Anderson County Planning Commission
March 8, 2016- 6:00 PM
County Council Chambers
2nd Floor – Old Courthouse
Anderson, South Carolina

AGENDA

1. Call to Order

2. Welcome

3. Approval of Minutes (from February 9th meeting)

4. Public Comments
   During Public Comments, please state your name and address and limit speaking time to a maximum of five (5) minutes in order to allow for other comments. The Chairperson may, at his/her discretion and/or after consultation with other members of the Planning Commission, allow additional time to a speaker to complete his/her comments.

5. Subdivisions
   A. Vandiver Road

6. Public Hearing:
   A. Request for text amendments to Chapter 70 - Zoning, of the Anderson County Code of Ordinances. Changes include clarifications to internal processes and to bring the Chapter into compliance with certain State and Federal Legislation.

   B. Request to rezone +/- 26.83 acres at 5585 Highway 187 from R-20 (Single-Family Residential with a minimum lot size of 20,000 sq ft) to R-A (Residential–Agriculture)

7. Old Business
   A. Planning Commission By-Laws Update

8. New Business

9. Adjournment

DRAFT

Anderson County Planning Commission
Tuesday, February 9, 2016
6:00 PM
County Council Chambers
Second Floor – Old Courthouse
Anderson, South Carolina

Minutes

In accordance with the South Carolina Freedom of Information Act, Section 30-4-10 et seq., South Carolina Code, 1976, as amended and the Anderson County Ordinance #386, as adopted on September 21, 1993, the media was duly notified of the date, time, and place of the meeting.

Members Present: Jane Jones, Ed Dutton, Lonnie Murray, Brad Burdette and Jerry Vickery

Members Absent: David Cothran and Debra Chapman

Staff Present: Michael Forman, Alesia Hunter, Jeff Parkey, Bill Huggins and Celia Myers

Call to Order: Planning Commission Vice-Chair Jane Jones called the meeting to order, with a quorum present to conduct the meeting. Vice-Chair Jones welcomed all present to the meeting.

Approval of Minutes: Vice-Chair Jones called for any changes to the minutes from the January 11th regular Commission meeting. Hearing none, the minutes were unanimously approved.

Public Comments: Vice-Chair Jones called for any public comments that did not pertain to agenda items. No public comments were heard at this time.

Subdivisions:

Carriage Run: Mr. Bill Huggins presented the staff evaluation for the change in layout of Carriage Run. Mr. Ed Dutton questioned the requirements for subdivisions in the County ordinance. Mr. Jerry Vickery moved to approve the change in layout; and Mr. Lonnie Murray seconded. The motion to approve this request passed 4-0-1, with Mr. Dutton abstaining.

Scott Drive: Mr. Huggins presented the staff's report and recommendation for the subdivision on Scott Drive. Mr. Dutton expressed concern over septic tanks in close proximity to Lake Hartwell. Mr. Murray echoed this concern. Ms. Alesia Hunter reinforced that SCDHEC will test the soil prior to issuing a permit. Mr. Vickery moved to approve the request; with Mr. Brad Burdette seconding. The motion to approve passed 3-2, with Mr. Dutton and Mr. Murray opposing.

Vandiver Road: This request was withdrawn at the request of the applicant prior to the start of the meeting.

Old Business:

Review of Planning Commission By-Laws

Mr. Michael Forman reintroduced the draft of the Planning Commission By-Laws update. Mr. Dutton offered several amendments to the by-laws. These changes will be compiled and presented before the Commission at the March regular meeting for adoption.

DRAFT

Vice-Chair Jones then called for any other old business. No other information was presented.

New Business:

Discussion of upcoming Municode revisions: Mr. Forman gave a brief report informing Commissioners that amendments to the Ordinance (Chapter 70, Zoning) will be presented during a public hearing at the March regular meeting. These amendments are to clarify internal processes and to bring Chapter 70 into compliance with certain State and Federal regulations.

March 3rd training session: Mrs. Celia Myers informed the Commissioners of an upcoming training session scheduled for Thursday, March 3rd from 9am to 4pm. This training will provide Commissioners the annual training hours required by SC Legislation.

Vice-Chair Jones called for any new business. Hearing no further business, Vice-Chair Jones adjourned the meeting at 6:30 pm.

Respectfully Submitted,

Celia Boyd Myers, AICP
Planning Commission Secretary

Anderson County Planning Commission

March 8, 2016
6:00 PM

Staff Report – Preliminary Subdivision

Preliminary Subdivision Name:	Vandiver Road
Intended Development:	Residential
Applicant:	Energy Conversion Corporation
Surveyor/Engineer:	Bluewater Civil Design
Location:	122 Vandiver Road, Anderson, SC
County Council District:	1
Surrounding Land Use:	North – School South – Agriculture East – Agriculture West – Agriculture
Zoning:	R-20
Tax Map Number:	146-00-07-001
Extension of Existing Dev:	No
Existing Access Road:	Vandiver Road – Minor Urban Collector
Number of Acres:	32.55 acres
Number of Lots:	12
Water Supplier:	Hammond
Sewer Supplier:	City of Anderson
Variance:	No

Traffic Impact Analysis:
This new subdivision is expected to generate 120 trips per day. Vandiver Road is a minor urban collector.

Because this road is a collector, there is no maximum trip limit.

Staff Recommendation:
Approval, with the following conditions:

- Due to the horizontal curve in Vandiver Road, there is not adequate sight distance within the existing right of way when looking east towards Crestview Rd. Applicant will have to acquire a sight easement from the adjacent property and adjust the lot 1 line along Vandiver Road to ensure adequate sight distance at this location
- Developer must obtain an encroachment permit from Anderson County Roads and Bridges prior to proceeding with development.
- All lots must access internal roads only.
- Subdivision and road names must be approved by the Addressing Department
- Approval from SCDHEC and Anderson County Storm Water Department regarding erosion and sediment control
- Approval from Hammond Water District for potable water and fire protection.
- If volumes and pressures exist, fire hydrants shall be placed within 1000' of all lots.
- Approval from SCDHEC and City of Anderson regarding sewer construction.

Subdivision Plat Application

RECEIVED JAN 14 2016 Development Standards

14 January 2016
Date of Application Completion

Vandiver Road
Name of Project

Applicant's Information

Name: Energy Conversion Corp.

Mailing Address: 521 North McDuffie Street, Anderson, SC 29621

Telephone and Fax: (864) 225-0025 E-Mail: eddiekinsey@hotmail.com

Fax: (864) 225-0026

Owner's Information

(If Different from Applicant)

Name:

Mailing Address:

Telephone and Fax: E-Mail:

Project Information

Project Location: 122 Vandiver Road, Anderson, SC 29621

Parcel Number/TMS: 146-00-07-001

County Council District: 1 School District: 5

Total Acreage: 32.55 Number of Lots: 12

Intended Development: Residential Current Zoning: R-20

Surrounding Land Uses: North: School South: Ag East: Ag West: Ag

Water Supplier: Hammond Sewer Supplier: City of Anderson

Have any changes been made since this plat was last before the Planning Commission?:

If so, please describe:

Is there a request for a variance?: If so, please attach the description to this application.

As the applicant, I hereby confirm that all the required materials for this application are authentic and have been submitted to the Anderson County Development Standards Office.

Eddie Kinsey
Applicant's Signature

14 January 2016
Date

For Office Use Only:

Scheduled Public Hearing Date: 2/9/16

Application Received By: Hagroone

Date Complete Application Received: 1/14/16

Amount of Fee Paid: $1120.00

Check Number: 16233

Staff Recommendation:

Planning Commission Decision:

SITE DATA

TAX MAP NO.:	1460007001
LAND AREA:	±32.55 AC.
ZONING:	R-20
SETBACK INFORMATION:	30' ALONG VANDIVER ROAD 20' FRONT SETBACK 10% SIDE SETBACK 5' REAR SETBACK 20' SECONDARY SIDE
TOTAL ROADWAY:	1,348 LF (22' PAVED W/ 50' R.O.W.) (PHASE I)
PROPOSED LOTS:	12 LOTS (PHASE I)

TRAFFIC NOTE:
CONTRACTOR SHALL INSTALL ALL TRAFFIC STRUCTURES, CALMING DEVICES, PEDESTRIAN MARKINGS, & TRAFFIC PAVEMENT MARKINGS PER THE MOST RECENTLY APPROVED SCDOT ARMS MANUAL AND U.S. DEPARTMENT OF TRANSPORTATION FEDERAL HIGHWAY ADMINISTRATION SPECIFICATIONS.

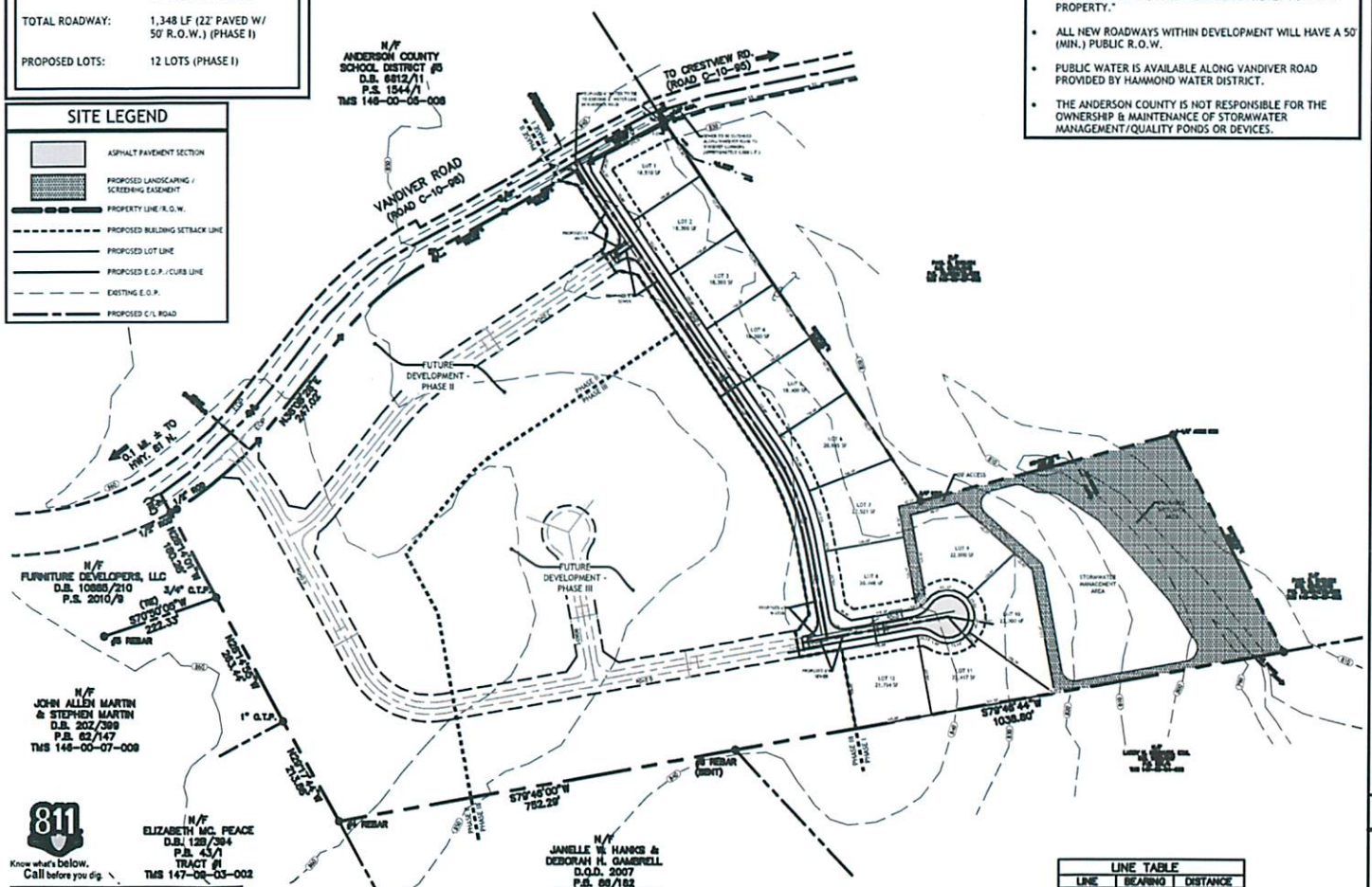
R.O.W. NOTE:
ALL WORK WITHIN THE PUBLIC R.O.W. (VANDIVER ROAD) SHALL BE DONE IN ACCORDANCE WITH APPROVED ENCROACHMENT PERMIT.

GENERAL NOTES:

- ALL NEW LOTS TO HAVE INTERNAL ACCESS ONLY.
- 5' DRAINAGE AND UTILITY EASEMENTS SHALL BE ESTABLISHED ALONG ALL SIDE AND INTERIOR REAR PROPERTY LINES; 10' EASEMENTS SHALL BE ESTABLISHED ALONG EXTERIOR BOUNDARY OF THE SUBDIVISION UNLESS ADJOINING PROPERTY OWNERS HAVE ESTABLISHED EASEMENTS.
- A "STORM WATER MANAGEMENT AND SEDIMENT REDUCTION PLAN HAS BEEN PREPARED FOR THIS PROPERTY AND WILL BE APPLIED FOR LAND DISTURBING ACTIVITIES. EACH PROPERTY OWNER WILL COMPLY WITH THIS PLAN UNLESS AN INDIVIDUAL PLAN IS PREPARED AND APPROVED FOR THAT PROPERTY."
- ALL NEW ROADWAYS WITHIN DEVELOPMENT WILL HAVE A 50' (MIN.) PUBLIC R.O.W.
- PUBLIC WATER IS AVAILABLE ALONG VANDIVER ROAD PROVIDED BY HAMMOND WATER DISTRICT.
- THE ANDERSON COUNTY IS NOT RESPONSIBLE FOR THE OWNERSHIP & MAINTENANCE OF STORMWATER MANAGEMENT/QUALITY PONDS OR DEVICES.

SITE LEGEND

- ASPHALT PAVEMENT SECTION
- PROPOSED LANDSCAPING / SCREENING EASEMENT
- PROPERTY LINE/R.O.W.
- PROPOSED BUILDING SETBACK LINE
- PROPOSED LOT LINE
- PROPOSED E.O.P./CURB LINE
- EXISTING E.O.P.
- PROPOSED C/L ROAD



DIMENSION NOTE:
ALL DIMENSIONS SHOWN ON ROADWAY ARE MEASURED FROM F.O.C. TO F.O.C. UNLESS OTHERWISE SPECIFIED.

NOTE:
ALL EXISTING FIELD CONDITIONS SHALL BE VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION. CONTRACTOR SHALL CONTACT SITE ENGINEER AND OWNER IMMEDIATELY IF ANY DISCREPANCIES ARE NOTICED.

LINE TABLE		
LINE	BEARING	DISTANCE
L1	[illegible]	14.67'
L2	[illegible]	8.97'
L3	[illegible]	12.07'
L4	[illegible]	40.34'
L5	[illegible]	14.79'

CURVE TABLE					
CURVE	LENGTH	RADIUS	CHORD	CHORD BEARING
C1	13.11'	137.67'	13.11'	[illegible]
C2	300.38'	888.67'	198.87'	[illegible]
C3	333.67'	833.00'	331.13'	[illegible]

SURVEYOR	CIVIL ENGINEER	OWNER
COMPANY: DUNN & DUNN, INC.	COMPANY: BLUEWATER CIVIL DESIGN, LLC	COMPANY: ENERGY CONVERSION CORP.
ADDRESS: 918 CAROLINA CIRCLE ANDERSON, SC 29621	ADDRESS: 19 WASHINGTON PARK, SUITE 100 GREENVILLE, SC 29601	ADDRESS: 521 NORTH MCDUFFIE STREET ANDERSON, SC 29621
PHONE: 864-221-1296	PHONE: 864-735-5068	PHONE: 864-225-0025
CONTACT: BARRY K. DUNN, P.L.S.	CONTACT: PAUL HARRISON, P.E.	CONTACT: EDDIE KINSEY
EMAIL: BARRYDUNNINC@BELLSOUT.NET	EMAIL: PAUL@BLUEWATERCIVIL.COM	EMAIL: EDDIEKINSEY@HOTMAIL.COM

THIS DRAWING AND ASSOCIATED .DWG FILES ARE THE PROPERTY OF BLUEWATER CIVIL DESIGN, LLC AND SHALL NOT BE MODIFIED, USED, OR REPRODUCED IN ANY WAY OTHER THAN AUTHORIZED IN WRITING. © 2016 BLUEWATER CIVIL DESIGN, LLC

VICINITY MAP - N.T.S.

PRELIMINARY

VANDIVER ROAD SUBDIVISION

Owner	Engineer
Energy Conversion Corp. Eddie Kinsey 521 North McDuffie Street Anderson, SC 29621 864-225-0025	Bluewater Civil Design, LLC Paul J. Harrison, P.E. 19 Washington Park, Suite 100 Greenville, SC 29601 864-735-5068

Total Acreage:	32.55 Ac.	Existing Zoning:	R-20
Number of Lots:	12 Lots	New Roadway:	1,348 LF

GRAPHIC SCALE

(IN FEET)
1 inch = 100 ft.

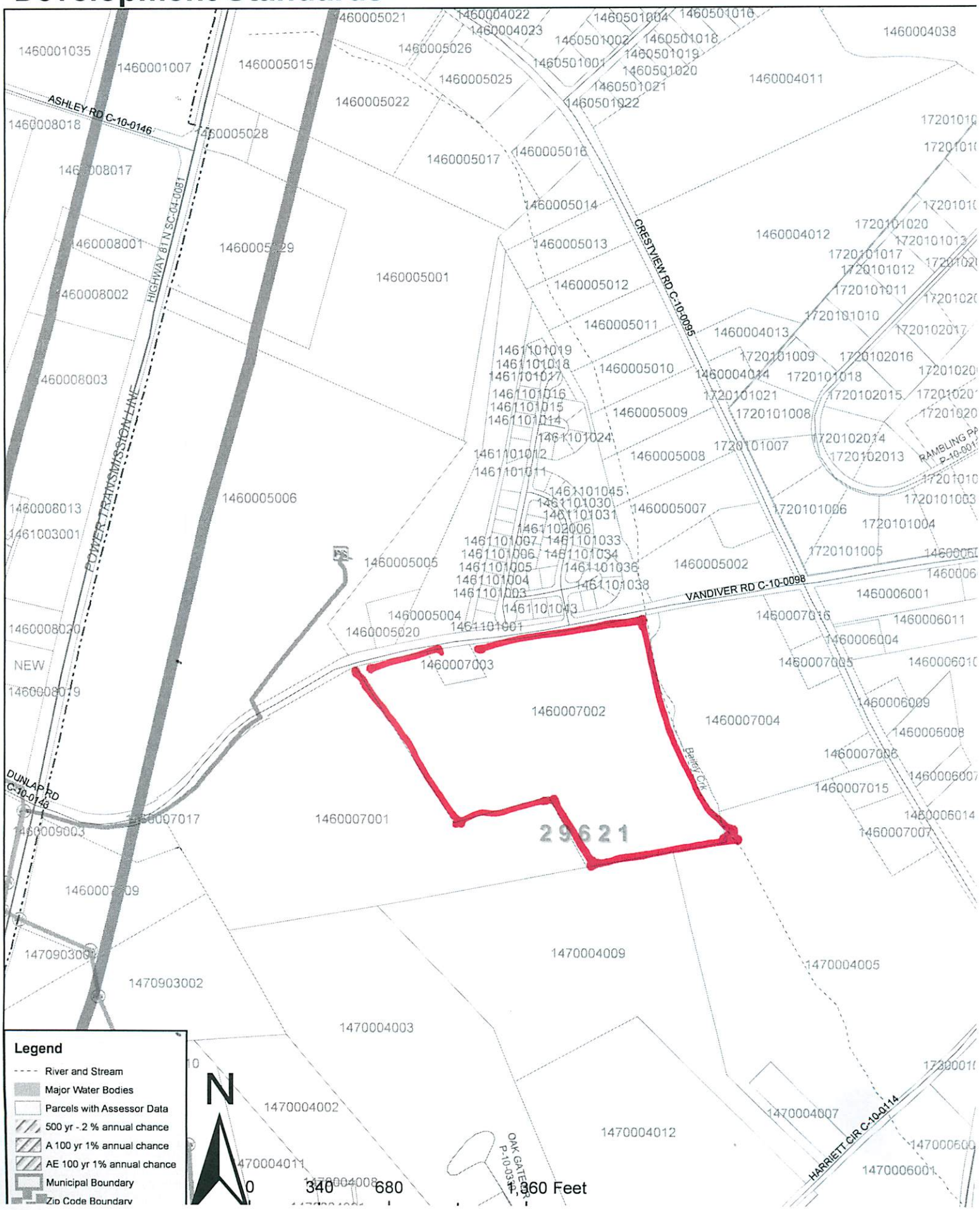
blueWATER civil design
bluewater civil design, llc
19 Washington Park, Suite 100 • Greenville, SC 29601
www.bluewatercivil.com • info@bluewatercivil.com
Certificate of Authorization: SC COA212 - GA PEFIRM#5 NC FIRM# - AL CA#4382

Vandiver Road Subdivision
Vandiver Road
Anderson County, SC

Preliminary Plat

PP-1

Development Standards



Anderson County
Planning Commission

P.O. Box 8002, Anderson, SC 29622 • (864) 260-4720 • Fax (864) 260-4795

Tommy Dunn
Chairman
Council District 5

Ken Waters
Vice Chairman
Council District 6

Francis M. Crowder, Sr.
Council District 1

Gracie S. Floyd
Council District 2

J. Mitchell Cole
Council District 3

Thomas F. Allen
Council District 4

M. Cindy Wilson
Council District 7

Kim A. Poulin
Clerk to Council

Rusty Burns
County Administrator

March 3, 2016

Attn: Planning Commission

Re: Chapter 70 Text Amendments

Our Code publisher, Municode, will be conducting a thorough review of the entire Anderson County Code of Ordinances in the next few months. The purpose of the Municode review, amongst others, is to locate deviations in the County code from that of State and Federal regulations. The County Code of Ordinances has not been comprehensively reviewed in this manner in over a decade.

This will prove to be a monumental task. However, there are tweaks that are not of a substantive nature that can be made before Municode begins their process which would facilitate the overall review. As such, the County Administrator and County Attorney have requested the assistance of the Planning Commission and Planning and Community Development Department to address and revise those minor issues as they pertain to Chapter 70, the Zoning Ordinance.

Please find attached staff's recommendations. Highlights in yellow are new language. Removed language is struck-though.

Once again, due to the time constraints of this project, these recommendations are minor in nature and do not address some of the larger issues that may exist with the Zoning Ordinance. A more thorough review and revision of Chapter 70 could still be warranted after this process. As such, we would recommend a deeper dive into the issue by bringing a variety of stake holders to the table to discuss further.

Thank you.

Michael Forman
Planning and Community Development Manager

Chapter 70 - ZONING

FOOTNOTE(S):

--- (1) ---

Editor's note—Ord. No. 99-004, arts. 1—16, adopted July 20, 1999, was not specifically amendatory. Thus, said ordinance has been included in this Code as chapter 70, arts. 1—16 at the county's request to read as herein set out. Printed herein is the county's comprehensive zoning regulations, as adopted by Ord. No. 99-004 by the Anderson County Council. Amendments are indicated by parenthetical history notes following amended provisions. The absence of a history note indicates that the provision remains unchanged from the original ordinance as supplemented. For stylistic purposes, a uniform system of headings, catchlines, capitalization, citation to state statutes, and expression of numbers in text has been used. Additions made for clarity are indicated by brackets.

Cross reference— General provisions, ch. 1; administration, ch. 2; aviation, ch. 6; buildings and building regulations, ch. 10; cable communications, ch. 14; courts, ch. 26; emergency services, ch. 30; land use, ch. 38; law enforcement, ch. 42; manufactured homes and trailers, ch. 50; parks and recreation, ch. 54.

ARTICLE 1. - PURPOSE, AUTHORITY

Section 1:1. - Purpose.

The zoning regulations and districts as herein set forth have been made in accordance with a comprehensive plan and are designed to lessen traffic congestion; to secure safety from fire, panic, and other danger; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; and to facilitate the adequate provisions of transportation, water, sewerage, schools, parks, and other public requirements. Such regulations have been made with reasonable consideration, among other things, to the character of each district and to its peculiar suitability for particular uses, and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout Anderson County.

(Ord. No. 99-004, § 1:1, 7-20-99)

Section 1:2. - Authority.

The provisions of this chapter are adopted under authority of the South Carolina Local Government Comprehensive Planning Enabling Act of 1994, S. C. Code Title 6, Chapter 29.

(Ord. No. 99-004, § 1:2, 7-20-99)

ARTICLE 2. - JURISDICTION

The regulations set forth in this chapter shall be applicable within the area designated on the Official Zoning Map. The provisions of this chapter do not regulate areas designated as "UNZONED".

(Ord. No. 99-004, art. 2, 7-20-99)

ARTICLE 3. - ZONING DISTRICTS AND OFFICIAL ZONING MAP

Section 3:1. - Zoning districts.

The Anderson County zoning jurisdiction area is hereby divided into the following districts:

R-A, Residential Agricultural (One acre minimum lot)

R-A2, Residential Agricultural (Two acre minimum lot)

R-40, Single Family Residential (40,000 square foot minimum lot)

R-20, Single-Family Residential (20,000 square foot minimum lot)

R-15, Single-Family Residential (15,000 square foot minimum lot)

R-12, Single-Family Residential (12,000 square foot minimum lot)

R-10, Single-Family Residential (10,000 square foot minimum lot)

R-8, Single-Family Residential (8,000 square foot minimum lot)

R-D, Residential Duplex

R-M1, Mixed Residential (Medium density residential with office use)

R-M2, Multifamily Residential (Medium density)

R-M7, Multifamily Residential (Medium density)

R-M, Multifamily Residential (Medium and high density)

R-MA, Multifamily Residential (High density)

R-MHP, Residential Manufactured Home Park District

O-D, Office District

OD-LTD, Office District Low Traffic Density

POD, Planned Office District

C-1N, Neighborhood Commercial District

C-1NB, Blended Neighborhood Commercial District

C-1R, Rural Commercial District

C-1, Commercial District

C-2, Highway Commercial District

C-3,Commercial District

S-1, Services District

I-1, Industrial District

I-2, Industrial Park District

PD, Planned Development District

PC, Planned Commercial District

AP, Airport Protective Areas

RRD, Residential Reuse District

(Ord. No. 99-004, § 3:1, 7-20-99)

Section 3:2. - Official zoning map.

The boundaries of each zoning district are shown on a map entitled Official Zoning Map, Anderson County, South Carolina, which is hereby adopted and declared to be a part of this chapter.

3:2.1. Amendments.

Amendments to the official zoning map shall be made as necessary so that the map at all times portrays the current status of the zoning districts or zoning district boundaries.

3:2.2. Custodian of map.

A reproducible copy of the official zoning map shall be kept on file in the office of the Anderson County ~~planning commission~~ Zoning Administrator and copies shall be available at all times for inspection by the public.

(Ord. No. 99-004, §§ 3:2—3:2.2, 7-20-99)

Section 3:3. - Interpretation of district boundaries.

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

3:3.1. Delineation.

District boundary lines are intended to follow the centerlines of streets, highways, alleys, easements, and other rights-of-way; the centerlines of streams or other water channels; and follow platted lot or other property lines. In the absence of visual district boundaries or specified distances on the official zoning map, dimensions or distances shall be determined by scaling the distance on the official zoning map.

3:3.2. Interpretation.

When the physical or cultural features existing on the ground are at variance with those shown on the official zoning map, the board of zoning appeals shall interpret the district boundaries.

3:3.3. Divided lot.

Where a district boundary divides a lot which was in single ownership at the time of passage of this chapter, the board of zoning appeals may permit the extension of the regulations for either portion of the lot beyond the district line into the remaining portion of the lot.

(Ord. No. 99-004, §§ 3:3—3:3.3, 7-20-99)

ARTICLE 4. - DEFINITIONS

Except where specifically defined herein, all words used in this chapter shall carry their customary meanings. Words used in the present tense include the future tense; the singular number includes the plural. The word shall is mandatory, not directory.

Accessory use means a use of land or of a building or portion thereof customarily incidental to the principal use of the land or building and located on the same lot with such principal use. For the purpose of this chapter, accessory uses include swimming pools and game courts and shall meet the requirements of article 6.

Agriculture, farming means the science or art of cultivating the soil, producing crops, plants, trees or shrubs, and/or raising livestock which does not require a tax license by the state of South Carolina.

Apartment. Same as "Dwelling, Multiple-Family."

Automobile wash, automated means any automobile cleaning facility that provides exterior washing and cleaning on a drive-through or rollover basis.

Automobile wash, full-service means any automobile cleaning facility which provides exterior and interior washing and cleaning services for automobiles and other motor vehicles.

Automobile wash, self-service means any automobile cleaning facility where equipment and/or facilities are provided for the self-service cleaning of automobiles and other motor vehicles.

Barn means a structure that may be used to house animals, farm equipment, feed, storage or other farm related items.

Bed and breakfast inn, lodge, cottage means a home used for lodging. The home is secondary to the business. These types of facilities provide accommodations with breakfast in operator or owner occupied homes that are primarily used for Inn activities. Inns are operated as a commercial enterprise. Bed and breakfast inns, lodges, and cottages may operate restaurants offering meals to the general public, as well as overnight guests. Accommodations for overnight stays are limited to five to 15 guest rooms.

Bed and breakfast homestay, host home, guest house means a private home offering lodging and breakfast to guests. Accommodations are limited to a maximum of four guestrooms. This type of establishment is primarily a private home offering lodging and breakfast to guests. The appearance and primary function of the home shall remain as a residence, not as a lodging establishment.

Building means any structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of any person, process, equipment, or goods.

Building, accessory means a structure attached to or detached from a principal building on the same lot and customarily incidental to the use of the principal building.

Building, principal means a building in which is conducted the principal use of the lot.

Building permit means a certificate which has been endorsed by the zoning administrator that a proposal to use or occupy a tract of land or a building; or to erect, install, or alter a structure, building, or sign fully meets the requirements of this chapter.

Building setback line means a line establishing the minimum allowable distance between the nearest portion of any building excluding steps, gutters, and similar fixtures, and the property line when measured perpendicularly thereto.

Canopy means a rooflike, unenclosed (except when connected to a building) shelter having various means of support and generally used for protection from weather for pedestrians.

Cemetery means land used or intended to be used for the burial of the dead and dedicated for cemetery purposes, and including columbariums, mausoleums, and chapels when operated in conjunction with and within the boundaries of such cemetery.

Certificate of occupancy means a statement signed by the zoning administrator setting forth that the building, structure, or use complies with the zoning ordinance and that the same may be used for the purpose stated herein.

Child care center means any home, center, agency, or place where children not related to the operator are received for care.

Child care home means one in which care is given in a family home for one and not more than six children. Only those residing in the home may be involved in the day-to-day operation of the child care home.

Cluster housing means grouping of three or more structures around courts, culs-de-sac or short streets, more closely than in conventional single-family classifications, in order to preserve open space for common use.

Collection center for recyclable consumer items means a facility designed to receive household consumer items for recycling, such as metal food containers and cans, glass food containers, beverage bottles, discarded newspapers, magazines, card board and flat paper.

Columbarium means a building or structure designed with niches for the location of urns to hold the ashes of cremated persons. Columbaria shall be operated only within the boundaries of approved cemeteries and churches.

Communication antenna means a device used to transmit and/or receive radio or electromagnetic waves between terrestrially or orbitally based structures.

Communication tower means a tower of any size which supports communication (broadcast or receiving) equipment utilized by commercial, governmental, or other public and quasi-public users. This does not include communication equipment operated by a public service agency, private home use of satellite dishes and television antennas, or amateur radio operators as licensed by the Federal Communications Commission.

Community recreational area means a recreational area shown on an approved preliminary subdivision plat comprised of one or more of the following: swimming pools, picnic shelter, game courts, and neighborhood clubhouses. A community recreational area is intended to serve the residents of the subdivision in which it is located. It does not include for-profit, privately owned and operated facilities.

Continuing care retirement center means one or more structures maintained for the purpose of providing housing to two or more individuals, except rooms or units occupied by resident personnel staff, which may be in conjunction with medical and skilled nursing care and personal services such as shared food preparation, dining areas, recreation, social, and other personal services for the exclusive use of the residents.

District, zoning means any section of Anderson County in which zoning regulations are uniform.

Drainage plan means a site plan showing contours, drainage structures (including, but not limited to pipes, ponds, ditches, etc.), anticipated flow calculations, destination of run-off to nearest identifiable drainage way, and any other data required to clearly define the proposed drainage system.

Dwelling means any building used exclusively for human habitation including any permitted home occupation but excluding hotels, motels, and rooming and boardinghouses.

Dwelling unit means one or more rooms with cooking and toilet facilities used as a place of residence for one family.

Dwelling, garden court means a single-family dwelling unit, also known as a patio house, which is located on its lot, nearer to one side and/or rear property lines(s) than is allowed for normal single-family dwellings; however, such structure cannot be located closer than five feet to the side and/or rear property lines(s). For the purpose of this chapter, a garden court dwelling shall be treated as a single-family detached dwelling.

Dwelling, multiple-family means a residential building containing three or more individual dwelling units located on a single lot or parcel of ground. A multiple-family dwelling, commonly known as an apartment house, generally has a common outside entrance(s) for all the dwelling units, and the units are generally designed to occupy a single floor one above the other.

Dwelling, single-family means a residential building containing only one dwelling unit and not occupied by more than one family.

Dwelling, single-family attached means two or more single-family dwelling units, each with its own outside entrance, which are generally joined together by a common party wall or connecting permanent structures such as breezeways, carports, or garages, whether or not such a group is located on a single lot or parcel of ground or on adjoining individual lots. For the purpose of this chapter, dwellings such as rowhouses, townhouses, and condominiums shall be treated as single-family attached dwellings.

Dwelling, single-family detached means a single-family dwelling unit that is entirely surrounded by open space or yards on the same lot.

Dwelling, two-family means a residential building containing two individual dwelling units located on a single lot or parcel of ground.

Dwelling, zero lot line means a single-family dwelling that has a zero-foot setback from a side and/or rear property line. For the purpose of this chapter, a zero lot line dwelling shall be treated as a single-family detached dwelling.

Expressway means expressways involve those facilities containing some at-grade intersections but with limited access.

Family means one or more persons living together as a single housekeeping unit. For the purposes of this chapter, such persons may include gratuitous guests, foster children, and domestic servants employed in the same.

Family care home means a residence in which six or fewer individuals are housed who are not necessarily related and who are individuals with disabilities as defined by the Americans with Disabilities Act ~~physically handicapped~~, aged, ~~disabled~~, ~~mentally ill~~, alcoholic or drug addicted, or who are in need of adult supervision and/or family support. Any family care home which houses alcoholic or drug addicted individuals must be a noncommercial organization that can ensure its residents have completed a recognized drug and/or alcohol treatment program and are no longer using alcohol or controlled substances. In addition, facilities for mentally ill, alcoholic or drug addicted individuals must be licensed by the South Carolina Department of Health and Environmental Control (DHEC) as a community residential care facility as defined in the South Carolina Code of Laws 1976, as amended, Regulation 61-84. Only those residing in the home may be involved in the day-to-day operation of the family care home. Such homes include children's homes, group homes, rest homes, homes for the elderly, and family support homes. Family care homes do not provide continuous medical and skilled nursing care such as a nursing home nor provide any service to the resident beyond personal assistance.

Freeway means freeways involve those facilities with complete control of access through the use of grade separation and interchanges.

Gross leasable area means the total floor area designed for tenant occupancy and exclusive use including basements, mezzanines, and upper floors, if any, expressed in square feet and measured from the centerline of joint partitions and from outside wall faces.

Group care home means a residence in which seven or more, but not exceeding 20, individuals are housed who are not necessarily related and who are individuals with disabilities as defined by the Americans with Disabilities Act ~~physically handicapped~~, aged, ~~disabled~~, ~~mentally ill~~, alcoholic or drug addicted, or who are in need of adult supervision and/or group support. Any group care home which houses alcoholic or drug addicted individuals must be a noncommercial organization that can ensure its residents have completed a recognized drug and/or alcohol treatment program and are no longer using alcohol or controlled substances. In addition, facilities for mentally ill, alcoholic or drug addicted individuals must be licensed by the South Carolina Department of Health and Environmental Control (DHEC) as a community residential care facility as defined in South Carolina Code of Laws 1976, as amended, Regulation 61-84. Only those residing in the home may be involved in the day-to-day operation of the group home. Such homes include facilities such as children's homes, group homes, rest homes, homes for the elderly, and family support homes. Group care homes do not provide continuous medical

and skilled nursing care such as a nursing home nor provide any service to the resident beyond personal assistance.

Group development means a planned mix of permitted uses.

Group commercial development means a commercial group development is two or more permitted land uses on the same lot, tract, or parcel of land, i.e., shopping center.

Group industrial development means an industrial group development is two or more permitted land uses sited on the same lot, tract, or parcel of land, i.e., industrial park.

Group residential development means a residential group development is a planned group of three or more residential dwelling units exclusive of single-family detached and two-family (duplex) dwelling units. For the purpose of this chapter, multifamily dwelling units and single-family attached dwelling units (i.e., cluster homes, row houses, and townhouses) shall be treated as residential group developments.

Height means the vertical distance measured from the average finished grade at the front building line to the highest point of the structure.

Home occupation means any use of principal and accessory buildings clearly incidental to their uses for dwelling purposes and conducted for compensation by a resident thereof within a residential district and meeting the requirements of article 6 of this chapter.

Hotel or motel means a building or group of buildings containing individual sleeping or living units designed for the temporary occupancy of automobile tourists or transient guests and which has a garage attached or parking space conveniently located to each unit.

Interstate highway. See Freeway.

Industrial park means two or more compatible industrial structures or uses that are located on a single parcel or on contiguous parcels whose location is identified by a common name.

Junk yard means any land or area used, in whole or in part, for commercial storage and/or sale of waste paper, rags, scrap metal, or other junk and including storage of vehicles and machinery and/or dismantling of such vehicles or machinery.

