed.

SIGN, ILLEGAL OR ILLEGALLY ERECTED: A sign which does not meet the requirements of this code and which has not received legal nonconforming status.

SIGN, ILLUMINATED: A sign designed to give forth artificial light directly or through transparent or translucent material from a source of light within such sign, including but not limited to, neon and exposed lamp signs.

SIGN, INDIRECTLY ILLUMINATED: A sign illuminated by an exterior light directed primarily toward such sign and so shielded that no direct rays from the light are visible elsewhere than on the lot where said illumination occurs. If not effectively shielded, such sign shall be deemed to be an illegal sign.

SIGN, MARQUEE: A sign painted on, attached to, or hung from a marquee.

SIGN, NONCONFORMING: Either illegal (as defined above) or legal which is either: (1) A sign which was erected legally but which does not comply with subsequently enacted sign restrictions and regulations; or (2) A sign which does not conform to the sign code requirements but for which a special permit has been issued.

SIGN, OFF-PREMISE ADVERTISING: A sign which directs attention to a building, profession, product, service, activity, or entertainment not conducted, sold, or offered on the property upon which the sign is located.

SIGN, ON-PREMISE: A sign which directs attention to a building, profession, product, service, activity, or entertainment conducted, sold, or offered on the property upon which the sign is located.

SIGN, OPEN HOUSE/ INFORMATION: A temporary sign that may be placed on a residential lot on which a house or dwelling unit is for sale or rent during any day in which the residence will be open for public inspection.

SIGN, OUTDOOR ADVERTISING: A sign which directs attention to a building, profession, product, service, business, activity or entertainment not conducted, sold or offered on the premises upon which the sign is located except incidentally. The message carried by an outdoor advertising sign is usually of no importance to the owner of the site and not subject to his control. An outdoor advertising sign is a principal use of the property upon which it is erected and is a structure subject to the yard, setback, height and other dimensional requirements of the zoning district it is within.

SIGN, PERMANENT SUBDIVISION: A freestanding or wall sign identifying an approved subdivision.

SIGN, POLITICAL: A temporary sign used in connection with a local, state or national election or referendum.

SIGN, PORTABLE DISPLAY: A mobile/temporary, electrical or non-electrical changeable copy sign that is mounted on a trailer type frame with or without wheels or skids or portable wood or metal frame and not permanently attached to the ground.

SIGN, PROJECTING: A sign which is attached to the building wall and which extends more than eighteen (18) inches from the face of such wall.

SIGN, PUBLIC SERVICE: Any sign erected and maintained by public officials, or public agencies, or approved and authorized for use by State or local governmental authorities.

SIGN, RESIDENTIAL DEVELOPMENT: A temporary sign bearing information about a subdivision or other residential development during the time its lots or homes are being offered for sale or lease.

SIGN, ROOF: A sign that is mounted on the roof of a building or which is wholly dependent upon a building for support and projects above the roof of the building if the building has 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, ROTATING: A sign which is designed to revolve by means of electrical power.

SIGN, TEMPORARY: A sign which must be removed at either the expiration of a specific number of days or at the time a specific event occurs or within a specific time interval after a specific event occurs.

SIGN, TEMPORARY REAL ESTATE DIRECTIONAL: A sign indicating the direction of real estate being offered for sale or rent which must be removed at a specified time or after a specified event or which can only be erected and maintained during limited, specified time intervals.

SIGN, WALL: A sign which is in any manner affixed to any exterior wall of a building or structure and which projects not more than eighteen (18) inches from the building or structure wall.

SITE: Any tract, lot or parcel of land or combination of tracts, lots, or parcel of land which are in one ownership, or are contiguous and in diverse ownership where development is to be performed as part of a unit, subdivision, or project.

SITE PLAN: The development plan for one (1) or more lots on which is shown the existing and proposed conditions of the lot, including topography, vegetation, drainage, floodplains, wetlands, waterways, landscaping and open space, walkways, means of ingress and egress, circulation, utilities, buildings and structures, signs and lighting, berms, buffers, screening devices, surrounding zoning and development, and any other information required by the zoning administrator or the City Council in order that an informed decision can be made.

SLOPE: Degree of deviation of a surface from the horizontal, usually expressed in percent of degrees.

SOIL EXPERT: A person who has been accepted as such by the State Department of Health and Environmental Control (DHEC) and who has a minimum of five years or more of experience in soil classification and mapping, use of Soil Genesis, Morphology and Classification Technology, is expert at identifying soil features and interpreting their influence on its uses, and who possesses the following credentials:

- a. **Soil Scientist:** A person who holds at least a bachelor of science degree with a major in agronomy or related field, has five (5) years or more experience in soil classification and mapping and use of soil genesis, morphology and classification technology and is an expert at identifying soil features and interpreting their influence on its use.
- b. **Soil Engineer:** A person who holds a baccalaureate degree in civil engineering, and a license to practice engineering, in the state of South Carolina.

SOIL TEST: The method used to determine the soil on a proposed development site. The soil is subsequently checked for its suitability for septic system installation.

SOLID WASTE: Unwanted or discarded material, including waste material with insufficient liquid content to be free flowing.

SPECIAL EXCEPTION: A use permitted in a particular zoning district upon showing that such use in a specified location will comply with all of the conditions and standards for the location and operation of the use as specified in Zoning and authorized by the approving agency.

SPRAWL: Uncontrolled growth, usually of a low density nature, in previously rural areas and some distance from existing development and infrastructure.

STABLE, NEIGHBORHOOD: A facility for the keeping of horses for the private use of the residents of the lot. Such facility may include the commercial boarding of twenty (20) or fewer horses and no more than one (1) instructor engaged for the purpose of educating and training students in equitation.

STABLE, PRIVATE: A facility for the keeping of horses for the private use of the residents of the lot. Such facility may include the commercial boarding of ten (10) or fewer horses and no more than two (2) instructors engaged for the purpose of educating and training students in equitation.

STABILIZATION: The process of establishing an enduring soil cover of vegetation and/or mulch or other ground cover and/or in combination with installing temporary or permanent structures for the purpose of reducing to a minimum the erosion process and the resultant transport of sediment by wind, water, ice or gravity.

STATE WATERS: All rivers, streams, creeks, branches, lakes, reservoirs, ponds, drainage systems, springs, wells and other bodies of surface or subsurface water, natural and artificial, lying within or forming a part of the boundaries or the state entirely confined and retained completely upon the property of a single individual, partnership or corporation.

STEEPLE: A tower rising above the main structure of a building, especially a church or other house of worship, usually capped with a spire.

STOREFRONT: A type of building which is located on the property without a front yard setback and is usually located directly adjacent to the right-of-way or a sidewalk to attract pedestrian business.

STORMWATER MANAGEMENT: Means:

- a. for quantitative control, a system of vegetative and structural measures that control the increase in volume and rate of surface runoff caused by manmade changes to the land; and
- b. for qualitative control, a system of vegetative, structural, and other measures that reduce or eliminate pollutants that might otherwise be carried by surface runoff.

STORY: That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between the floor and the ceiling next above it and including those basements used for the principal use.

STREAM BANK: The point where the upward slope of the land from the water surface, or the bottom of a dry excavation intersects with the existing ground elevation or crest of berm, whichever is of higher elevation.

STREET: A right-of-way for vehicular traffic whether designated as street, highway, thoroughfare, parkway, road, avenue, drive, expressway, boulevard, lane, place, circle or otherwise. Various classifications of street and roads shall be defined as follows:

- a. **Interstate Highway or Expressway:** A general road alignment for dedication and use as a public right-of-way to carry large volumes of through traffic at high speeds. These facilities have limited or controlled access to adjoining properties.
- b. **Major Arterial Road:** A general road alignment for dedication and use as a public right-of-way. These are thoroughfares providing access into and through the City. Major arterials serve intrastate travel and are usually multi-lane roadways in urban areas. They may have a turning lane or a median. Major arterial roads may also warrant controlled access in certain areas to encourage the through movement of traffic and discourage adjacent development and turning movements which might limit the through traffic carrying capacity of the roadway. Major arterials in rural areas may be two- or four-lane roadways depending upon traffic volumes. Major arterials may provide local access to property abutting the roadway in addition to their primary function which is to move traffic. (Easley Highways 93 & 123)

- c. **Minor Arterial Road:** A general road alignment for dedication and use as a public right-of-way. These facilities provide access into and through the City, only to a lesser extent than the major arterials. Minor arterials predominately serve City traffic and may be two- and four-lane roadways. There is usually no access control on minor arterials. Minor arterials may provide local access to property abutting the roadway in addition to their primary function, which is to move traffic.
- d. **Collector Street:** A general road alignment for dedication and use as a public right-of-way. The primary function of these facilities is to provide internal, low-volume traffic circulation and access to abutting properties.
- e. **Sub-Collector:** A street whose principal function is to provide access to abutting properties but is also designed to be used or is used to connect minor and local streets with collector or arterial streets. Including residences indirectly served through connecting streets, it serves or is designed to serve at least twenty-six (26) but not more than one hundred (100) dwelling units and is expected to or does handle between two hundred (200) and eight hundred (800) trips per day.
- f. **Local Street:** A general road alignment for dedication and use as a public right-of-way. The primary purpose of these roadways is to provide access to abutting properties and connect those properties to the arterial and collector street system.
- g. **Cul-de-Sac:** A street with a single common ingress and egress and with a turn-around at the end.
- h. **Dual or Boulevard:** A street with opposing lanes separated by a median strip, center island, or other form of barrier, which cannot be crossed except at designated locations.
- i. **Loop:** A local street that has its only ingress and egress at two (2) points on the same collector street.
- j. **Alley:** A service way providing a secondary means of public access to abutting property and not intended for general traffic circulation.
- k. **Paper:** A street that has never been built shown on an approved plan, subdivision plat, tax maps, or official map.

STREET AREA (SA): The area of land within a development used by streets.

STREET CLASSIFICATION: A functional system for the classification of public roads and rights-of-way as identified and described in the comprehensive land use plan for the City of Easley, South Carolina adopted by the City Council.