Light industry means the manufacture, service, repair, or testing of products taking place in a totally enclosed building. There is no outside storage. Noise, odor, glare, vibrations, or emissions from the industrial activity are not detectable off of the property.

Lot means a parcel of land designated by number or other symbol as a part of a legally approved and recorded subdivision or as described by metes and bounds and recorded in the office of the Anderson County Register of Deeds.

Lot, corner means a lot abutting upon two or more streets at their intersection or upon two parts of the same street forming an interior angle of less than 135 degrees. The point of intersection of the street lines or of the street lines as extended is the corner.

Lot, depth means the average horizontal distance between the front and rear property lines of a lot.

Lot, double frontage means a lot which extends through a block having frontage on two roads.

Lot line, front means that line which separates the lot from a street right-of-way.

Lot line, rear means ordinarily that lot line which is opposite and most distant from the front lot line. In the case of a triangular or otherwise irregularly shaped lot, a line ten feet in length entirely within the lot, parallel to and at the maximum distance from the front lot line, or a chord thereof if the front lot line is curved, shall be considered as the rear lot line for purposes of determining the required rear yard.

Lot of record means a lot existing before the adoption of the zoning ordinance and as shown or described on a plat or deed in the records of the Anderson County Register of Deeds.

Lot, width means the distance between the side lot lines at the setback line as measured along a straight line parallel to the front line or parallel to the chord thereof.

Lot, zoning means a parcel of land which is indicated by the owner at the time of application for a building or zoning permit as being that land which he proposes to develop under one ownership.

Manufactured home park means any place, area, or tract of land maintained, offered, or used for parking of two or more manufactured homes used or intended to be used for living or sleeping purposes regardless of whether or not a charge is made for such accommodations.

Manufactured home space means that portion of land in a manufactured home park allotted to or designed for the accommodation of one manufactured home.

Manufactured multi-section home means a portable unit designed and built to be towed on its own chassis, comprised of frame and wheels, connected to utilities, and designed to be used without a permanent foundation for a permanent residence. It contains two or more separately towable sections designed to be joined into one integral unit capable of being again separated into components. Either or both units may contain parts that may be folded, collapsed, or telescoped when being towed and expanded later to provide additional cubic capacity. These units may be used for residential, commercial, educational, or industrial purposes. Travel trailers, travel motorized homes, pick-up coaches, and camping trailers are excluded from this definition. This definition includes units referred to as doublewide manufactured homes built prior to the enactment of the Federal Manufactured Home Construction and Safety Standards Act of 1974, which became effective June 15, 1976.

Manufactured single-section home means a portable unit designed and built to be towed on its own chassis, comprised of frame and wheels, connected to utilities, and designed to be used without a permanent foundation for a permanent residence. A single-section unit may contain parts that may be folded, collapsed, or telescoped when being towed and expanded later to provide additional cubic capacity. These units may be used for residential, commercial, educational, or industrial purposes. Travel trailers, travel motorized homes, pick-up coaches, and camping trailers are excluded from this definition. This definition includes units referred to as singlewide manufactured homes built prior to the enactment of the Federal Manufactured Home Construction and Safety Standards Act of 1974, which became effective June 15, 1976.

Mausoleum means a building or structure designed with vaults to hold caskets or crematory urns. Mausoleums shall be operated only within the boundaries of approved cemeteries.

Mini-warehouse means a facility composed of one or multiple structures divided into sections for use as storage of items either temporary or long-term and not to be used for any other purpose (such as small office, garage, etc.). Such a facility may include one accessory manager's office/apartment which is clearly subordinate to the primary use of the facility for warehousing purposes.

Manufactured home. See manufactured single-section home.

Modular home means a home consisting of two or more factory fabricated components that do not have an integrated chassis which are transported to the home site where they are put on a permanent foundation or slab and joined to make a permanent single-family house. Such units shall comply with all state and locally adopted building codes.

Motel. See Hotel or motel.

Nightclub means any establishment, whether public or a private club, including cocktail lounges, etc., serving a predominantly adult clientele, and whose primary business is the sale of alcoholic beverages, including beer and wine, for consumption on the premises in conjunction with dancing or live performances. The purchase of food is at the option of the customers and not required by the operator. The state alcoholic beverage commission must license the sale of alcoholic beverages, beer, and wine.

Nonconforming lot means a lot of record at the time of this chapter which does not meet the requirements for area and/or width generally applicable in the district in which such lot is located.

Nonconforming use or structure means a land use or structure which existed lawfully on the date this zoning ordinance became effective and which does not conform with the permitted uses for the zoning district in which it is situated. Nonconforming uses are incompatible with permitted uses in the districts involved. Such nonconformities are permitted to continue until they are removed.

Nursery means an area where trees, shrubs, or plants are grown for transplanting, for use as stocks for budding and grafting or for sale, which requires a tax license by the State of South Carolina.

Nursing care facility means a facility or institution, also known as a nursing home, providing continuous medical and skilled nursing care to two or more individuals who by reason of illness, physical or mental infirmity, or age are unable to properly care for themselves.

Nursing continuing care retirement center means a continuing care retirement center that has a 2:1 or greater ratio of nursing beds to residential units. A Nursing CCRC must contain some independent residential units and not be developed entirely as a nursing care facility.

Parking space means the storage space for one automobile of not less than nine feet by 20 feet plus the necessary access space and located outside the dedicated street right-of-way.

Patio house. Same as "Dwelling, garden court."

Planned shopping center means a group of commercial establishments planned and developed as a unit, related in location, size, and type of shops to the trade area that the unit serves. It provides on-site parking in definite relationship to the types and sizes of stores.

~~Planned development means for purposes of this chapter, a planned development shall be a group of detached, semidetached, attached, groups of attached, clustered, or multistoried residential structures, or any combination thereof on a parcel of land under single, corporation, firm, partnership, or association ownership planned and developed as an integrated unit in a single development operation or a definitely programmed series of development operations in accordance with an approved development plan.~~

Planned Development District is a development project comprised of housing of different types and densities and of compatible commercial uses, or shopping centers, office parks, and mixed-use developments. A Planned Development District is established by rezoning prior to development and is characterized by a unified site design for a mixed use development.

Private recreation area means a recreation area maintained for members including but not limited to golf courses, swimming pools, tennis clubs, and neighborhood clubhouses any and each of which must comply with all requirements of the zoning ordinance.

Private street means right-of-way and roadway of undetermined width which has not been dedicated, recorded, or publicly accepted by the county.

Recycling collection center means a facility located within an enclosed building that accepts recyclable materials by donation, redemption or purchase. May allow sorting, limited compacting and/or crushing of recyclable materials for shipment to other locations. This type of facility is considered to be the intermediate storage and hauling site, between recycling drop-off boxes and recycling processing centers, for recyclable materials.

Recycling convenience center means a staffed enclosed facility which receives and sorts banned materials (e.g. used oils, tires, white goods and batteries) and waste into separate weather-resistant containers. Such facilities are prohibited from processing recyclable materials on-site and are intended to provide citizens with easy and accessible solid waste and recyclable disposal services.

Recycling drop box means a weather-resistant container that is provided for the collection of recyclable materials.

Recycling drop-off trailer means a non-motorized trailer designed and/or maintained as a temporary or permanent use to accept donated recyclable goods. A recycling drop-off trailer may be pulled by a truck for purposes of selling or recycling the goods at a different location.

Recycling processing center means a facility that accepts, stores, and processes recyclable materials whether or not maintained in connection with another business. Processing includes, but is not limited to, bailing, briquetting, crushing, compacting, grinding, shredding, sawing, shearing, composting and sorting of recyclable materials, and may include the heat reduction or melting of such materials. Examples of such facilities include:

a) Materials recovery facility ("MRF") means a facility which accepts recyclable materials that have been separated from the waste stream and are delivered either by private citizens, businesses or recyclables collectors (i.e. "source separated" recyclables) to be processed in order to meet market specifications.

b) Dirty materials recovery facility ("DMRF") means a facility which separates recyclable materials from a combined stream of household refuse and processes the recyclables in order to meet market requirements.

c) Co-composting facility means a facility which accepts yard waste, industrial process wastes, agricultural wastes, residues from agricultural products processing, or sludge, functioning as a nitrogen source, to be combined in a manner that will lead to its biological or natural degradation.

Recycling materials means reusable material including, but not limited to, glass, clothing, plastics, paper products (e.g. news papers, stationary, scrap paper, computer paper and corrugated cardboard) rubber, batteries, ferrous and non-ferrous metals, concrete asphalt, wood, building materials, and yard wastes.

Residential continuing care retirement center means a continuing care retirement center that has a 2:1 or greater radio of residential units to nursing beds. A Residential CCRC may be entirely developed with independent residential units and contain no nursing beds or facilities.

Restaurant means any establishment, whether open to the public or operated as a private club, including drive-ins, whose primary business is serving meals prepared on the premises for consumption on the premises. Any defined portion of the restaurant where alcoholic beverages, including beer and wine, are served but the purchase of food is optional shall be clearly subordinate to the main dining area, where the purchase of food is expected and required by the operator. The state alcoholic beverage commission must license the sale of alcoholic beverages, beer, and wine.

Rowhouse. Same as "Townhouse."

Rooming or boardinghouse means a dwelling other than a hotel where lodging and/or meals for three or more persons are provided for compensation.

Screening means the method by which a view of one site from another adjacent site is shielded, concealed, or hidden. Screening techniques include fences, walls, hedges, or other features.

Service station means an establishment used for the servicing of automobiles including the sale of gasoline, oil, grease, minor accessories, and washing and polishing, but excluding the sale of automobiles, body repairing, major motor repairing, and painting.

Setback line means that line which is parallel to and a given distance from the front lot line of a lot or parcel of land at such distance as is required in this chapter.

Sexually oriented business means any business as defined and regulated under Anderson County Code section 42-400.

Sign means any form of publicity which is visible from any public way directing attention to an individual, business, commodity, service, activity, or product by means of words, lettering, parts of letters, figures, numerals, phrases, sentences, emblems, devices, designs, trade names or trademarks, or other pictorial matter designed to convey such information and displayed by means of paint, bills, posters, panels, or other devices created on an open framework or attached or otherwise applied to stakes, posts, poles, trees, buildings, or other structures or supports.

Sign, accessory means an advertising device used to disseminate information concerning a person, place, or thing pertaining to the use of the land upon which it is located.

Sign, advertising means a sign which directs attention to a business, commodity, service, or entertainment not necessarily conducted, sold, or offered upon the premises where the sign is located.

Sign, business means a sign which directs attention to a business, service, activity, or product sold, conducted, or offered upon the premises where such sign is located.

Sign, identification means a sign on the premises bearing the name of a subdivision, farm, or group housing project; or of a school, college, park, church, or other public or quasipublic facility, but bearing information pertaining only to the premises on which such sign is located.

Sign, occupancy means a sign on the premises bearing the name or address of the piece of property, the name of the owner or resident, or any permitted home occupation, but bearing information pertaining only to the premises on which the sign is located.

Sign, temporary means an advertising device for the purpose of disseminating information about special events or occurrences, about property for sale or rent, and warning or informational signs on construction-sites; such signs as may be required in the public interest.

Street means a dedicated public right-of-way which affords the principal means of access to abutting property and which has been accepted for maintenance by Anderson County or the state highway department. For the purposes of these regulations, the term "street" or "streets" shall also mean avenues, boulevards, roads, lanes, and other public ways.

Residential service street means a public or private way used primarily for providing direct access to abutting property.

Collector street means a public way designed primarily to connect residential service streets with arterial streets, or to provide a direct connection between two arterial streets, and may be expected to carry a significant volume of traffic having neither origin nor destination on the street.

Arterial street means a federal or state highway designed primarily for the movement of large volumes of traffic from one area to another.

Structure means anything constructed or erected which requires permanent location above grade. For purposes of this chapter, "structure" does not include landscape features such as ornamental pools, planting boxes, sculpture, bird baths, open terraces, walkways, driveways, walls or fences, shelters for pets, playhouses, open stairs, recreational equipment, flagpoles, light standards, game courts, swimming pools, underground fallout shelters, air conditioning compressors, pump houses or wells, mailboxes, outdoor fireplaces, gatehouses, burial vaults, or bus shelters.

Tattoo facility means any such business as defined and regulated under Anderson County Code Section 38-183.

Tavern means any establishment, whether public or operated as a private club, including cocktail lounges, etc., serving a predominantly adult clientele, and whose primary business is the sale of alcoholic beverages, including beer and wine, for consumption on the premises, and where the purchase of food is at the option of the customers and not required by the operator. The state alcoholic beverage commission must license the sale of alcoholic beverages, beer, and wine.

Townhouse means a row of two or more single-family attached dwelling units each with its own outside entrance, which are joined together by a common party wall. For the purpose of this chapter, a townhouse shall be treated as a single-family attached dwelling.

Travel trailer means any vehicle mounted on wheels and designed and intended to serve primarily as short-term shelter.

Uses permitted by special exception means uses allowable where facts and conditions detailed in this chapter as those upon which a use may be permitted are found to exist.

Utility, public means any agency which, under public franchise or ownership, provides the general public with electricity, gas, heat, steam, communication, rail transportation, water, sewage collection, or other service.

Variance means a relaxation of the dimensional terms of the zoning ordinance where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of actions of the applicant, a literal enforcement of the chapter would result in unnecessary and undue hardship; and does not involve a change in the use of property.

Veterinary clinic means a facility for diagnosis, treatment, and care of large and small animals. Animals may be boarded in this facility. All activities related to this facility shall be enclosed in a self-contained, freestanding building wholly occupied by the activities related to the veterinary clinic.

Veterinary clinic, mobile means a veterinary clinic operating in a travel trailer or other such temporary structure that temporarily locates in an area to provide veterinary services. Temporary sign notifying of clinic date and time of service may be posted not more than one week prior to date of service. Duration of service time shall not exceed eight hours in one day.

Veterinary hospital means a facility for diagnosis, treatment, and care of large and small animals. The facility shall be a freestanding building wholly occupied by the activities related to the veterinary hospital. Animals may be boarded in this facility. Activities are not restricted to the interior of the building.

Veterinary office means a facility for diagnosis, treatment, and care of small domestic animals. Sick or injured animals may be boarded on a short-term basis. No commercial boarding is allowed in the veterinary office facility. All activities related to this facility shall be enclosed in a self-contained, freestanding building wholly occupied by activities related to the veterinary office.

Yard, required means the open space between a lot line and the buildable area within which no structure may be located except as otherwise provided in this chapter. All yards referred to in this chapter are minimum required yards.

Yard, front ~~chapter~~ means an area extending across the full width of the lot and lying between the front lot line and the setback line as required in the applicable district.

Yard, rear means an area extending across the full width of the lot and lying between the rear lot line parallel thereto at a distance therefrom as required in the applicable district.

Yard, side means an area extending along the length of the lot between the required front yard and the required rear yard and between the side lot line and a line parallel thereto and a distance therefrom as required in the various districts.

Zoning advisory groups, ~~means there shall be zoning advisory groups~~ shall be appointed by County Council in each County Council district in which a voting precinct ~~elects to be~~ is zoned. ~~The~~ Each zoning advisory group shall consist of one registered voter appointed by the County Council from each ~~precinct electing to be zoned~~ zoned voting precinct plus two at large from the County Council district. There shall be no maximum number of members of a zoning advisory group.

(Ord. No. 99-004, art. 4, 7-20-99; Ord. No. 2006-025, § 6, 8-15-06)

ARTICLE 5. - ZONING DISTRICT REGULATIONS

FOOTNOTE(S):

--- (2) ---

Editor's note—Ord. No. 00-056, § 1, adopted Oct. 17, 2000, set out provisions pertaining to the R-A2, residential agricultural two-acre district. To maintain the numeric sequencing of this Code, said ordinance provisions have been included as § 5:26 at the discretion of the editor to read as herein set out. See the Code Comparative Table.

Section 5:1. - General regulations for all districts.

5:1.1. Water and sewerage. It shall be unlawful to construct any residential dwelling that is not connected to a water supply and sewerage disposal facility that has been approved by the ~~Anderson County health department~~ appropriate County and/or State agencies.

5:1.2. Facility approval. Area requirements for individual lots in all districts are minimum requirements with an approved water and sewerage disposal system accessible to the lot. If a lot of record with less than the minimum area is proposed for use and does not have an approved water and sewerage system available, a certificate from the ~~Anderson County health department~~ appropriate County and/or State agencies approving the proposed facilities must accompany a request for a building permit.

(Ord. No. 99-004, §§ 5:1, 5:1.2, 7-20-99)

Section 5:2. - R-A, Residential agricultural district.

The purpose of this district is to provide for a full range of agricultural activities. This district also provides for spacious residential development for those who choose this environment and prevents untimely scattering of more dense urban uses that should be confined to areas planned for efficient extension of public services.

5:2.1. Uses permitted.

Agricultural crops, including pens and structures for the raising of farm animals.

Barns.

Community recreational area.

Dwelling, single-family detached.

Dwelling, single-family detached—Manufactured single-section home.

Dwelling, single-family detached—Manufactured multi-section home.

Home occupation. (Subject to the requirements in section 6:11).

Nursery/greenhouse.

Portable or temporary school classroom.

Riding academies.

Riding stables.

Sign—Identification. (Subject to the provisions of the sign ordinance).

Sign—Occupancy.

Sign—Temporary. (Pertaining to the lease or sale of a building or premises).

Temporary building, incidental to construction and used primarily for storage of equipment, tools, building materials, and other items located on the same site and which shall be completely removed from the site upon completion of such construction; or temporary sales office used exclusively for the sale of properties or dwelling units located within the same development or subdivision and contained either within a building which will be completely removed immediately after all sales are completed, or within a building which will be sold or used as a residential dwelling unit immediately after all sales are completed.

Tree farm.

Uses and structures customarily accessory to the permitted uses.

5:2.2. Uses permitted by special exception. The following uses may be permitted by special exception by the board of zoning appeals in accordance with provisions in article 7.

Bed and breakfast homestays, host homes, and guest homes.

Cemetery. (Subject to the provisions of section 7:15.)

Child care center.

Churches, convents, and monasteries.

Communication towers. (Subject to the provisions of section 7:18.)

Country club.

Fire stations.

Landscaping business.

Library.

Private airstrip.

Private recreation area.

Public park and playground.

Public utility building and use.

Recycling drop box. (Subject to the provisions of section 7:13.)

Roadside stand for the sale of crops, produce, fruit, etc., produced on the property.

Schools—Public, parochial or private.

Temporary accessory residential use. (Subject to the provisions of section 7:9.)

Transportation and utility easement and right-of-way.

Veterinary clinic.

Veterinary hospital.

Other public and semipublic uses which are considered to be compatible with the aforementioned uses.

5:2.3. Lot area. The minimum lot area shall be one acre.

5:2.4. Lot width. Minimum lot width for a single-family detached dwelling shall be 30 feet with 100 feet at the building line.

5:2.5. Front yard. The minimum depth of the front yard measured from the street right-of-way line shall be 30 feet on a residential service street, 40 feet on a collector street, and 50 feet on an arterial street except when a right-of-way has not been established or is not known; then the setback shall be measured from the centerline of the existing road and each required setback shall be increased by a minimum of 25 feet. In the event an existing right-of-way exceeds 25 feet from the center of the road, the setback shall be measured from the right-of-way.

5:2.6. Side yard. The minimum width of a residential side yard shall be ten percent of the total lot width or ten feet, whichever is greater, except that any side yard abutting on a street or highway shall not be less than 20 feet in width. The side yard is not required to be more than 25 feet.

5:2.7. Rear yard. The minimum depth of the rear yard shall be 25 feet.

5:2.8. Off-street parking. Off-street parking shall be provided in accordance with provisions set forth in section 6:9.

5:2.9. Skirting. Skirting or a curtain wall, unpierced except for required ventilation and access door, must be installed and maintained so that it encloses the area under manufactured homes. The foundation skirting or curtain wall may be of brick, masonry, or vinyl or similar materials designed and manufactured for permanent outdoor installation. Material used for skirting should be erected so as not to create a fire hazard and maintained in good state of repair.

A. Crawl space shall be provided with ventilation as per ~~Section R-309.1 of the CABO (Council of American Officials One and Two-family) Code~~ Section 10-81 of the Anderson County Code of Ordinances.

B. Access to the crawl space shall be ~~a minimum of 18″ x 24″ as per R-309.2 of the CABO Code~~ as required by Section 10-81 of the Anderson County Code of Ordinances.

5:2.10. Supplementary setback. Where a permitted R-A use abuts a church, public park or playground, or school—public, parochial, or private, existing at the time of adoption of this chapter, new barns or structures for farm animals or farm products larger that 3,000 sq. ft., shall not be constructed within 300 feet of the property boundary of the previously existing use. New barns or structures for farm animals or farm products of 3,000 sq. ft., or less, may be constructed within 50 feet of the previously existing use.

(Ord. No. 99-004, §§ 5:2—5:2.10, 7-20-99; Ord. No. 00-040, § 1.a, 10-17-00; Ord. No. 00-050, 9-19-00)

Section 5:3. - R-40, R-20, R-15, R-12, R-10, and R-8, Single-Family Residential Districts.

These residential districts are established as areas in which the principal use of land is for single-family dwellings and for related recreational, religious, and educational facilities normally required to provide an orderly and attractive residential area. The regulations for these districts are intended to discourage any use which, because of its characteristics, would interfere with the development of or be detrimental to the quiet residential nature of the area included in the districts.

5:3.1. Uses permitted.

Community recreational area.

Dwelling, single-family detached.

Dwelling, single-family detached—Manufactured multi-section home. (Subject to requirements of section 6:15.)

Home occupation. (Subject to requirements in section 6:11.)

A portable temporary school classroom.

Sign—Identification. (Subject to the provisions of the sign ordinance.)

Sign—Occupancy. (Subject to the provisions of sign ordinance.)

Sign—Temporary. (Pertaining to the lease or sale of a building or premises.)

Temporary building, incidental to construction and used primarily for storage of equipment, tools, building materials, and other items located on the same site and which shall be completely removed from the site upon completion of such construction; or temporary sales office used exclusively for the sale of properties or dwelling units located within the same development or subdivision and contained either within a building which will be completely removed immediately after all sales are completed, or within a building which will be sold or used as a residential dwelling unit immediately after all sales are completed.

Uses and structures customarily accessory to the permitted uses.

5:3.2. Uses permitted by special exception.

Bed and breakfast homestays, host homes, and guest homes.

Cemetery. (Subject to the provisions of section 7:15.)

Church.

Church related childcare centers.

Communication towers. (Subject to the provisions of section 7:18.)

Fire station.

Golf course including a clubhouse and other improvements.

Horses/ponies in R-15 and R-20. (Subject to [section] 7:4.)

Police station.

Private recreation area. (Subject to the provisions of section 7:6.)

Public park and playground.

Public utility building and use.

Recycling drop box. (Subject to the provisions of section 7:13.)

School—Public, parochial, and private.

Transportation and utility easement and right-of-way.

Other public and semipublic uses which are considered to be compatible with the aforementioned uses.

Temporary accessory residential use. (Subject to the provisions of section 7:9.)

5:3.3. Accessory building setback.

Accessory buildings may be located in the rear yard, provided that they are set back not less than five feet from any lot line and occupy not more than 20 percent of the rear yard.

5:3.4. Off-street parking.

Off-street parking shall be provided in accordance with the provisions set forth in section 6:9.

5:3.5. Minimum requirements—Residential lots.

	R-40	R-20	R-15	R-12	R-10	R-8
			———			
Lot Area (Sq. Ft.)	40,000 See No. 1	20,000 See No. 1	15,000 See No. 1	12,000 See No. 1	10,000 See No. 1	8,000 See No. 1
w/ Lot Area Averaging	30,000 See No. 4	15,000 See No. 4	11,250 See No. 4	9,000 See No. 4	7,500 See No. 4	6,000 See No. 4
Lot Width	60 ft.	60 ft.	60 ft.	60 ft.	60 ft.	60 ft.
Front Yard Setback	See No. 2	See No. 2	See No. 2	See No. 2	See No. 2	See No. 2
Side Yard Setback	10% of lot width See No. 3	10% of lot width See No. 3	10% of lot width See No. 3	10% of lot width See No. 3	10% of lot width See No. 3	10% of lot width See No. 3
Rear Yard Setback	5 ft.	5 ft.	5 ft.	5 ft.	5 ft.	5 ft.

5:3.6. Minimum requirements—Nonresidential lots.

	R-40	R-20	R-15	R-12	R-10	R-8
			———			
Lot Area (Sq. Ft.)	50,000 See No. 1	30,000 See No. 1	30,000 See No. 1	30,000 See No. 1	30,000 See No. 1	30,000 See No. 1
Lot Width	200 ft.	200 ft.	200 ft.	200 ft.	200 ft.	200 ft.
Front Yard Setback	See No. 2	See No. 2	See No. 2	See No. 2	See No. 2	See No. 2
Side Yard	25 ft.	25 ft.	25 ft.	25 ft.	25 ft.	25 ft.

Setback	See No. 3	See No. 3	See No. 3	See No. 3	See No. 3	See No. 3
Rear Yard Setback	5 ft.	5 ft.	5 ft.	5 ft.	5 ft.	5 ft.

No. 1

When calculating the minimum lot area within the R-40, R-20, R-15, R-12, R-10, and R-8, Single-Family Residential Districts, the area adjacent to a lot designated as being county owned right-of-way may not be included in the computation and determination of the minimum lot area required under this section. In the case of multiple lot frontages, only the single lot frontage with the greatest length shall be used in computing the minimum lot area.

This provision does not diminish the county's rights and privileges to use the right-of-way nor does it confer any additional rights or privileges concerning the county owned right-of-way to any adjacent landowner.

No. 2

The minimum depth of the front yard measured from the street right-of-way line shall be 20 feet on a residential service street, 30 feet on a collector street, and 50 feet on an arterial street, except that when a right-of-way has not been established or is not known, the setback shall be measured from the edge of the pavement or back of the curb, if present, and each required setback shall be increased by a minimum of ten feet.

No. 3

The minimum width of a residential side yard shall be ten percent of the total lot width but not to exceed 25 feet. The minimum width of a nonresidential side yard shall be 25 feet measured from the property line. For residences, accessory buildings, and nonresidential uses located on corner lots, the minimum side yard width measured from the street right-of-way line shall be 20 feet on a residential service street, 30 feet on a collector street, and 40 feet on an arterial street.

No. 4

Lot area averaging may be utilized in new developments with no minimum acreage required. When calculating the minimum lot area within the R-40, R-20, R-15, R-12, R-10, and R-8, Single-Family Residential Districts, the minimum square footage of individual lots may be reduced by up to 25 percent provided the average lot size for the entire subdivision meets the zoning classification's minimum lot area and is indicated on an approved preliminary or summary subdivision plat. A maximum lot credit will be used in calculating the minimum lot area for each district as depicted on the chart below. When using lot averaging, the adjoining county owned right-of-way may not be included in the minimum lot calculation.

25% LOT AVERAGING NO MINIMUM ACREAGE REQUIRED						
Anderson County Zoning Classifications	R-8	R-10	R-12	R-15	R-20	R-40

Maximum Lot Credit	16,000	20,000	24,000	30,000	40,000	80,000
Average Square Footage	8,000	10,000	12,000	15,000	20,000	40,000
Average Reduced by 25%	6,000	7,500	9,000	11,250	15,000	30,000
Typical Right-of-Way	0	0	0	0	0	0
Resulting Minimum Lot Size	6,000	7,500	9,000	11,250	15,000	30,000

(Ord. No. 99-004, § 5:3—5:3.6, 7-20-99; Ord. No. 00-040, §§ 1.b, 1.c, 10-17-00)

Section 5:4. - R-D, Residential-Duplex District.

This district is established to provide for one- and two-family dwellings, and the recreational, religious, and educational facilities which are normally found in residential areas. The district is primarily intended for areas which represent a transition between low-density, single-family development and high-density, multifamily development and for sites which are located in predominantly low-density areas but contain a mix of uses such as single-family manufactured, modular, and multifamily residential units.

5:4.1. Uses permitted.

Community recreational area.

Dwelling, single-family detached.

Dwelling, single-family attached—Manufactured multi-section home.

Dwelling, single-family attached. (Not more than 2 dwelling units attached.)

Dwelling, two-family (duplex). (Two or more duplexes subject to the requirements of section 6:12.)

Home occupation. (Subject to the requirements of section 6:11.)

Portable or temporary classroom.

Sign—Identification. (Subject to the requirements of the sign ordinance.)

Sign—Occupancy. (Subject to the requirements of the sign ordinance.)

Sign—Temporary. (Pertaining to the lease or sale of a building or premises.)

Temporary building, incidental to construction and used primarily for storage of equipment, tools, building materials, and other items, located on the same site and which shall be completely removed from the site upon completion of such construction; or temporary sales office used exclusively for the sale of properties or dwelling units located within the same development or subdivision and contained either within a building which will be completely removed immediately after all sales are completed, or within a building which will be sold or used as a residential dwelling unit immediately after all sales are completed.

Uses and structures customarily accessory to the permitted uses.

5:4.2. Uses permitted by special exception. The following uses may be permitted by special exception by the board of zoning appeals in accordance with the provisions in article 7.

Bed and breakfast homestays, host homes, guest homes, inns, lodges, and cottages.

Child care center.

Church.

Communication towers. (subject to the provisions of section 7:18.)

Family care home.

Fire station.

Golf course including a clubhouse and other improvements.

Police station.

Private recreation area.

Public park and/or playground.

Recycling drop box. (Subject to the provisions of section 7:13.)

School, public, parochial, and private.

Transportation and utility easement and rights-of-way.

Other public and semipublic uses which are considered to be compatible with the aforementioned uses.

Temporary accessory residential use. (Subject to the provisions of section 7:9.)

5:4.3. Height limitation. No structure shall exceed a height of 35 feet except as provided in section 6:7.

5:4.4. Dimensional requirements.

5:4.4-1. Lot area. The minimum lot area for a single-family detached dwelling shall be 8,000 square feet.

The minimum lot area for single-family zero lot line and garden/patio homes shall be as prescribed in section 38-377 of the Anderson County Code of Ordinances.

The minimum total lot area for a two-family dwelling or for two single-family attached dwellings on a single lot or on two adjoining individual lots shall be 8,000 square feet. Minimum area for individual lots are not otherwise regulated.

5:4.4-2. Lot width. Minimum lot width shall be as prescribed in section 38-377 of the Anderson County Code of Ordinances..

5:4.4-3. Front yard. The minimum depth of a front yard for single-family detached dwellings (single-family, garden, patio, and zero lot line) measured from the street right-of-way line shall be 20 feet on a residential service street, 30 feet on a collector street, and 50 feet on an arterial street. The minimum depth of a front yard for all other dwellings measured from the street right-

of-way line shall be 30 feet on a residential service street, 40 feet on a collector street, and 50 feet on an arterial street. When a right-of-way has not been established or is not known, the setback shall be measured from the centerline of the existing road and each required setback shall be increased by a minimum of 25 feet. In the event an existing right-of-way exceeds 25 feet from the center of the road, the setback shall be measured from the right-of-way.

5:4.4-4. Side yard. The minimum width of any side yard shall be ten percent of the total lot width or eight feet, whichever is greater. The minimum width of a nonresidential side yard shall be 15 feet measured from the property line. For residences, nonresidential uses, and accessory buildings on corner lots, the minimum side yard width measured from the street right-of-way line shall be 20 feet on a service street, 30 feet on a collector street, and 40 feet on an arterial street.

5:4.4-5. Rear yard. The minimum depth of the rear yard shall be 15 feet.

5:4.5. Accessory building setback. Accessory buildings may be located in the rear yard provided that they are set back not less than five feet from any lot line and occupy not more than 20 percent of the rear yard.

5:4.6. Off-street parking. Off-street parking shall be provided in accordance with the provisions set forth in section 6:9.

(Ord. No. 99-004, §§ 5:4—5:4.6, 7-20-99)

Section 5:5. - R-M1, Mixed Residential District.

This residential district is established to provide for medium population density. The principal use of land is for one-family and two-family dwellings and recreational, religious, and educational facilities normally associated with residential development. Multiple-family dwellings shall not be permitted. This district also allows a mixture of residential and professional offices provided design and review conditions are met. Due to the potential for office development, this classification should be limited to properties which have direct access to a major collector or arterial street.

5:5.1. Uses permitted.

Community recreational area.

Dwelling, single-family detached.

Dwelling, single-family detached—Manufactured multi-section home.

Dwelling, single-family attached. (Not more than two dwelling units.)

Dwelling, single-family attached. (Three or more dwelling units subject to provisions of section 6:12.)

Dwelling, two-family (Duplex).

Home occupation. (Subject to the provisions of section 6:11.)

Residential continuing care retirement center. (Subject to the provisions of section 6:14.)

Sign—Identification. (Subject to the requirements of the sign ordinance.)

Sign—Occupancy. (Subject to the requirements of the sign ordinance.)

Sign—Temporary. (Subject to the requirements of the sign ordinance.)

Temporary building, incidental to construction and used primarily for storage of equipment, tools, building materials, and other items, located on the same site and which shall be completely removed from the site upon completion of such construction; or temporary sales office used exclusively for the sale of properties or dwelling units located within the same development or subdivision and contained either within a building which will be completely removed immediately after all sales are completed, or within a building which will be sold or used as a residential dwelling unit immediately after all sales are completed. Uses and structures customarily accessory to the permitted uses

5:5.2. Uses permitted by special exception. The following uses may be permitted by special exception by the board of zoning appeals in accordance with the provisions in article 7.

Bed and breakfast homestays, host homes, guest homes, inns, lodges, and cottages.

Child care centers.

Church.

Communication towers. (Subject to the provisions of section 7:18.)

Family care home.

Fire station.

Golf course including clubhouse.

Group care home.

Group office development, offices. (Subject to section 5:5.7.)

Nursing continuing care retirement center.

Police station.

Private recreation area.

Public park.

Recycling drop box. (Subject to the provisions of section 7:13.)

School—Public, parochial, and private.

Transportation and utility easements and rights-of-way, other public and semipublic uses which are considered compatible with the aforementioned uses. Certain retail sales establishments which are customarily accessory and clearly incidental and subordinate to permitted principal office uses, such as, but not limited to, the following:

Apothecary.

Barber shop.

Beauty shop.

Cafeteria.

Florist shop.

Newsstand.

Optician.

Restaurant (not drive-in).

Sale or rental of medical supplies and prosthetic devices.

Sandwich shop.

Similar retail uses which are designed primarily to serve the convenience of persons working or receiving services in the building in which the accessory use is located, provided that such accessory use is clearly incidental and subordinate to principal permitted office uses.

Temporary accessory residential use. (Subject to the provisions of section 7:9.)

5:5.3. Height limitation. No structure shall exceed a height of 35 feet.

5:5.4. Dimensional requirements.

5:5.4-1. Lot area. The minimum lot area for a single-family detached dwelling shall be 8,000 square feet.

The minimum lot area for single-family zero lot line and garden/patio homes shall be as prescribed in section 38-377 of the Anderson County Code of Ordinances.

The minimum lot area for two single-family attached units on adjoining individual lots shall be as prescribed in section 38-377 of the Anderson County Code of Ordinances.

Townhouse and group development shall not be allowed on a lot less than two acres in size. In no case shall density exceed ten units per acre.

A professional office development shall not be allowed on a lot of less than two acres in size.

For nonresidential buildings other than professional offices, the lot area shall be adequate to provide the yard areas required by this section and the off-street parking and loading areas required in article 6, section 6:9 and 6:10 provided, however, that the lot area for each nonresidential building shall not be less than 30,000 square feet.

5:5.4-2. Lot width. Minimum lot width for a single-family detached dwelling shall be 60 feet.

Minimum lot width for two-family (duplex) shall be 60 feet except as provided in section 38-377 of the Anderson County Code of Ordinances.

5:5.4-3. Front yard. The minimum depth of a front yard for single-family detached dwellings (single-family, garden, patio, and zero lot line) measured from the street right-of-way line shall be 20 feet on a residential service street, 30 feet on a collector street, and 50 feet on an arterial street. The minimum depth of a front yard for all other dwellings measured from the street right-of-way line shall be 30 feet on a residential service street, 40 feet on a collector street, and 50 feet on an arterial street. When a right-of-way has not been established or is not known, the setback shall be measured from the centerline of the existing road and each required setback shall be increased by a minimum of 25 feet. In the event an existing right-of-way exceeds 25 feet from the center of the road, the setback shall be measured from the right-of-way.

5:5.4-4. Side yard. The minimum width of single-family and two-family (duplex) residential side yards shall be ten percent of the total lot width or eight feet, whichever is greater. The minimum width of a nonresidential side yard shall be 15 feet measured from the property line. For residences, nonresidential uses, and accessory buildings on corner lots, the minimum side yard width measured from the street right-of-way line shall be 20 feet on a service street, 30 feet on a collector street, and 40 feet on an arterial street.

5:5.4-5. Rear yard. The minimum depth of the rear yard shall be 15 feet.

5:5.5. Accessory building setback. Accessory buildings may be located in the rear yard provided that they are set back not less than five feet from any lot line and occupy not more than 20 percent of the rear yard.

5:5.6. Off-street parking. Off-street parking shall be provided in accordance with the provisions set forth in section 6:9.

5:5.7. Group office development in R-M1. Offices may be allowed in the RM-1, Mixed Residential District by the board of zoning appeals and subject to the Group Development General Provisions (section 6:12) and the following provisions:

5:5.7-1. Minimum area requirement. The minimum lot area requirement to develop professional offices in the RM-1 district is two acres. The principal use of the RM-1 district is residential; thus, when nonresidential uses and residential uses are combined in the same development, the nonresidential uses, its parking, and related activities shall occupy no more than 40 percent of the gross lot area. If the group development consists in whole of nonresidential uses, then in no instance shall the nonresidential development, its parking, and other related activities, occupy more than 70 percent of the gross lot area.

5:5.7-2. Setback requirement. No structure shall be constructed closer than 25 feet to an exterior property line, and no structure shall be constructed closer than 35 feet to a public right-of-way. Interior setback requirements are otherwise not regulated.