STREET, HALF: A right-of-way dedicated by a developer along such developer's perimeter property line which, together with a corresponding amount of right-of-way to be added at a subsequent date from adjoining land, comprises the total right-of-way required for a proposed street.

STREET, PRIVATE: A street that has not been accepted by the City of Easley.

STREET, PUBLIC: A street that has been accepted by the City of Easley.

STRUCTURAL ALTERATION: Any change in either the supporting members of a building, such as bearing walls, columns, beams, and girders, or in the dimensions or configurations of the roof or exterior walls.

STRUCTURE:

- a. Anything constructed or erected, the use of which requires location on the ground, or attachment to something having location on the ground, including but not limited to buildings, towers, smokestacks and overhead transmission lines.
- b. Any structure constructed and used for residence, business, industry, or other public or private purposes or accessory thereto and including tents, lunch wagons, dining cars, trailers, mobile homes, sheds, garages, carports, animal kennels, or structures, storerooms, billboards, signs, gasoline pumps and similar structures, whether stationary or movable.

STUCCO: Plaster or cement, either fine or coarse, used for surfacing inside or outside walls or for molding relief ornaments, cornices, etc.

SUBDIVIDER: Any person, individual, firm, partnership, association, corporation, estate, or trust, or any group of trusts, or any group or combination of groups acting as a unit, dividing, or proposing to divide land so as to constitute a subdivision as herein defined, including any agent of the subdivider.

SUBDIVISION: All divisions of a tract or parcel of land into two (2) or more lots, building sites, or other divisions for the purpose, whether immediate or future, of sale, lease, legacy, or building development, and includes all divisions of land involving a new street or a change in existing streets, and includes re-subdivision, and where appropriate to the context, relates to the land or area subdivided; provided, however, that the following are not included within this definition:

- a. The combination or recombination of portions of previously platted lots where the total number of lots are equal to the standards of the City.
- b. The division of land into parcels of five (5) acres or more where no new street is involved.
- c. The division of land into parcels, all of which are three (3) acres or more in size with a minimum width of one hundred and fifty (150) feet for a distance sufficient to provide an adequate area for the placement of structures and improvements, including wells and approved installation of approved on-site sewage management systems.
- d. Divisions or sale of land by judicial decree.

SUBDIVISION, MOBILE HOME: See **Manufactured Home Subdivision**.

SUBORDINATE: See **Secondary**.

SUBSTANTIAL COMPLETION: When a project or building is almost finished and activity to complete the project or building is no longer continuing.

SUBSTANTIAL DESTRUCTION: Any demolition, destruction, or deterioration, the cost of which equals or exceeds fifty (50%) percent of the fair market value of a structure or building.

SUBSTATION, ELECTRICAL: A utility building installed by the authorized power company which serves as a branch location for electrical lines.

SURETY: Something that makes sure or gives assurance, as against loss, damage, or default; security, guarantee. For the purpose of Zoning, surety shall include a performance bond or certified letter of credit.

SURVEY: The process of precisely ascertaining the area, dimensions, and location of a piece of land, especially for the purpose of accompanying the legal description of a property.

§7.4.20 "T" - Definitions

TABLING, TO TABLE: To postpone indefinitely the discussion or consideration of an application.

TEMPORARY USES: A use established for a limited duration with the intent to discontinue such use upon the expiration of the time period.

TENT: A temporary or permanent structure having a roof and/or walls of fabric.

TERRAIN: Ground or a tract of earth, with regard to its natural or topographical features.

THROUGH TRAFFIC: Traffic traveling to a destination, moving forward without making a stop or turning.

TIMBER: Harvestable trees and wooded areas.

TIMBERING: The act of removing harvestable trees and wooded areas for profit.

TOPOGRAPHY: The configuration of surface features of a region, including its relief and rivers, lakes, and showing relative elevations.

TOWER, TELECOMMUNICATIONS: Shall mean any structure that is designed and constructed primarily for the purpose of supporting one or more telecommunications antennas, including self-supporting lattice towers, guy towers, or monopole towers. The term includes radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers, and the like.

TOXIC WASTE: Any combination of pollutants, including disease-carrying agents, that, after discharge and upon exposure, ingestion, inhalation, or assimilation into any organism, can cause death or disease, mutations, deformities, or malfunctions in such organisms or their offspring and that adversely affect the environment.

TRACT: An area, parcel, site, piece of land, or property that is subject of a development application.

TRAILER, CAMPING: Shall mean any portable structure or vehicle designed for highway travel which is used or intended to be used for either living, sleeping, cooking or eating purposes and which does not include all of the following facilities: A flush water closet, a lavatory, a bath or shower, and kitchen sink.

TRANSACTION: The conduct of any activity that results in or may result in an official act or action of the City.

TREE: Any self-supporting woody perennial plant, usually having a main stem or trunk and many branches, and at maturity normally attaining a trunk diameter greater than three (3) inches at any point and a height of over ten (10) feet.

TREE, OVERSTORY: These trees that compose the top layer or canopy of vegetation and will generally reach a mature height of greater than forty (40) feet. Also **Canopy Tree, Shade Tree**.