5:5.7-3. Height. No building shall exceed 35 feet in height except as provided in section 6:7.

5:5.7-4. Building design. A perspective sketch indicating exterior color and materials of all proposed buildings is required.

5:5.7-5. Signs. Identification signs and business signs are allowed subject to the provisions of the sign ordinance. No signs shall have flashing lights or movable parts.

5:5.7-6. Site plan and general requirements. The site plan requirements and the general standards for office group development are specified in section 6:12.1 through section 6:12.3 of this chapter.

5:5.7-7. Approval procedure. All applications for office development in the RM-1 district shall be made to the office of the zoning administrator. The zoning administrator shall, within 15 days, forward copies of the application to the board of zoning appeals. The board of zoning appeals will evaluate the staff's recommendation in its consideration of the application. The board of zoning appeals may impose additional or more restrictive requirements if it is determined that it is within the best public interest that such additional or more restrictive requirements are necessary.

If the request is granted, the board shall determine that:

A. The spirit of the zoning ordinance is not violated;

B. The proposed development will harmonize with the existing development;

C. The proposed development is a desirable addition to the physical pattern of the neighborhood;

D. The design is such that the additional traffic will not be a burden on existing streets;

E. No adverse environmental impacts will be created by the proposed development; and

F. The architectural character blends with the surrounding area.

(Ord. No. 99-004, §§ 5:5—5:7-7, 7-20-99)

Section 5:6. - R-M2, Multifamily Residential District.

This residential district is established to provide for medium population density. The principal use of land is for one-family, two-family, and multiple-family dwellings and recreational, religious, and educational facilities normally associated with residential development.

5:6.1. Uses permitted.

Community recreational area.

Dwelling, single-family detached.

Dwelling, single-family detached—Manufactured multi-section home.

Dwelling, single-family attached. (Not more than two Dwelling units.)

Dwelling, single-family attached. (Three or more dwelling units subject to provisions of section 6:12).

Dwelling, two-family (Duplex).

Dwelling, multiple-family. (Subject to the provisions of section 6:12.)

Home occupation. (Subject to the provisions of section 6:11.)

Residential continuing care retirement center. (Subject to the provisions of section 6:14.)

Sign—Identification. (Subject to the requirements of the sign ordinance.)

Sign—Occupancy. (Subject to the requirements of the sign ordinance.)

Sign—Temporary. (Subject to the requirements of the sign ordinance.)

Temporary building, incidental to construction and used primarily for storage of equipment, tools, building materials, and other items, located on the same site and which shall be completely removed from the site upon completion of such construction; or temporary sales office used exclusively for the sale of properties or dwelling units located within the same development or subdivision and contained either within a building which will be completely removed immediately after all sales are completed, or within a building which will be sold or used as a residential dwelling unit immediately after all sales are completed.

Uses and structures customarily accessory to the permitted uses

5:6.2. Uses permitted by special exception. The following uses may be permitted on review by the board of zoning appeals in accordance with the provisions in article 7.

Bed and breakfast homestays, host homes, guest homes, inns, lodges, and cottages.

Child care center.

Church.

Communication towers. (Subject to the provisions of section 7:18.)

Family care home.

Fire station.

Golf course including clubhouse.

Group care home.

Nursing continuing care retirement center.

Police station.

Private recreation area.

Public park.

Recycling drop box. (Subject to the provisions of section 7:13.)

School—Public, parochial, and private.

Transportation and utility easements and rights-of-way, other public and semipublic uses which are considered compatible with the aforementioned uses.

Temporary accessory residential use. (Subject to the provisions of section 7:9.)

5:6.3. Height limitation. No structure shall exceed a height of 45 feet except as provided in section 6:7.

5:6.4. Dimensional requirements.

5:6.4-1. Lot area.

The minimum lot area for a single-family detached dwelling shall be 8,000 square feet.

The minimum lot area for single-family zero lot line and garden/patio homes shall be as prescribed in section 38-377 of the Anderson County Code of Ordinances.

The minimum lot area for two single-family attached units on adjoining individual lots shall be as prescribed in section 38-377 of the Anderson County Code of Ordinances.

The minimum lot area for a multiple-family dwelling or group of dwellings containing three or more dwelling units or for townhouse development containing three or more dwelling units, shall be two acres; however, within a two-acre multifamily development, no minimum lot area is required. Density shall not exceed ten units per acre.

For nonresidential buildings, the lot area shall be adequate to provide the yard areas required by this section and the off-street parking and loading areas required in article 6, section 6:9 and 6:10 provided, however, that the lot area for each nonresidential building shall not be less than 30,000 square feet.

5:6.4-2. Lot width. Minimum lot width for a single-family detached dwelling shall be 60 feet.

Two-family (duplex) residential lots shall have a minimum lot width of 60 feet, except as provided in section 38-377 of the Anderson County Code of Ordinances.

5:6.4-3. Front yard. The minimum depth of a front yard for single-family detached dwellings (single-family, garden, patio, and zero lot line) measured from the street right-of-way line shall be 20 feet on a residential service street, 30 feet on a collector street, and 50 feet on an arterial street. The minimum depth of a front yard for all other dwellings measured from the street right-of-way line shall be 30 feet on a residential service street, 40 feet on a collector street, and 50 feet on an arterial street. When a right-of-way has not been established or is not known, the setback shall be measured from the centerline of the existing road and each required setback shall be increased by a minimum of 25 feet. In the event an existing right-of-way exceeds 25 feet from the center of the road, the setback shall be measured from the right-of-way.

5:6.4-4. Side yard. The minimum width of single-family and two-family (duplex) residential side yards shall be ten percent of the total lot width or eight feet, whichever is greater. The minimum width of a nonresidential side yard shall be 15 feet measured from the property line. For residences, nonresidential uses, and accessory buildings on corner lots, the minimum side yard width measured from the street right-of-way line shall be 20 feet on a service street, 30 feet on a collector street, and 40 feet on an arterial street.

5:6.4-5. Rear yard. The minimum depth of the rear yard shall be 15 feet.

5:6.5. Accessory building setback. Accessory buildings may be located in the rear yard provided that they are set back not less than five feet from any lot line and occupy not more than 20 percent of the rear yard.

5:6.6. Off-street parking. Off-street parking shall be provided in accordance with the provisions set forth in section 6:9.

(Ord. No. 99-004, §§ 5:6—5:6.6, 7-20-99)

Section 5:7. - R-M7, Multifamily Residential District.

This residential district is established to provide for medium population density. The principal use of land is for two-family and multiple-family dwellings and the recreational, religious, and educational facilities normally associated with residential development. The regulations for this district are intended to discourage any use which, because of its character, would interfere with the development of, or be detrimental to, the residential nature of the area included in the district.

5:7.1. Uses permitted.

Community recreational area.

Dwelling, single-family detached.

Dwelling, single-family detached—Manufactured multi-section home.

Dwelling, single-family attached. (Not more than two dwelling units.)

Dwelling, single-family attached. (Three or more dwelling units, subject to provisions of section 6:12.)

Dwelling, two-family (Duplex).

Dwelling, multiple-family. (Subject to the provisions of section 6:12.)

Home occupation. (Subject to the provisions of section 6:11.)

Portable or temporary school classroom.

Residential continuing care retirement center. (Subject to section 6:14.)

Sign—Identification. (Subject to the requirements of the sign ordinance.)

Sign—Occupancy. (Subject to the requirements of the sign ordinance.)

Sign—Temporary. (Pertaining to sale or lease of a building or premises.)

Temporary building, incidental to construction and used primarily for storage of equipment, tools, building materials, and other items, located on the same site and which shall be completely removed from the site upon completion of such construction; or temporary sales office used exclusively for the

sale of properties or dwelling units located within the same development or subdivision and contained either within a building which will be completely removed immediately after all sales are completed or within a building which will be sold or used as a residential dwelling unit immediately after all sales are completed.

Uses and structures customarily accessory to the permitted uses.

5:7.2. Uses permitted by special exception. The following uses may be permitted by special exception by the board of zoning appeals in accordance with the provisions in article 7.

Bed and breakfast homestays, host homes, guest homes, inns, lodges, and cottages.

Child care center.

Church.

Communication towers. (Subject to the provisions of section 7:18.)

Family care home.

Fire station.

Golf course including clubhouse and other improvements.

Group care home.

Nursing continuing care retirement center.

Police station.

Private recreation area.

Public park and/or playground.

Recycling drop box. (Subject to the provisions of section 7:13.)

School—Public, parochial, and private.

Transportation and utility easements and rights-of-way, other public and semipublic uses which are considered compatible with the aforementioned uses.

Temporary accessory residential use. (Subject to the provisions of section 7:9.)

5:7.3. Height limitation.

No structure shall exceed a height of 45 feet except as provided in section 6:7.

5:7.4. Dimensional requirements.

> 5:7.4-1. Lot area. The minimum lot area for a single-family detached dwelling shall be 8,000 square feet.
>
> The minimum lot area for single-family zero lot line and garden/patio homes shall be as prescribed in section 38-377 of the Anderson County Code of Ordinances.
>
> The minimum lot area for a two-family (duplex) dwelling shall be as prescribed in section 38-377 of the Anderson County Code of Ordinances.

The minimum lot area for two single-family attached units on adjoining individual lots shall be as prescribed in section 38-377 of the Anderson County Code of Ordinances.

The minimum lot area for a multiple-family dwelling or group of dwellings containing three or more dwelling units, or for a group of three or more single-family attached dwelling units, shall be two acres; however, within a two-acre, multifamily development, no minimum lot area is required. Density requirements shall be based on seven units per acre.

For nonresidential buildings, the lot area shall be adequate to provide the yard areas required by this section and the off-street parking and loading areas required in article 6, section 6:9 and 6:10 provided, however, that the lot area for each nonresidential building shall not be less than 25,000 square feet.

5:7.4-2. Lot width. Minimum lot width for a single-family detached dwelling shall be 60 feet.

Minimum width for a single-family attached dwelling unit located within a development containing three or more dwelling units shall be 20 feet.

Minimum lot width for a two-family attached dwelling shall be as prescribed in section 38-377 of the Anderson County Code of Ordinances.

Minimum lot width for two single-family attached dwelling units on adjoining lots shall be as prescribed in section 38-377 of the Anderson County Code of Ordinances.

Minimum lot width for nonresidential lots shall be 100 feet.

5:7.4-3. Front yard. The minimum depth of a front yard for single-family detached dwellings (single-family, garden, patio, and zero lot line) measured from the street right-of-way line shall be 20 feet on a residential service street, 30 feet on a collector street, and 50 feet on an arterial street. The minimum depth of a front yard for all other dwellings measured from the street right-of-way line shall be 30 feet on a residential service street, 40 feet on a collector street, and 50 feet on an arterial street. When a right-of-way has not been established or is not known, the setback shall be measured from the centerline of the existing road and each required setback shall be increased by a minimum of 25 feet. In the event an existing right-of-way exceeds 25 feet from the center of the road, the setback shall be measured from the right-of-way.

5:7.4-4. Side yard. The minimum width of a side yard for a single-family or two-family dwelling shall be ten percent of the total lot width or eight feet, whichever is greater. The minimum width of a nonresidential side yard shall be 15 feet measured from the property line. For residences, nonresidential uses, and accessory buildings on corner lots, the minimum side yard width measured from the street rights-of-way line shall be 20 feet on a service street, 30 feet on a collector street, and 40 feet on an arterial street.

5:7.4-5. Rear yard. The minimum depth of the rear yard shall be 15 feet.

5:7.5. Accessory building setback. Accessory buildings may be located in the rear yard provided that they are set back not less than five feet from any lot line and occupy not more than 20 percent of the rear yard.

5:7.6. Off-street parking. Off-street parking shall be provided in accordance with the provisions set forth in section 6:9.

5:7.7. Privacy area. Where any property line of a zero lot line dwelling or a garden court dwelling abuts other property within the same overall development zoned or used for residential purposes, there shall be provided and properly maintained along the property line a continuous visual screen not less than six feet in height. The requirement does not apply to townhouse development. The screen shall be a windowless wall, fence, or other type of impenetrable and opaque material that is

aesthetically compatible with existing development or a combination thereof. However, the requirement for a privacy wall along any property line may be omitted or modified where the board of zoning appeals has determined that one or more of the following conditions exist:

A. Due to special conditions and circumstances of a physical or dimensional nature which are peculiar to the property involved, a privacy wall would serve no valid purpose.

B. The provision of a privacy wall along any side and/or rear property line would deny the property involved advantages of amenities specifically associated with the overall development.

In no instance shall the privacy wall requirement be omitted or modified which would infringe upon the privacy rights of adjacent property owners.

(Ord. No. 99-004, §§ 5:7—5:7.7, 7-20-99)

Section 5:8. - R-M, Multifamily Residential District.

This residential district is established to provide for medium and high population density. The principal use of land is for two-family and multiple-family dwellings and the recreational, religious, and educational facilities normally associated with residential development. The regulations for this district are intended to discourage any use which, because of its character, would interfere with the development of, or be detrimental to, the residential nature of the area included in the district.

5:8.1. Uses permitted.

Community recreational area.

Dwelling, single-family detached.

Dwelling, single-family detached—Manufactured multi-section home.

Dwelling, single-family attached. (Not more than two dwelling units.)

Dwelling, single-family attached. (Three or more dwelling units subject to provisions of section 6:12.)

Dwelling, two-family (Duplex).

Dwelling, multiple-family. (Subject to the provisions of section 6:12.)

Home occupation. (Subject to the provisions of section 6:11.)

Portable or temporary school classroom.

Residential continuing care retirement center.

Sign—Identification. (Subject to the requirements of the sign ordinance.)

Sign—Occupancy. (Subject to the requirements of the sign ordinance.)

Sign—Temporary. (Pertaining to sale or lease of a building or premises.)

Temporary building, incidental to construction and used primarily for storage of equipment, tools, building materials, and other items, located on the same site and which shall be completely removed from the site upon completion of such construction; or temporary sales office used exclusively for the sale of properties or dwelling units located within the same development or subdivision and contained either within a building which will be completely removed immediately after all sales are completed or within a building which will be sold or used as a residential dwelling unit immediately after all sales are completed.

Uses and structures customarily accessory to the permitted uses.

5:8.2. Uses permitted by special exception. The following uses may be permitted by special exception by the board of zoning appeals in accordance with the provisions in article 7.

Bed and breakfast homestays, host homes, guest homes, inns, lodges, and cottages.

Cemetery. (Subject to the provisions of section 7:15.)

Child care center.

Church.

Communication towers. (Subject to the provisions of section 7:18.)

Family care home.

Fire station.

Golf course including clubhouse and other improvements.

Group care home.

Nursing continuing care retirement center.

Police station.

Private recreation area.

Public park and/or playground.

Recycling drop box. (Subject to the provisions of section 7:13.)

School—Public, parochial, and private.

Transportation and utility easements and rights-of-way, other public and semipublic uses which are considered compatible with the aforementioned uses.

Temporary accessory residential use. (Subject to the provisions of section 7:9.)

5:8.3. Height limitation. No structure shall exceed a height of 45 feet except as provided in section 6:7.

5:8.4. Dimensional requirements.

5:8.4-1. Lot area.

The minimum lot area for a single-family detached dwelling shall be 8,000 square feet.

The minimum lot area for single-family zero lot line and garden/patio homes shall be as prescribed in section 38-377 of the Anderson County Code of Ordinances.

The minimum lot area for a two-family (duplex) dwelling shall be as prescribed in section 38-377 of the Anderson County Code of Ordinances.

The minimum lot area for two single-family attached units on adjoining individual lots shall be as prescribed in section 38-377 of the Anderson County Code of Ordinances.

The minimum lot area for a multiple-family dwelling or group of dwellings containing three or more dwelling units, or for a group of three or more single-family attached dwelling units, shall be two acres; however, within a two-acre, multifamily development, no minimum lot area is required. Density requirements shall be based on 20 units per acre.

For nonresidential buildings, the lot area shall be adequate to provide the yard areas required by this section and the off-street parking and loading areas required in article 6, section 6:9 and 6:10 provided, however, that the lot area for each nonresidential building shall not be less than 25,000 square feet.

5:8.4-2. Lot width. The minimum lot width for a single-family detached dwelling shall be 60 feet.

The minimum width for a single-family attached dwelling unit located within a development containing three or more dwelling units shall be 20 feet.

The minimum lot width for a two-family attached dwelling shall be as provided in section 38-377 of the Anderson County Code of Ordinances.

The minimum lot width for two single-family attached dwelling units on adjoining lots shall be as prescribed in the Anderson County Code of Ordinances.

Minimum lot width for nonresidential lots shall be 100 feet.

5:8.4-3. Front yard. The minimum depth of a front yard for single-family detached dwellings (single-family, garden, patio, and zero lot line) measured from the street right-of-way line shall be 20 feet on a residential service street, 30 feet on a collector street, and 50 feet on an arterial street. The minimum depth of a front yard for all other dwellings measured from the street right-of-way line shall be 30 feet on a residential service street, 40 feet on a collector street, and 50 feet on an arterial street. When a right-of-way has not been established or is not known, the setback shall be measured from the centerline of the existing road and each required setback shall be increased by a minimum of 25 feet. In the event an existing right-of-way exceeds 25 feet from the center of the road, the setback shall be measured from the right-of-way.

5:8.4-4. Side yard. The minimum width of and side yard for a single-family or two-family dwelling shall be ten percent of the total lot width or eight feet, whichever is greater.

The minimum width of a nonresidential side yard shall be 15 feet measured from the property line. For residences, nonresidential uses, and accessory buildings on corner lots, the minimum side yard width measured from the street right-of-way line shall be 20 feet on a service street, 30 feet on a collector street, and 40 feet on an arterial street.

5:8.4-5. Rear yard. The minimum depth of the rear yard shall be 15 feet.

5:8.5. Accessory building setback. Accessory buildings may be located in the rear yard provided that they are set back not less than five feet from any lot line and occupy not more than 20 percent of the rear yard.

5:8.6. Off-street parking. Off-street parking shall be provided in accordance with the provisions set forth in section 6:9.

5:8.7. Privacy area. Where any property line of a zero lot line dwelling or a garden court dwelling abuts other property within the same overall development zoned or used for residential purposes, there shall be provided and properly maintained along the property line a continuous visual screen not less than six feet in height. The requirement does not apply to townhouse development. The screen shall be a windowless wall, fence, or other type of impenetrable and opaque material which is aesthetically compatible with existing development, or a combination thereof. However, the

requirement for a privacy wall along any property line may be omitted or modified where the board of zoning appeals has determined that one or more of the following conditions exist:

A. Due to special conditions and circumstances of a physical or dimensional nature which are peculiar to the property involved, a privacy wall would serve no valid purpose.

B. The provision of a privacy wall along any side and/or rear property line would deny the property involved advantages of amenities specifically associated with the overall development.

In no instance shall the privacy wall requirement be omitted or modified which would infringe upon the privacy rights of adjacent property owners.

(Ord. No. 99-004, §§ 5:8—5:8.7, 7-20-99)

Section 5:9. - R-MA, Multifamily Residential District.

This residential district is established to provide for high population density. The principal use of land is for two-family and multiple-family dwellings, manufactured homes and manufactured home subdivisions, and the recreational, religious, and educational facilities normally required to provide an orderly and attractive residential area.

5:9.1. Uses permitted.

Community recreational area.

Dwelling, single-family detached.

Dwelling, single-family detached—Manufactured single-section home.

Dwelling, single-family detached—Manufactured multi-section home.

Dwelling, single-family attached. (Not more than two dwelling units.)

Dwelling, single-family attached (Three or more dwelling units, subject to provisions of section 6:12.)

Dwelling, two-family (Duplex).

Dwelling, multiple-family. (Subject to the provisions of section 6:12.)

Home occupation. (Subject to requirements in section 6:11.)

Residential continuing care retirement center. (Subject to section 6:14.)

School classroom—Portable or temporary.

Sign—Identification. (Subject to the requirements of the sign ordinance.)

Sign—Occupancy. (Subject to the requirements of the sign ordinance.)

Sign—Temporary. (Pertaining to the lease or sale of a building or premises.)

Temporary building, incidental to construction and used primarily for storage of equipment, tools, building materials, and other items, located on the same site and which shall be completely removed from the site upon completion of such construction; or temporary sales office used exclusively for the sale of properties or dwelling units located within the same development or subdivision and contained either within a building which will be completely removed immediately after all sales are completed, or within a building which will be sold or used as a residential dwelling unit immediately after all sales are completed.

Uses and structures customarily accessory to the permitted uses.

5:9.2. Uses permitted by special exception. The following uses may be permitted by special exception by the board of zoning appeals in accordance with the provisions in article 7.

Bed and breakfast homestays, host homes, guest homes, inns, lodges, and cottages.

Cemetery. (Subject to the provisions of section 7:15.)

Child care center.

Church.

Communication towers. (Subject to the provisions of section 7:18.)

Family care home.

Fire station.

Golf course including a clubhouse and other improvements.

Group care home.

Nursing continuing care retirement center.

Police station.

Private recreation area.

Public park and/or playground.

Recycling drop box. (Subject to the provisions of section 7:13.)

School—Public, parochial, and private.

Transportation and utility easement and rights-of-way, other public and semipublic uses which are considered to be compatible with the aforementioned uses.

Temporary accessory residential use. (Subject to the provisions of section 7:9.)

5:9.3. Height limitation. No structure shall exceed a height of 45 feet except as provided in section 6:7.

5:9.4. Dimensional requirements.

5:9.4-1. Lot area.

The minimum lot area for a single-family detached dwelling shall be 8,000 square feet.

The minimum lot area for single-family zero lot line and garden/patio homes shall be as prescribed in section 38-377 of the Anderson County Code of Ordinances.

The minimum lot area for a two-family (duplex) dwelling shall be as prescribed in section 38-377 of the Anderson County Code of Ordinances.

The minimum lot area for two single-family attached units on adjoining individual lots shall be as prescribed in section 38-377 of the Anderson County Code of Ordinances.

The minimum lot area for a multiple-family dwelling or group of dwellings containing three or more dwelling units, or for a group of three or more single-family attached dwelling units, shall be 12,000 square feet; however, within a 12,000 square foot multifamily development, no minimum lot area is required. Density requirements shall be based on 20 units per acre.

For nonresidential buildings, the lot area shall be adequate to provide the yard areas required by this section and the off-street parking and loading areas required in section 6:9 and 6:10 provided, however, that the lot area for each nonresidential building shall not be less than 25,000 square feet.

5:9.4-2. Lot width. Minimum lot width for a single-family detached dwelling shall be 60 feet.

Minimum width for a single-family attached dwelling unit located within a development containing three or more dwelling units shall be 20 feet.

Minimum lot width for a two-family dwelling shall be as prescribed in section 38-377 of the Anderson County Code of Ordinances.

Minimum lot width for two single-family attached dwelling units on adjoining lots shall be as prescribed in section 38-377 of the Anderson County Code of Ordinances.

Minimum lot width for nonresidential lots shall be 100 feet.

5:9.4-3. Front yard. The minimum depth of a front yard for single-family detached dwellings (single-family, garden, patio, and zero lot line) measured from the street right-of-way line shall be 20 feet on a residential service street, 30 feet on a collector street, and 50 feet on an arterial street. The minimum depth of a front yard for all other dwellings measured from the street right-of-way line shall be 30 feet on a residential service street, 40 feet on a collector street, and 50 feet on an arterial street. When a right-of-way has not been established or is not known, the setback shall be measured from the centerline of the existing road and each required setback shall be increased by a minimum of 25 feet. In the event an existing right-of-way exceeds 25 feet from the center of the road, the setback shall be measured from the right-of-way.

5:9.4-4. Side yard. The minimum width of and side yard for a single-family or two-family dwelling shall be ten percent of the total lot width or eight feet, whichever is greater. The minimum width of a nonresidential side yard shall be 15 feet measured from the property line. For residences, nonresidential uses, and accessory buildings on corner lots, the minimum side yard width measured from the street right-of-way line shall be 20 feet on a service street, 30 feet on a collector street, and 40 feet on an arterial street.

5:9.4-5. Rear yard. The minimum depth of the rear yard shall be 15 feet.

5:9.5. Accessory building setback. Accessory buildings may be located in the rear yard provided that they are set back not less than five feet from any lot line and occupy not more than 20 percent of the rear yard.

5:9.6. Off-street parking. Off-street parking shall be provided in accordance with the provisions set forth in section 6:9.

5:9.7. Privacy area. Where any property line of a zero lot line dwelling or a garden court dwelling abuts other property within the same overall development zoned or used for residential purposes, there shall be provided and properly maintained along the property line a continuous visual screen not less than six feet in height. The requirement does not apply to townhouse development. The screen shall be a windowless wall, fence, or other type of impenetrable and opaque material which is aesthetically compatible with existing development, or a combination thereof. However, the requirement for a privacy wall along any property line may be omitted or modified where the board of zoning appeals has determined that one or more of the following conditions exist:

A. Due to special conditions and circumstances of a physical or dimensional nature which are peculiar to the property involved, a privacy wall would serve no valid purpose.

B. The provision of a privacy wall along any side and/or rear property line would deny the property involved advantages of amenities specifically associated with the overall development.

In no instance shall the privacy wall requirement be omitted or modified which would infringe upon the privacy rights of adjacent property owners.

(Ord. No. 99-004, §§ 5:9—5:9.7, 7-20-99)

Section 5:10. - R-MHP, Residential Manufactured Home Park District.

The manufactured home park district is established to allow manufactured home parks provided certain locational criteria are met, and the request is approved by county council. Approval of this district shall be in accordance with article 10 of this chapter.

The requirements of this district are set forth to ensure that manufactured home parks may coexist with existing and future residential development. The following criteria should be used in zoning property R-MHP.

A. Proposed site ensures adequate access to public street systems and does not cause undue congestion or place excessive traffic on local streets.

B. The proposed development should be located where public facilities and services are either existing or planned.

C. Approval of the application should not result in an over concentration of housing types that would alter the basic character of the area.

D. The proposed development should be compatible with adjoining and nearby properties.

5:10.1. Uses permitted.

Manufactured single-section home.

Manufactured multi-section home.

Caretakers or managers—Home or office.

Service buildings to house services for occupants of the manufactured home park including storage, vending machines, washing and drying machines for domestic laundry, recreation facilities, and similar uses.

Manufactured home sales office.

Storage buildings.

5:10.2. Uses permitted by special exception. The following uses may be permitted by special exception by the board of zoning appeals in accordance with the provisions in article 7.

Communication towers. (Subject to the provisions of section 7:18.)

Recycling drop box. (Subject to the provisions of section 7:13.)

5:10.3. Site plan approval. Prior to construction or enlargement of a manufactured home park existing at the time of adoption of this chapter, a development plan approved by the Anderson County Department of Health and Environmental Control shall be submitted to the zoning administrator.

The zoning administrator shall review the proposed development for conformance with all applicable regulations.

5:10.4. Site plan requirements. The plan shall be drawn by a registered engineer/surveyor of the state of South Carolina to scale of not less than 100 feet to one inch and shall contain the following information:

A. The location of the proposed park and the type of surrounding land uses.

B. The location and dimensions of streets, rights-of-way, drives and parking spaces.

C. The location and size of manufactured home sites.

D. The location and size of service buildings and recreation areas.

E. The location and type of screening, fences, or hedges.

F. The names and addresses of abutting property owners and of developers. Any manufactured home, service building, or recreation area located in any manufactured home park shall be placed in accordance with an approved development plan.

G. Existing and finished contours at intervals not more than two feet.

H. The location of fire hydrants if applicable.

I. Storage areas.

J. Dumpsters, if applicable.

5:10.5. Design standards.

5:10.5-1. Park size. The minimum area for a manufactured home park shall be two acres.

5:10.5-2. Site size. Each manufactured home shall be on a site not less than 4,500 square feet in area. The maximum number of manufactured homes shall not exceed ten units per acre when public water and sewer are available, four units per acre when only public water is available, and one unit per acre when neither public water or sewer are available.

5:10.5-3. Setbacks. No manufactured home shall be located closer than 35 feet to the right-of-way line of a public street or highway or closer than 15 feet from side and rear property lines.

5:10.5-4. Off-street parking. Off-street vehicular parking shall be as follows: Two spaces for each manufactured home. One space for each employee shall be provided at each service or recreation area.

5:10.5-5. Access. No manufactured home shall have direct access to a public street or highway. All manufactured home sites shall have access to an all weather interior roadway which is not less than 30 feet in width having a paved surface not less than 20 feet in width. Roads with parallel parking on one side shall have a paved surface of 28 feet with a five foot right-of-way on each side.

5:10.5-6. Screening. Where any property line of a manufactured home park abuts land zoned for or occupied by another residential use, there shall be provided and maintained along the property line of the manufactured home park a continuous visual screen not less than six feet in height. The screen shall be a combination of a wall, fence, and dense evergreen hedge or other type of evergreen foliage. Natural plant materials must be capable of reaching six feet in height after a three-year growing period.

5:10.5-7. Utility requirements. Within the area zoned, each manufactured home site in a manufactured home park shall be provided with approved water and sewer service which is

connected to the municipal water and sewerage systems or other systems meeting the approval of the state and county health departments.

5:10.5-8. Recreation areas. Recreation space of not less than 200 square feet of usable land for each manufactured home site shall be provided in the manufactured home park. For purposes of this section, "Usable Open Space" shall be construed to mean parks, open space, and recreation amenities such as clubhouse, swimming pool, or similar improvements. When the anticipated population shall include children, a play area shall be provided of no less than 400 square feet.

5:10.5-9. Patio or deck. For each manufactured home there shall be constructed a permanent patio located adjacent to or attached to the manufactured home pad. The patio shall be at least 162 square feet in area of concrete or masonry construction. Each patio shall have sufficient gradient to direct drainage away from the manufactured home pad. The patio shall not be within five feet of the property line. In lieu of the patio, a treated wood deck of the same dimensions may be used.

5:10.5-10. Operating requirements. The operator of each manufactured home park shall comply with all state and county health department rules and regulations governing the sanitation and operation of manufactured home parks.

5:10.5-11. Garbage disposal. Garbage containers with tight fitting covers shall be required for each site to permit the disposal of all garbage and rubbish. Collection will be on a regular basis to ensure the containers shall not overflow. In lieu of individual containers, a 20 cubic yard dumpster for every 20 manufactured homes may be provided. Refuse shall not be disposed of within the park.

5:10.5-12. Anchors. Each manufactured home shall be anchored according to the HUD regulation of the National Manufactured Housing Construction and Safety Standards Act as required of each manufacture specification.

5:10.5-13. Dead-end roads. Closed ends of dead-end roads shall be provided with a cul-de-sac paved to a minimum of a 35-foot radius.

5:10.5-14. Occupancy. There shall be no less than ten manufactured home spaces available at first occupancy.

5:10.5-15. Foundation wall. Foundation enclosures shall be required around the perimeter of each manufactured home from the base of the home to the ground. Development owners shall advise each home owner of this requirement to ensure the safety of residents from animals and other infestations. Residents shall comply within a six-month period and it shall be the responsibility of the land owner to advise each manufactured home owner of the required time period to complete the enclosure.

5:10.5-16. Street lighting. All streets within the park shall be lighted at night. The lighting system shall be in accordance with standards recognized by the appropriate utility provider and the National Electric Codes.

5:10.5-17. Storage area. On each manufactured home site, a space shall be designated for a storage building.

5:10.5-18. Drainage plan. Stormwater management and sedimentation and erosion control plans shall be submitted to the county soil and water conservation district and approved prior to final approval being granted by the zoning administrator.

5:10.5-19. Street names. Permanent street names approved by the planning commission shall be assigned to each road within the development.

5:10.6. Preexisting manufactured home parks. Manufactured home parks or subdivisions which were lawfully in existence and operating on October 4, 1983, under valid permits issued by Anderson County council but which do not conform to requirements set forth in this section shall be considered a nonconforming use. However, nonconforming parks may be expanded if in accordance with prior approvals.

(Ord. No. 99-004, §§ 5:10—5:10.6, 7-20-99)

Section 5:11. - Reserved.

Section 5:12. - O-D Office District.

This district is established to provide for office uses including but not limited to the following: Accountant, advertising agency, bank, savings and loan, broadcasting studio, brokerage house, employment agency, insurance, professional offices, real estate, and research facilities.

5:12.1. Uses permitted. The uses permitted in this district are limited to office and research facilities, medical clinics, and outpatient hospitals and shall not include any use engaged in retail sales or stocking and storage of merchandise except as provided by section 5:12.2-1. No use shall be permitted in this district which will be detrimental to the development of the district as an office-research park.

Accountant.

Advertising agency.

Bank.

Broadcasting studio.

Brokerage house.

Continuing care retirement center.

Employment agency center.

Insurance agency.

Medical clinic.

Nursing care facility.

Offices.

Outpatient hospital.

Professional offices.

Real estate office.

Research facility.

Savings & loan.

Sign—Identification. (Subject to the requirements of the sign ordinance.)

Accessory buildings and uses customarily incidental to the above uses.

Other uses which are considered to be compatible with the aforementioned uses.

5:12.2. Uses permitted by special exception.

Church.

Communication towers. (Subject to the provisions of section 7:18.)

Educational institution.

Exhibition buildings.

Fire station.

Hospital.

Library.

Post office.

Veterinary office.

5:12.2-1. Accessory retail uses permitted by special exception Certain retail sales establishments which are customarily accessory and clearly incidental and subordinate to permitted principal office uses such as, but not limited to, the following:

Apothecary.

Barber shop.

Beauty shop.

Cafeteria.

Florist shop.

Newsstand.

Optician.

Restaurant.

Sale or rental of medical supplies and prosthetic devices.

Sandwich shop.

Similar retail uses which are designed primarily to serve the convenience of persons working or receiving services in the building in which the accessory uses located, provided that such accessory use is clearly incidental and subordinate to the principal permitted office uses.

5:12.3. Height limitation. No structure shall exceed a height of 45 feet except as provided in section 6:7.

5:12.4. Dimensional requirements.

5:12.4-1. Front setback. All buildings and structures shall be set back from all street right-of-way lines not less than 25 feet.

5:12.4-2. Side setback. None is required, except on corner lots and lots adjacent to any residential district in which case all commercial buildings and structures shall be set back not less than 15 feet from property lines. When a side yard is provided it shall be not less than five feet in width.

5:12.4-3. Rear setback. No building shall be located closer than 20 feet to a rear lot line.

5:12.4-4. Off-street parking. Off-street parking shall be provided in accordance with the provisions set forth in section 6:9.

5:12.5. Screening. A wall, fence, or compact evergreen hedge or other type of evergreen foliage, or a combination of fence and shrubbery at least six feet in height shall be provided along the side and rear lot lines where any commercial use is adjacent to a residential district.

(Ord. No. 99-004, §§ 5:12—5:12.5, 7-20-99)

Section 5:13. - POD, Planned Office District.

This district is established to accommodate office development which is found to be compatible with surrounding physical development. Uses permitted in this district are limited to office and research facilities and shall not include any use engaged in retail sales or the stocking and storage of merchandise except as provided by section 5:12.2.

5:13.1. Uses permitted. Uses permitted in the Planned Office District are the same as those uses permitted in section 5:12.1, Uses Permitted, and section 5:12.2, Uses Permitted by Special Exception, in the O-D, Office District.

5:13.2. Accessory retail uses permitted. Accessory retail uses permitted in the Planned Office District are the same as those permitted in the O-D, Office District, as set forth in section 5:12.2-1.

5:13.3. Relationship of buildings to lots. One or more principal structures may be permitted on a single lot.

5:13.4. Minimum area. No minimum area is required.

5:13.5. Minimum yard requirements.

Front: 45 feet

Side: 25 feet

Rear: 25 feet

5:13.6. Maximum height. Maximum height of all structures shall not exceed 45 feet.

5:13.7. Off-street parking. Off-street parking shall be provided in accordance with section 6:9.

5:13.8. Site plan review. All uses permitted in the Planned Office District will require a site plan review and approval by the Anderson County ~~planning commission~~ Zoning Administrator. Site plan requirements and procedures are outlined in ~~section 38-71~~ Chapter 38, Section 38-173 of the Anderson County Code of Ordinances.

(Ord. No. 99-004, §§ 5:13—5:13.8, 7-20-99)

Section 5:14. - C-1N, Neighborhood Commercial District.

The intent of this district is to accommodate commercial development that is aesthetically compatible with neighboring residential properties. The requirements of this district are designed to ensure that the C-1N commercial development does not impair existing or future residential development. All establishments developed under the C-1N classification shall be scaled to meet the convenience shopping needs of the immediate area (2—3 mile radius) and should not create a nuisance due to noise, traffic generation, lighting, or appearance.

The following criteria should be used in zoning property C-1N:

A. Approval of the C-1N zoning classification must not alter the existing development patterns within the area.

B. It should be determined that the proposed C-1N zoning classification is necessary to provide the immediate area with convenience shopping.

C. The C-1N use must not put any undue burden on existing streets or utilities.

D. Wherever possible, group development should be encouraged at intersections in an effort to concentrate C-1N uses and discourage sprawl and strip development.

E. The C-1N zone shall be located on a collector or an arterial street.

5:14.1. Uses permitted. Any uses not listed below which are considered to be compatible with the intent of the district must be approved by the Anderson County zoning administrator.

Communication towers. (Subject to the provisions of section 7:18.)

Group commercial development (shopping centers) with a maximum of 75,000 square feet. (Subject to the provisions of section 6:12.)

Offices, including financial institutions.

Personal services establishments including such uses as:

Automatic teller machines.

Beauty/barber shop.

Bed and breakfast homestays, host homes, guest homes, inns, lodges, cottages.

Dressmaking.

Dry cleaning and laundry pick-up stations.

Shoe repair shop.

Tailoring.

Private day care nurseries and kindergartens.

Public, semipublic uses.

Retail establishments which provide general merchandise for local neighborhood use including such uses as:

Bakery goods store.

Candy store.

Dairy products store.

Drug store.

Florist.

Food store.

Gasoline sales in conjunction with convenience food store.

Gift shop.

Grocery store.

Hardware store.

Hobby shop.

Mail/fax services.

Newsstand.

Novelty shop.

Restaurant.