TREE, UNDERSTORY: Those trees that grow beneath the overstory, and will generally reach a mature height of under forty (40) feet. Also **Ornamental Tree**.

TREE DENSITY STANDARD: The minimum number of tree density units per acre which must be achieved on a property after development.

TREE DENSITY UNIT: A credit assigned to a tree, based on the diameter of the tree, in accordance with Zoning.

TREE DIAMETER: The cross-sectional dimension of a tree trunk measured at four and one-half (4½) feet above the ground. If a tree has more than one trunk, only the largest trunk shall be used to establish the tree diameter for the tree. Also **dbh (diameter breast high)**.

TREE PROTECTION AREA: Any portion of a site wherein are located existing trees which are proposed to be retained in order to comply with the requirements zoning. The tree protection area shall include no less than the total area beneath the tree canopy as defined by the dripline of the tree or group of trees collectively.

TREE PROTECTION PLAN: A plan that identifies tree protection areas, existing trees to be retained and proposed trees to be planted on a property to meet minimum requirements, as well as methods of tree preservation to be undertaken on the site and other pertinent information.

TRENCH: A narrow excavation made below the surface of the ground. In general, the depth is greater than the width, but the width of a trench is not greater than fifteen (15) feet.

TRIBUTARY: Of a small creek, river, or stream flowing into a larger one, the smaller stream is considered a tributary.

TRUCK, HEAVY: Any vehicle equal to or over 10,000 pounds Gross Vehicle Weight (GVW) and/or 24 feet in length or longer including tractor trailers and tractor trailer cabs.

TRUCK, LIGHT: Any vehicle less than 10,000 pounds Gross Vehicle Weight (GVW) and/or shorter than 24 feet in length.

TRUCK TERMINAL: An area and building where trucks load and unload cargo and freight and where the cargo and freight may be broken down or aggregated into smaller or larger loads for transfer to other vehicles or modes of transportation.

§7.4.21 "U" - Definitions

UNDEVELOPABLE AREA: That area of a site that due to physical or legal constraints, such as floodplains, wetlands, steep slopes, etc., cannot be developed. Also **unbuildable area, non-buildable area.**

UNDISTURBED: Shall mean no site disturbance.

USE: The specific purpose for which land or a building is intended, arranged, designed or for which it may be occupied or maintained. The term "permitted use" or its equivalent shall not be deemed to include any nonconforming use.

USE, ACCESSORY: A use customarily incidental and subordinate to the principal use and located on the same lot with such principal use. Also **Accessory Use.**

USE, CONDITIONAL: A use allowed in a particular zoning district where the use is not otherwise permitted upon showing that the use will comply with all the conditions and standards of the use as specified in the Zoning Ordinance and authorized by the approving agency. Also **Conditional Use.**

USE, PERMITTED: Any use allowed in a zoning district and subject to the restrictions applicable to that zoning district.

USE, PRINCIPAL: The primary or predominant use of any lot or parcel.

USE. TEMPORARY OR SEASONAL: A use established for a limited duration with the intent to discontinue such use upon the expiration of a time period.

USE, UNIQUE: A use that is unusual or one-of-a-kind that is not listed as an authorized use in the category of uses as set forth in Zoning and that due to its unusual nature should be evaluated on its own special merits rather than to attempt to classify such use as a part of any existing use category.

USE, UNSPECIFIED: A use that is not listed either independently or as a part of any existing category of uses as set forth in Zoning. Unspecified uses are not necessarily unique or one-of-a-kind but may have developed as a result of technological innovation, changing values or standards, or some other change or shift in the economy or society.

UTILITIES: The service of electric power, gas, water, telephone, cable tv, etc.

§7.4.22 "V" - Definitions

VARIANCE:

- a. A variance granted for bulk relief that would result in an opportunity for improved zoning and planning that would benefit the community;
- b. The modification of any requirement of Zoning such that strict adherence of the requirements would result in unnecessary hardship and not fulfill the intent of Zoning.

VETERINARY CLINIC OR HOSPITAL: A clinic or hospital operated by a licensed veterinarian.

§7.4.23 "W" - Definitions

WAIVER: The relinquishment, delay, or other lessening of modifications, either temporary or permanent, from the requirements of Zoning granted administratively or by the Board of Zoning Appeals.

WAREHOUSE: A building used primarily for the storage of goods and materials.

WATERCOURSE: Any material or artificial watercourse, stream, river, creek channel, ditch, canal, waterway, gully, ravine or wash in which water flows either continuously or intermittently and which has a definite channel, bed and banks, and including any area adjacent thereto subject to inundation by reason of overflow or floodwater.

WATERSHED: The entire land area contributing surface drainage to a specific point (e.g. a water supply intake)

WATER SUPPLY SYSTEM, INDIVIDUAL: A system of piping, pumps, tanks, or other facilities, utilizing groundwater to supply a single family dwelling. See **Wells**.

WEEDS: Any undesired, uncultivated plant, especially one growing in profusion so as to crowd out a desired crop, disfigure a lawn, etc. For the purposes of Zoning, weeds shall also include grass and /or underbrush in non-agriculturally used property, which is at least eighteen (18) inches tall.