Stationery shop.

Video rental

5:14.2. Uses permitted by special exception.

Bed and Breakfast homestays, host homes, guest homes, inns, lodges, cottages.

5:14.3. Relationship of buildings to lots. One or more principal structures may be permitted on a single lot.

5:14.4. Minimum yard requirements. Minimum yard requirements between all structures and exterior property lines shall be as follows:

Front: 45 feet except commercial gasoline islands which shall be set back from all street right-of-way lines not less than 15 feet

Side: 25 feet

Rear: 25 feet

5:14.5. Maximum height of structures. Maximum height of all structures shall not exceed 35 feet.

5:14.6. Minimum off-street parking and loading requirements. Off-street parking as set forth in section 6:9 and loading requirements as set forth in section 6:10 shall be met.

5:14.7. Site plan review. All uses permitted in the Neighborhood Commercial District will require a site plan review and approval by the Anderson County ~~planning division~~ Zoning Administrator. Site plan requirements and procedures for the Neighborhood Commercial District are outlined in ~~chapter 38~~ Chapter 38, Section 38-173 of ~~this Code~~ the Anderson County Code of Ordinances.

(Ord. No. 99-004, §§ 5:14—5:14.7, 7-20-99)

Section 5:15. - C-1R, Rural Commercial District.

The purpose of this district is to provide for commercial activity in areas which are generally rural in character and for the convenience of local residents in rural areas. This district shall not be applied in those areas of Anderson County which are identifiable as urban in character or which possess facilities necessary for extensive urban growth and development.

5:15.1. Uses permitted.

Antique shop.

Any publicly owned and/or operated structure, facility, or land.

Bank, savings and loan association, or similar financial institution.

Barber and/or beauty shop.

Cemetery.

Convenience food store.

Commercial eating and/or drinking establishment.

Fishing, hunting, or other recreational equipment and supplies rental and/or retail.

Garden supply store.

Gasoline sales in conjunction with a convenience food store.

Gift or curiosity shop.

Grocery store, bakery, or other outlet specializing in the retailing of food and/or beverage products but not including any activities related to the processing of said foods or to the sale for consumption of said foods or beverages on the premises.

Group commercial development. (Subject to the provisions of section 6:12.)

Gunsmith.

Hardware store.

Hobby shop.

Landscape business.

Nursery/greenhouse.

Pharmacy and/or drugstore.

Sign, accessory. (Subject to the requirements of the sign ordinance.)

Sign, business. (Subject to the requirements of the sign ordinance.)

Sign, occupancy. (Subject to the requirements of the sign ordinance.)

Sign, temporary. (Subject to the requirements of the sign ordinance.)

Temporary building, incidental to the construction of buildings permitted in the Rural Commercial District and shall be removed when construction is complete.

Veterinary clinic.

Veterinary office.

5:15.2. Uses permitted by special exception. The following uses may be permitted by special exception by the board of zoning appeals in accordance with the provisions contained in article 7.

Automobile service station.

Campgrounds.

Church.

Communication towers. (Subject to the provisions of section 7:18.)

Dwelling unit, accessory, subject to the following: Any accessory dwelling unit must be shown to be necessary to the operation of a principal use permitted under this section.

Educational institution.

Fire station.

Furniture refinishing business.

Golf driving range.

Post office.

Recycling drop box. (Subject to the provisions of section 7:13.)

5:15.3. Height limitation. No structure shall exceed a height of 35 feet except as provided in section 6:7.

5:15.4. Dimensional requirements.

5:15.4-1. Front setback. All buildings and structures shall be set back from all street right-of-way lines not less than 50 feet if the total width of the right-of-way amounts to less than 100 feet. If the total width of the right-of-way exceeds 100 feet, a 25-foot minimum setback shall be required.

5:15.4-2. Side setback. None is required except on corner lots and lots adjacent to any scenic or residential district in which case all commercial buildings and structures shall be set back not less than 25 feet from property lines.

5:15.4-3. Rear setback. No building shall be located closer than 20 feet to a rear lot line.

5:15.5. Screening. A combination of a wall or fence and dense evergreen hedge or other type of evergreen foliage at least six feet in height shall be provided along the side and rear lot lines where any commercial use is adjacent to a residential district.

5:15.6. Off-street parking. Off-street parking shall be provided in accordance with the provisions set forth in section 6:9.

5:15.7. Off-street loading. Off-street loading shall be provided in accordance with the provisions set forth in section 6:10.

(Ord. No. 99-004, §§ 5:15—5:15.7, 7-20-99)

Section 5:16. - C-1, Commercial District.

This district is established to provide commercial establishments for the convenience of local residents.

5:16.1. Uses permitted.

Airline or transportation ticket office. (No depot.)

Antique shop.

Appliance sales.

Art store.

Automobile parking lot.

Bakery goods store.

Beauty/barber shop.

Bed and breakfast homestays, host homes, guest homes, inns, lodges, and cottages.

Book store.

Broadcasting studio, radio or T.V.

Camera shop.

Candy store.

Child care center.

Clothing store.

Continuing care retirement center.

Dairy products store.

Dance studio.

Delicatessen store.

Department store.

Dressmaking shop.

Drive-in business. (Theatres, refreshment stands, restaurants, etc.)

Drug store.

Dry cleaning/laundry establishments provided that any laundering, cleaning, or pressing done on the premises involves only articles delivered to the premises by individual customers.

Electric appliance, radio or television store.

Employment agency.

Financial institution.

Florist.

Furniture store.

Gasoline sales in conjunction with a convenience food store.

Gift shop.

Grocery store.

Group commercial development (shopping center). (Subject to the provisions of section 6:12.)

Hardware store.

Hobby shop.

Interior decorating shop.

Jewelry store.

Laundromat, self-service.

Leather goods store.

Loan company.

Mail/fax services.

Music store.

Newsstand.

Novelty store.

Nursery or garden supply store.

Nursing care facility.

Office—business or professional.

Office supply and equipment store.

Optical goods sales.

Optician.

Paint store.

Pet shop.

Photography studio.

Radio or television repair.

Refreshment stand.

Restaurant.

Sewing machine sales and service.

Shoe sales/repair.

Shopping center. (See Group Commercial Development.)

Sign—Business. (Subject to the requirements of the sign ordinance.)

Sign—Occupancy. (Subject to the requirements of the sign ordinance.)

Sign—Temporary. (Subject to the requirements of the sign ordinance.)

Sporting goods store.

Stationery store.

Tailor shop.

Theatre (Indoor).

Toy store.

Utility easement.

Veterinary office.

Video rentals.

Accessory buildings and uses customarily incidental to the above uses.

Other uses which are considered to be compatible with the aforementioned uses.

5:16.2. Uses permitted by special exception.

Automated automobile wash in conjunction with a convenience food store with gasoline sales. (Subject to the provisions of section 7:14.)

Church.

Communication towers. (Subject to the provisions of section 7:18.)

Dwelling unit accessory. (Subject to the provisions of section 7:10.)

Educational institution.

Exhibition buildings.

Fire station.

Library.

Post office.

Recycling drop box. (Subject to the provisions of section 7:13.)

Veterinary clinics.

5:16.3. Height limitation. No structure shall exceed a height of 45 feet except as provided in section 6:7.

5:16.4. Dimensional requirements.

5:16.4-1. Front setback. All buildings and structures shall be set back from all street right-of-way lines not less than 25 feet.

5:16.4-2. Side setback. None is required except on corner lots and lots adjacent to residential districts in which case all commercial buildings and structures shall be set back not less than 15 feet from property lines. When a side yard is provided it shall be not less than five feet in width.

5:16.4-3. Rear setback. No building shall be located closer than 20 feet to a rear lot line.

5:16.5. Screening. A wall, fence, or compact evergreen hedge or other type of evergreen foliage, or a combination of fence and shrubbery at least six feet in height shall be provided along the side and rear lot lines where any commercial use is adjacent to a residential district.

5:16.6. Off-street parking. Off-street parking shall be provided in accordance with the provisions set forth in section 6:9.

5:16.7 Off-street loading. Off-street loading shall be provided in accordance with the provisions set forth in section 6:10.

(Ord. No. 99-004, §§ 5:16—5:16.7, 7-20-99)

Section 5:17. - C-2, Highway Commercial District.

This district is established to provide for the development on major thoroughfares of commercial land uses which are oriented to customers traveling by automobile. Establishments in this district provide goods and services for the traveling public and also for the convenience of local residents.

5:17.1. Uses permitted.

All uses permitted in the C-1, Commercial District (section 5:16.1).

ABC package store.

Air conditioning equipment, sales and service.

Ambulance service.

Animal shelters.

Appliance sales and repair.

Auction house or store.

Automobile club.

Automobile garage.

Automobile painting.

Automobile parts or accessories.

Automobile repairing, excluding body work.

Automobile sales, new or used.

Automobile service station.

Automobile rental.

Automobile storage garage.

Automobile upholstering.

Automobile wash; automated, full-service, self-service.

Awning store or shop.

Battery store or shop.

Bed and breakfast homestays, host homes, guest homes, inns, lodges, and cottages.

Bicycle shop.

Billiard hall or parlor.

Boats, sales or rental.

Building materials.

Burglar alarm business.

Catering establishment.

Collection agency.

Commercial recreation, indoor or outdoor.

Communication towers. (Subject to the provisions of section 7:18.)

Concert hall.

Day nursery.

Dental equipment and supplies store.

Dental laboratory.

Diaper supply service.

Dry cleaning/laundry establishment.

Educational institution.

Electric motor repair.

Engravers.

Farm machinery sales.

Feed and seed store.

Frozen food locker rental.

Funeral home.

Fur cleaning.

Furniture cleaning.

Gunsmith store.

Linen or towel supply business.

Locksmith store.

Mail order house.

Medical clinic or laboratory.

Manufactured home sales.

Monuments and tombstones sales.

Motel/hotel/bed & breakfast.

Motorcycle sales and service.

Music studio.

Newspaper establishment.

Nightclub.

Pawn shop.

Pest or insect control business.

Photo developing and finishing store.

Plumbing shop.

Pottery and ceramic store.

Printing establishment.

Record recording studio.

Recreation building.

Recycling drop box. (Subject to the provisions of section 7:13.)

Recycling drop off trailer. (Subject to the provisions of section 7:13.)

Rescue mission.

Safe and vault repairing and servicing.

Sign, advertising. (Subject to the provisions in the sign ordinance.)

Sign, painting shop.

Station, bus or railway.

Tattoo facility.

Tavern.

Taxi business.

Taxidermist.

Telephone exchange.

Tire shop. (Including retreading or recapping.)

Veterinary clinic.

Accessory buildings and uses customarily incidental to the above uses.

Other uses which are considered to be compatible with the aforementioned uses.

5:17.2. Uses permitted by special exception.

Armory.

Auditorium.

Baseball park.

Cemetery. (Subject to the provisions of section 7:15.)

Church.

Dwelling unit accessory. (Subject to the provisions of section 7:10.)

Exhibition buildings.

Fairgrounds—Public.

Fire station.

Football stadium.

Hospital.

Library.

Mini-warehouse. (Subject to the provisions of section 7:16.)

Museum.

Police station.

Post office.

5:17.3. Height limitation. No structure shall exceed a height of 45 feet except as provided in section 6:7.

5:17.4. Dimensional requirements.

5:17.4-1. Front setback. All buildings and structures shall be set back from street right-of-way lines not less than 45 feet, with the exception of commercial gasoline islands and canopies which shall be set back from all street right-of-way lines not less than 15 feet.

5:17.4-2. Side setback. None is required except on corner lots and lots adjacent to any residential district in which case all commercial buildings and structures shall be set back not less than 15 feet from property lines. When a side yard is provided it shall be not less than five feet in width.

5:17.4-3. Rear setback. No building shall be located closer than 20 feet to a rear lot line.

5:17.5. Screening. A combination of a wall or fence and dense evergreen hedge or other type of evergreen foliage at least six feet in height shall be provided along the side and rear lot lines where any commercial use is adjacent to a residential district for the purpose of screening commercial activities from view.

5:17.6. Off-street parking. Off-street parking shall be provided in accordance with the provisions set forth in section 6:9.

5:17.7. Off-street loading. Off-street loading shall be provided in accordance with the provisions set forth in section 6:10.

(Ord. No. 99-004, §§ 5:17—5:17.7, 7-20-99; Ord. No. 2006-025, § 7, 8-15-06)

Section 5:18. - C-3, Commercial District.

This district is established to provide for the development of commercial and light service land uses which are oriented to customers traveling by automobile. The land uses in this district are intended to be located in non-residentially zoned areas and along major thoroughfares. Establishments in this district provide goods and services for the traveling public.

5:18.1 Uses permitted. All uses permitted in the C-1 and C-2, Commercial Districts (sections 5:16.1 and 5:17.1), but not including ABC Package store, nightclubs, taverns, cocktail lounges, or similar land uses.

Baseball batting range.

Billiard hall or parlor.

Commercial recreation, indoor or outdoor.

Communication towers. (Subject to the provisions of section 7:18.)

Hospital.

Ice skating rink.

Library.

Mini-warehouses.

Museum.

Pawn shop.

Roller skating rink.

Tire shop (including retreading and recapping).

Accessory buildings and uses customarily incidental to the above uses.

Other uses which are considered to be compatible with the aforementioned uses.

5:18.2. Uses permitted by special exception.

Armory.

Auditorium.

Baseball park.

Cemetery. (Subject to the provisions of section 7:15.)

Church.

Dwelling unit accessory. (Subject to the provisions of section 7:10.)

Exhibition buildings.

Fairgrounds—Public.

Fire station.

Football stadium.

Police station.

Post office.

5:18.3. Height limitation. No structure shall exceed a height of 45 feet except as provided in section 6:7.

5:18.4. Dimensional requirements.

5:18.4-1. Front setback. All buildings and structures shall be set back from street right-of-way lines not less than 45 feet, with the exception of commercial gasoline islands and canopies which shall be set back from all street right-of-way lines not less than 15 feet.

5:18.4-2. Side setback. None is required except on corner lots in which case all commercial buildings and structures shall be set back not less than 15 feet from property lines. When a side yard is provided it shall be not less than five feet in width.

5:18.4-3. Rear setback. No building shall be located closer than 20 feet to a rear lot line.

5:18.5. Off-street parking. Off-street parking shall be provided in accordance with the provisions set forth in section 6:9.

5:18.6. Off-street loading. Off-street loading shall be provided in accordance with the provisions set forth in section 6:10.

(Ord. No. 99-004, §§ 5:18—5:18.6, 7-20-99)

Section 5:19. - S-1, Services District.

This district is established to provide a transition between commercial and industrial districts by allowing: 1) commercial uses which are service related; 2) service-related commercial uses which sell merchandise related directly to the service performed; 3) commercial uses which sell merchandise which requires storage in warehouses or outdoor areas; and 4) light industries which in their normal operations would have a minimal effect on adjoining properties. All of the uses permitted in this district shall be conducted in such a manner that no noxious odor, fumes, smoke, dust, or noise will be admitted beyond the property line of the lot on which the use is located.

5:19.1. Uses permitted.

Air conditioning equipment, sales and service.

Ambulance service.

Amusements—Commercial.

Animal shelters.

Auction house.

Automobile body shop.

Automobile garage.

Automobile parking.

Automobile painting.

Automobile parts or accessories.

Automobile rental.

Automobile repairing.

Automobile sales.

Automobile service station.

Automobile storage.

Automobile upholstering.

Automobile wash, automated.

Automobile wash, full-service.

Automobile wash, self-service.

Barber shop.

Baseball batting range.

Beauty shop.

Broadcasting studios, radio or television.

Building materials.

Cemeteries (30 acre minimum).

Communication towers. (Subject to the provisions of section 7:18.)

Continuing care retirement center.

Dental laboratories.

Diaper supply service.

Drive-in business. (Theatres, restaurants, etc.)

Eating establishments.

Electric motor repair.

Engravers.

Exhibition buildings, galleries, or showrooms.

Farm machinery sales.

Feed and seed store.

Funeral home.

Gas sales—Commercial and industrial (Oxygen and acetylene.)

Golf courses.

Golf courses—Par three.

Golf driving ranges.

Group industrial development. (Subject to the provisions of section 6:12.)

Gunsmith.

Horse show.

Household appliance repair.

Ice skating rink.

Laboratories—Analytical, experimental, testing, or industrial processes.

Landfills—Sanitary.

Laundries—Dry cleaning, or linen supply service

Linen or towel supply business.

Lithographing.

Lumber yards.

Manufacturing:

A. Processing of: foodstuffs, beverages.

B. Fabrication of: cloth, wood, leather, paper, plastic, or metal.

Mattress shop.

Medical clinic or laboratory.

Mimeographing service.

Manufactured home sales.

Monuments and tombstones sales.

Motel.

Motorcycle sales and service.

Newspaper establishment.

Nursery—Flower, plant, or tree.

Nursery supply.

Nursing care facility.

Offices .

Office supply and equipment.

Parking areas.

Parking structures, commercial.

Pest or insect control business.

Photo developing and refinishing.

Plumbing shop.

Printing or binding.

Radio or television broadcasting studio.

Radio or television repair.

Recording studio.

Recycling collection center. (Subject to the provisions of section 7:13.)

Recycling convenience center. (Subject to the provisions of section 7:13.)

Recycling drop box. (Subject to the provisions of section 7:13.)

Recycling drop-off trailer. (Subject to the provisions of section 7:13.)

Restaurant.

Riding stables.

Roller skating rink.

Safe and vault repair.

Service stations.

Sexually oriented businesses. (Subject to section 42-400 of the Anderson County Code of Ordinances.)

Sign painting.

Signs—Advertising. (Subject to the provisions of the sign ordinance.)

Signs—Business. (Subject to the provisions of the sign ordinance.)

Signs—Occupancy. (Subject to the provisions of the sign ordinance.)

Signs—Temporary. (Subject to the provisions of the sign ordinance.)

Sporting goods sales.

Swimming pool—Commercial

Taxi business.

Taxidermist.

Telephone exchange.

Tire shop.

Truck terminals.

Utility easement or right-of-way.

Utilities—Public or private.

Venetian blinds—Laundry, servicing, and repairing.

Veterinary clinics.

Veterinary hospitals.

Veterinary offices.

Welding.

Wholesaling and warehousing.

Other uses that are considered to be compatible with the aforementioned uses.

5:19.2. Uses permitted by special exception.

Auditorium.

Baseball park.

Church.

Correctional institution.

Dwelling unit accessory. (Subject to the provisions of section 7:10.)

Fairgrounds.

Fire station.

Football stadium.

Hospital.

Police station.

Recycling processing center. (Subject to the provisions of section 7:13.)

Station—Bus or railway.

Certain retail sales establishments which are customarily accessory and clearly incidental and subordinate to permitted principal office uses, such as, but not limited to the following:

Apothecary.

Barber shop.

Beauty shop.

Cafeteria.

Florist shop.

Newsstand.

Optician.

Restaurant.

Sales or rental of medical supplies and prosthetic devices.

Sandwich shop.

Similar retail uses which are designed primarily to serve the convenience of persons working or receiving services in the building in which the accessory use is located, provided that such accessory use is clearly incidental and subordinate to principal permitted uses.

5:19.3. Height limitation. No building or structure shall exceed 45 feet in height except as provided in section 6:7. No building or structure on a lot in the Services District which is adjacent to a residential district shall exceed the maximum building height permitted in the residential district, unless there is one additional foot of setback on the sides adjacent to the residential district for each additional foot of height.

5:19.4. Dimensional requirements.

5:19.4-1. Front setback. All buildings shall be set back from street right-of-way lines not less than 45 feet.

5:19.4-2. Side setback. No building shall be located closer than 25 feet to a side lot line, except when the property is adjacent to a railroad right-of-way, and written approval from the railroad authorities has been obtained, to utilize a railroad spur for loading and unloading.

5:19.4-3. Rear setback. No building shall be located closer than 25 feet to a rear lot line, except when the property is adjacent to a railroad right-of-way, and written approval from the Railroad authorities has been obtained, to utilize a railroad spur for loading and unloading.

5:19.5. Screening. A combination of a wall or fence and dense evergreen hedge or other type of evergreen foliage at least six feet in height shall be provided along the side and rear lot lines where any commercial use is adjacent to a residential district for the purpose of screening commercial activities from view.

5:19.6. Off-street parking. Off-street parking shall be provided in accordance with the provisions set forth in section 6:9.

5:19.7. Off-street loading. Off-street loading shall be provided in accordance with the provisions set forth in section 6:10.

(Ord. No. 99-004, §§ 5:19—5:19.7, 7-20-99)

Section 5:20. - I-1, Industrial District.

This district is established as a district for manufacturing plants, assembly plants, and warehouses. The regulations are intended to protect neighboring land uses from potentially harmful noise, odor, smoke, dust, glare, or other objectionable effects, and to protect streams, rivers, and the air from pollution.

5:20.1. Uses permitted.

Apparel and other finished products made from fabrics, leather, and similar.

Materials—Manufacturing.

Automobile and truck repair and rebuilding shop.

Building contractor and related activities.

Building materials sales and storage.

Chemicals and allied products—Manufacturing.

Communication towers. (Subject to the provisions of section 7:18.)

Fabricated metal products—Manufacturing.

Farm implements and machinery sales and storage.

Feed and seed sales and storage.

Food and kindred products—Manufacturing.

Furniture and fixtures—Manufacturing.

General agricultural operations including crop or tree farming and truck gardening and the raising of farm animals and feeding lots and required accessory buildings, pens, or structures for farm animals or uses and activities.

Group industrial development. (Subject to the provisions of section 6:12.)

Household and industrial cleaning products—Manufacturing.

Lumber and wood products except furniture—Manufacturing.

Paper and allied products—Manufacturing.

Petroleum refining and related industries.

Plastic products—Manufacturing.

Primary metal industries.

Printing, publishing, and allied industries.

Professional offices, financial institutions and research facilities.

Recycling collection center. (Subject to the provisions of section 7:13.)

Recycling convenience center. (Subject to the provisions of section 7:13.)

Recycling drop box. (Subject to the provisions of section 7:13.)

Recycling drop-off trailer. (Subject to the provisions of section 7:13.)

Recycling processing center. (Subject to the provisions of section 7:13.)

Scrap metal processors. (Subject to the provisions in section 7:3.)

Sign—Advertising. (Subject to the provisions of the sign ordinance.)

Sign—Business. (Subject to the provisions of the sign ordinance.)

Sign—Occupancy. (Subject to the provisions of the sign ordinance.)

Single-family dwellings and accessory buildings occupied by the owner or operator of a bona fide farm operation and such additional single-family dwellings as are necessary for occupancy by employees of the farm operation. A bona fide farm operation is defined as a farm operation from which the tenant (owner or renter) receives a majority of his annual income.

Stone, clay, and glass products—Manufacturing.

Textile mill products—Manufacturing.

Tire recapping and retreading plant.

Truck terminal.

Wholesaling and warehousing.

Uses that are considered to be compatible with the aforementioned uses.

All of the uses permitted in this district shall be conducted in such a manner that no noxious odor, fumes, smoke, or dust will be emitted beyond the property line of the lot on which the use is located. No pollution shall leave the premises of a use in this district by way of streams or rivers

5:20.2. Uses permitted by special exception.

Dwelling unit—Accessory. (Subject to the provisions of section 7:10.)

Salvage yard for automobiles, junk, building materials. (Subject to the provisions of sections 42-176—42-195 of the Anderson County Code of Ordinances.)

5:20.3. Height limitation. No building or structure shall exceed 90 feet in height except as provided in section 6:7. All buildings and structures shall demonstrate that adequate fire protection is afforded.

No building or structure on a lot in the Industrial District which is adjacent to a residential district shall exceed the maximum building height unless there is one additional foot of setback on the sides adjacent to the residential district for each additional foot of height.

5:20.4. Dimensional requirements.

> 5:20.4-1. Front setback. All buildings shall be set back from all street right-of-way lines not less than 50 feet.

5:20.4-2. Side setback. No building shall be located closer than 25 feet to a side lot line except where the property is adjacent to a railroad right-of-way and written approval from the railroad authorities has been obtained to utilize a railroad spur for loading and unloading.

5:20.4-3. Rear setback. No building shall be located closer than 25 feet to a rear lot line, except where the property is adjacent to a railroad right-of-way and written approval from the railroad authorities has been obtained to utilize a railroad spur for loading and unloading.

5:20.5. Screening. A combination of a wall or fence and dense evergreen hedge or other type of evergreen foliage at least six feet in height shall be provided along the side and rear lot lines where any commercial use is adjacent to a residential district for the purpose of screening commercial activities from view.

5:20.6. Off-street parking. Off-street parking shall be provided in accordance with the provisions set forth in section 6:9.

5:20.7. Off-street loading. Off-street loading shall be provided in accordance with the provisions set forth in section 6:10.

(Ord. No. 99-004, §§ 5:20—5:20.7, 7-20-99)

Section 5:21. - I-2, Industrial Park District.

This district is established to provide a high level of design quality, site amenities, and open space for light industry, warehouse distribution, research and development operations, and similar industrial uses with compatible operations within a park atmosphere. All of the uses shall be of a type or intensity that do not produce odors, smoke, fumes, noise, glare, heat or vibrations which are incompatible with other uses in the park or its surrounding land uses outside the industrial park. The physical and operational requirements of the use, including type of structure used and volume of heavy truck traffic generated, shall not have an adverse impact upon surrounding land uses. Regulations are directed toward protecting neighboring land uses from any of the potential nuisances associated with industrial uses.

5:21.1. Uses permitted.

Business incubator centers.

Business and professional offices not principally dealing with the general public.

Light industry.

Research facilities and laboratories without outdoor storage or operations.

Schools—Technical, trade, vocational, and business.

Warehousing or storage of goods and materials within a wholly enclosed structure.

Any uses not listed above which are considered to be compatible by the zoning administrator may be allowed.

5:21.2. Accessory uses permitted by special exception.

Gate houses.

Indoor and outdoor recreation facilities.

Restaurants.

Motels/conference centers.

Banks .

Day care.

5:21.3. Prohibited uses.

Abattoirs (slaughter houses).

Correctional facilities and prisons.

Commercial incineration.

Landfill—Sanitary

Manufacture and storage of explosives.

Paper mills.

Quarries.

Scrap/salvage/junk yards.

Any uses that are not compatible with the permitted uses as determined by the zoning administrator shall be considered prohibited uses.

5:21.4. Minimum park size. The minimum park size shall be 20 acres.

5:21.5. Minimum lot area. No minimum lot area is required within the park in order to allow for flexibility and creativity in design.

5:21.6. Maximum percent of lot coverage. Building coverage shall not exceed 50 percent of the area of the lot on which it is located.

5:21.7. Height limitation. The roof of any structure shall not exceed 90 feet in height.

5:21.8. Off-street parking. Off-street parking shall be provided in accordance with section 6:9. Truck and loading docks shall be screened from public rights-of-way. Streets, parking, and loading areas shall have a paved all weather surface.

5:21.9. Signs. Identification signs and business signs shall be of a uniform design and nonflashing.

A park identification sign with logo is allowed at each primary entrance. It shall not exceed 300 square feet in area or 35 feet in height.

A directory sign is allowed in addition to the park identification sign(s). It shall not exceed 200 square feet in area or 16 feet in height.

A wall sign and a logo is allowed on each building wall having street frontage not to exceed one and one-half square feet of sign area for each linear front foot of the principle building. It may not protrude above the roofline.

Directional signs indicating entrance, exit, loading areas or location of parking shall not exceed six square feet.

5:21.10. Setbacks and buffers. No building shall be closer than 50 feet from all street right-of-way lines or 25 feet from a side or rear property line. No building or accessory structure shall be located

closer than 150 feet from a residential district. A landscaped buffer area of a minimum of 100 feet shall be provided along boundaries of the park that abut residentially zoned districts.

5:21.11. Outdoor storage. No outside storage of material shall be allowed within the park.

5:21.12. Architectural form. The architectural design of buildings and structures and their materials and colors shall be visually harmonious with the overall appearance of the park.

All street furniture i.e., lights, signs, pedestrian benches, bus shelters etc. shall have a uniform design.

5:21.13. Noise, odor, vibrations, emissions. All noises, odors, vibrations, emissions of smoke, dust, or gases shall be controlled so as not to be detrimental or cause a nuisance to nearby residential or commercial areas or other uses in the park. Any time prior to or after a building or site is occupied, control measures may be required in accordance with the appropriate governmental agencies which monitor public health and welfare.

5:21.14. Screening of loading areas. A landscape plan shall be submitted with the rezoning application that provides buffers, screening or both between the park and neighboring residential districts. Opaque walls and/or fences and landscaping are required around outdoor waste containers, loading areas, and parking areas for commercial vehicles.

5:21.15. Covenants. A copy of any covenants must be provided with the rezoning application.

5:21.16. Traffic impact analysis A traffic impact analysis shall be submitted with the rezoning application for development projects or development plans where 150 or more vehicle trips are expected to be generated at the peak hour.

The traffic impact analysis shall be prepared by a registered professional engineer with experience in traffic engineering. This analysis shall include:

1. An estimate of the traffic generated as a result of the proposed development;
2. An analysis of the existing street system serving the proposed development; and
3. An assessment of improvements needed to the existing street system, as well as any new improvements in order to support the traffic from the proposed development.

Estimates of vehicle trips shall be calculated based on trip generation rates from the most recent edition of the Trip Generation Manual published by the Institute of Transportation Engineers.

The results and recommendations of the traffic impact analysis will be forwarded to Anderson County Council so that any needed road improvement can be added to the county's Road Improvement Plan.

5:21.17. Environmental reviews.

The applicant should contact the South Carolina Department of Health and Environmental Control (DHEC) Permitting Liaison. The permitting liaison is responsible for contacting all bureaus within DHEC and insuring that facilities obtain the correct permits prior to construction. The permitting liaison can be contacted at:

Permitting Liaison

Office of Environmental Quality Control

South Carolina Department of Health and
Environmental Control

2600 Bull Street

Columbia, SC 29201

1-800-819-9001

Locally DHEC regulates pollution which may impact citizens in proximity to industrial parks. These types of pollution include, but are not limited to:

1) Air Pollution.
2) Water Pollution.
3) Solid Waste.
4) Hazardous Waste.
5) Underground Storage Tanks.

The office in Anderson can be contacted at:

SC DHEC

~~Appalachia I Environmental Quality Control~~

~~2404 North Main Street~~

~~Anderson, SC 29601-5800~~

~~(864) 260-5569 FAX: (864) 260-4855~~

Upstate Environmental Quality Control (EQC) Anderson

220 McGee Road, Anderson, SC 29621

864-260-5585 – office 864-222-3923

(Ord. No. 99-004, §§ 5:21—5:21.17, 7-20-99; Ord. No. 2003-023, § 1, 8-5-03)

Section 5:22. - PD, Planned Development District.

5:22.1. PD, intent. The PD District is established to ~~encourage innovative and creative design of residential and/or commercial developments and to permit a greater amount of flexibility to a developer by removing some of the restrictions of conventional zoning~~ allow flexibility in development that will result in improved design, character, and quality of new mixed use developments and preserve natural and scenic features of open spaces. Ideally, the development should be large scale and incorporate a variety of land uses or land use types. The district is also intended to encourage developments which provide a full range of residential types to serve the residents of the district.

The planned development regulations must encourage innovative site planning for residential, commercial, institutional, and industrial developments within planned development districts. The regulations should provide a mechanism to evaluate each application on its own merit. It is recognized that some concepts will be more appropriate than others and the approval of an application in one location does not necessarily indicate the development will be applicable in other locations. It should also be emphasized that these provisions are not to be used to circumvent the intent or use of conventional zoning classifications as set forth in this chapter.

5:22.2. Minimum site size. The minimum site size for any Planned Development is five acres.

5:22.3. Minimum lot area. No minimum lot area is required for any specific structure within a Planned Development.

5:22.4. Minimum lot width, minimum yard requirements, maximum lot coverage, maximum height of structures. No structure shall be erected within 25 feet from any external lot line of any planned development. Each planned development district may provide for unique regulations regarding minimum lot width, minimum yard sizes, maximum lot coverage, and maximum height and other requirements to accommodate flexibility in the arrangement of uses for the general purpose of promoting and protecting the public health, safety, and general welfare. ~~Minimum lot width, minimum yard sizes, maximum lot coverage, and maximum height are not otherwise regulated within PD Districts~~ ~~provided, however, that the~~ The planning commission and county council shall ascertain that the characteristics of building siting shall be appropriate as related to structures within the planned development and otherwise fulfill the intent of this chapter.

5:22.5. PD application and preliminary development plan approval.

A. Prior to submitting a PD application, the applicant is encouraged to meet with the ~~planning commission~~ Planning and Community Development Department staff for a preapplication conference to avoid undue delay in the review process after the application is submitted.

B. Applications for a Planned Development District shall include the following:

1. Preliminary development plan. The applicant shall submit a ~~reproducible vellum~~ three copies of the ~~proposed Planned Development~~ preliminary development plan which shall include the following:

    a. A boundary survey with vicinity map, title block, scale, and north arrow.

    b. Total number of acres of overall site.

    c. Location and number of acres of various areas by type of use (e.g., single-family detached, recreation, office, commercial, etc.).

    d. Number of units and density of various residential types, such number to represent the maximum number of units.

    e. Approximate square footage of nonresidential use and approximate number of bedrooms in each residential unit.

    f. Primary traffic circulation pattern, including major points of ingress and egress.

    g. Approximate number of parking spaces per use.

    h. An indication that an acceptable drainage system can be designed for the proposed project.

    i. Any such information or descriptions as may be deemed reasonably appropriate for review.

2. Statement of intent. The applicant shall submit three copies of a report setting forth the characteristics of the proposed Planned Development including the following:

a. A description of the procedures of any proposed homeowners association or other group maintenance agreement.

b. A statement setting forth the proposed development schedule.

c. A statement of the public improvements both on- and off-site that are proposed for dedication and/or construction and an estimate of the timing for providing such improvements.

d. A statement of impact on public facilities including water, sewer collection and treatment, fire protection, etc., and letters from the appropriate agencies or districts verifying that such facilities or services are available and adequate to serve the proposed Planned Development.

e. A statement concerning the appearance, landscaping, screening, and maintenance of any proposed pond, lake, or retention pond contained in the development.

f. Any such information or descriptions as may be deemed reasonably appropriate for review.

C. A public hearing shall be held in accordance with procedures set forth in article 10.

D. ~~The planning commission, at its next meeting following the public hearing, and the planning commission staff shall make a recommendation upon the proposed Planned Development which shall be advisory to county council.~~ Upon recommendations from the applicable Zoning Advisory Group and the Planning and Community Development Department and following the duly held public hearing as described in item C, the planning commission shall make a recommendation which shall be advisory to County Council.

E. The county council may, after fulfilling all applicable requirements of this section and all applicable requirements of article 10, act to either approve, approve with modification, or disapprove the application for a Planned Development District.

F. Following County Council approval of a preliminary PD District, the official zoning map shall be amended to reflect such approval. Approval of a Planned Development District shall constitute authority for the applicant to submit a final development plan to the planning commission for approval in accordance with the provisions of section ~~5:22.9~~ 5:22.7.

5:22.6. Subdivision plats. Approval of a ~~concept~~ preliminary development plan and statement of intent shall constitute authority for the applicant to prepare subdivision plats if applicable in accordance with procedures set forth in the Anderson County subdivision regulations. No building permit or certificate of occupancy shall be issued until the planning commission has approved a final subdivision plat.

5:22.7. Final development plan. All final development plans in the Planned Development District will require a site plan review and approval by the Anderson County planning commission. Site plan requirements and procedures for the Planned Development District are outlined in ~~section 5~~ Section 38-173 of the Anderson County ~~Land Development Regulations~~ Code of Ordinances.

5:22.8. Changes to Planned Development Districts. Changes to ~~a proposed Planned Development District or to~~ an approved preliminary or final Planned Development District may be permitted in accordance with one of the following procedures as determined by the Zoning Administrator:

A. Major changes. Changes to a Planned Development District which would alter the basic concept and general characteristics of the Planned Development district may be approved by county council in accordance with the procedures established by section ~~5:22.7~~ 5:22.5. After approval of a major change by county council, approval of a final development plan showing such changes must be submitted to the planning commission in accordance with section ~~5:22.9~~ 5:22.7. Examples of major changes may include, but are not limited to the following:

Boundary changes.

Decrease in open space.

Increase or decrease in number of access points.

Changes to more intensive land uses, e.g. residential to commercial.

Any change which the zoning administrator determines would significantly alter the character of the PD or be expected to have an adverse impact upon neighboring property owners.

B. Minor changes. Changes to a Planned Development District which are of a design nature and which do not alter the original concept or use characteristics of the Planned Development District may be approved by the ~~planning commission staff~~ Zoning Administrator provided that no minor change may be approved by the ~~planning commission staff~~ Zoning Administrator which is in conflict with specific conceptual considerations previously approved by county council. Examples of minor changes may include, but are not limited to the following:

Reductions in:

Density.

Signage.

Square footage.

Increases in:

Landscaping.

Open space.

Setbacks.

Minor changes to:

Landscaping.

Lighting.

Location of land uses.

Parking.

Signage.

~~Site plan.~~

Minor changes to ~~allow~~ site plan:

Reorientation of structures.

Realignment of approved access.

More restrictive land uses, e.g. commercial to residential.

Shift in approved density from one area of PD to another.

5:22.9. Planned Development status report. One year after final approval and each year thereafter, the zoning administrator shall present to county council's planning and public Works committee a status report on the progress of the approved development.

(Ord. No. 99-004, §§ 5:22—5:22.9, 7-20-99)

Section 5:23. - AP, Airport Protective areas.

5:23.1. Airport Protective areas established as supplementary. The "AP" designation is not intended to be utilized as a district classification but as a designation which identifies areas subject to regulations which are supplementary to the regulations of the district to which such designation is attached, appended, or "overlaid." Regulations which apply to areas designated on the zoning map as being within such appended or overlaid designation must be determined by joint reference to the regulations of both the basic district classification and the appended or overlay classification. The basis for preparing these supplementary regulations is contained in the Federal Aviation Regulations (FAR), Vol. XI, Part 77, "Objects Affecting Navigable Airspace".

5:23.2. AP intent. It is the intent of this chapter to restrain influences which are adverse to the proper and safe conduct of aircraft operations in the vicinity of airports, to prevent creation of conditions hazardous to aircraft operations, and to encourage development which is compatible with airport use characteristics within the intent and purpose of zoning. To this end, the "AP" designation, when appended to a basic district classification, is intended to coordinate the purposes and intent of this chapter with other regulations duly established by Anderson County whose primary intent is to further the purposes set out above.

5:23.3. Action upon applications within areas designated "AP". The zoning administrator shall take no action upon issuance of a zoning permit or presentation of an application to the board of zoning appeals or other similar administrative procedures until it has been duly certified to him by proper authorities that the proposal upon which he is requested to act is in compliance with regulations of the AP Protective area regulations as detailed in this section.

5:23.4. Definitions.

Airport advisory committee means a committee established pursuant to chapter 6, article II, section 6-31 of the Anderson County Code of Ordinances, as amended.

Airport means Anderson Regional Airport (AND).

Airport elevation means the highest point of an airport's usable landing area measured in feet above mean sea level (MSL). At the Anderson Regional Airport this elevation is 782 feet above mean sea level.

Approach surface means a surface longitudinally centered on the extended runway centerline, extending outward and upward from the end of the primary surface and at the same slope as the approach zone height limitation slope set forth in section 5:23.6 of this chapter. In plan, the perimeter of the approach surface coincides with the perimeter of the approach zone.

Approach, transitional, horizontal, and conical zones. These zones are set forth in section 5:23.5 of this chapter.

Board of zoning appeals means a board by Anderson County council as provided in article 9 of the Anderson County zoning ordinance.

Conical surface means a surface extending outward and upward from the periphery of the horizontal surface at a slope of 20 to 1 for a horizontal distance of 4,000 feet.

Hazard to air navigation means an obstruction determined to have a substantial adverse effect on the safe and efficient utilization of the navigable airspace.

Height means for the purpose of determining the height limits in all zones set forth in this chapter and shown on the zoning map, the datum shall be mean sea level (MSL) elevation unless otherwise specified.

Heliport primary surface means the area of the primary surface coincides in size and shape with the designated takeoff and landing area of a heliport. This surface is a horizontal plane at the elevation of the established heliport elevation.

Horizontal surface means a horizontal plane 150 feet above the established airport elevation, the perimeter which in plan coincides with the perimeter of the horizontal zone. At Anderson Regional Airport, this elevation is 932 feet MSL.

Larger than utility runway means a runway that is constructed for and intended to be used by propeller driven aircraft of greater than 12,500 pounds maximum gross weight and jet powered aircraft.

Nonconforming use means any pre-existing structure, object of natural growth, or use of land which is inconsistent with the provisions of this chapter or an amendment thereto.

Nonprecision instrument runway means a runway having an existing or proposed instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment for which a straight-in non-precision instrument approach procedure has been approved or planned.

Obstruction means any structure, growth or other object, including a mobile object, which exceeds a limiting height set forth in section 5:23.6(9) of this chapter.

Person means an individual, firm, partnership, corporation, company, association, joint stock association, or governmental entity; includes a trustee, a receiver, an assignee, or a similar representative of any of them.

Precision instrument runway means a runway having an existing instrument approach procedure utilizing an Instrument Landing System (ILS), Differential Global Positioning System (DGPS) or a Precision Approach Radar (PAR). It also means a runway for which a precision approach system is planned and is so indicated on an approved airport layout plan or another planning document.

Primary surface means a surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, or planned hard surface, the primary surface extends 200 feet beyond each end of that runway; for military runways or when the runway has no specially prepared hard surface or planned hard surface, the primary surface ends at each end of that runway. The width of the primary surface is set forth in section 5:23.5 of this chapter. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline.

Runway means a defined area on an airport prepared for landing and take-off of aircraft along its length, or planned length.

Structure means an object constructed or installed by man, including, but without limitation, buildings, towers, smokestacks, earth formation, and overhead transmission lines.

Transitional surfaces means these, surfaces extend outward at 90 degree angles to the runway centerline and the runway centerline extended at a slope of seven feet horizontally for each one foot vertically from the sides of the primary and approach surfaces to where they intersect the horizontal and conical surfaces. Transitional surfaces for those portions of the precision approach surfaces, which project through and beyond the limits of the conical surface, extend a distance of 5,000 feet

measured horizontally from the edge of the approach surface and at 90 degree angles to the extended runway centerlines.

Tree means any object of natural growth.

Utility runway means a runway that is constructed for and intended to be used by propeller driven aircraft of 12,500 pounds maximum gross weight and less.

Visual runway means a runway intended solely for the operation of aircraft using visual approach procedures.

5:23.5. Airport zones. In order to carry out the provisions of this chapter, there are hereby created and established certain zones which include all of the land lying beneath the approach surfaces, transitional surfaces, horizontal surfaces, and conical surfaces as they apply to Anderson Regional Airport. Such zones are shown on the official Anderson County zoning map that is on display in the Anderson County planning division office. An area located in more than one of the following zones is considered to be only in the one with the more restrictive height limitations. The various zones are hereby established and defined as follows:

1. Utility runway visual approach zone. The inner edge of this approach zone coincides with the width of the primary surface and is 250 feet wide for utility runways with only visual approaches and 500 feet wide for utility runways with a non-precision approach on the opposite end. The approach zone expands outward uniformly to a width of 1,250 feet at a horizontal distance of 5,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.
2. Runway larger than utility visual approach zone. The inner edge of this approach zone coincides with the width of the primary surface and is 500 feet wide for such runways with a visual approach or non-precision approach on the opposite end and 1,000 feet wide for those with a precision approach on the opposite runway end. The approach zone expands outward uniformly to a width of 1,500 feet at a horizontal distance of 5,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.
3. Precision instrument approach zone. The inner edge of this approach zone coincides with the width of the primary surface and is 1,000 feet wide. The approach zone expands outward uniformly to a width of 16,000 feet at a horizontal distance of 50,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.
4. Transitional zones. The transitional zones are the areas beneath the transitional surfaces.
5. Heliport transitional zones. These zones extend outward from the sides of the primary surface and the heliport approach zones a horizontal distance of 250 feet from the primary surface centerline and the heliport approach zone centerline.
6. Horizontal zones. The horizontal zone is established by swinging arcs of a given radii from the center of each end of the primary surface of each runway and connecting the adjacent arcs by drawing lines tangent to those arcs. The radii of these arcs are as follows: 5,000 feet for all runways designated utility or visual, and 10,000 feet for all other runways. The radii of the arcs for each end of the runway shall be the same and consist of the longest radius determined for either runway end. When tangents encompass a 5,000-foot arc connecting two adjacent 10,000-foot arcs, the 5,000-foot arc shall be disregarded. The horizontal zone does not include the approach and transitional zones.
7. Conical zone The conical zone is hereby established as the area that commences at the periphery of the horizontal zone and extends outward therefrom a horizontal distance of 4,000 feet. The conical zone does not include the precision instrument approach zones and the transitional zones.

5:23.6. Airport zone height limitations. Except as otherwise provided in this chapter, and with the exception of structures erected for aeronautical purposes, no structure shall be erected, altered, or maintained, and no tree shall be allowed to grow in any zone created by this chapter to a height in excess of the applicable height limit herein established for such zone. Such applicable height limitations are hereby established for each of the zones in question as follows:

1. Utility runway visual approach zone. Slopes 20 feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway centerline.
2. Runway larger than utility visual approach zone. Slopes 20 feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway centerline.
3. Precision instrument runway approach zone. Slopes 50 feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline; thence slopes upward 40 feet horizontally for each foot vertically to an additional horizontal distance of 40,000 feet along the extended runway centerline.
4. Heliport approach zone. Slopes eight feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a distance of 4,000 feet along the heliport approach zone centerline.
5. Transitional zones. Slope seven feet outward for each foot upward beginning at the sides of and at the same elevation as the primary surface and approach surface, and extending to a height of 150 feet above the airport elevation, which is 932 feet MSL for Anderson Regional Airport. In addition to the foregoing, there are established height limits sloping seven feet outward for each foot upward beginning at the sides of and at the same elevation as the approach surface, and extending to where they intersect the conical surface. Where the precision instrument runway approach zone projects beyond the conical zone, there are established height limits sloping seven feet outward for each foot upward beginning at the sides of and the same elevation as the approach surface, and extending a horizontal distance of 5,000 feet measured at 90 degree angles to the extended runway centerline.
6. Heliport transitional zones. Slope two feet outward for each foot upward beginning at the sides of and at the same elevation as the primary surface and the heliport approach zones and extending a distance of 250 feet measured horizontally from and at 90 degree angles to the primary surface centerline and heliport approach zones centerline.
7. Horizontal zone. Established at 150 feet above the airport elevation or at a height of 932 feet for Anderson Regional Airport.
8. Conical zone. Slopes 20 feet outward for each foot upward beginning at the periphery of the horizontal zone and at 150 feet above the airport elevation and extending to a height of 350 feet above the airport elevation. This elevation is 1,132 feet MSL for the Anderson Regional Airport.
9. Excepted height limitations. Nothing in this chapter shall be construed as prohibiting the construction or maintenance of any structure, or growth of any tree to a height up to 50 feet above the surface unless such structure

5:23.7. Use restrictions.

Notwithstanding any other provisions of this chapter, no use may be made of land or water within any zone established by this chapter in such a manner as to create electrical interference with navigational signals or radio communication between the airport and aircraft, make it difficult for pilots to distinguish between airport lights and others, result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, create bird strike hazards, or otherwise in any way endanger or interfere with the landing, takeoff, or maneuvering of aircraft intending to use the airport.

5:23.8. Nonconforming uses.

1. Regulations not retroactive. The regulations prescribed by this chapter shall not be construed to require the removal, lowering, or other change or alteration of any structure or tree not conforming to the regulations as of the effective date of this chapter [July 20, 1999], or otherwise interfere with the continuance of nonconforming use. Nothing contained herein shall require any change in the construction, alteration, or intended use of any structure, the construction or alteration of which was begun prior to the effective date of this chapter, and is diligently prosecuted.

2. Marking and lighting. Notwithstanding the preceding provision of this section, the owner of any existing nonconforming structure or tree is hereby required to permit the installation, operation, and maintenance thereon of such markers and lights as shall be deemed necessary by the Anderson County airport advisory committee to indicate to the operators of aircraft in the vicinity of the airport the presence of such airport obstruction. Such markers and lights shall be installed, operated, and maintained at the expense of the respective airport advisory committee.

5:23.9. Permits.

Future uses. Except as specifically provided in a, b, and c hereunder, no material change shall be made in the use of land, no structure shall be erected or otherwise established in any zone hereby created unless a permit therefor shall have been applied for and granted. Each application for a permit shall indicate the purpose for which the permit is desired, with sufficient particularity to permit it to be determined whether the resulting use or structure would conform to the regulations herein prescribed. If such determination is in the affirmative, the permit shall be granted. No permit for a use inconsistent with the provision of this chapter shall be granted unless a variance has been approved.

a. In the area lying within the limits of the horizontal zone and conical zone, no permit shall be required for any structure less than 75 feet of vertical height above the ground, except when, because of terrain, land contour, or topographic features, such structure would extend above the height limits prescribed for such zones.

b. In areas lying within the limits of the approach zones, but at a horizontal distance of not less than 4,200 feet from each end of the runway, no permit shall be required for any structure less than 75 feet of vertical height above the ground, except when such structure would extend above the height limit prescribed for such approach zones.

c. In the areas lying within the limits of the transition zones beyond the perimeter of the horizontal zone, no permit shall be required for any structure less than 75 feet of vertical height above the ground, except when such structure, because of terrain, land contour, or topographic features, would extend above the height limit prescribed for such transition zones.

   Nothing contained in any of the foregoing exceptions shall be construed as permitting or intending to permit any construction, or alteration of any structure in excess of any of the height limits established by this chapter except as set forth in Section 5:23.6, 9.

2. Existing uses. No permit shall be granted that would allow the establishment or creation of an obstruction or permit a nonconforming use or structure to become a greater hazard to air navigation than it was on the effective date of this chapter [July 20, 1999] or any amendments thereto or than it is when the application for a permit is made. Except as indicated all applications for such a permit shall be granted.

3. Nonconforming uses abandoned or destroyed. Whenever the zoning administrator determines that a nonconforming structure has been abandoned or more than 80 percent torn-down, physically deteriorated or decayed, no permit shall be granted that would allow such structure to exceed the applicable height limit or otherwise deviate from the zoning regulations.

4. Variances. Any person desiring to erect or increase the height of any structure or use property, not in accordance with the regulations prescribed in this chapter, may apply to the board of zoning appeals

for a variance from such regulations. The application for variance shall be accompanied by a determination from the Federal Aviation Administration as to the effect of the proposal on the operation of air navigation facilities and the safe, efficient use of navigable airspace. Such variances shall be allowed where it is duly found that a literal application or enforcement of the regulations will result in unnecessary hardship and relief granted, will not be contrary to the public interest, will not create a hazard to air navigation, will do substantial justice, and will be in accordance with the spirit of this chapter. Additionally, the board of zoning appeals may consider no application for a variance to the requirements of this chapter unless a copy of this application has been furnished to the airport advisory committee for advice as to the aeronautical effects of the variance. If the airport advisory committee does not respond to the application within 45 days after receipt, the board of zoning appeals may act on its own to grant or deny said application.

5. Obstruction marking and lighting. All objects penetrating the plane 50 feet beneath the following imaginary surface shall be lighted:

   An approach surface having a 50:1 slope originating 200 feet beyond the end of an existing or proposed runway, which has a width of 1,000 feet, expanding uniformly for 10,000 feet to a width of 4,000 feet, thence becoming a 40:1 slope expanding uniformly for a distance of 40,000 feet to a width of 16,000 feet, or for such a distance that the imaginary surface is more than 200 feet above all terrain.

   Otherwise, all objects must be marked and lighted in accordance with Federal Aviation Administration Advisory Circular 70/7460-1, as amended from time-to-time.

   Any permit or variance granted may, if such action is deemed advisable to effectuate the purpose of this chapter and be reasonable in the circumstances, be so conditioned as to require the owner of the structure in question to install, operate, maintain, at the owner's expense, such markings and lights as may be necessary. If deemed proper by the board of zoning appeals this condition may be modified to require the owner to permit the airport advisory committee, at its own expense, to install, operate, and maintain the necessary markings and lights.

6. Notification All such persons proposing the construction of objects, whether of a temporary or permanent nature within 20,000 feet of a public use airport and the height of which penetrates a slope of 100:1 from the nearest point of the nearest runway, shall submit a copy of FAA form 7460-1 to the affected airport for review. Said airport shall have ten business days to make any comments.

   5:23.10. Airport zones relating to noise restrictions. As noted in section 5:23.2, one of the intentions of AP protective areas regulations is to encourage development that is compatible with airport use characteristics. Noise resulting from aircraft operations is the airport use characteristic that most affects surrounding development.

   Relating the zoning format to noise criteria is difficult because two land uses which might otherwise be compatible in a specific zoning category may each be affected differently by airport noise. For example, general commercial zoning may be compatible with airport noise. However, theaters (a commercial use) would need special protection at least to the extent that they were notified of potential incompatible noise characteristics on a proposed site prior to their construction.

   Supplementary regulations contained in the AP protective areas section of the chapter would facilitate notification of potential incompatible uses (as a result of aircraft noise) without undue restriction of the establishment of retail uses lists the criteria for evaluating and regulating development around the airport. Sensitive areas surrounding Anderson Regional Airport are divided into Zones I through III. Zone I being the most restrictive. The official zoning map of Anderson County, located at the Anderson County planning division, delineates the location and area of each of the zones around the airport.

   5:23.11. Airport zoning related to sanitary landfill location. Various studies and observations have resulted in the conclusion that sanitary landfills attract birds, and that birds in the vicinity of airports

create potential hazards to aircraft operations (see FAA order SO 5200.5). Aircraft accidents have resulted when aircraft collided with low-flying birds, particularly during takeoff and landing.

In order to prevent such an occurrence in Anderson County, the following regulations shall apply with regard to location of landfills:

A. No landfill shall be located within 10,000 feet from a runway of any airport.

B. Landfills located further than 10,000 feet, but within five miles of a runway of any airport will be reviewed on a case by case basis by the airport advisory committee or its staff, who may in turn contact the bird hazard group and the Federal Aviation Administration. If in the opinion of the airport advisory committee or its staff, the landfill poses a threat to safe aircraft operations, then the landfill shall be considered an incompatible land use.

5:23.12. Enforcement. It shall be the duty of the zoning administrator to administer and enforce the regulations prescribed herein. Applications for permits and variances shall be made to the building standards department upon a form published for that purpose. Applications required by this chapter to be submitted to the zoning administrator shall be promptly considered and granted or denied. Application for action by the board of zoning appeals shall be forthwith transmitted by the secretary.

(Ord. No. 99-004, §§ 5:23—5:23.12, 7-20-99; Ord. No. 99-018, § 1, 11-2-99)

Section 5:24. - Reserved.

Section 5:25. - RRD, Residential Reuse District.

5:25.1. RRD intent. The purpose of this district is to provide an incentive to reuse structurally sound older buildings, located in residential districts, for which their original use is no longer economically viable. This section allows for building(s) to be developed for residential uses that are environmentally and aesthetically compatible with the surrounding residential area.

The RRD district is established as a supplemental residential district that is approved by county council in accordance with article 10 of this chapter. This district overlays existing residential zoning districts and is applicable only to schools, medical facilities, office buildings, factories/mills, churches, and other public/semipublic buildings located in residential districts.

The following criteria should be used in approving an RRD overlay for a property:

A. It should be determined that the original intended use of the structure(s) in its existing condition is no longer feasible.

B. The proposed development should not violate neighborhood character nor adversely affect surrounding residential land uses.

C. The proposed development must not put any undue burden on existing roads or utilities.

D. It should be determined that the existing structure is the major focus of the development and any additional structure(s) or expansion(s) are supplemental in nature to the existing structure.

The regulations provide a mechanism to evaluate each application on its own merit. It is recognized that some concepts will be more successful than others and the approval of an application in one situation does not necessarily indicate that the development will be applicable in other situations.

5:25.2. Uses permitted.

Communication towers. (Subject to the provisions of section 7:18.)

Residential.

5:25.3. Lot area. No minimum lot area is required.

5:25.4. Minimum lot width, minimum yard requirement, maximum lot coverage, maximum height of structure. No additional structure or part thereof shall be erected within 25 feet from any external lot line. Minimum lot width, minimum yard requirement, maximum lot coverage, maximum height of structure are not otherwise regulated within the RRD Overlay District provided, however, that the planning commission and county council shall ascertain that the characteristics of any additional structure sited must be appropriate as related to the intent of this district.

5:25.5. Application and concept plan approval.

A. An applicant shall communicate his intentions to establish an RRD Overlay District and the proposed characteristics thereof to the ~~planning commission~~ Planning and Community Development Department staff prior to initiating an application for the RRD Overlay zone in order to avoid undue delay in the review process after initiating such application.

B. Applications for an RRD Overlay District shall be by amendment to the official zoning map in accordance with the provisions of article 10 and shall include the following:

1. ~~Concept~~ Preliminary Development plan. The applicant shall submit two copies of the proposed development which shall include the following:

    a. Vicinity map, title block, scale, north arrow, and property line survey.

    b. Total number of acres of overall site.

    c. Number of units and density of the various residential types, such number to represent the maximum number of units.

    d. Approximate number of bedrooms in each residential unit.

    e. Primary traffic circulation pattern, including major points of ingress and egress.

    f. Approximate number of parking spaces.

    g. An indication that an acceptable drainage system can be designed for the proposed development.

    h. The existing structure and any additions proposed.

    i. Any such information or descriptions as may be deemed reasonably appropriate for review.

2. Statement of intent. The applicant shall submit three copies of a descriptive statement setting forth the characteristics of the proposed development including the following:

    a. A descriptive of the procedures of any proposed homeowners association or other group maintenance agreement.

    b. A statement setting forth the proposed development schedule.

    c. A statement of impact on public facilities including water, sewer collection and treatment, schools, garbage collection, fire protection, etc., and letters from the appropriate agencies or districts verifying that such facilities or services are available and adequate to serve the proposed development.

    d. A statement concerning the appearance, landscaping, and screening of the development.

    e. Any such information or descriptions as may be deemed reasonably appropriate for review.

C. ~~A public hearing shall be held in accordance with the procedures set forth in article 10 except that such hearing shall be a joint hearing before the planning commission and county council simultaneously~~. A public hearing shall be held in accordance with procedures set forth in article 10.

D. ~~The planning commission, at its next regular meeting following the public hearing, and the planning commission staff shall make a recommendation on the proposed development which shall be advisory to county council.~~ Upon recommendation from Planning and Community Development Department staff and following a duly held public hearing, planning commission shall make a recommendation which shall be advisory to county council.

E. County council may, after fulfilling all applicable requirements of this section and all applicable requirements of article 10, act to approve, approve with modification, or disapprove the application for an RRD Overlay District.

5:25.6. Final development plan. Following approval of an RRD Overlay District, the official zoning map shall be amended to reflect such approval. Approval of an RRD Overlay District shall constitute authority for the applicant to submit a ~~site plan~~ Final Development Plan to the planning commission for review and approval or denial.

5:25.7. Changes to RRD Overlay Districts. Changes to approved RRD Overlay District may be permitted in accordance with one of the following procedures as determined by the zoning administrator:

A. Minor changes. To an RRD Overlay District which are of a design nature and do not alter the original concept or residential use characteristics of the RRD Overlay District may be approved by the Anderson County planning commission in accordance with the procedures established by ~~5:25.8~~ 5:25.6 provided no minor change may be approved by the planning commission which is in conflict with specific conceptual considerations previously contained in county council's conceptual approval.

B. Major changes. Changes to an RRD Overlay District, which would alter the basic concept and general characteristics of the RRD Overlay District may be approved by county council in accordance with the procedures established by section ~~5:25.7~~ 5:25.5. Examples of major change include but are not limited to the following: Boundary changes, changes in the maximum number of residential units, increased density, residential use changes, access changes, etc. Approval of a major change by county council must be followed by a final approval of a detailed site plan showing such changes by the planning commission in accordance with section ~~5:25.8~~ 5:25.6.

5:25.8. Destruction of existing structure(s). The destruction or substantial removal of the existing structure(s) not approved by county council in the concept plan shall void the RRD Overlay District for the respective development. Any new development would conform to the respective underlying district.

(Ord. No. 99-004, §§ 5:25—5:25.8, 7-20-99)

Section 5:26. - R-A2, Residential Agricultural Two-Acre District.

The purpose of this district is to provide for a full range of agricultural activities in a rural setting. This district also provides for spacious residential development for those who choose this environment and prevents untimely scattering of more dense urban uses that should be confined to areas planned for efficient extension of public services.

5:26.1. Uses permitted.

Agricultural crops, including pens and structures for the raising of farm animals

Barns

Community recreational area

Dwelling, single-family detached

Dwelling, single-family detached—Manufactured single-section home

Dwelling, single-family detached—Manufactured multi-section home

Home occupation (Subject to the requirements in Section 6:11)

Nursery/greenhouse

Portable or temporary school classroom

Riding academies

Riding stables

Sign—Identification (Subject to the provisions of the Sign Ordinance)

Sign—Occupancy

Sign—Temporary (Pertaining to the lease or sale of a building or premises)

Temporary building, incidental to construction and used primarily for storage of equipment, tools, building materials, and other items located on the same site and which shall be completely removed from the site upon completion of such construction; or temporary sales office used exclusively for the sale of properties or dwelling units located within the same development or subdivision and contained either within a building which will be completely removed immediately after all sales are completed, or within a building which will be sold or used as a residential dwelling unit immediately after all sales are completed.

Tree farm

Uses and structures customarily accessory to the permitted uses

5:26.2. Uses permitted by special exception.

The following uses may be permitted by special exception by the board of zoning appeals in accordance with provisions in article 7.

Bed and breakfast homestays, host homes, and guest homes

Cemetery (Subject to the provisions of section 7:15)

Child care centers

Churches, convents, and monasteries

Communication towers (Subject to the provisions of Section 7:18)

Country club

Fire stations

Landscaping business

Library

Private airstrip

Private recreation area

Public park and playground

Public utility building and use

Recycling drop box (Subject to the provisions of section 7:13)

Roadside stand for the sale of crops, produce, fruit, etc., produced on the property

Schools—Public, parochial or private

Temporary accessory residential use (Subject to the provisions of section 7:9)

Transportation and utility easement and right-of-way

Veterinary clinic

Veterinary hospital

Other public and semipublic uses which are considered to be compatible with the aforementioned uses

5:26.3. Lot area.

The minimum lot area shall be two acres.

5:26.4. Lot width.

Minimum lot width for a single-family detached dwelling shall be 30 feet with 100 feet at the building line.

5:26.5. Front Yard.

The minimum depth of the front yard measured from the street right-of-way line shall be 30 feet on a residential service street, 40 feet on a collector street, and 50 feet on an arterial street except when a right-of-way has not been established or is not known; then the setback shall be measured from the centerline of the existing road and each required setback shall be increased by a minimum of 25 feet. In the event an existing right-of-way exceeds 25 feet from the center of the road, the setback shall be measured from the right-of-way.

5:26.6. Side yard.

The minimum width of a residential side yard shall be ten percent of the total lot width or ten feet, whichever is greater, except that any side yard abutting on a street or highway shall not be less than 20 feet in width. The side yard is not required to be more than 25 feet.

5:26.7. Rear yard.

The minimum depth of the rear yard shall be 25 feet.

5:26.8. Off-street parking.

Off-street parking shall be provided in accordance with provisions set forth in section 6:9.

5:26.9. Skirting.

Skirting or a curtain wall, unpierced except for required ventilation and access door, must be installed and maintained so that it encloses the area under manufactured homes. The foundation skirting or curtain wall may be of brick, masonry, or vinyl or similar materials designed and manufactured for permanent outdoor installation. Material used for skirting should be erected so as not to create a fire hazard and maintained in good state of repair.

A. Crawl space shall be provided with ventilation as per Section ~~R-309.1 of the CABO (Council of American Officials One- and Two-family) Code~~ 10-81 of the Anderson county Code of Ordinances.

B. Access to the crawl space shall be ~~a minimum of 18″ × 24″ as per R-309.2 of the CABO Code~~ as required by Section 10-81 of the Anderson County Code of Ordinances.

5:26.10. Supplementary setback.

Where a permitted R-A2 use abuts a church, public park or playground, or school—public, parochial, or private, existing at the time of adoption of this division, new barns or structures for farm animals or farm products larger that 3,000 sq. ft., shall not be constructed within 300 feet of the property boundary of the previously existing use. New barns or structures for farm animals or farm products of 3,000 sq. ft., or less, may be constructed within 50 feet of the property boundary of the previously existing use.

5:26.11. Application of district.

This R-A2, Residential Agricultural Two-Acre District shall only be applied and mapped upon a property owner's request during initial zoning of a precinct or application for rezoning by a property owner or designated agent.

(Ord. No. 00-056, § 1, 10-17-00)

Section 5:27. - OD-LTD, Low Traffic Density Office District.

The intent of this district is to provide office space for lower density traffic generating uses. This district is established to provide for office uses including but not limited to the following: Accountant, advertising agency, broadcasting studio, brokerage house, employment agency, insurance, professional offices, real estate, and research facilities.

A Low Traffic Density Office District shall include only those uses listed below, and shall be of a scale small enough to not generate more than 99 trips during peak hours of traffic as determined by Chapter 6 of the SCDOT Access and Roadside Management Standards Manual, Table 6-10.

Uses permitted. The uses permitted in this district are limited to office and research facilities, and shall not include any use engaged in retail sales or stocking and storage of merchandise except as provided by this section. No use shall be permitted in this district which will be detrimental to the development of the district as a low traffic density office-research park.

- Accountant.
- Advertising agency.
- Broadcasting studio.
- Brokerage house.
- Employment agency center.
- Insurance agency.

- Offices.
- Optician.
- Professional offices.
- Real estate office.
- Research facility.
- Sign—Identification. (Subject to the requirements of the sign ordinance.)
- Accessory buildings and uses customarily incidental to the above uses.
- Other uses which are considered to be compatible with the aforementioned uses.

Accessory retail uses permitted by special exception. Certain retail sales establishments which are customarily accessory and clearly incidental and subordinate to permitted principal office uses may be permitted by special exception.

OD-LTD Districts shall follow all of the underlying height limitations, dimensional requirements, and screening criteria outlined in Section 5:12, Office District (OD).

(Ord. No. 2012-013, § 1, 8-7-2012)

Section 5:28. - C-1NB, Blended Neighborhood Commercial District.

The intent of C-1NB district is to ensure that new development is designed with the purpose of blending with the existing community features. Building design shall incorporate materials that convey permanence, substance, timeliness, and restraint, with low maintenance. Recommended building materials include, but are not limited to; clay or masonry brick, stucco, natural stone, decorative masonry, or wood.

The requirements of this district are designed to encourage quality development of properties within the district and promote scale and character consistent with existing and planned uses bordering and within the identified district.

All establishments developed under the C-1NB classification shall be scaled to meet the convenience shopping needs of the immediate area (2—3 mile radius) and should not create a nuisance due to noise, traffic generation, lighting, or appearance.

Uses permitted. Uses permitted in the C-1NB District are the same as those uses permitted in section 5:14.1, Uses Permitted, and section 5:14.2, Uses Permitted by Special Exception. However, Communication Towers shall not be permitted in any instance.

C-1NB Districts shall follow all of the relationships to building lots, minimum yard requirements, and maximum height of structure requirements outlined in Section 5:14, C-1N Neighborhood Commercial District.

Bufferyards. When any property being developed abuts a single family residential property, a Type VI buffer shall be utilized to mitigate the transition from all levels of commercial development to residential development.

Signage. All signage in this District shall be in accordance with the provisions set forth in the county sign ordinance. Freestanding and monument-style signage shall be architecturally designed to reflect the character of the structure for which they are advertising.

Exterior lighting. Exterior illumination shall be carefully considered in order to promote safety and security while limiting light trespass and reducing glare. Fixtures must be mounted in such a manner that

its cone of light does not cross any property line of the site. All exterior lighting designs shall meet minimum IESNA (Illuminating Engineering Society of North America) guidelines.

Natural features. Significant natural or existing features shall be incorporated into the site design, while still allowing for reasonable use of the site.

Site plan review. All uses permitted in the C-1NB Blended Neighborhood Commercial District will require a site plan review and approval by the Anderson County ~~planning division~~ Zoning Administrator. Site plan requirements and procedures are outlined in section 38-173 of the Anderson County Code of Ordinances.

(Ord. No. 2012-013, § 1, 8-7-2012)

Section 5:29. - PC, Planned Commercial District.

PC intent. The County recognizes that high-quality design of commercial structures can contribute to a positive appearance of commercial districts and neighborhoods and improve the overall character of the community.

The PC District is established to encourage innovative and creative design of commercial developments and to permit a greater amount of flexibility to a developer by removing some of the restrictions of conventional zoning. Ideally, the development should be large scale and incorporate a variety of land uses or land use types.

The regulations should provide a mechanism to evaluate each application on its own merit. It is recognized that some concepts will be more appropriate than others and the approval of an application in one location does not necessarily indicate the development will be applicable in other locations. It should also be emphasized that these provisions are not to be used to circumvent the intent or use of conventional zoning classifications as set forth in this chapter.

Minimum site size. The minimum site size for any Planned Commercial Development is five acres.

Minimum lot area. No minimum lot area is required for any specific structure within a Planned Commercial Development District.

Minimum lot width, minimum yard requirements, maximum lot coverage, maximum height of structures. No structure shall be erected within 25 feet from any external lot line of any ~~planned development~~ PC District. Minimum lot width, minimum yard sizes, maximum lot coverage, and maximum height are not otherwise regulated within PC Districts provided, however, that the planning commission and County Council determine that the characteristics of proposed building siting shall be appropriate and otherwise fulfill the intent of this chapter.

PC application and preliminary development plan approval.

A. Prior to submitting a PC application, the applicant is encouraged to meet with the ~~planning commission~~ Planning and Community Development Department staff for a pre-application conference to avoid undue delay in the review process after the application is submitted.

B. Applications for a Planned Commercial District shall include the following:

1. Preliminary development plan. The applicant shall submit a reproducible plan of the proposed Planned Commercial Development which shall include the following:

a. A boundary survey with vicinity map, title block, scale, and north arrow.

b. Total number of acres of overall site.

c. Location and number of acres of various areas by type of use (e.g., office, commercial, etc.).

d. Primary traffic circulation pattern, including major points of ingress and egress.

e. Approximate number of parking spaces per use.

f. An indication that an acceptable drainage system can be designed for the proposed project.

g. Any such information or descriptions as may be deemed reasonably appropriate for review.

2. Statement of intent. The applicant shall submit three copies of a report setting forth the characteristics of the proposed Planned Commercial Development including the following:

a. A statement setting forth the proposed development schedule.

b. A statement of the public improvements both on- and off-site that are proposed for dedication and/or construction and an estimate of the timing for providing such improvements.

c. A statement of impact on traffic (as per Section 38-118(f) of the County Code of Ordinances), public facilities including water, sewer collection and treatment, fire protection, etc., and letters from the appropriate agencies or districts verifying that such facilities or services are available and adequate to serve the proposed Planned Commercial Development.

d. A statement concerning the appearance, landscaping, screening, and maintenance of any proposed pond, lake, or retention pond contained in the development.

e. Any such information or descriptions as may be deemed reasonably appropriate for review.

f. Once approved, the applicant's statement of intent shall be recorded with the County Register of Deeds office.

C. A public hearing shall be held in accordance with procedures set forth in article 10.

D. ~~The planning commission, at its next meeting following the public hearing, and the planning commission staff shall make a recommendation upon the proposed Planned Commercial Development which shall be advisory to County Council.~~ Upon recommendation from Planning and Community Development Department and following a duly held public hearing, planning commission shall make a recommendation which shall be advisory to county council.

E. The county council may, after fulfilling all applicable requirements of this section and all applicable requirements of article 10, act to either approve, approve with modification, or disapprove the application for a Planned Commercial ~~Development~~ District.

F. Following Council approval of a PC District, the official zoning map shall be amended to reflect such approval. Approval of a Planned Commercial District shall constitute authority for the applicant to submit a final development plan to the planning commission for approval in accordance with the provisions of this section.

Subdivision plats. Approval of a concept plan and statement of intent shall constitute authority for the applicant to prepare subdivision plats if applicable in accordance with procedures set forth in the Anderson County subdivision regulations. No building permit shall be issued until the planning commission has approved a final subdivision plat.

Final development plan. All final development plans in the Planned Commercial District will require a site plan review and approval by the Anderson County planning commission. Site plan requirements and procedures for the Planned Commercial District are outlined in ~~section 5~~ Section 38-173 of the Anderson County ~~Land Development Regulations~~ Code of Ordinances.

Changes to Planned Commercial Districts. Changes to a ~~proposed Planned Commercial District or to an approved~~ preliminary or final Planned Commercial District may be permitted in accordance with one of the following procedures as determined by the Zoning Administrator:

A. Major changes. Changes to a Planned Commercial District which would alter the basic concept and general characteristics of the Planned Commercial District shall be approved by County Council in accordance with the procedures established by this section. After approval of a major change by county council, approval of a final development plan showing such changes must be submitted to the planning commission in accordance with this section. Examples of major changes may include, but are not limited to the following:

- Boundary changes.
- Decrease in open space.
- Increase or decrease in number of access points.
- Changes to more intensive land uses.
- Any change which the zoning administrator determines would significantly alter the character of the PC or be expected to have an adverse impact upon neighboring property owners.

B. Minor changes. Changes to a Planned Commercial District which are of a design nature and which do not alter the original concept or use characteristics of the Planned Commercial District may be approved by the ~~planning commission staff~~ Zoning Administrator provided that no minor change may be approved which is in conflict with specific conceptual considerations previously approved by County Council. Examples of minor changes may include, but are not limited to the following:

Reductions in:

- Density.
- Signage.
- Square footage.

Increases in:

- Landscaping.
- Open space.
- Setbacks.

Minor changes to:

- Landscaping.
- Lighting.
- Location of land uses.
- Parking.
- Signage.
- ~~Site plan.~~

Minor changes to ~~allow~~ site plan:

- Reorientation of structures.

- Realignment of approved access.
- More restrictive land uses.
- Shift in approved density from one area of PC to another.

(Ord. No. 2012-013, § 1, 8-7-2012)

ARTICLE 6. - GENERAL PROVISIONS

Section 6:1. Application. The regulations set forth in this chapter affect all land, every building, and every use of land and/or buildings and shall apply as follows.

6:1.1. New uses or construction. After the effective date of this chapter [July 20, 1999], all construction and uses of land shall conform to the use and dimensional requirements for the district in which it is to be located, except that construction or uses of land which are substantially complete or developed on the effective date of this chapter shall be allowed to be completed provided that in no case shall construction or development of a use extend beyond 90 calendar days from the effective date of this chapter.

6:1.2. Open space requirements. After the effective date of this chapter [July 20, 1999] no part of a yard, court, or other open space, or off-street parking or loading space required for the purpose of complying with the provisions of this chapter shall be included as part of a yard, open space, or parking and loading space required for any other building.

6:1.3. Reduction of lot and yard area prohibited. No yard or lot existing at the time of passage of this chapter shall be reduced in size or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this chapter [July 20, 1999] shall meet at least the minimum requirements established herein.

6:1.4. Conforming uses. After the effective date of this chapter [July 20, 1999], structures or the uses of land or structures which then conform to the regulations for the district in which such structures or uses are located may be continued; provided that any structural alteration or change in use shall conform with the regulations herein specified.

6:1.5. Nonconforming uses. After the effective date of this chapter [July 20, 1999] structures or uses of land or structures which would be prohibited under the regulations for the district in which such structures or uses are located shall be considered as nonconforming. Nonconforming structures or uses may be continued provided they conform to the provisions contained in section 6:2. Nonconforming, single-family residential structures may be extended or expanded provided they conform to the provisions contained in section 6:2.1.