WEEDS, UNTENDED: Those plants, shrubs, underbrush, grass and other uncultivated plants which grow sporadically without care or attention.

WELLS: An excavation or opening into the ground by which groundwater is sought or obtained.

WETLANDS: An area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.

WILD AND EXOTIC ANIMALS: Include any monkey or other nonhuman primate, such as raccoon, skunk, wolf, squirrel, fox, leopard, panther, tiger, lion, lynx, ferret, bear, wild rabbit, tarantula, wild rodent, and reptiles, including, but not limited to, crocodiles, alligators, snakes, caiman, gavials and wolf-hybrids, and any other animal so designated by the animal control department.

WITHDRAWAL WITH PREJUDICE: To withdraw an application after the deadline for withdrawal without prejudice constitutes withdrawal with prejudice and is subject to the conditions imposed by "Administrative Mechanisms" of Zoning.

WITHDRAWAL WITHOUT PREJUDICE: To withdraw an application and have no judgment passed on the merits of the application. Such a withdrawal entitles the applicant to reapply to a rezoning of the property as per "Administrative Mechanisms" of Zoning.

§7.4.24 "X" - Definitions

XERISCAPE: Plants and trees planted in a landscaped area which thrive in dry conditions or do not require irrigation.

§7.4.25 "Y" - Definitions

YARD: An unoccupied space open to the sky, on the same lot with a building or structure.

- a. **Front:** A yard extending the full width of the lot, located between the right of way line and the front line of the building, projected to the side lines of the lot.
- b. **Rear:** A yard extending the full width of the lot and situated between the rear lot line of the lot and the rear of the building projected to the side lines of the lot.
- c. **Side:** A yard located between the side of the building and the side line of the lot and extending from the rear line of the front yard to the front line of the rear yard.
- d. **Street Side:** A yard located on the side of the building, adjacent to a public street or road.
- e. **Court:** A yard which is bounded on two (2) or more sides by the walls of a building or structures or the extension of such walls.
- f. **Adjacent to Roads:** The yard or yards which has/have frontage on a public street or road?
- g. **Adjacent to Other Nonresidential Districts:** A yard which is adjacent to commercial, industrial or other nonresidential land uses or zoning districts which allow such uses.

h. **Between Buildings:** A yard which will exist between two buildings, either on the same lot or on adjoining lots.

YARD, REQUIRED: The open space between a lot line and the yard line within which no structure shall be located except as provided in Zoning.

YARD SALE: A one- or two-day sale of common household items from a residential lot or lots. Also **Garage Sale, Carport Sale, Rummage Sale.**

§7.4.26 "Z" - Definitions

ZERO LOT LINE: The location of a building on a lot in such a manner that one (1) or more of the building's sides rest directly on a lot line.

ZONE, FLOATING: An unmapped zoning district where all the zone requirements are contained in the ordinance and the zone is fixed on the map only when an application for development, meeting the zone requirements, is approved.

ZONE, OVERLAY: A zoning district that encompasses one or more underlying zones and that imposes additional requirements about that required by the underlying zones.

ZONING: The delineation of districts and the establishment of regulations governing the use, placement, spacing, and size of land and buildings.

ZONING ADMINISTRATOR: A staff position in the Planning & Zoning Department responsible for

ZONING BUFFER: A buffer, as defined in and required by the Zoning Ordinance or as a condition of zoning approval for a specific property.

ZONING MAP: The map or maps that are a part of the Zoning Ordinance and delineate the boundaries of the zone districts known as the "Official Zoning Map of The City of Easley, South Carolina".

ZONING: The Zoning Ordinance of the City of Easley, South Carolina, as amended from time to time by the City Council, which regulates the location, size, use, and other elements deemed important by the governing body, of the land within the City of Easley. Also **Zoning.**

§7.4.27-99 Reserved

Appendix A

Schedule of Permitted and Conditional Uses

Division A, AGRICULTURE	<u>SIC</u>	<u>R10</u>	<u>R7.5</u>	<u>GR1</u>	<u>GR2</u>	<u>NC</u>	<u>OI</u>	<u>GC</u>	<u>CC</u>	<u>IND</u>	<u>MED</u>
<u>Agricultural Services</u>	<u>O7</u>										
Veterinary Services (1007.9)	O74							C		C	
Landscape and Horticultural Services.	78							P		P	
Division C, CONSTRUCTION											
	<u>SIC</u>	<u>R10</u>	<u>R7.5</u>	<u>GR1</u>	<u>GR2</u>	<u>NC</u>	<u>OI</u>	<u>GC</u>	<u>CC</u>	<u>IND</u>	<u>MED</u>
Building Construction-general contractors and operative builders.	15									P	
Heavy construction other than building construction-contractors.	16									P	
Construction-special trade constr.	17									P	
Division D, MANUFACTURING (1006)											
	<u>SIC</u>	<u>R10</u>	<u>R7.5</u>	<u>GR1</u>	<u>GR2</u>	<u>NC</u>	<u>OI</u>	<u>GC</u>	<u>CC</u>	<u>IND</u>	<u>MED</u>
Food and Kindred Products.	20									P	
Tobacco products.	21									P	
Textile mill products.	22									P	
Apparel & other finished products made of similar materials.	23									P	
Lumber and Wood Products, except furniture.	24									P	
Furniture and fixtures.	25									P	
Paper and allied products.	26									P	
Printing, publishing, & allied industries.	27							P	P	P	
Chemical and Allied products.	28									P	
Rubber and Misc. plastic products.	30									P	
Stone, clay, glass, and concrete prod.	32									P	
Fabricated metal products, except machinery and transportation equip.	34									P	
Industrial & commercial machinery & computer equipment.	35									P	
Electronics & other electrical equipment & components, except computer equip.	36									P	
Transportation Equip.	37									P	
Measuring, analyzing & controlling instruments; photographic, medical & optical goods; watches and clocks.	38							C	C	P	
Misc. manufacturing indus.	39									P	