6:1.6. Nonconforming lots. In any district in which single-family dwellings are permitted, if a lot of record at the effective date of adoption of this chapter [July 20, 1999] does not contain sufficient land area to permit a building to conform to the dimensional requirements of the chapter, such lot may be used as a building site for a single-family residence provided that there is conformance to the minimum front and side yard requirements set forth in this chapter for the district in which the residence is located, and further, that any permitted use serviced by a private septic tank system shall meet minimum county health department regulations.

(Ord. No. 99-004, §§ 6:1—6:1.6, 7-20-99)

Section 6:2. - Continuance of nonconforming uses of land and structures.

Nonconforming uses of land or structures existing at the time of initial adoption of the precinct zoning map shall not hereafter be enlarged or extended in any way except as outlined below:

Nonconforming single-family residential structures may be enlarged or extended in any zoning district provided that the new additions conform to the setback requirements provided in the zoning district in which such structures or uses are located. In addition to the right to enlarge or extend in any way, legally nonconforming farms shall be permitted to diversify or change the scope of their agricultural activities.

Other nonconforming buildings, structures, land, or portions thereof, may be maintained or rebuilt as they existed at the time they became nonconforming, and may, by special exception of the board of zoning appeals, be expanded by a maximum of 500 square feet or 25 percent of the portion of the land, building or structure dedicated to the nonconforming use at the time of the adoption of this amendment, whichever is greater, subject only to the following exception: Legally nonconforming structures containing less than 2,400 square feet of floor area and occupying more than two acres may expand by a maximum of 25 percent of the portion of the structure dedicated to the nonconforming use at the time of the adoption of this amendment, or to a total of 3,000 square feet, whichever is greater.

All permitted expansions of nonconforming uses shall be cumulative from the time the use becomes nonconforming. Furthermore, nonconforming signs may not be expanded.

(Ord. No. 99-004, §§ 6:2—6:2.7, 7-20-99; Ord. No. 00-055, § 1, 11-14-00)

Section 6:3. - Relationship of buildings to lots.

There shall be not more than one principal building and its accessory buildings on one lot except as allowed in group, large scale, and apartment developments as provided in article 6:12 of this chapter.

(Ord. No. 99-004, §§ 6:3, 7-20-99)

Section 6:4. - Public access to property.

Every building hereafter erected or moved shall be located on a lot adjacent to and have access to a public street, highway, road, or other public way.

(Ord. No. 99-004, §§ 6:4, 7-20-99)

Section 6:5. - Projections into public streets and street rights-of-way.

No commercial signs or other structures shall project beyond any right-of-way line of any street except in the case of a properly executed air rights agreement that meets the provisions of all applicable legislation regarding the use of air rights. No shrubbery shall project into any public street right-of-way.

(Ord. No. 99-004, §§ 6:5, 7-20-99)

Section 6:6. - Parking and storage of certain vehicles.

6:6.1. Reserved.

6:6.2. Travel or camping trailers. Not more than one travel or camping trailer per family living on the premises shall be permitted on a lot in any residential district. The trailer shall not be occupied

temporarily or permanently while it is parked or stored except in an authorized manufactured home park.

6:6.3. Commercial vehicles. In all "R" Districts except R-A, not more than one commercial vehicle per family living on the premises shall be permitted in a residential district. No commercial vehicle used for hauling explosives, gasoline, or liquefied petroleum products shall be permitted. Tractor-trailers may be parked in an R-A District. However, the tractor portion only of a tractor-trailer rig may be parked in any other ~~AR~~ Residential District.

(Ord. No. 99-004, §§ 6:6—6:6.3, 7-20-99)

Section 6:7. - Height.

The following provisions qualify and supplement the specific height regulations set forth in article 5.

6:7.1. Provisions. All buildings may exceed the height limitations of the district if the minimum depth of rear yards and the minimum width of side yards required in the district regulations are increased one foot for each three feet by which the height of such building exceeds the prescribed height limit.

No building may exceed the height limitations of the district unless the building meets all applicable county fire code requirements for buildings of the height requested.

6:7.2. Other structures. Chimneys, elevators, poles, spires, tanks, towers, and other projections not used for human occupancy may exceed the district height limit.

6:7.3. Federal Aviation Agency requirements.

Federal Aviation Agency height regulations in the vicinity of an airport or the area governed by the Federal Aviation Agency regarding approach zones and protected areas shall take precedence over all other types of regulations. Further detail is provided in Chapter 6, Article III of the Anderson County Code of Ordinances.

(Ord. No. 99-004, §§ 6:7—6:7.3, 7-20-99)

Section 6:8. - Visibility at intersections.

On any corner lot on which a front and side yard is required, nothing shall be erected, placed, planted, or allowed to grow which obstructs vision between a height of two and one-half feet above the crown of the adjacent roadway and ten feet in a triangular area formed by measuring from the point of intersection of the front and exterior side lot lines a distance of 25 feet along the front and side lot lines and connecting the points so established to form a triangle on the area of the lot adjacent to the street intersection.

(Ord. No. 99-004, §§ 6:8, 7-20-99)

Section 6:9. - Off-street parking requirements.

There shall be provided at the time of the erection of any building, or at the time any principal building is enlarged or increased in capacity by adding dwelling units, guest rooms, seats, or floor area; or before conversion from one type of use of occupancy to another, permanent off-street parking space in the amount specified by this section. Such parking space may be provided in a parking garage or properly graded and improved open space. All portions of the required space that are paved shall be marked in accordance with the standards contained herein. Lines shall be marked with an approved paint.

6:9.1. Certification of minimum parking requirements. Each application for a building permit or certificate of occupancy submitted to the zoning administrator, as provided for in section 8:2, shall include a plan showing the required space reserved for off-street parking and loading space and the means of ingress and egress to such space. This information shall be sufficient to enable the zoning administrator to determine whether or not the requirements of this section are met.

6:9.2. Combination of required parking space. The required parking space for any number of separate uses may be combined in one lot, but the required space assigned to one use may not be assigned to another use, except that one-half of the parking space required for churches, theatres, or other uses whose peak attendance will be at night or on Sundays may be assigned to a use which will be closed at night or on Sundays.

6:9.3. Remote parking space. If the off-street parking space required by this chapter cannot be reasonably provided on the same lot on which the principal use is located, such space may be provided on any land similarly zoned and within 400 feet of the principal use. Such space shall be deemed required space associated with the permitted use and shall not hereafter be reduced or encroached upon in any manner. It is further provided that the zoning administrator may require a plat, deed, or other documentation necessary to show that remote parking space is controlled by and available to the applicant prior to the granting of a zoning certificate.

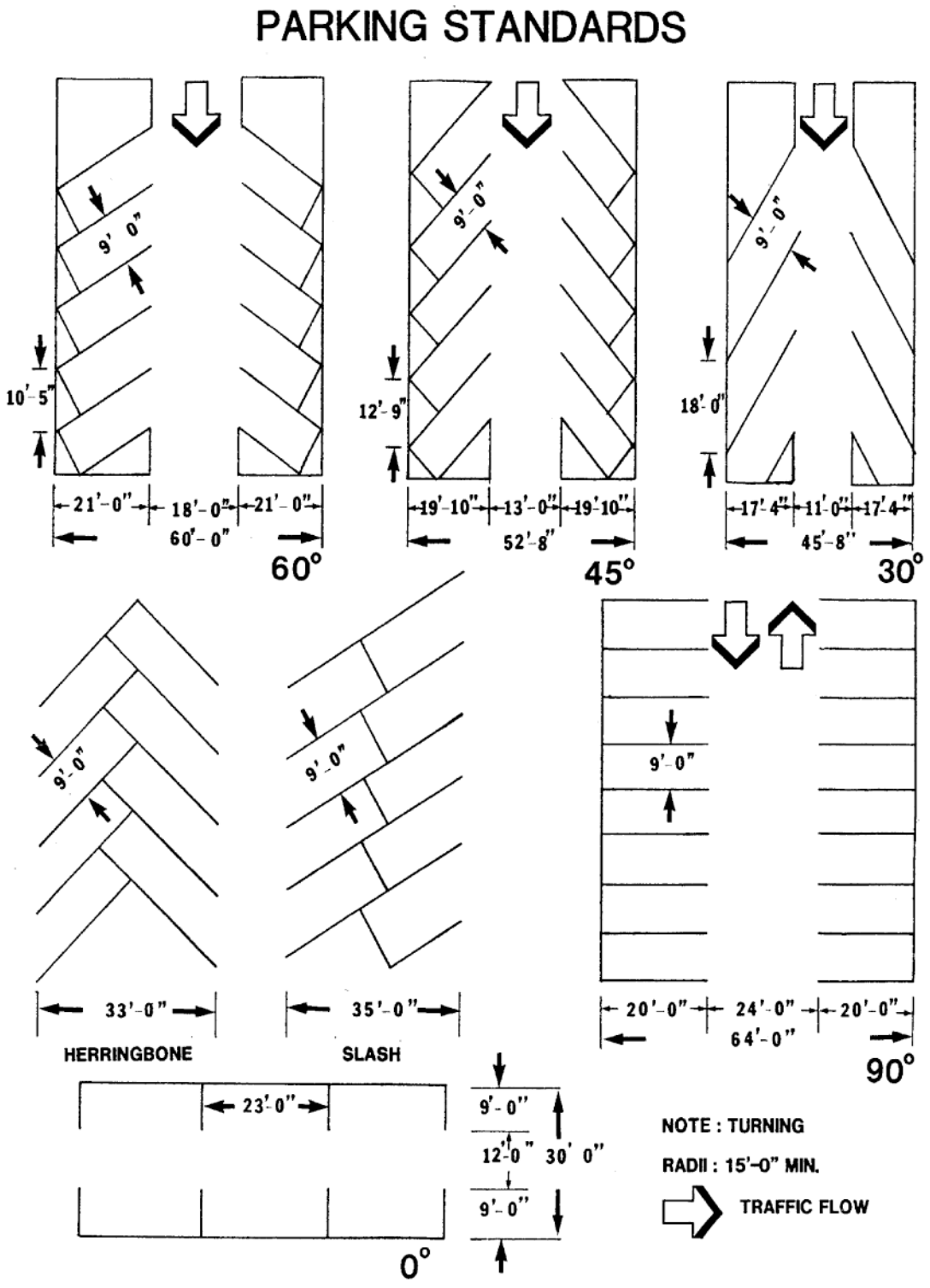
6:9.4. Design of parking area. All off-street parking except off-street parking for single-family detached dwelling units, single-family attached dwelling units on adjoining individual lots, or two-family dwellings located on a residential service street, shall be designed so that vehicles can turn around within the area and enter the street, road, or highway in such a manner as to completely eliminate the necessity of backing into the street, road, or highway. Off-street parking for single-family detached dwelling units, single-family attached dwelling units on adjoining lots, or two-family dwelling units, which requires backing into a residential service street shall be permitted provided that such movement can be made with reasonable safety and without interfering with other traffic.

6:9.5. Off-street parking space design standard* (see diagram).

Angle of parking	Width of stall	Depth of stall	Minimum driveway width**	Length of curb per car
0	9′	9′	12′	23′—0′
30	9′	17′—4′	11′	18′—0′
45	9′	19′—10′	13′	12′—9′
60	9′	21′—0′	18′	10′—5′
90	9′	20′—0′	24′	9′—0′

* Accessible parking space designs shall be in accordance with the ADA Standards for Accessible Design, Section 502.

** Minimum driveway widths shall be maintained to the point of intersection with the adjoining public or private right-of-way.



6:9.6. Minimum parking requirements.

Wherever off-street parking is required in district regulations the following minimum spaces shall be provided on the same lot with the principal use, except as provided in section 6:9.3. A developer should evaluate his own needs and, if they are greater than the minimum, provide the necessary space. Parking lots existing at the effective date of this ordinance shall be grandfathered. In case of expansion of or additions to uses existing at the time this chapter becomes effective [July 20, 1999], these requirements shall apply only to the additional or expanded areas.

Use	Required off-street parking
Apartment, townhouse, row house and multiple-family dwelling	Two spaces for each dwelling unit
Auditorium and theatre	One space for each four spectator seats
Automatic teller machine (freestanding)	Three spaces per teller machine; requirement waived if sited where parking already exists
Automobile repair facility	Two spaces per service bay, not including the service bay itself, plus one space per employee at the largest shift
Automobile service station	One space for each car stored plus one space for each employee
Automobile wash	Fifteen spaces per wash unit for full-service wash; five spaces per wash bay for self-service wash
Bank	One space for each 200 square feet of gross floor space plus one space for each two employees
Bus terminal	One space for each four seats in the waiting room plus one space for each two employees
Child care center	One space for each adult attendant plus two off-street spaces for loading and unloading
Church	One space for each four seats in the sanctuary
Commercial recreation—Indoor	One space for each 180 square feet of floor Not listed elsewhere or ground area or one space for each four seats available to patrons, whichever is needed

Bowling alley	Two spaces for each bowling lane plus the requirement for a restaurant facility, if present
Gymnasium	One space for every 200 square feet of floor area
Health club/fitness center	One space for every 100 square feet of floor area excluding game courts plus three spaces for each game court
Skating rink	One space for every 200 square feet of floor area
Commercial recreation—Outdoor	One space for each 180 square feet of floor Not listed elsewhere or ground area or one space for each four seats available to patrons, whichever is needed
Miniature golf	One space for each hole plus one space for every 100 square feet of game room plus one space for each employee at the largest shift
Swimming pool	One space for every 100 square feet of water surface area
Continuing care retirement center	One space per employee on the largest shift; one space per residential dwelling unit; and one space per five nursing beds
Driving range	One space for each driving tee
Elementary school	One space for each vehicle owned or operated by the school plus two spaces for each faculty member and administrative office
Fire station	One space for each employee and one space for each three volunteer personnel on a normal shift
Funeral home	One space for each four seats in the chapel or parlor plus one space for each employee
Golf course	Four spaces for each green plus requirements for any other associated use
Group care home	One space per resident care provider; one space per three beds
Home occupation	In addition to residence requirements, one space for each 100 square feet of floor space devoted to the home occupation use

Hospital	One space per bed plus one for every three employees on largest shift plus one space for each doctor on largest shift
Hotel, motel, or motor court	One space for each room to be rented plus one additional parking space for each three employees plus requirements for any other use associated with the establishment
Industrial manufacturing and wholesale uses	One space for each two employees on the largest shift, one space for each member of the managerial or office staff, one visitor parking space for each ten persons on the managerial staff, and one space for each vehicle used directly in the conduct of the business
Junior high school	One space for each vehicle owned or operated by the school plus three spaces for each faculty member plus one space for each five seats in the auditorium or gymnasium
Manufactured home park	Two spaces for each manufactured home
Nursery/greenhouse	One space for every 300 square feet of floor area used for sales plus one space for each employee at the largest shift plus one space per vehicle used for the business
Nursing care facility	One space for each five beds intended for patient use plus one space for each employee on the largest shift
Office and professional building	One space for each 200 square feet of gross floor space
Office, medical or dental	One space for each employee plus one space for each examining room
Oil change shop	Two spaces per establishment plus two spaces per service bay not including the service bay itself
Planned shopping center	Five spaces for every 1,000 square feet of gross leasable floor area
Public or private club	One space for each 200 square feet of gross floor space
Public utility building	One space for each employee
Restaurant	One space for each three seats plus one space for each two employees

Restaurant located in shopping centers	One space for each three seats plus one space for each two employees
	With dance floor area, shall provide additional parking spaces based upon one space for 35 square feet of dance floor
	With sale and/or consumption of alcoholic beverages, one parking space for every 150 square feet of gross able floor space
Retail store	One space for each 200 square feet of floor area used for sales plus one space for each two employees
Sales and service establishments	One parking space for each 200 square feet of floor area available to customers plus one space for each two employees
Senior high school	One space for each vehicle owned or operated by the school plus seven spaces for each faculty member plus one space for each administrative office
Single- or two-family dwelling	Two spaces on the same lot for each dwelling unit
Stadium	One space for each four spectator seats

6:9.7. ~~Additional requirements for the physically disabled and/or handicapped. As required by the building code and subsequent adopted amendments.~~ Minimum Accessible Parking Requirements. When off-street parking is required per section 6:9.6, accessible parking for persons with disabilities shall also be required. The number of accessible spaces shall be in accordance with ADA Standards for Accessible Design, Section 208. The design of such spaces shall be in accordance with Section 502 of the ADA Standards for Accessible Design. These spaces should be located so that persons are not compelled to wheel or walk behind parked cars to reach entrances, ramps and walkways. Accessible parking spaces may be included when calculating the overall parking requirements for a building or use.

(Ord. No. 99-004, §§ 6:9—6:9.7, 7-20-99; Ord. No. 01-013, § 5, 6-19-01)

Section 6:10. - Off-street loading requirements.

6:10.1. Requirements for industrial and wholesale buildings. Every industrial and wholesale building hereafter erected shall provide space as indicated herein for loading and unloading of vehicles. The number of off-street loading berths required by this section shall be considered as the absolute minimum, and the developer shall evaluate his own needs to determine if they are greater than the

minimum specified by this section. For purposes of this section, an off-street loading berth shall have minimum plan dimensions of 12 feet by 60 feet and 14 feet overhead clearance with adequate means for ingress and egress.

Square Feet of Gross Floor Area in Structure	Number of Berths
0—25,000	1
25,000—40,000	2
40,000—100,000	3
100,000—160,000	4
160,000—240,000	5
240,000—320,000	6
320,000—400,000	7
Each 90,000 above 400,000	1

6:10.2. Design of loading spaces. Off-street loading spaces shall be designed so those vehicles can maneuver for loading and unloading entirely within the property lines of the premises.

6:10.3. Requirements for commercial uses. All retail uses and office buildings with a total floor area of 20,000 square feet shall have one off-street loading berth for each 20,000 square feet.

(Ord. No. 99-004, §§ 6:10—6:10.3, 7-20-99)

Section 6:11. - Home occupation.

A home occupation, permitted in any residential district, shall be in conformance with the following requirements.

A. Not more than two persons other than those residing in the home shall be engaged in the occupation.

B. The occupation shall not involve the retail sale of merchandise manufactured off the premises except for products related directly to the service performed such as beauty products.

C. No display of merchandise shall be visible from the street.

D. The occupation shall not be a nuisance or cause any undue disturbance in the neighborhood.

E. No sign shall be permitted except one non-illuminated nameplate not more than two square feet in area mounted flat against the wall of the principal building in which the occupation is conducted.

F. Off-street parking shall be provided in accordance with the provisions set forth in section 6:9 of this article.

G. The following home occupations shall be permitted. Other home occupations may be permitted by the board of zoning appeals in accordance with the provisions of article 7 and the aforementioned requirements.

Accountant and bookkeeping

Attorney

Barber

Beautician

Child care home

Dance instructor

Dress making

Insurance agent

Ironing

Manufacturer's representative

Music teacher

Notary public

Photographer

Professional consultants

Secretarial service

Sewing

Tailoring

Tax consultant

Tutoring

Typing

In R-A Zone only, light manufacturing, wholesaling, and Service-related businesses are allowed in a completely enclosed building which shall not exceed 2,000 sq. ft. in floor area nor exceed 15 ft. in height from the finished grade.

(Ord. No. 99-004, §§ 6:11, 7-20-99; Ord. No. 00-055, § 2, 11-14-00)

Section 6:12. - General provisions for group developments.

6:12.1. Site plan review. In any group development no building permit shall be issued until a site plan meeting the requirements of this section has been reviewed and approved by the zoning administrator. Except for group developments that require approval of the board of zoning appeals or the Anderson County planning commission, the zoning administrator shall approve or disapprove requests for group developments based upon his review. For those group developments which are permitted only as a special exception by the board of zoning appeals, not only must the requirements of this section be met, but also the requirements of the zoning district and the requirements of article 7, Provisions for Uses Permitted by Special Exception. All site review approvals are valid for one year, where upon if no building permit has been issued, a new site review will be required.

6:12.2. Site plan requirements. A minimum of three copies of the site plan meeting the requirements of this section must be submitted to the office of the zoning administrator. In order to ensure proper and expeditious review, the site plan must meet the following criteria:

A. The site plan must be drawn to a scale of not less than 100 feet to one inch by a registered engineer/surveyor of the State of South Carolina;

B. A vicinity map, title block, scale, north arrow, site size, and property line survey;

C. The location of any utility easements;

D. The land use for every part of the site and the number of acres devoted to each use;

E. The site's traffic circulation plan, including the location of curb cuts and points of ingress/egress, and also including the location and width of all streets, drives, medians, service areas, dumpster pads, entrances to parking areas, etc.;

F. The site's parking plan, including all off-street parking, loading/unloading areas, and structures, and also including all parking spaces and their dimensions;

G. Stormwater Management and Sedimentation and Erosion Control Plans, which must be submitted to the ~~county soil and water conservation district~~ Anderson County Stormwater Management Department;

H. The site's sign plan, which includes all exterior signage of the development;

I. The site's lighting plan, including the location, height, and type of all exterior light fixtures;

J. If applicable, the location of all proposed nonresidential buildings or structures, their general exterior dimensions, and gross square footage;

K. If applicable, the location of all proposed residential structures, their general exterior dimensions, the number of residential dwelling units by type, and the number of the bedrooms in each unit;

L. If applicable, the site's pedestrian circulation plan, including the location of all sidewalks, paths, trails, etc. and the dimensions thereof;

M. If required elsewhere in the chapter, the landscape plan for the site;

N. If required elsewhere in the chapter, the screening/landscaping plan for the site;

O. If required elsewhere in the chapter, specifications indicating the proposed treatment or improvements to all open space areas and the delineation of those areas proposed for specific types of developed recreational activities;

P. If required elsewhere in the chapter, sketches and/or elevations of typical buildings/structures and their design standards.

6:12.3. General standards.

A. Area, height, and setback requirements. The minimum area and setback requirements for group developments are set forth in the use specific group development provisions. Additionally,

building height is set forth by the respective zoning district in which the group development is sited.

B. Access. An encroachment permit for all curb cuts and ingress/egress points must be approved by the respective regulating authority, i.e., federal and state roads—State Department of Highways and Public Transportation; county roads—County Road and Bridge Department.

C. Roads. All roads or drives within the group development shall meet the county subdivision regulations requirements for private roads. If the roads are to be conveyed to Anderson County, they shall be built in compliance with the county subdivision regulations.

D. Traffic circulation. Traffic circulation within the group development shall be reviewed and approved by the zoning administrator or the board of zoning appeals, whichever is applicable.

E. Off-street parking. All off-street parking shall be provided in accordance with the provisions set forth in section 6:9.

F. Off-street loading. All off-street loading shall be provided in accordance with the provisions set forth in section 6:10.

G. Exterior lighting. Adequate exterior lighting shall be provided in all group developments. All direct light emitted from the exterior light fixtures shall be confined to the site.

H. Signage. All signage in a group development shall be in accordance with the provisions set forth in the county sign ordinance.

I. Drainage. Stormwater management and sedimentation and erosion control plans shall be submitted to the ~~county's department of health and environmental control in Columbia~~ Anderson County Stormwater Management Department and approved prior to building permits being issued.

SPECIFIC PROVISIONS FOR GROUP DEVELOPMENT

RESIDENTIAL

6:12.4. Group residential development. A residential group development is permitted in the R-D, R-M1, R-M2, R-M7, R-M, and R-MA multifamily residential districts subject to the Group Development General Provisions (section 6:12) and subject to the following requirements:

6:12.4-1. Minimum area requirement. The minimum lot area for a residential group development is two acres except in the R-D and R-MA districts. Lot area requirements for R-D and R-MA are contained in sections 5:4 and 5:9. In determining minimum area requirements for single-family attached and multifamily development, an interior public right-of-way shall not constitute an exterior property line.

6:12.4-2. Setback requirements. No structure shall be located closer than 25 feet to an exterior property line, and no structure shall be located closer than 35 feet to a public right-of-way. Interior setback requirements are not otherwise regulated by this chapter.

6:12.4-3. Height. No building in the R-M2, R-M7, R-M, and R-MA districts shall exceed 45 feet in height except as provided in section 6:7. No building in the R-D and R-M1 districts shall exceed 35 feet in height except as provided in section 6:7.

6:12.4-4. Recreation. All multifamily developments shall provide a recreational area. Each multifamily dwelling unit will be provided with 200 square feet of usable recreational area in addition to yard and common areas. A minimum of 50 percent of this area shall be for outdoor recreation. If the recreational area contains a swimming pool, it shall meet all state and county

health department regulations and be surrounded by a fence not less than six feet in height. For other types of residential development, a recreational area is not required. However, if one is provided, it must meet the requirements of section 7:1 General Provision and 7:6 Private Recreation Area, and must be approved as a use permitted by special exception by the board of zoning appeals.

6:12.4-5. Privacy area. Where any property line of a zero lot line dwelling, garden court dwelling, or patio home abuts other property within the same overall development zoned or used for residential purposes, there shall be provided and properly maintained along the property line a continuous visual screen not less than six feet in height. The requirement does not apply to townhouse development. The screen shall be a windowless wall, fence, or other type of impenetrable and opaque material that is aesthetically compatible with existing development or a combination thereof. However, the requirement for a privacy wall along any property line may be omitted or modified where the board of zoning appeals has determined that one or more of the following conditions exist:

A. Due to special conditions and circumstances of a physical or dimensional nature that are peculiar to the property involved, a privacy wall would serve no valid purpose.

B. The provision of a privacy wall along any side and/or rear property line would deny the property involved advantages of amenities specifically associated with the overall development.

In no instance shall the privacy wall requirement be omitted or modified which would infringe upon the privacy rights of adjacent property owners.

OFFICE

6:12.5. Group office development. An office group development is permitted in the O-D, POD, R-M1, C-1, C-2, S-1, and I-1 Districts.

Office group development in the C-1 and C-2 Districts is subject to the Group Development General Provisions (section 6:12) and the specific requirements of section 6:12.6 (Group Commercial Development).

Office group development in the S-1 and I-1 Districts is subject to the Group Development General Provisions (section 6:12) and the specific requirements of section 6:12.7 (Group Industrial/Service Development).

Office group development in the R-M1 District is subject to the Group Development General Provisions (section 6:12) and the specific requirements of section 5:5.7 (R-M1, Group Office Development).

Office group development in the O-D District is subject to the Group Development General Provisions (section 6:12) and subject to the following requirements:

6:12.5-1. Height limitation. No structure shall exceed a height of 45 feet except as provided in section 6:7.

6:12.5-2. Dimensional requirements.

6:12.5-3. Front setback. All buildings and structures shall be set back from all street right-of-way lines not less than 25 feet.

6:12.5-4. Side setback. None is required, except on corner lots and lots adjacent to any residential district in which case all commercial buildings and structures shall be set back not less than 15 feet from property lines. When a side yard is provided it shall be not less than five feet in width.

6:12.5-5. Rear setback. No building shall be located closer than 20 feet to a rear lot line.

6:12.5-6. Off-street parking. Off-street parking shall be provided in accordance with the provisions set forth in section 6:9.

COMMERCIAL

6:12.6. Group Commercial Development (Shopping Center).

A Commercial Group Development (shopping center, business park) is permitted in the C-1R, C-1, C-2, and C-1N Commercial districts, subject to the Group Development General Provisions (section 6:12) and subject to the following requirements:

6:12.6-1. Minimum area requirement. No minimum area is required.

6:12.6-2. Setback requirements. Setbacks for all buildings and structures shall be in accordance with the setback provisions of the zoning district in which they are located.

6:12.6-3. Height. No building shall exceed 45 feet except as provided in section 6:7.

6:12.6-4. Screening. A combination of a wall or fence and dense evergreen hedge or other type of evergreen foliage at least six feet in height shall be provided along side and rear exterior lot lines where any commercial use is adjacent to a residential district for the purpose of screening commercial activities from view. Additionally, a 15-foot landscaped buffer along the exterior property lines adjacent to residential uses and districts shall be maintained. No commercial activity is permitted in this buffer.

INDUSTRIAL/SERVICE

6:12.7. Group industrial/service development. Industrial group developments are permitted in the S-1, Service District and the I-1, Industrial District subject to the Group Development General Provisions (section 6:12) and subject to the following requirements:

6:12.7-1. Minimum area requirements. No minimum area is required.

6:12.7-2. Setback requirements. Setbacks from exterior property lines and public rights-of-way shall be in accordance with the setbacks of the zoning district in which the development is located. Interior setback requirements are not otherwise regulated by this chapter.

6:12.7-3. Height. No building or structure shall exceed 45 feet in the S-1, Service District and 90 feet in the I-1, Industrial District except as provided in section 6:7. All buildings and structures shall demonstrate that adequate fire protection is afforded.

No building or structure on a lot in an S-1 or I-1 district which is adjacent to a residential district shall exceed the maximum building height unless there is one additional foot of setback on the sides adjacent to the residential district for each additional foot of height.

6:12.7-4. Screening. A combination of a wall or fence and dense evergreen hedge or other type of evergreen foliage at least 6 feet in height shall be provided along side and rear exterior lot lines where any industrial use is adjacent to a residential district for the purpose of screening industrial activities from view. Additionally, a 15-foot landscaped buffer along the exterior property lines adjacent to residential uses and districts shall be maintained. No industrial activity is permitted in this buffer.

(Ord. No. 99-004, §§ 6:12—6:12.7.4, 7-20-99)

Section 6:13. - Game courts and swimming pools.

Game courts and swimming pools are allowed as accessory uses in residential districts in conjunction with one family, one-family manufactured home, and two-family dwellings subject to the provisions of this article.

6:13.1. Game court requirements.

A. Game courts shall be located in the rear yard.

B. Game courts shall be set back not less than five feet from any lot line.

C. Setback requirements for game courts on corner lots shall be the same as those for accessory buildings.

D. Game courts shall not occupy more than 65 percent of the rear yard.

F. Lighting for game courts shall have proper shielding from glare.

6:13.2. Swimming pool requirements.

A. Swimming pools shall be set back not less than five feet.

B. Setback requirements for swimming pools shall be the same as those for accessory buildings.

C. Swimming pools shall not occupy more than 50 percent of the rear yard.

D. Lighting for swimming pools shall have proper shielding from glare.

(Ord. No. 99-004, §§ 6:13—6:13.2, 7-20-99)

Section 6:14. - Residential Continuing Care Retirement Center, CCRC.

A residential CCRC is permitted in all multifamily residential districts subject to the Group Development General Provisions (section 6:12) and subject to the following requirements:

6:14.1. Minimum area requirement. The minimum lot area requirement for a Residential CCRC is 30,000 square feet. In determining minimum area requirements for a Residential CCRC, an interior road system shall not constitute an exterior property line.

6:14.2. Setback requirements. No structure shall be located closer than 25 feet to an exterior property line, and no structure shall be located closer than 35 feet to a public right-of-way. Interior setback requirements are otherwise not regulated.

6:14.3. Height. No building shall exceed 45 feet in height except as provided in section 6:7.

6:14.4. Appearance. The structure(s) shall have a residential appearance.

6:14.5. Density. The maximum allowable number of dwelling units shall be the zoning district's maximum allowable density multiplied by a factor of one and one-half. For properties fronting on and accessing major four-lane arterials, the multiplying factor shall be one and eight-tenths. The total number of nursing beds and dwelling units combined shall not exceed the multiplied factor for the residential district.

6:14.6. Screening. A combination of a wall or fence and dense evergreen hedge or other type of evergreen foliage at least six feet in height shall be provided along the side and rear lot lines where any commercial use is adjacent to a residential district for the purpose of screening commercial activities from view. In addition a minimum of a 15-foot wide landscaped buffer along the exterior property lines adjacent to residential uses and districts shall be maintained.

(Ord. No. 99-004, §§ 6:14—6:14.6, 7-20-99)

Section 6:15. - Manufactured multi-section home.

A manufactured multi-section home comprised of two or more sections may be permitted on any lot zoned R-8, R-10, R-12, R-15, and R-20, Single-Family Residential, if the following requirements are met.

6:15.1. Certification. The home must bear a label certifying or documents certifying that it is constructed in compliance with the National Manufactured Housing Construction and Safety Standards Act.

6:15.2. Dimensions. The home must have a length not to exceed four times its width, measured at the narrowest point, excluding alcoves, and must have a minimum floor area of 900 square feet.

6:15.3. Roofing. The pitch of the roof must have a minimum vertical rise of two and one-half feet for every 12 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.

6:15.4. Siding. The exterior siding consists of wood, hardboard, or vinyl comparable in composition, appearance and durability to the exterior siding commonly used in conventional residential site-built construction.

6:15.5. Installation. ~~The home must be placed upon footings and piers that meet the requirements of the manufacturer's installation manual.~~ All new homes must be installed per the manufacturer's installation instructions. Older homes, where the manufacturer's installation instructions are not available, must be set up per the SC Manufactured Housing Board.

6:15.6. Orientation. When locating a unit in a developed single-family residential area, the unit shall be located so that the front of the unit is oriented to the street.

~~6:15.7. Footings. The base of all piers shall be comprised of a 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.~~

~~6:15.8. Piers.~~

~~A. Piers less than 36″ in height: 8″ x 16″ concrete block with open cells vertical.~~

~~B. The piers shall be covered with a 2″ x 8″ x 16″ wood or 4″ masonry cap.~~

~~C. 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.~~

~~D. Piers over 80″ in height require engineering.~~

6:15.9. Skirting. Skirting or a curtain wall, unpierced 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 homes and any porches, decks, or other additions to ground level. The foundation skirting or curtain wall may be of brick or masonry. Material used for skirting should be erected so as not to create a fire hazard and maintained in a good state of repair.

A. Crawl space shall be provided ~~with ventilation as per Section R-309.1 of the CABO (Council of American Building Officials One and Two-family Dwelling) Code~~ as per Section 10-81 of the Anderson County Code of Ordinances.

B. Access to the crawl space shall be a minimum ~~of 18" x 24" as per R-309.2 of the CABO Code~~ as per Section 10-81 of the Anderson County Code of Ordinances.

6:15.10. Reserved ~~Anchoring. Each manufactured multi-section 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 manufacturer's instructions not be available, this table shall be used.~~

_____

~~(A)~~	~~(B)~~	~~(C)~~	
~~Length of home~~	~~No. of vertical~~	~~No. of diagonal~~	~~Min. number~~
~~(ft.)~~	~~ties~~	~~ties/per side~~	~~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 84~~	~~4~~	~~7~~	~~14~~

~~Multiple section manufactured homes require only the diagonal ties specified in Column C.~~

_____

6:15.11. Removal of transport equipment. The tongue, axles, transporting lights, and towing apparatus must be removed from the manufactured home after placement of a manufactured multi-section home on the lot and before occupancy.

6:15.12. Steps/landings. Permanent landing and steps with handrails are required to each ~~outside~~ exterior doorway. The structure must include steps that lead to the ground level. The landing handrails and steps ~~must meet Section 212 of the CABO Code as listed below~~ must comply with Section 10-81 of the Anderson County Code of Ordinances.

6:15.13. Code requirements. Landings~~—CABO Code Section 212:~~

~~A. A minimum 3 ft. x 3 ft. landing shall be required outside of each exit door.~~

~~B. The landing shall not be more than 8 inches below the threshold.~~

~~C. Steps shall be eight¼″ maximum in height. Treads shall be a minimum of nine″ wide.~~

~~D. All wood components in contact with the ground must be treated and approved for ground contact.~~

E. Handrails and guardrails~~—CABO Section R-214.1 - R-214.2~~ must comply with Section 10-81 of the Anderson County Code of Ordinances.

(Ord. No. 99-004, §§ 6:15—6:15.13, 7-20-99)

Section 6:16. - Community recreational area.

A community recreational area is permitted in the R-A, R-40, R-20, R-15, R-12, R-10, R-8, R-D, R-M1, R-M2, R-M7, R-M, and R-MA zoning districts provided it appears on an approved preliminary subdivision plat and meets the following requirements.

6:16.1. Lot area. The minimum lot area for a community recreational area shall be equal to the district's minimum lot size.

6:16.2. Setback requirements.

Front—District requirements

Side—25 feet

Rear—25 feet

6:16.3. Food and entertainment. The provision of food and entertainment for members and guests may be permitted provided that such provision shall not cause a nuisance in the residential district.

6:16.4. Screening. A combination of a wall or fence and dense evergreen hedge or other type of evergreen foliage at least six feet in height shall be provided along the side and rear lot lines where any community recreational use is adjacent to a residential district for the purpose of screening from view the community recreational area.

6:16.5. Off-street parking. Off-street parking shall be provided in accordance with the provisions set forth in section 6:9.

(Ord. No. 99-004, §§ 6:16—6:16.5, 7-20-99)

ARTICLE 7. - PROVISIONS FOR USES PERMITTED BY SPECIAL EXCEPTION

Section 7:1. - General provisions.

The board of zoning appeals may issue permits for those uses permitted by special exception which are in accordance with the provisions of this chapter and the specific conditions set forth below. The board may grant, deny, or modify any request for a use permitted by special exception after a public

hearing has been held on the written request submitted by an applicant in accordance with ~~article 9, section 9:5.3~~ Chapter 70, Article 9 of the Anderson County Code of Ordinances. It may also attach any necessary conditions such as time limitations or requirements that one or more things be done before the request can be initiated. Additionally, the board may require an acceptable bond to ensure that uses allowed on review are completed consistent with proposed time schedules. This bond may be issued for a maximum period of one year, renewable upon request to the board of appeals. The board shall act on requests for uses permitted by special exception within 60 days of the date of submittal. Failure to act within 60 days shall constitute approval of the request. If the request is granted, the board shall determine that:

A. The use meets all required conditions.

B. The use is not detrimental to the public health or general welfare.

C. The use is appropriately located with respect to transportation facilities water supply, fire and police protection, waste disposal, and similar services.

D. The use will not violate neighborhood character nor adversely affect surrounding land uses.

If the board denies the request, the reasons shall be entered in the minutes of the meeting at which the permit is denied. In granting the permit, the board may designate any necessary and appropriate conditions in addition to the specific conditions contained in this chapter to assure that the proposed use will be in harmony with the area in which it is to be located and within the spirit of this chapter.