DIVISION E, TRANSPORTATION, COMMUNICATIONS, ELECTRICAL,GAS, AND SERVICES

	<u>SIC</u>	<u>R10</u>	<u>R7.5</u>	<u>GR1</u>	<u>GR2</u>	<u>NC</u>	<u>OI</u>	<u>GC</u>	<u>CC</u>	<u>IND</u>	<u>MED</u>
Railroad Transportation.	40							P		P	
Local & suburban transit & interurban highway passenger transportation.	41							P	P	P	
Motor freight trans.& warehousing.	42							C		P	
Mini-warehouses(sec. 1007.6)	4225							C		P	
U.S. Postal Service.	43					P	P	P	P	P	P
<u>Transportation Services</u>	<u>47</u>										
Passenger Arrangement.	472					P	P	P	P		
Cargo Arrangement.	473							P	P	P	
Misc. services.	478							P	P	P	
Communications.	48							P	P	P	
Elec., gas,& sanitary services(1007.2)	49	C	C	C	C	C	C	C	C	C	C

DIVISION F, WHOLESALE

	<u>SIC</u>	<u>R10</u>	<u>R7.5</u>	<u>GR1</u>	<u>GR2</u>	<u>NC</u>	<u>OI</u>	<u>GC</u>	<u>CC</u>	<u>IND</u>	<u>MED</u>
Wholesale trade-durable goods	50							P		P	
Wholesale trade-non-durable goods	51							P		P	

DIVISION G, RETAIL TRADE

	<u>SIC</u>	<u>R10</u>	<u>R7.5</u>	<u>GR1</u>	<u>GR2</u>	<u>NC</u>	<u>OI</u>	<u>GC</u>	<u>CC</u>	<u>IND</u>	<u>MED</u>
Building materials, hardware, garden supply & manufactured home dealers.	52							P		P	
Lumber & bldg. materials.	521							P		P	
Paint, glass, & wallpaper stores.	523							P	P	P	
Hardware Stores.	525					P		P	P	P	
Retail Nurseries, lawn & garden supply.	526							P	P	P	
Manufactured home dealers.	527							P			
General Merchandise Stores.	53							P	P		
Food stores.	54					P		P	P		
Automotive dealers.	55							P	P		
Gasoline service stations.	554					P		P	P	P	
Apparel & accessory stores.	56					P		P	P		
Home furniture, furnishings, & Equipment stores.	57					P		P	P		
Eating and Drinking places.	58					P		P	P		P
<u>Miscellaneous retail.</u>	<u>59</u>										
Drug and propriety stores.	591					P		P	P		P
Liquor stores.	592					P		P	P		
Used Merchandise.	593							P	P		
Flea market.	593							C			
Sporting goods and bicycle shop.	5941					P		P	P		
Book stores.	5942					P		P	P		P
Stationary Shops.	5943					P		P	P		P
	<u>SIC</u>	<u>R10</u>	<u>R7.5</u>	<u>GR1</u>	<u>GR2</u>	<u>NC</u>	<u>OI</u>	<u>GC</u>	<u>CC</u>	<u>IND</u>	<u>MED</u>

Jewelry stores.	5994	P	P	P		
Hobby, toy, and game shops.	5945	P	P	P		
Camera and Photography supply.	5946	P	P	P		
Gift, novelty, and souvenirs.	5947	P	P	P		
Luggage and leather goods.	5948	P	P	P		
Sewing, needle, and piece goods.	5949	P	P	P		
Catalog and mail order houses.	5961	P	P	P		
Fuel Dealers	593		P		P	
Florists.	5992	P	P	P		P
Tobacco stores and stands.	5993	P	P	P		
Optical good stores.	5995	P	P	P		P
Miscellaneous retail stores, not Elsewhere classified, ie artists supply, auction rooms, coins, cosmetics, stamps, telephone stores, etc..	5999	P	P	P		
Fireworks (Sec. 1007.14)	5999		C			

Division H, FINANCE, INSURANCE, AND REAL ESTATE

	<u>SIC</u>	<u>R10</u>	<u>R7.5</u>	<u>GR1</u>	<u>GR2</u>	<u>NC</u>	<u>OI</u>	<u>GC</u>	<u>CC</u>	<u>IND</u>	<u>MED</u>
Depository Institutions.	60					P	P	P	P		P
Non-depository Institutions.	61					P	P	P	P		P
Security and Commodity Brokers, dealers, exchanges, and services.	62					P	P	P	P		
Insurance carriers.	63					P	P	P	P		
Insurance agents, brokers, & service.	64					P	P	P	P		
Real Estate.	65					P	P	P	P		
Holding and other investment offices.	66					P	P	P	P		

Division I, SERVICES

	<u>SIC</u>	<u>R10</u>	<u>R7.5</u>	<u>GR1</u>	<u>GR2</u>	<u>NC</u>	<u>OI</u>	<u>GC</u>	<u>CC</u>	<u>IND</u>	<u>MED</u>
Hotels and Motels.	701							P	P		
Bed and Breakfast Inns.	7011	SE	SE	SE	SE	SE	SE	SE			
Rooming and Boarding Houses.	702				P	P		P	P		P
Camps & recreational vehicle parks(1007.11).	703							P			
Organization Hotels and lodging houses.	704				P			P	P		P
<u>Personal Services</u>	<u>72</u>										
Laundry, cleaning, & garment services.	721							P	P	P	
Power laundries	7211							P		P	
Garment pressing & agents for laundries & dry cleaners.	7212					P		P	P	P	
Linen supply.	7213					P		P	P	P	
Coin operated laundries & dry cleaning.	7215					P		P	P	P	
Dry cleaning plants, except rug cleaning.	7216							P		P	
Carpet & upholstery cleaning.	7217							P		P	
	<u>SIC</u>	<u>R10</u>	<u>R7.5</u>	<u>GR1</u>	<u>GR2</u>	<u>NC</u>	<u>OI</u>	<u>GC</u>	<u>CC</u>	<u>IND</u>	<u>MED</u>

Industrial Launderers.	7218							P		P		
Laundry & garment services not elsewhere classified.	7219							P				P
Photographic studios, portraits.	722					P	P	P	P			
Beauty Shops.	723					P	P	P	P			
Barber Shops.	724					P	P	P	P			
Shoe repair, shoe shine shops.	725					P		P	P			
Funeral service.	726							P	P	P		P
Crematories.	726											P
Misc. personal services, except												
Massage parlors & spas.	729					P		P	P			
Massage parlors & spas.	7299							P				
Adult Uses (sec. 1007.3)	7299							C				
<u>Business Services</u>	<u>73</u>							P	P			
Salvaging of damaged merchandise & scrap steel cutting (ie junk yards ,sec 1007.5).	7389											C
Signs	N/A											
SEE ARTICLE VI												
Automotive rental & leasing.	751							P	P			
Automotive parking.	752							P	P			
Automotive repair shops.	753							P				P
Automotive service, except repair.	754							P	P			P
Car washes (sec. 1007.10)	7542							P				P
Auto services, except repair and washes.	7549							P	P			P
Miscellaneous repair.	76							P				P
Motion picture dist. & allied services.	782							P	P			
Motion picture theaters.	783					P		P	P			
Video tape rentals.	784					P		P	P			
<u>Amusement and Recreation Services</u>	<u>79</u>											
Dance studios and schools.	791					P		P	P			
Bowling Alleys & billiards & pool estab.	793					P		P	P			
Commercial sports.	794							P				
Misc. amusement & recreation services.	799											
Physical fitness facilities.	7991					P		P	P			
Public golf courses.	7992	C	C	C	C	C	C					
Coin operated amusement devices.	7993					P		P	P			
Amusement parks.	7996							P				
Golf, tennis, & swimming clubs.	7997	P	P	P	P			P				
Amusement & recreation services not elsewhere classified.	7999							P	C			
Parks and playgrounds.		P	P	P	P	P	P	P	P	C	C	
<u>Health Services</u>	<u>80</u>											
Office and clinics of medicine doctors.	801					P	P	P	P			P
Offices and clinics of dentists.	802					P	P	P	P			P
Offices and clinics of doctors of Osteopathy.	803					P	P	P	P			P
		<u>SIC</u>	<u>R10</u>	<u>R7.5</u>	<u>GR1</u>	<u>GR2</u>	<u>NC</u>	<u>OI</u>	<u>GC</u>	<u>CC</u>	<u>IND</u>	<u>MED</u>