(Ord. No. 99-004, § 7:1, 7-20-99)

Section 7:2. - Public utility buildings and uses.

Public utility buildings and uses such as sewage lift stations pump stations, electrical substations, and telephone equipment buildings which are not detrimental to other uses permitted in the district may be permitted in any district. Such uses shall be enclosed within a building or by a suitable fence providing protection and screening against light, noise, fumes, or unsightliness. Open area on the premises shall be appropriately landscaped.

(Ord. No. 99-004, § 7:2, 7-20-99)

Section 7:3. - Auto wreckers, scrap processors, junk yards.

Junk yards, scrap processors, and automobile wreckers may be permitted in the I-1, Industrial district subject to the following requirements and the requirements of section 42-176 of the Anderson County Code of Ordinances which regulates the operation of junk yards in Anderson County.

7:3.1. Site size. All junkyards, scrap processors, and automobile wreckers shall be located on a site of at least two acres.

7:3.2. Location. No junk yard, scrap processor, or automobile wrecker shall be located within 500 feet of any residential district or dwelling existing at the time business operations are started.

7:3.3. Screening. A continuous visual screen provided and maintained along the property line shall enclose open storage. The screen shall be a combination of a wall or fence and dense evergreen hedge or other type of evergreen foliage at least eight feet in height. Materials stored in the open shall not be permanently stacked higher than the required screen.

(Ord. No. 99-004, §§ 7:3—7:3.3, 7-20-99)

Section 7:4. - Livestock in residential districts.

No livestock with the exception of ponies and horses may be kept in the R-20 and R-15 districts subject to the district regulations and the following conditions. All types of livestock may be kept in the R-A, Residential Agricultural district.

7:4.1. Site. ~~The minimum lot area upon which livestock may be kept in the R-15 and R-20 districts is 1½ acres. Not more than one head of livestock shall be permitted for each 2 acre of lot area except in the R-A district.~~ In the R-20 and R-15 districts, the minimum lot area upon which ponies and horses may be kept is 1 ½ acres, with no more than one head of ponies or horses permitted for each two acres of lot area. There is no minimum acreage requirement for livestock in the R-A district.

7:4.2. Setback. Space or shelter shall be provided where ~~livestock is~~ ponies or horses are kept or fed and shall not be permitted within 50 feet of any property line in the R-15 and R-20 districts except where such property line abuts a street, railroad, or watercourse at least 50 feet in width.

(Ord. No. 99-004, §§ 7:4—7:4.2, 7-20-99)

Section 7:5. - Churches.

A church may be permitted in all districts subject to the requirements of the district and the following requirements.

7:5.1. Lot area. The minimum lot area shall be 40,000 square feet.

7:5.2. Setback requirements. All buildings shall be set back from the front, side, and rear property lines a minimum of 50 feet.

7:5.3. Off-street parking. Off-street parking shall be provided in accordance with the provisions set forth in section 6:9.

7:5.4. Church related child care center. A church related child care center may be permitted as a use by special exception by the board of zoning appeals provided it meets the requirements of section 7:1 of this chapter and the following requirements.

7:5.4-1. Building setback. All buildings shall set back from the front, side, and rear property lines a minimum of 50 feet..

7:5.4-2. Recreation area screening. A combination of a wall or fence and dense evergreen hedge or other type of evergreen foliage at least six feet in height shall be provided along the side and rear lot lines where any recreation area is adjacent to a residential district for the purpose of screening activities from view.

7:5.4-3. Off-street parking. Off-street parking shall be provided in accordance with the provisions set forth in section 6:9.

7:5.4-4. Signage. Separate signage is not permitted for the childcare center. Signage is permitted for the church facility by the Anderson County sign ordinance.

7:5.4-5. Board determination. Before approval can be granted, the board shall determine that all of the following requirements have been satisfied:

A. That the child care center is clearly incidental and subordinate to the church and is operated by church staff. Plans must be submitted with the application designating the childcare center operation area in relation to the church operation area.

B. That the design be such that additional traffic will not have an adverse impact on existing streets.

C. That the visual appearance of the day care center will harmonize with the existing church development.

D. That the architectural character of the child care center blends with the surrounding area.

7:5.5. Columbaria. Columbaria are uses permitted by special exception as an ancillary or secondary use on a site with an existing church. For additional restrictions refer to section 7:15.6.

7:5.6. Church-related activities. A municipality or county shall not prohibit church-related activities in a single-family residence.

Church-related activities are specifically defined to exclude regularly scheduled worship services.

(Ord. No. 99-004, §§ 7:5—7:5.6, 7-20-99)

Section 7:6. - Private recreation area.

A private recreation area or country club may be permitted in the R-40, R-20, R-15, R-12, R-10, R-8, R-M, R-MA, ~~and~~ R-A, and R-A2 district subject to the requirements of the district in which it is located and the following requirements.

7:6.1. Lot area. A private recreation area shall be located on a site not less than two acres in area.

7:6.2. Setback requirements. All buildings, game courts, swimming pools, and similar structures shall be set back from front, side, and rear property lines a minimum of 50 feet.

7:6.3. Food and entertainment. The provision of food and entertainment for members and guests may be permitted provided that such provision shall not cause a nuisance in the residential district.

7:6.4. Off-street parking. Off-street parking shall be provided in accordance with the provisions set forth in section 6:9.

(Ord. No. 99-004, §§ 7:6—7:6.4, 7-20-99)

Section 7:7. - Child care centers or day care centers.

Child care centers may be permitted in the R-M, R-D, R-M1, R-M2, R-M7, and R-MA districts subject to the district regulations, the South Carolina State Department of Public Welfare Rules and Regulations relating to licensing day care facilities and child care centers, and the following requirements.

7:7.1. Lot area. The minimum lot area for a child care center shall be 20,000 square feet. At least 75 square feet of outdoor play area shall be available for each child based on the maximum enrollment.

7:7.2. Indoor area. The building shall contain a minimum of 35 square feet of floor area for each child based on the maximum enrollment.

7:7.3. Fencing. A fence having a minimum height of four feet constructed to provide maximum safety to the children shall enclose the entire play area.

7:7.4. Off-street parking. Off-street parking shall be provided in accordance with provisions set forth in section 6:9.

7:7.5. Demand. Applicant must show an indication of economic feasibility, justification, and impact of the proposed child care center.

(Ord. No. 99-004, §§ 7:7—7:5.5, 7-20-99)

Section 7:8. - Manufactured homes in conjunction with schools and parks.

Only one manufactured home shall be allowed adjacent to and in conjunction with any public or private school or park. In determining whether to grant or deny such exception, the board of appeals may consider, but not be limited to such factors as the availability of professional law enforcement service, history of criminal incidents in the vicinity, experience of crime or damage at the school in question, or the adequacy of alternate means of securing the premises. The board shall also make a finding of whether such exception be permitted to continue indefinitely, until a certain time, or subject to periodic review by the board. The location and placement of the manufactured home on the school site as well as the quality design of the manufactured home proposed shall be determined by the board on an individual review basis. However, in no instances shall a manufactured home be allowed to be located in the front yard of the school and shall not be located closer than ten feet to any side or rear property line. Additionally, the board may impose any other requirements which they deem necessary and appropriate in order to ensure that the manufactured home shall have a minimum impact upon the character of the neighborhood and the specific uses which adjoin the school site.

(Ord. No. 99-004, § 7:8, 7-20-99)

Section 7:9. - Temporary accessory residential use.

A manufactured home as defined in article 4 of this chapter may be permitted in any zoning district as a temporary accessory residential use which shall be clearly subordinate to a principal single-family detached dwelling or manufactured home, whether or not such principal use is conforming, subject to all of the requirements listed below. In authorizing the temporary accessory residential use, the board of zoning appeals may impose such reasonable and additional stipulations, conditions, or safeguards that in the board's judgement will better fulfill the intent of this chapter.

The board of zoning appeals may authorize issuance of a permit for a temporary accessory residential use for a period not to exceed one year. At the end of that year and each subsequent year thereafter, the board may, after a complete review of the request, grant an extension of the permit for a period not to exceed one year. The review procedure shall be the same as the original application procedure. It shall be the responsibility of the zoning administrator to present to the board after each one-year period a status report of the conditions and to notify the applicant of the review.

The board of zoning appeals may at any time terminate the authorization at the request of the initiating applicant or upon the finding that the extenuating conditions no longer exist. The temporary accessory residential use and any associated services shall be removed from the premises within 30 days after notice of termination.

The board shall determine that the following requirements have been satisfied:

A. The use shall be necessitated by the incapacity, infirmity, or extended illness of an individual who requires continuous nursing care. The attending physician shall certify the physical and/or mental condition of the person in question.

B. The use is intended only to meet a temporary need or hardship.

C. If the principal residential use is nonconforming, the provisions of section 6:2.1 shall be satisfied.

D. The temporary accessory residential use shall meet all of the requirements contained in this chapter for accessory uses.

E. The temporary accessory residential use shall conform to all of the requirements for uses permitted by special exception as set forth in section 7:1.

F. No minimum lot area or lot width requirements shall be required for the temporary accessory residential use.

G. The temporary accessory residential use shall conform to the front, side, and rear yard requirements established for the district in which the use is located.

H. Off-street parking shall be provided in accordance with the provisions set forth in section 6:9 for the principal residential dwelling only.

I. A manufactured home that is being utilized as a temporary accessory residential use may not be physically attached to or be a part of the principal structure located on the lot.

J. No permit to allow a temporary accessory residential use shall be issued until all applicable regulations of the Anderson County codes department and other public agencies have been satisfied in regard to the adequate provision of water, sewer, access, electrical service, and fire protection. In seeking approval of the temporary accessory residential use, the applicant must demonstrate to the board of zoning appeals that these facilities and services are adequately situated with respect to the lot in question.

K. The principal for whom the accessory use is requested must be a relative by blood or marriage or in a relationship created through adoption or through foster parental care.

L. To provide for adequate notification of the permit application to surrounding property owners, the applicant shall provide to the board of zoning appeals signatures of the following:

1. All property owners who own property abutting the subject property.

2. All property owners of property located directly across a street from the subject property.

(Ord. No. 99-004, § 7:9, 7-20-99)

Section 7:10. - Accessory dwelling.

One accessory dwelling unit may be permitted with approval of the board of zoning appeals in conjunction with any permitted principal use in the S-1, I-1, C-1, and C-2 districts subject to the following conditions:

A. The accessory dwelling unit must be located entirely within the structure containing the permitted principal use.

B. The accessory dwelling unit must be clearly incidental and subordinate to and necessary to the operation of the permitted principal use.

C. The accessory dwelling unit shall not interfere with the operation of the permitted principal use, nor shall the operation being carried on by the permitted principal use create conditions which are adverse or hazardous to the person or persons occupying the accessory dwelling unit.

(Ord. No. 99-004, § 7:10, 7-20-99)

Section 7:11. - Family/group care homes.

Family care homes and group care homes may be allowed in all multifamily residential districts subject to section 7:1 and the following requirements.

7:11.1. Lot requirements. The minimum lot area for a family care home shall be the district requirement for a single-family home. The minimum lot area for a group care home shall be 30,000 square feet. Setback requirements for a family or group care home shall be the district requirements for single-family homes.

7:11.2. Signage. No signage is allowed for a family care home. A group care home is allowed signage according to the group residential requirements of the Anderson County sign ordinance.

7:11.3. Appearance. All family/group care homes shall be similar in appearance to other residential structures in the area.

7:11.4. Overconcentration. In order to prevent an overconcentration of family and group care homes and the creation of a social service district, and to avoid adversely impacting the social structure of the residential area, the board of zoning appeals shall exercise care when considering a request to establish a group home.

In order to accomplish this, the board of zoning appeals should not approve the establishment of a family/group care home adjacent to another family/group care home unless: 1) The facilities are under common ownership; and/or 2) the board is of the opinion that the proposed family/group care home would not violate neighborhood character, the social structure of the area, nor adversely affect surrounding land uses.

(Ord. No. 99-004, §§ 7:11—7:11.4, 7-20-99)

Section 7:12. - Nursing CCRC.

A Nursing CCRC may be allowed in all multifamily residential districts subject to section 7:1, the Group Development General Provisions (Section 6:12), and the following requirements.

7:12.1. Minimum area requirement. The minimum lot area requirement for a Nursing CCRC shall be 30,000 square feet.

7:12.2. Setback requirement. No structure shall be located closer than 25 feet to an exterior property line, and no structure shall be located closer than 35 feet to a public right-of-way. Interior setback requirements are not otherwise regulated.

7:12.3. Height. No building shall exceed 35 feet in height except as provided in section 6:7.

7:12.4. Appearance. All structures approved shall have a residential appearance.

7:12.5. Density. The maximum allowable dwelling unit density shall be the district requirement multiplied by a factor of one and one-half. For properties fronting major 4-lane arterials, the factor shall be one and eight-tenths. The total number of nursing beds and dwelling units shall not exceed the multiplied factor for the respective district.

7:12.6. Screening. A combination of a wall or fence and dense evergreen hedge or other type of evergreen foliage at least six feet in height shall be provided along the side and rear lot lines where any CCRC use is adjacent to a residential district for the purpose of screening CCRC activities from view.

(Ord. No. 99-004, §§ 7:12—7:12.6, 7-20-99)

Section 7:13. - Recycling.

A. Recycling drop boxes may be allowed in residential zoning districts when co-located on a site with a permitted nonresidential use (i.e. churches, schools, parks, etc.) and in the C-1R, C-1, and C-2 zoning districts with an existing commercial use. In residential zoning districts, the location of a drop box on the site is subject to review by the zoning administrator to minimize the impact on adjoining properties.

   Drop boxes must be screened from any adjoining residence by a wall, compact evergreen hedge, or other type of evergreen foliage, or a combination of fence and shrubbery at least six feet in height at the time of planting.

B. Drop-off trailers are permitted outright in the C-2, S-1, and I-1 zoning districts. In the C-2, S-1, and I-1 zoning districts the location of the drop off trailer on the site is subject to review by the zoning administrator to minimize the impact on adjoining properties.

(Ord. No. 99-004, § 7:13, 7-20-99)

Section 7:14. - Automated automobile wash in conjunction with a convenience food store with gasoline sales.

Automated automobile washes in conjunction with a convenience food store with gasoline sales may be permitted in the C-1, Commercial District, subject to the requirements of the C-1 District and the following requirements:

7:14.1. Setback. The automobile wash facility shall not be permitted within 50 feet of any residentially zoned property.

7:14.2. Ingress and egress. Entrances and exits to the automobile wash facility shall not face any residentially zoned property. All exits from those automobile wash facilities not equipped with automated dryers or blowers to remove excess water from vehicles shall not be permitted within 50 feet from the street right-of-way if the exit lane is not curbed and sloped to return the excess water into the automobile wash facility.

(Ord. No. 99-004, §§ 7:14—7:14.2, 7-20-99)

Section 7:15. - Cemeteries.

Cemeteries are permitted as uses by special exception by the Zoning Board of Appeals in the C-2, R-A, R-A2, R-40, R-20, R-15, R-12, R-10, R-8, R-M, and R-MA districts.

7:15.1. Area. The minimum area for a cemetery shall be 30 acres.

7:15.2. Setback. Where a cemetery adjoins non-residentially zoned property, no setback is required. However, if a setback is provided, it shall not be less than five feet in width.

When a cemetery adjoins residentially zoned property, no building, structure, internment or storage of equipment or materials shall be located closer than 35 feet of any property line, and mausoleums, columbaria, and chapels shall not be located closer than 200 feet of any property line.

7:15.3. Screening. A visual screen or dense evergreen hedge shall enclose the exterior boundary of the cemetery not less than six feet in height where adjacent to an existing or planned residential subdivision or development.

7:15.4. Off-street parking. Adequate off-street waiting space shall be provided for funeral processions so that no vehicle stands or waits in a dedicated right-of-way.

7:15.5. Access. All cemetery access shall be provided from an arterial or collector street.

7:15.6. Additional requirements.

A. Mausoleums may be located only within the boundaries of approved cemeteries.

B. Cemetery review standards shall apply to all cemeteries, regardless of zoning classification.

C. A drainage plan must be submitted and approved by the county engineer Anderson County Stormwater Management Department before cemetery approval may be granted.

D. A cemetery may not be located in a floodplain or floodway (i.e. flood hazard area).

E. Columbaria may be located only within the boundaries of approved cemeteries and churches with the following restrictions:

1. Height limit—Six feet.
2. Appearance—Brick or stone.
3. Setbacks—Columbaria must be setback from all property lines equal to the requirements for the special use with which they are affiliated (i.e. churches—50 feet, cemeteries—200 feet).

7:15.7. Preexisting cemeteries. Any cemetery or portion of a cemetery which was approved, or was in the process of gaining approval, as a special exception by the Anderson County board of zoning appeals on the date of adoption of this chapter [July 20, 1999] shall be considered a nonconforming use. All others shall be subject to the specific provisions of this chapter.

(Ord. No. 99-004, §§ 7:15—7:15.7, 7-20-99)

Section 7:16. - Mini-warehouses.

Mini-warehouses may be permitted in the C-2, Highway Commercial, district subject to the requirements of the C-2 district and the following requirements:

A. Where sites abut residentially zoned properties, buildings adjacent to the perimeter must face inward with their doors oriented to the interior of the site.

B. The facility shall not be utilized for the manufacture or sale of any commercial commodity or the provision of any service, such as the commercial repair of automobiles, boats, motors, or other items.

C. The facility shall not be utilized for the storage of flammable chemical substances.

(Ord. No. 99-004, § 7:16, 7-20-99)

Section 7:17. - Bed and breakfast establishments.

Bed and breakfast establishments are permitted in the C-1 and C-2 zoning districts. In the C-1N, R-A, R-A2, R-40, R-20, R-15, R-12, R-D, R-M1, R-M2, R-M7, R-M, and R-MA zoning districts, Bed and breakfast establishments are permitted uses by special exception so long as they are approved by the Anderson County board of zoning appeals in accordance with the provisions of section 9:5.3 of the Anderson County zoning ordinance.

7:17.1. Operations. Cooking facilities are not permitted in any of the bed and breakfast guestrooms.

Operators of all bed and breakfast facilities must maintain a guest register. The guest register shall contain the following guest information: names, license plate numbers, home addresses, and work and home telephone numbers. The guest register shall be available for inspection by law enforcement personnel.

All bed and breakfast establishments must meet all tax, fire and building code requirements, health department requirements, and zoning ~~license~~ requirements prior to the commencement of operations and at all times thereafter.

Luncheons, banquets, charitable fundraisers, commercially advertised activities or other gatherings for direct or indirect compensation are prohibited at a bed and breakfast homestay, host home or guesthouse located within a residentially zoned district.

All bed and breakfast facilities must conform to the requirements of the zoning district in which they are located.

Approval of a bed and breakfast facility or establishment by the Anderson County board of zoning appeals does not extend to the paying guest(s) of the bed and breakfast facility or establishment the use or access to private community activities. Examples of such amenities include, but are not limited to, tennis, golf courses, pools, and lakes.

7:17.2. Signage. Signage for all bed and breakfast facilities must comply with the Anderson County sign ordinance. Those bed and breakfast facilities located in commercial zoning districts shall comply with the signage requirements of the zoning district in which they are located. Those bed and breakfast facilities located in single-family residential zoning districts shall be limited to a non-illuminated name plate not more than two square feet in area mounted flat against the wall of the principal building in which the bed and breakfast is located. Signage in multifamily residential zoning districts shall be limited to six feet in height and 20 square feet in area.

7:17.3. Structural area requirement. Bed and breakfast facilities in residential zoning districts shall not be located within 1,500 feet of another bed and breakfast facility, boardinghouse, rooming house, inn or hotel.

No existing structure in a residential area may be enlarged or expanded for the purpose of providing additional rooms for guests without the prior approval of the Anderson County board of zoning appeals, in accordance with the provisions of section 9:5.3 of the Anderson County zoning ordinance.

7:17.4. Parking. All parking for bed and breakfast establishments must be located in the rear or on the side of the facility. There shall be one parking space per guest room.

(Ord. No. 99-004, §§ 7:17—7:17.4, 7-20-99)

Section 7:18. - Communication towers.

Location—Communication towers may be located in the following zoned areas of Anderson County:

A. Communication towers are permitted as a principal or secondary use in the S-1, I-1, C-1N, C-2, and C-3 ~~and C-2~~ Zoning Districts and are subject to the applicable setback requirements of the district in which they are located.

B. Communication towers are not permitted in single-family or multifamily residential zoning districts unless they comply with the ancillary use requirements as defined in C.2, below.

C. 1. Communication towers are permitted as an ancillary or secondary use on nonresidentially zoned sites where another use is already established as the principal use of the property, such as a church, shopping center, office building, public utility site, or other similar use; provided the principal use complies with applicable zoning and subdivision regulations. The minimum setbacks shall be in accordance with the district setbacks.

C. 2. Communication towers are permitted as a use permitted by special exception by the board of zoning appeals as an ancillary or secondary use on residentially zoned sites where another use (other than single-family or duplex use) is already established as the principal use of the property, such as a school, church, multifamily residential complex, public utility site, or other similar use; provided the principal use of the property complies with applicable zoning and subdivision regulations. On such residentially zoned sites, the minimum setback of the zoning district in which it is located shall be increased by one foot for each one foot of tower height in excess of 40 feet. The maximum required separation shall be 200 feet.

D. In the C-1, C-1R and O-D Zoning Districts, communication towers are permitted as a use permitted by special exception by the board of zoning appeals. In the PD, POD, and ~~C-1N~~ PC zoning districts, communication towers are permitted as a use permitted by special exception by the Anderson County planning commission.

1. Application—Each application for a special exception for a communication tower shall include the following information in addition to the general information required by this chapter.

   a. Site plan, which shall include the following information:

      (i) The location of tower(s), guy anchors (if any);

      (ii) Transmission building and other accessory uses;

      (iii) Parking;

      (iv) Access;

      (v) Landscaped areas;

      (vi) Fences;

      (vii) Adjacent land uses; and

      (viii) Photos of site and immediate area.

2. Prior to approving a site plan, the board of zoning appeals or the Anderson County planning commission, as applicable, must make the following findings:

   a. The proposed structure will not endanger the health and safety of residents, employees, or travelers, including, but not limited to, the likelihood of the failure of such structure;

   b. The proposed structure will not impair the use of or prove detrimental to neighboring properties;

   c. The proposed structure is necessary to provide a service that is beneficial to the surrounding community;

   d. The permitted use meets the setback requirements of the underlying zoning district in which it is located;

   e. The proposed tower is located in an area where it does not substantially detract from aesthetics and neighborhood character;

   f. The proposed use is consistent with potential land uses recommended in the ~~general development plan~~ Future Land Use Map of the Comprehensive Plan for Anderson County; and

   g. Within residentially zoned areas, communication towers shall not be located within 1,000 feet of another communication tower unless such towers are located on the same property.

E. In any zoning district, communication antennae are a permitted use when attached to existing electrical high tension towers (transmission towers), so long as:

1. The increase in height to the existing transmission tower shall not exceed 25 feet; and

2. The total number of antennae added to an existing transmission tower shall not exceed 12; and

3. The applicant provides a satisfactory structural analysis of the existing electrical high-tension tower (transmission tower) prior to the issuance of any permit.

Height—Freestanding communication towers shall have a maximum height of 300 feet. For communication towers on buildings, the maximum height shall be 20 feet above the roofline of buildings 50 feet or less in height, and 40 feet above the roofline of buildings 50 feet in height or greater. Additionally, height will be governed by the maximum height of the district in which it is located and shall include a setback of one foot for each foot in height above the maximum allowed in the district to the 300 foot total maximum. In addition, with the exception of towers constructed for aeronautical purposes, communication towers may not penetrate any imaginary surface, as described in Title 14 of the Code of Federal Regulations, Federal Aviation Regulation (FAR) Part 77, associated with existing or proposed runways at any publicly owned airport.

Landscaping—Landscaping shall be required as follows:

A. Around the base of the communication tower, outside of the security fence, at least one row of evergreen shrubs capable of forming a continuous hedge at least five feet in height shall be provided, with individual plantings spaced not more than five feet apart. In addition, at least one row of evergreen trees with a minimum caliper of one and three-fourths inches at the time of planting and spaced not more than 25 feet apart shall be provided within 50 feet of the perimeter security fence.

B. The landscaping requirements may be waived in whole or in part by the zoning administrator if it is determined that existing natural vegetation provides adequate screening or if the zoning administrator determines that the landscaping requirements are not feasible due to physical constraints or characteristics of the site on which the communication tower is to be located.

C. All required landscaping shall be installed according to established planting procedures using good quality plant materials.

D. A certificate of occupancy shall not be issued until the required landscaping is completed in accordance with the approved landscape Plan and verified by an on-site inspection by the zoning administrator or the zoning administrator's designee, unless such landscaping has been waived in accordance with B., above. A temporary certificate of occupancy may, however, be issued prior to completion of the required landscaping if the owner or developer provides to the county a form of surety satisfactory to the county attorney and in an amount equal to the remaining plant materials, related materials, and installation costs as agreed upon by the zoning administrator or the zoning administrator's designee and the owner or developer.

E. All required landscaping must be installed and approved by the first planting season following issuance of the temporary certificate of occupancy or the surety bond will be forfeited to Anderson County.

F. The owners and their agents shall be responsible for providing, protecting, and maintaining all landscaping in healthy and growing condition, replacing unhealthy or dead plant materials within one year or by the next planting season, whichever first occurs. Replacement materials shall conform to the original intent of the landscape plan.

G. Eight-foot high fencing shall be provided around the communication tower and any associated building.

Illumination—Communication towers shall only be illuminated as required by the Federal Communications Commission, the Federal Aviation Administration and/or section 5:23.9 of the Anderson County zoning ordinance.

Signage—A single sign for the purposes of emergency identification shall be permitted. The permitted sign shall not exceed two square feet in area and shall be attached to the fence surrounding the tower. Under no circumstances shall any signs for purposes of commercial advertisement be permitted.

Access to site—Each parcel on which a communication tower is located must have access to a public road 20 feet in width.

General requirements—Communication towers, in addition to the requirements set forth above, must also comply with the following requirements:

A. A statement shall be submitted from a registered engineer that the NIER (Non-Ionizing Electromagnetic Radiation) emitted therefrom does not result in a ground level exposure at any point outside such facility which exceeds the lowest applicable exposure standards by any regulatory agency of the United States Government or the American National Standards Institute. For roof mounted communication towers, the statement regarding the NIER shall address spaces that are capable of being occupied within the structure on which the communication tower is mounted.

B. Communication towers and their foundations shall meet the requirements of the building code for wind and seismic loads. Drawings and calculations shall be prepared and sealed by a South Carolina Registered professional engineer and shall be submitted with the building permit application.

C. All communications towers and supporting facilities shall be subject to periodic reinspection(s) by the building standards department. If any additions, changes, or modifications are proposed to the site or its components, proper plans, specifications, and calculations shall be submitted for permit approval to the building standards and zoning departments. Prototypical drawings indicating various types of antenna(s) to be located on the communication tower may be submitted at the time of the appropriate permit application. Additional antennas may be added to the communication tower without additional permits or inspections so long as electrical wiring is not required.

D. Unless otherwise required by the FCC or the FAA, communication towers shall be light grey in color.

E. Satisfactory evidence shall be submitted, with the building permit application for a freestanding communication tower, that alternative towers, buildings, or other structures do not exist within the applicant's tower site search area that are structurally capable of supporting the intended antenna or meeting the applicant's necessary height criteria, or provide a location free of interference from AM towers.

F. A communication tower must be removed within 120 days of the date such tower ceases to be used for communication purposes.

G. Prior to issuance of a building permit, applicants shall provide documentation that the proposed communication tower has been reviewed by the FAA, if so required, and that a finding of no hazard to air navigation has been determined. Copies of the plans shall also be provided for comment to the Anderson Regional Airport prior to the issuance of permits. If any airport has an objection to the proposed tower, an advisory conference composed of airport officials, county officials and representatives of the communication company(ies) shall be convened. The results and findings of such conference shall be presented to the county zoning administrator prior to any permit being issued. Because the proximity of communication towers near aeronautical facilities affects the safety of the public, careful consideration should be given to the results and findings and such may be grounds for the zoning administrator denying the issuance of a permit or requiring that certain additional requirements be imposed as a condition for the issuance of a permit. Care shall also be taken in locating communication towers in the vicinity of any private airport whether or not it is open to the public.

(Ord. No. 99-004, § 7:18, 7-20-99; Ord. No. 01-013, § 5, 6-19-01)

ARTICLE 8. - ADMINISTRATION

Section 8:1. - Zoning enforcement official and duties.

8:1.1. Zoning administrator. This chapter shall be administered and enforced by the Anderson County zoning administrator with the assistance of such other persons as the county administrator may direct. The zoning administrator shall be appointed by the county administrator.

8:1.2. Duties of the zoning administrator. The duties of the zoning administrator shall include receiving board of zoning appeals applications, inspecting premises, issuing certificates of occupancy for uses and structures that meet the requirements of this chapter, endorsing building permit applications that meet the requirements of this chapter, and other actions to assure conformance with this chapter.

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

(Ord. No. 99-004, § 8:1—8:1.2, 7-20-99)

Section 8:2. - Building permit.

No land shall be used, occupied, or excavated, and no building or other structure shall be erected, structurally altered, added to, or moved until approval for the issuance of a building and/or grading permit has been granted by the zoning administrator. If the proposed plan conforms with the provisions of this ordinance, the zoning administrator shall endorse a building permit and return one copy of the plan to the applicant. The zoning administrator shall mark the plan as approved and attest to the same by his signature. The second copy of the plan, similarly marked, and a copy of the building permit shall be retained by the office of building standards.

A record of all building permits issued shall be kept on file in the office of building standards and copies shall be furnished on request to persons having a proprietary or tenancy interest in the building or land involved.

(Ord. No. 99-004, § 8:2, 7-20-99)

Section 8:3. - Certificate of occupancy for new, altered, or nonconforming uses.

8:3.1. Certificate of occupancy. It shall be unlawful to use, occupy, or permit the use or occupancy of any building or premises or part hereafter created, erected, changed, converted, or wholly or partly altered or enlarged in its use or structure until a certificate of occupancy shall have been issued by the zoning administrator stating that the proposed use of the building or land complies with the provisions of this chapter.

No nonconforming structure or use shall be changed or extended until the zoning administrator shall have issued a certificate of occupancy. The certificate shall state specifically how the nonconforming use differs from the provisions of this chapter, provided that upon enactment or amendment of this chapter, owners or occupants of nonconforming uses or structures shall have six months to apply for certificates. Failure to make such application within six months shall be presumptive evidence that the property was a conforming use at the time of enactment or amendment of this chapter.

A record of all certificates of occupancy issued shall be kept on file in the office of the zoning administrator and copies shall be furnished on request to persons having a proprietary or tenancy interest in the building or land involved.

8:3.2. Application procedure. Application for a certificate of occupancy shall be made coincidentally with the application for a building permit. The certificate of occupancy shall be issued within five days after the erection, move, structural alteration of any building, or change in the use of any premises shall have been completed in conformity with the provisions of this chapter.

8:3.3. Temporary certificate of occupancy. A temporary certificate of occupancy may be issued by the zoning administrator for a period not to exceed six months during alterations or partial occupancy of a building prior to landscaping pending completion, or for bazaars, carnivals, waste storage lots incidental to construction, and such provided that such temporary permit may require such conditions and safeguards as will protect the safety of the occupants and the general public.

8:3.4. Failure to obtain certificate of occupancy. Failure to obtain a certificate of occupancy shall be a violation of this chapter and punishable under article 14 of this chapter.

(Ord. No. 99-004, §§ 8:3—8:3.4, 7-20-99)

Section 8:4. - Construction and use to be as provided in applications, plans, permits, and certificates of occupancy.

Building permits or certificates of occupancy issued on the basis of plans and applications approved by the zoning administrator authorize only the use, arrangement, and construction set forth in such approved plans and applications. Use, arrangement, or construction that differs from that authorized shall be deemed a violation of the chapter and punishable as provided by article 14 of this chapter.

(Ord. No. 99-004, § 8:4, 7-20-99)

Section 8:5. - Right of Appeal.

If the request for a building permit is disapproved or if a certificate of occupancy is denied, the applicant may appeal the action of the zoning administrator to the board of zoning appeals.

(Ord. No. 99-004, § 8:5, 7-20-99)

ARTICLE 9. - BOARD OF ZONING APPEALS

Section 9:1 - Establishment of board of zoning appeals.

A board of zoning appeals is hereby created with the powers and duties set forth below. The land use board of appeals is hereby designated to also be the board of zoning appeals.

(Ord. No. 99-004, § 9:1, 7-20-99)

Section 9:2. - Membership.

The board shall be governed by the provisions applicable to the land use board of appeals as codified in § 38-74 of the Anderson County Code of Ordinances.

(Ord. No. 99-004, § 9:2, 7-20-99)

Section 9:3. - Proceedings.

The board of zoning appeals shall draw up and adopt bylaws governing the conduct of its affairs that are in keeping with the provisions of this chapter. The rules shall provide and require the following in addition to other rules and regulations the board shall adopt.

9:3.1. Officials. At the first meeting after its establishment, the board shall elect one of its members as chairperson to serve for one year or until he is reelected or his successor is elected. The board of appeals shall appoint a secretary who shall not be required to be from among the members of the board. A vice-chairperson and other officers as are deemed necessary shall be elected from among the members. All such officers shall serve one-year terms and may succeed themselves. The chairperson, or in his absence the acting chairperson or vice chairperson, may administer oaths and compel the attendance of witnesses and the production of papers, records, and other documents by subpoena.

9:3.2. Meetings. Meetings of the board shall be held at the call of the chairperson and at such other times as the board may determine. Due notice shall be given to all parties in interest. All meetings of the board shall be open to the public and all evidence and testimony shall be presented publicly.

9:3.3. Minutes of proceedings. The board shall keep minutes of its proceedings showing the vote of each member upon every question or his absence or failure to vote indicating such fact, and also keep records of its examinations, findings, determinations, and any other official action. No final action shall be taken unless a quorum is present.

(Ord. No. 99-004, §§ 9:3—9:3.3, 7-20-99)

Section 9:4. - Appeals and hearings.

Appeals to the board of zoning appeals concerning interpretation or administration of this chapter may be taken by any person aggrieved or by any officer, department, board, or bureau of the county. Such appeal shall be taken within such time as shall be prescribed by the board of zoning appeals by general rule, by filing with the officer from whom the appeal is taken, and with the board a notice of appeal specifying the grounds. The officer from whom the appeal is taken shall forthwith transmit to the board all the papers constituting the record upon which the action appealed from was taken. An appeal stays all proceedings in furtherance of the action appealed from unless the officer from whom the appeal is taken certifies to the board, after notice of appeal shall have been filed with him, that by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life or property. In which case, proceedings shall not be stayed otherwise than by a restraining order, which may be granted by the board or by a court of record on application, on notice to the officer from whom the appeal is taken, and on due cause shown. The board of zoning appeals shall fix a reasonable time for hearing the appeal, give due notice of the hearing to the parties concerned, and decide the same within a reasonable time. At the hearing, any party may appear in person or by designated agent or attorney. The board may reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination appealed from and shall make such order, requirement, decision, or determination as in its opinion ought to be made in the premises and to that end shall have all the powers of the officer from whom the appeal is taken.

(Ord. No. 99-004, § 9:4, 7-20-99)

Section 9:5. - Powers and duties.

The board of zoning appeals shall have the following powers and duties.

9:5.1. Review. The board shall hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the zoning administrator in the enforcement of this chapter.

9:5.2. Variances. The board of zoning appeals may authorize upon written appeal in specific cases such variance from the terms of this chapter as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this chapter would result in unnecessary hardship or peculiar and exceptional practical difficulties.

Before action is taken on a request for a variance, the board shall hold one or more public hearings at which any party may appear in person, by agent, or attorney. The ~~planning commission staff~~ Zoning Administrator will also refer the request to the appropriate zoning advisory group for review ~~and report to the board of zoning appeals~~. The zoning advisory group will meet in public sessions and shall provide a written report and recommendation to the board of zoning appeals. If the zoning advisory group fails to meet at their first regularly scheduled meeting time, the request will continue to the scheduled board of zoning appeals meeting without a recommendation from the zoning advisory group.

Notice shall be given at least 15 days in advance of a Board of Zoning Appeals public hearing. The owner of the property for which the variance is requested or his agent shall be notified by mail. Notice of hearings shall be made in a newspaper of general circulation, posted on the property for which a variance is requested, and posted at the Anderson County Square.

In addition, the ~~planning commission staff~~ Zoning Administrator shall send letters notifying current owners of record of all properties adjacent to and/or within 1,000 feet in any direction of the subject property and provide proof of such mailing.

A variance from the terms of this Ordinance may be granted by the Board upon a finding that:

1. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
2. These conditions do not generally apply to other property in the vicinity;
3. Because of these conditions, the application of the chapter to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
4. The authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the granting of the variance will not harm the character of the district.

THE BOARD MAY NOT GRANT A VARIANCE THE EFFECT OF WHICH WOULD BE TO ALLOW THE ESTABLISHMENT OF A USE NOT OTHERWISE PERMITTED IN A ZONING DISTRICT, TO EXTEND PHYSICALLY A NON CONFORMING USE OF LAND, OR TO CHANGE THE ZONING DISTRICT BOUNDARIES SHOWN ON T HE OFFICIAL ZONING MAP.

When an applicant requests a variance from the terms of this chapter, the zoning administrator shall provide the applicant or his designated representative with an adequate number of notice of public hearing signs to allow the applicant or his designated representative to properly post and maintain on the property a notice of public hearing at least ten days prior to the date of the board of zoning appeals hearing. Only such signs as provided by the zoning administrator shall be used and such signs shall be placed in a conspicuous place or places on the affected premises. Failure to comply with the posting requirements will result in removal of the application from the public hearing agenda and forfeiture of the application fee. All signs must be removed within 30 days after the public hearing.

In addition, the ~~planning commission staff~~ Zoning Administrator shall send letters notifying current owners of record of all properties adjacent to and/or within 1,000 feet in any direction of the subject property and provide proof of such mailing.