Offices and clinics of other health practitioners.	804						P	P	P	P		P
Nursing and personal care facilities.	805							P	P	P		P
Hospitals.	806								P			P
Medical and dental laboratories.	807							P	P	P		P
Home health care services.	808							P	P	P		P
Misc. health & allied services.	809								P	P		P
<u>Legal Services</u>	81						P	P	P	P		
<u>Educational Services</u>	82											
Elementary schools.	821	P	P	P	P	P	P	P	P			C
Secondary schools.	821	P	P	P	P	P	P	P	P			C
Colleges, Universities, & professional schools.	822							P	P	P		P
Libraries.	823	C	C	C	C	C	C	C	C	C		C
Vocational schools.	824							P	P	P		P
Other schools & educ. services.	829							P	P	P		P
<u>Social Services</u>	83											
Individual & family social service.	832							P	P	P		P
Job training & vocational rehab. services.	833							P	P	P		
Child day care services.	835			P	P	P	P	P	P			
Residential Care.	836			P	P	P	P	P	P			P
Other social services.	839						P	P	P	P		
Museums and Art galleries.	841						P	P	P	P		
Arborata, botanical, or zoological gardens.	842								P			
<u>Membership Organizations.</u>	86											
Business associations.	861							P	P	P		
Professional membership organization.	862							P	P	P		
Labor unions & similar labor organizations.	863							P	P	P		
Civic, social, & fraternal association.	864						P	P	P	P		
Political Organization.	865						P	P	P	P		
Religious Organizations.	866	P	P	P	P	P	P	P	P	P	P	P
Other membership organizations.	869						P	P	P	P		
Engineering, accounting, research, management & related service.	87						P	P	P	P		
Misc. services, ie artists, authors, geologists, psychologists, etc.	89						P	P	P	P		
Cemeteries.	N/A	C	C	C	C			C	C			

Division J, PUBLIC ADMINISTRATION

	<u>SIC</u>	<u>R10</u>	<u>R7.5</u>	<u>GR1</u>	<u>GR2</u>	<u>NC</u>	<u>OI</u>	<u>GC</u>	<u>CC</u>	<u>IND</u>	<u>MED</u>
Executive, legislative, & general government, except finance.	91										
Executive Offices.	911	C	C	C	C	C	C	C	C	C	C
Legislative bodies.	912	C	C	C	C	C	C	C	C	C	C
General govt. not elsewhere classified.	919	C	C	C	C	C	C	C	C	C	C
<u>Justice, public order, & safety</u>	92										
	<u>SIC</u>	<u>R10</u>	<u>R7.5</u>	<u>GR1</u>	<u>GR2</u>	<u>NC</u>	<u>OI</u>	<u>GC</u>	<u>CC</u>	<u>IND</u>	<u>MED</u>

Courts.	921	C	C	C	C	C	C	C	C	C	C	C
Public order & safety.	922	C	C	C	C	C	C	C	C	C	C	C
Correctional Institute (sec.1007.2).	9223	C	C	C	C	C	C	C	C	C	C	C
Fire protection.	9224	C	C	C	C	C	C	C	C	C	C	C
Public finance, taxation, & monetary policy.	93	C	C	C	C	C	C	C	C	C	C	C
Administration of human resources.	94	C	C	C	C	C	C	C	C	C	C	C
Administration of environmental quality & housing programs.	95	C	C	C	C	C	C	C	C	C	C	C
Administration of economic programs.	96	C	C	C	C	C	C	C	C	C	C	C

RESIDENTIAL USES

	<u>SIC</u>	<u>R10</u>	<u>R7.5</u>	<u>GR1</u>	<u>GR2</u>	<u>NC</u>	<u>OI</u>	<u>GC</u>	<u>CC</u>	<u>IND</u>	<u>MED</u>
Single-family, detached dwelling.	NA	P	P	P	P	P	P	P			P
Single-family, attached dwelling.	NA				P		P				P
Duplex.	NA				P		P				P
Manufactured home (Sec. 1007.7).	NA			C							
Manufactured home park (Sec. 1007.8).	NA			C							
Townhouse (Sec. 1007.12).	NA				C		C				
Patio house (Sec. 1007.13).	NA				C		C				
Triplex, quadruplex.	NA				P		P				
Multi-family.	NA				C		C				
Apartment.	NA				C		C		P		

ACCESSORY USES TO RESIDENTIAL USES

	<u>SIC</u>	<u>R10</u>	<u>R7.5</u>	<u>GR1</u>	<u>GR2</u>	<u>NC</u>	<u>OI</u>	<u>GC</u>	<u>CC</u>	<u>IND</u>	<u>MED</u>
Bathhouses.	NA	P	P	P	P	P	P	P	P		P
Cabanas.	NA	P	P	P	P	P	P	P	P		P
Non-commercial greenhouses.	NA	P	P	P	P	P	P	P	P		P
Private garage and carport.	NA	P	P	P	P	P	P	P	P		P
Storage building.	NA	P	P	P	P	P	P	P	P		P
Swimming pool.	NA	P	P	P	P	P	P	P	P		P
Tool shed and workshop.	NA	P	P	P	P	P	P	P	P		P
Home occupation.	NA	P	P	P	P	P	P	P	P		P
Horticulture, gardening.	NA	P	P	P	P	P	P	P	P		P
Family daycare home.	NA	P	P	P	P	P	P	P	P		P
Coin operated laundry.	NA			C	C						
Office.	NA			C	C						

ACCESSORY USES TO NON-RESIDENTIAL USES

	<u>SIC</u>	<u>R10</u>	<u>R7.5</u>	<u>GR1</u>	<u>GR2</u>	<u>NC</u>	<u>OI</u>	<u>GC</u>	<u>CC</u>	<u>IND</u>	<u>MED</u>
Buildings & structures.	NA	P	P	P	P	P	P	P	P	P	P