9:5.3. Uses permitted by special exception. The board of zoning appeals may hear and decide upon uses permitted by special exception specifically authorized by the terms of this chapter. A use permitted by special exception shall not be authorized by the board unless and until:

A. A written application is submitted.

B. Notice shall be given at least 15 days in advance of a public hearing in a newspaper of general circulation.

C. The request has been referred to the appropriate zoning advisory group for review. ~~and report to the board of zoning appeals. The planning commission staff will also refer the request to the appropriate zoning advisory group for review and report to the board of zoning appeals~~. The zoning advisory group will meet in public sessions and shall provide a written report and recommendation to the board of zoning appeals. If the zoning advisory group fails to meet at their first regularly scheduled meeting time, the request will continue to the scheduled board of zoning appeals meeting without a recommendation from the zoning advisory group.

D. A public hearing shall be held.

E. The board shall make findings.

F. The board shall make written findings certifying compliance with the regulations governing the special use.

When an applicant requests a use permitted by special exception, the zoning administrator shall provide the applicant or his designated representative with an adequate number of notice of public hearing signs to allow the applicant or his designated representative to properly post and maintain on the property a notice of public hearing at least ten days prior to the date of the board of zoning appeals hearing. Only such signs as are provided by the zoning administrator shall be used and such signs must be placed in a conspicuous place or places on the affected premises. Failure to comply with the posting requirements will result in the removal of the application from the public hearing agenda and the forfeiture of the application fee. All signs must be removed within 30 days after the public hearing.

In addition, the ~~planning commission staff~~ Zoning Administrator shall send letters notifying current owners of record of all properties adjacent to and/or within 1,000 feet in any direction of the subject property and provide proof of such mailing.

9:5.4. Additional power. In addition to the powers conferred upon the board of zoning appeals, the board shall have authority to interpret district boundaries where boundaries on the ground are at variance with those shown on the official zoning map.

In granting any variance, the board may prescribe appropriate conditions and safeguards in conformity with this chapter. Violation of such conditions and safeguards shall be a violation of this chapter and punishable under article 14.

(Ord. No. 99-004, §§ 9:5—9:5.4, 7-20-99)

Section 9:6. - Decisions.

The concurring vote of the majority of the members of the board of zoning appeals shall be necessary to reverse any order, requirement, decision, or determination of the zoning administrator charged with the enforcement of this chapter, to decide in favor of the applicant any matter upon which it is required to pass under this chapter, or to grant a variance from the provisions of this chapter. In all final decisions or orders, the board must specifically state that it is ordering, modifying or denying the particular matter presented to it for decision. Further, all findings of fact and conclusions of law shall be separately stated in final decisions or orders of the board.

(Ord. No. 99-004, § 9:6, 7-20-99)

Section 9:7. - Appeals.

Every decision of the board of zoning appeals shall be subject to review by a court of record in the manner provided by the laws of the state of South Carolina and particularly by the South Carolina Local Government Comprehensive Planning Enabling Act of 1994, S. C. Code Title 6, Chapter 29.

(Ord. No. 99-004, § 9:7, 7-20-99)

Section 9:8. - Fees.

An administrative fee of $200.00 plus required advertising cost shall be paid to the zoning administrator for each application for a variance, use permitted by special exception, appeal, or interpretation to the board of zoning appeals.

(Ord. No. 99-004, § 9:8, 7-20-99)

Section 9:9. - Duties of zoning administrator, board of zoning appeals, county council, and courts on matters of appeal.

It is the intent of this chapter that all questions of interpretation and enforcement shall be first presented to the zoning administrator and such questions shall be presented to the board of zoning appeals only on appeal from the decision of the zoning administrator, and that recourse from the decision of the board of zoning appeals shall be to the circuit court and to the Supreme Court of the state of South Carolina as provided by the laws of the state of South Carolina and particularly by the South Carolina Local Government Comprehensive Planning Enabling Act of 1994, S. C. Code Title 6, Chapter 29.

It is further the intent of this chapter that the duties of the county council in connection with this chapter shall not include hearing and deciding questions of interpretation and enforcement that may arise. The procedure for deciding such questions shall be as stated in this section and this chapter. Under this chapter, the county council shall have only the duty of considering and adopting or rejecting proposed amendments or the repeal of this chapter as provided by law.

(Ord. No. 99-004, § 9:9, 7-20-99)

ARTICLE 10. - AMENDMENTS

The regulations, restrictions, and boundaries set forth in this article may from time to time be amended, supplemented, changed, or repealed by the county council after study by the planning commission and in accordance with the procedures outlined below.

Section 10:1. - Action by the applicant.

The following action shall be taken by the applicant for an amendment to this chapter or any map adopted hereunder.

10:1.1. Initiation of amendments. Proposed changes or amendments to the chapter text may be initiated by county council, county planning commission, or board of zoning appeals. Petitions for text changes or amendments by any interested property owner or resident of Anderson County must first be presented to the planning/public works committee of county council. In the event the planning/public works committee of county council recommends approval of the text change or amendment for public hearing, the text change or amendment shall ~~not only be scheduled for public hearing, but also considered for adoption by county council~~ be scheduled for public hearing and considered for adoption by County Council

A. County council may only impose zoning in the unincorporated areas of Anderson County. Accordingly, where a precinct of Anderson County is divided between incorporated and unincorporated areas, the imposition of zoning in that precinct by Anderson County Council shall be deemed to apply only to the unincorporated portions of such precinct. In such a precinct which is divided between incorporated and unincorporated areas, any reference in this chapter or article to such precinct, including the application of the procedures of this chapter or article to such precinct, shall be deemed to refer only to the unincorporated areas of such precinct and the voters and property owners therein. Initial adoption of zoning in a precinct requires the submission of a petition, available from the Anderson County ~~Department of Building and Codes, (the "department of building and codes)~~ Planning and Community Development Department, executed by 15 percent of the registered voters residing within the unincorporated areas of said precinct, to the ~~department of building and codes~~ Planning and Community Development Department. Once the signed petition is received, the ~~department of building and codes~~ Planning and Community Development Department will acknowledge receipt and deliver the petition to the Anderson County Registration and Election Office for certification. Upon verification of the requisite number of signatures, the registration and election office will certify the petition, notify county council of its determination, and schedule a referendum by the voters residing in the unincorporated areas of such precinct, to recommend to county council whether to adopt zoning in the unincorporated areas of the respective precinct. Zoning referenda may be held on the following dates only:

The second Tuesday in February

The second Tuesday in May

The second Tuesday in August

The second Tuesday or General Election date in November

All zoning petitions must be received by the registration and election office no later than three months prior to a proposed referendum date, in order to be scheduled for a referendum on that date, and must be certified by the registration and election office within 60 days of receipt by that office.

In the three months, minimum, prior to the scheduled referendum for initial zoning, the Anderson County ~~Planning Department~~ Planning and Community Development Department will prepare an amendment to the County Zoning Map in accordance with the County Comprehensive Plan, including the proposed future land use plan, as amended. The proposed map will be presented to county council for first reading. The ~~planning department~~ Planning and Community Development Department will then present the proposed zoning map to the public for review and comment. The ~~planning department~~ Planning and Community Development Department will then forward the proposed zoning map and comments to the planning commission for public hearing and review. Based upon the comments received, the ~~planning commission~~ Planning and Community Development Department will present the proposed zoning map, as modified, to county council. County council will hold a public hearing and give second reading to the proposed map prior to the scheduled referendum.

If the referendum is approved by a majority of those voting in the referendum, county council will then consider adopting and implementing the proposed zoning map upon third and final reading.

If a referendum is not approved by a majority of those voting in the referendum, county council will disapprove the proposed zoning plan. The petitioners in that precinct must then wait two years from the date of the failed referendum to resubmit a new petition with the requisite number of signatures to the ~~department of building and codes~~ Planning and Community Development Department for a zoning referendum in that precinct. Upon certification of such

new petition by the registration and election office, a second or subsequent referendum will be scheduled.

~~**Editor's note** — All petitions for zoning received and certified prior to the adoption of this subsection A. [April 17, 2001] shall not be subject to the revised and additional requirements, only, contained in this subsection A.~~

B. After initial adoption of zoning in ~~an area~~ a voting precinct, proposed changes or amendments to the zoning ~~district~~ map may be initiated by county council, county planning commission, board of zoning appeals, or by petition of any interested property owner with a property interest in the parcel of property being petitioned for a map change in accordance with the ~~following~~ procedures outlined in this Section.

10:1.2. Application. An application for any change or amendment to the text or map of this chapter after initial adoption of the ~~subarea~~ voting precinct zoning shall contain a description and/or statement of the present and proposed zoning regulation or district boundary to be changed and the names and addresses of the owner or owners of the property. Such application shall be filed with the Anderson County ~~planning commission staff~~ Planning and Community Development Department in accordance with the published schedule of rezoning deadline and meeting dates. The county council member representing the district where the subject property is located shall be notified of the filing of the application.

All requests for amendments to the zoning map require that the county provide that applicant or his designated representative with an adequate number of notice of public hearing signs to allow the applicant or his designated representative to properly post and maintain on the property a notice of public hearing at least ~~18~~ 15 days prior to the date of the planning commission ~~public hearing~~ meeting and must remain posted through the county council public hearing. Only such signs as provided by the county shall be used, and such signs must be placed in a conspicuous place or places on the affected premises. In addition, at least ~~18~~ 15 days prior to the date of the planning commission ~~public hearing~~ meeting, the ~~planning commission staff~~ Planning and Community Development Department shall send letters notifying current owners of record of all properties adjacent to and/or within 2,000 feet in any direction of the subject property and provide proof of such mailing. Failure to comply with the posting requirements will result in the removal of the application from the County Council public hearing agenda and the forfeiture of the application fee. All signs must be removed within 30 days after the county council public hearing or the date of withdrawal of the application.

10:1.3. Fees. When a proposed amendment to the ~~chapter~~ zoning ordinance or map is initiated by individuals or parties other than county council, planning commission, or board of zoning appeals, a fee shall be paid for each application for administrative and advertising expenses as set forth in the following table, except that no such fee shall be required for any such application requesting rezoning of any parcel of land in the county when such application for rezoning is received within 60 days of the final enactment of a county ordinance imposing zoning on the affected parcel for the first time.

Rezoning Fee Schedule **WILL BE UPDATED ON 3/2/16**

Category Requested	Acreage									
	1	2	3	4	5	6	7	8	9	10 or

	($)									Greater
Single-Family Residential Districts R-A, R-20, R-15, R-12, R-10, R-8,	$ 50.00	$ 75.00	$100.00	$125.00	$150.00	$175.00	$200.00	$225.00	$250.00	$250.00
Multifamily Residential Districts R-D, R-M1, R-M2, R-M7, R-M, R-MA, R-MHP, RRD	150.00	175.00	200.00	225.00	250.00	275.00	300.00	325.00	350.00	350.00
Nonresidential Districts O-D, POD, C-1N, C-1R, C-1, C-2, C-3, S-1, I-1	$200.00	225.00	250.00	275.00	300.00	325.00	350.00	375.00	400.00	400.00
Special Districts I-2										450.00
PD					350.00	375.00	400.00	425.00	450.00	
Text amendments	75.00									

(Ord. No. 99-004, §§ 10:1—10:1.3, 7-20-99; Ord. No. 00-016, § 1.a, 4-18-00; Ord. No. 00-069, § 1, 12-5-00; Ord. No. 01-009, § 1, 4-17-01; Ord. No. 2013-011, § 1, 5-7-2013)

Section 10:2. - Action by the planning commission and staff.

The ~~planning commission staff~~ Planning and Community Development Department shall, upon receipt of a request for an amendment to the zoning ordinance or map, schedule a public hearing for review and preparation of written recommendations to the Anderson County planning commission concerning the request. The ~~planning commission staff~~ Planning and Community Development Department will also refer the request to the appropriate zoning advisory group for review and report to

the planning commission. ~~The planning commission staff will also refer the request to the appropriate zoning advisory group for review and report to the planning commission.~~ The zoning advisory group will meet in public sessions and shall provide a written report and recommendation to the Planning Commission. If the Zoning Advisory Group fails to submit a report and recommendation after their first scheduled meeting, it is deemed to have approved the request.

The planning commission shall have 30 days within which to submit its report and recommendation to county council. If the planning commission fails to submit a report within the prescribed time period, it is deemed to have approved the change or departure from the ~~text~~ ordinance or map. The ~~planning commission staff~~ Planning and Community Development Department, zoning advisory group, and planning commission shall ensure that the most expeditious treatment possible is afforded applications for rezoning when such applications are received within 60 days of the final enactment of a county ordinance imposing zoning on the affected area for the first time.

(Ord. No. 99-004, § 10:2, 7-20-99; Ord. No. 00-016, § 1.b, 4-18-00)

Section 10:3. - Action by county council.

10:3.1. County council consideration. Upon receipt of an application from the planning commission for an amendment to the zoning ordinance or map, county council shall place the request on the agenda for first reading and scheduling at the earliest public hearing.

10:3.2. Public hearing. No amendment to the zoning ordinance or map shall be considered by county council until after public notice and hearing by county council.

All interested parties shall be heard at the public hearing. The ~~planning division staff~~ Planning and Community Development Department shall present the facts regarding the request for the amendment at the public hearing. This presentation shall be made a part of the hearing record.

10:3.3. Notice of hearing. Notice of a public hearing shall be published in a newspaper of general circulation at least 15 days prior to the hearing. The notice shall be blocked in, carry an appropriate descriptive title, and shall state the time, date, and place of the hearing.

10:3.4. Action by county council. After conducting a duly advertised public hearing, county council shall consider all information presented at the hearing and the staff review and recommendation received from the Anderson County Planning Commission. The planning commission and staff's written report shall be forwarded to county council for action at its next regular meeting following the scheduled public hearing.

Before any map amendment is approved by county council, the planning commission and county council must find that the map amendment is in agreement with the county's comprehensive plan or, in the absence of such a finding, that one or more of the following apply; and such findings shall be recorded in the minutes and records of the planning commission and county council.

A. That the original zoning classification given the property was improper or inappropriate.

B. That there have been major changes of an economic, physical, or social nature within the area involved which were not anticipated in the county's comprehensive plan and which have substantially altered the basic character of such area.

Anderson County council or council's planning/public works committee shall have the option to defer action on any rezoning request in order to gain additional facts or to seek the resolution of any disputes surrounding the rezoning case. If the county council has not taken final action on a rezoning request within four months from the date of the original public hearing, the request shall be placed on the next available public hearing agenda. The request will be readvertised and the subject property will be ~~posted again~~ re-posted. The applicant will not be required to pay an additional application fee.

This requirement may be waived by action of council if active negotiations are under way between the applicant and the opposition in an attempt to reach a compromise.

10:3.5. Reconsideration of request for amendment. When county council shall have denied a request for an amendment, it shall not consider the same or a less restrictive reclassification for an amendment affecting the same property until one year from the date of the previous denial. A more restrictive classification is not subject to the one year period. Furthermore, when an application for an amendment is withdrawn at the request of the applicant after such time as the application has been legally advertised for County Council public hearing, it shall not be considered for an amendment affecting the same property for six months from the date of withdrawal.

10:3.6. Effective date of changes in zoning or map ordinances. Any ordinance affecting a change in the text of the zoning ordinance or zoning maps shall not become effective until one day after the next regularly scheduled council meeting.

(Ord. No. 99-004, §§ 10:3—10:3.6, 7-20-99; Ord. No. 00-047, § 1, 10-17-00)

ARTICLE 11. - PROVISIONS OF ORDINANCE DECLARED TO BE MINIMUM REQUIREMENTS

The provisions of this chapter shall be minimum requirements, adopted for the promotion of the public health, safety, morals, or general welfare. Whenever the requirements of this chapter are at variance with the requirements of any other lawfully adopted rules, regulations, ordinances, deed restrictions, or covenants, the most restrictive or that imposing the higher standards shall govern.

(Ord. No. 99-004, art 11, 7-20-99)

ARTICLE 12. - COMPLAINTS REGARDING VIOLATIONS

Whenever a violation of this chapter occurs or is alleged to have occurred, any person may file a written complaint. Such complaint stating fully the causes and basis of the alleged violation shall be filed with the zoning administrator. He shall record properly the complaint, immediately investigate, and take action as provided by this chapter.

(Ord. No. 99-004, art. 12, 7-20-99)

ARTICLE 13. - REMEDIES

In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted, or maintained, or any building, structure, or land is used in violation of this Ordinance, the Zoning Administrator or any appropriate authority of the municipality, or any adjacent, nearby, or neighboring property owner who would be affected by such violation in addition to other remedies, may institute an injunction or any other appropriate action in proceeding to prevent the occupancy of such building, structure, or land.

(Ord. No. 99-004, art. 13, 7-20-99)

ARTICLE 14. - PENALTIES FOR VIOLATION

Any person, firm, corporation or agent, who shall violate the provisions of this chapter, after receiving written notice from the zoning administrator to correct such violation, shall be guilty of a misdemeanor and shall be punished within the jurisdictional limits of magistrate's court. Each such person, firm, corporation

or agent shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this chapter is committed, or continued.

The zoning administrator or other appropriate county official may also seek injunctive relief or any other appropriate action in courts of competent jurisdiction to enforce the provisions of this chapter.

(Ord. No. 99-004, art. 14, 7-20-99)

ARTICLE 15. - SEPARABILITY

If for any reason one or more sections, sentences, clauses, or parts of this chapter are held unconstitutional or invalid, such decision shall not affect, impair, or invalidate the remaining provisions of this chapter.

(Ord. No. 99-004, art. 15, 7-20-99)

ARTICLE 16. - EFFECTIVE DATE OF CHAPTER

The chapter shall be effective on the 20th day of July, 1999.

(Ord. No. 99-004, art. 16, 7-20-99)

Anderson County Planning Commission
Staff Report
February 2016

Applicant:	John Kevin Monday
Current Owner:	John Kevin Monday
Property Address:	5585 Highway 187, Anderson
Precinct:	Mount Tabor
Council District:	Four (4)
TMS #(s):	027- 00 – 01 – 034 - 000
Acreage:	+/- 26.83
Current Zoning:	R-20
Requested Zoning:	R-A
Surrounding Zoning:	North: R-20 South: R-A East: Right of way for Highway 187, then R-20 West: R-A, then Lake Hartwell
Evaluation:	This request is to rezone the parcel of property described above from R-20 (Residential 20,000 square foot lots) to R-A (Residential-Agricultural). The applicant's stated purpose for rezoning is to use the property as a farm with horses and livestock.
Staff Recommendation:	The subject property is located in an area adjacent to large lot single family residential uses as well as agricultural uses. The area is generally agricultural in nature. Due to the compatibility with the Future Land Use Map and surrounding uses, staff recommends approval of this request.

Zoning Advisory Group Recommendation:	The District 4 Zoning Advisory Group met on March 2, 2016; and recommended **Approval** of a request to rezone from R-20 to R-A. The vote was **3** in favor, **0** opposed, and **1** absent.
Planning Commission Recommendation:	The Anderson County Planning Commission met on March 8, 2016, and after a duly noted public hearing recommended _____ of a request to rezone from R-20 to R-A. The vote was # in favor, # opposed, and # absent.

Rezoning Application

Date of Application Completion _____

Application Status (Approved or Denied) _____

Applicant's Information

Name: John K Monday + Betsy J Monday

Mailing Address: 6797 Thoreau Ln, Baltimore, OH 43105

Telephone and Fax: 6016-846-0804 E-Mail: Kevin.monday@hgwrap.com

Fax: 866-337-4016

Owner's Information

(If Different from Applicant)

Name: _____

Mailing Address: _____

Telephone and Fax: _____ E-Mail: _____

Designation of Agent: (Complete only if owner is not the applicant)

I (We) hereby appoint the person named the Applicant as my (our) agent to represent me (us) in this request for rezoning.

_____ _____

Owner's Signature Date

Project Information

Property Location: 5585 Hwy 187, Anderson SC 29625

Parcel Number(s)/TMS: 027-00-01-034-000

County Council District: _____ School District: _____

Total Acreage: 26.85 Current Land Use: Pasture + Woods

Current Zoning: R-20 Requested Zoning: R-A

Purpose of Rezoning: To use the property as a farm with horses and livestock.

Anderson County Planning Division – Development Standards ✸ 401 East River Street ✸ Post Office Box 8002
Anderson, South Carolina 29624 ✸ Phone: (864) 260-4719 ✸ Fax: (864) 260-4795

Revision
April 2010

Private Covenants or Deed Restrictions on the Property: Yes _____ No X
If you indicated no, your signature is required.

John K Monday — 2-8-16
Applicant's Signature — Date

If you indicated yes, please provide a copy of your covenants and deed restrictions with this application - pursuant to State Law (Section 6-29-1145: July 1, 2007) - determining existence of restrictive covenants. Copies may be obtained at the Register of Deeds Office. It is the applicant's responsibility for checking any subdivision covenants or private covenants pertaining to the property.

Comments: _____

Please attach an accurate plat (survey) of the property to this application.

✸A zoning map amendment may be initiated by the property owner(s), Planning Commission, Zoning Administrator or County Council.✸

Please refer to the Anderson County Planning Division – Development Standards' Fee Schedule for amount due.

As the applicant, I hereby confirm that the required information and materials for this application are authentic and have been submitted to the Anderson County Planning Division – Development Standards.

John K Monday — 2-8-16
Applicant's Signature — Date

For Office Use Only:

Application Received By: _____ Date Complete Application Received: _____

Application Fee Amount Paid: _____ Check Number: _____

Scheduled Advisory Public Hearing Date: _____ Citizens' Advisory Recommendation: _____

Scheduled Commission Public Hearing Date: _____ Planning Commission Recommendation: _____

Scheduled Council Public Hearing Date: _____ County Council Decision: _____

Rezoning Application Supplement
Planning Commission Review Criteria

Date of Application Completion _____

Application Status (Approved or Denied) _____

Project Information

Property Location: 5585 Hwy 187, Anderson SC 29625

County Council District: _____ School District: _____

Total Acreage: 26.85 Current Land Use: Pasture and Woods

Current Zoning: R-20 Requested Zoning: R-A

Purpose of Rezoning: To use the property as a farm with horses and livestock

How will this proposal be compatible with surrounding properties? The adjacent property is zoned R-A and the property across the street has horses.

How will this proposal affect the use and value of the surrounding properties? No affect in use or value as it's consistent with surrounding properties

Can the property be developed for a reasonable economic use as currently zoned? Please explain why or why not.

No, the area is low density population per the Anderson County Comprehensive Plan

What would be the increase to population and traffic, if the proposal were approved? None The property would not be divided to develop.

Anderson County Planning and Community Development ✸ 401 East River Street
Post Office Box 8002 ✸ Anderson, South Carolina 29622 ✸ Phone: (864) 260-4720 ✸ Fax: (864) 260-4795

Revision
June 2015

What would be the impact to schools and utilities, if the proposal were approved? No impact to schools or utilities

How is the proposal consistent with the Anderson County Comprehensive Plan; particularly the Future Land Use Map? The property is in an area designated as low density which is consistent with R-A zoning.

Are there existing or changing conditions which affect the development of the property and support the proposed request? The property would not be divided for development. The land use would be consistent with R-A zoning

Additional Comments: We own the adjacent property zoned R-A and want to use this property in the same manner with horses and cows

No chickens or Hogs

On a separate page, please provide any additional information or evidence that supports your request and the statements that you have provided in this application and supplement.

For Office Use Only:

Application Received By: _____ Date Complete Application Received: _____

Application Fee Amount Paid: _____ Check Number: _____

Scheduled Advisory Public Hearing Date: _____ Citizens' Advisory Recommendation: _____

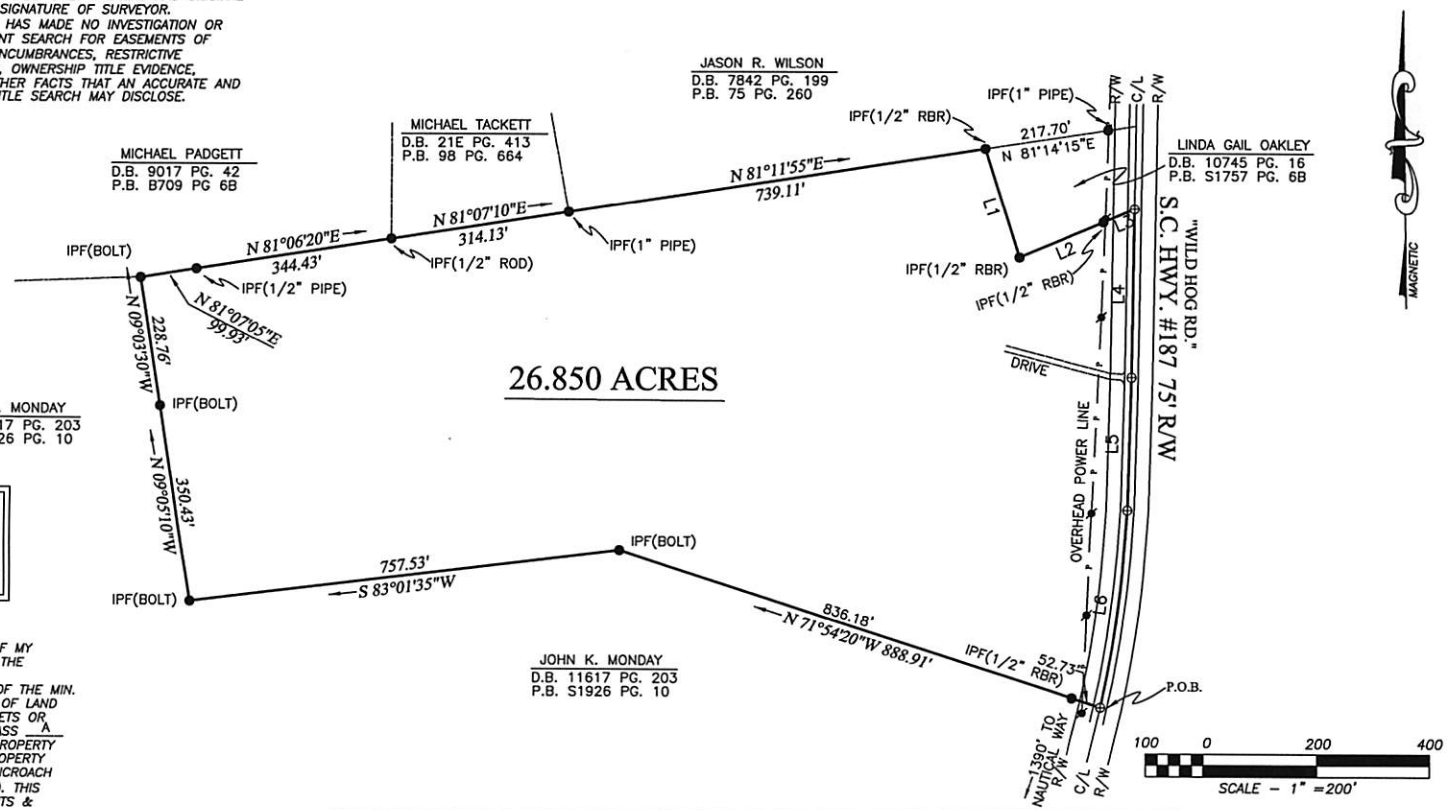
Scheduled Commission Public Hearing Date: _____ Planning Commission Recommendation: _____

Scheduled Council Public Hearing Date: _____ County Council Decision: _____

Anderson County Planning and Community Development ● 401 East River Street
Post Office Box 8002 ● Anderson, South Carolina 29622 ● Phone: (864) 260-4720 ● Fax: (864) 260-4795

LEGEND:
⊗ = POINT ONLY
○ = IRON PIN SET
● = IRON PIN FOUND
IPS = 1/2" REBAR SET
IPF = IRON PIN FOUND
RBF = REBAR FOUND
CTF = CRIMP TOP PIPE FND.
OTF = OPEN TOP PIPE FND.
CMF = CONCRETE MONUMENT FND.
GMF = GRANITE MONUMENT FND.
AIF = ANGLE IRON FOUND
SPK = RAILROAD SPIKE SET
PKS = PK NAIL SET
O/S = OFFSET
℄ = PROPERTY LINE
℄ = CENTERLINE
--P--= OVERHEAD POWERLINE
--S--= SANITARY SEWER
--X--= FENCE
P.O.B. = POINT OF BEGINNING
B.S. = BUILDING SETBACK

1) SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL AND SIGNATURE OF SURVEYOR.
2) SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.



EXEMPTION FROM REVIEW PROCESS
This plat is a RESURVEY of an existing lot of record.

W. Slate Bauknight, PLS SC#20471

I HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MIN. STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS A SURVEY AS SPECIFIED THEREIN. THIS PROPERTY DOES NOT ENCROACH ON ADJOINING PROPERTY AND ADJOINING PROPERTY DOES NOT ENCROACH ON THIS PROPERTY (EXCEPT AS SHOWN). THIS PROPERTY IS SUBJECT TO ANY EASEMENTS & RESTRICTIONS ON RECORD.

LINE TABLE:

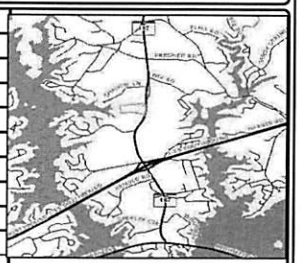
Course	Bearing	Distance
L1	S 17°34'05" E	199.96'
L2	N 67°05'25" E	159.93'
L3	N 67°05'25" E	59.97'
L4	S 00°38'55" W	296.68'
L5	S 01°10'05" W	235.25'
L6	Rad: 2093.80' Tan: 176.87' Chd: S 07°33'00" W	A= 352.90' CA: 9°39'25" 352.49'

STATE: SOUTH CAROLINA
COUNTY: ANDERSON
TOWNSHIP: PENDLETON

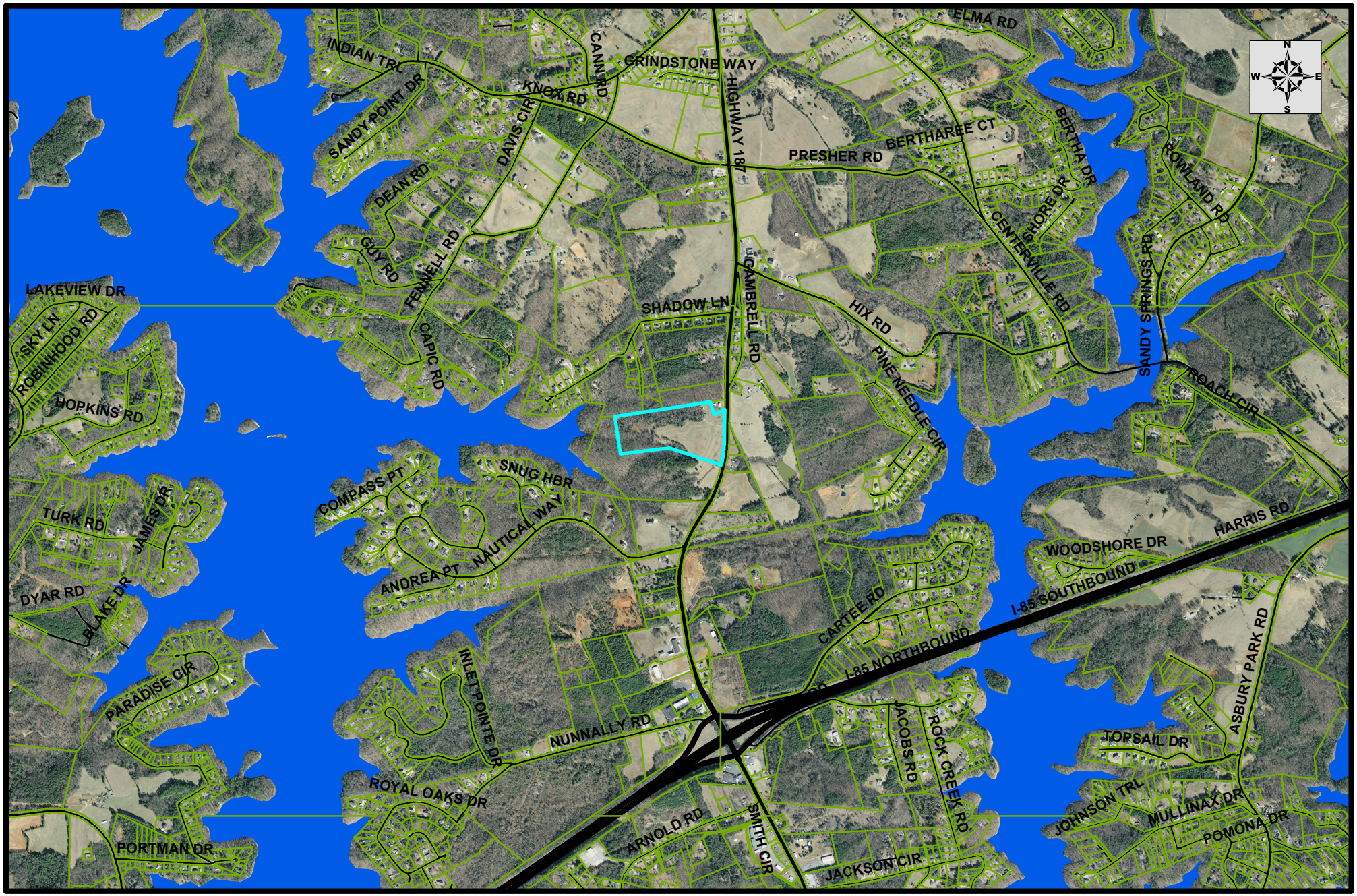
SURVEY FOR:
JOHN K. MONDAY

BAUKNIGHT
& ASSOCIATES, INC. LAND SURVEYING
W. SLATE BAUKNIGHT
GA RLS #2534 SC RLS #20471
C.O.A #LS000602
109 N. Jackson Street Hartwell, GA 30643
706-376-5946 (office) 888-376-5946 (toll free)
www.lakehartwellsurveyors.com

DATE:	JANUARY 28, 2016
SCALE:	1" = 200'
PARTY CHIEF:	W.S.B.
DRAWN BY:	W.S.B.
CRD FILE:	14252.crd
DWG FILE:	14252add.dwg
TAX I.D.:	27001034
DEED BK/PG:	6247/174
PLAT BK/PG:	1439/9A
REVISIONS:	

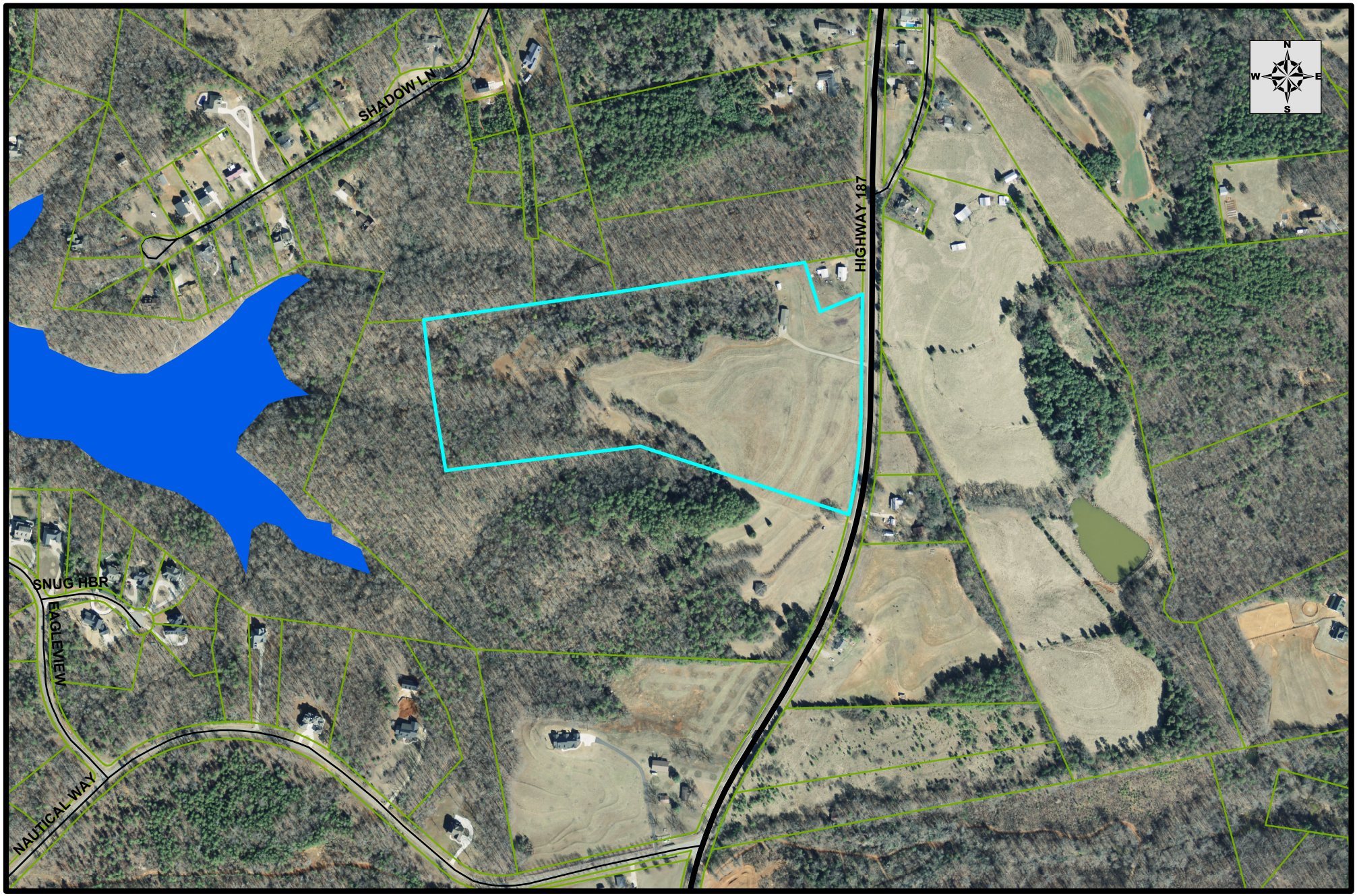


LOCATION MAP



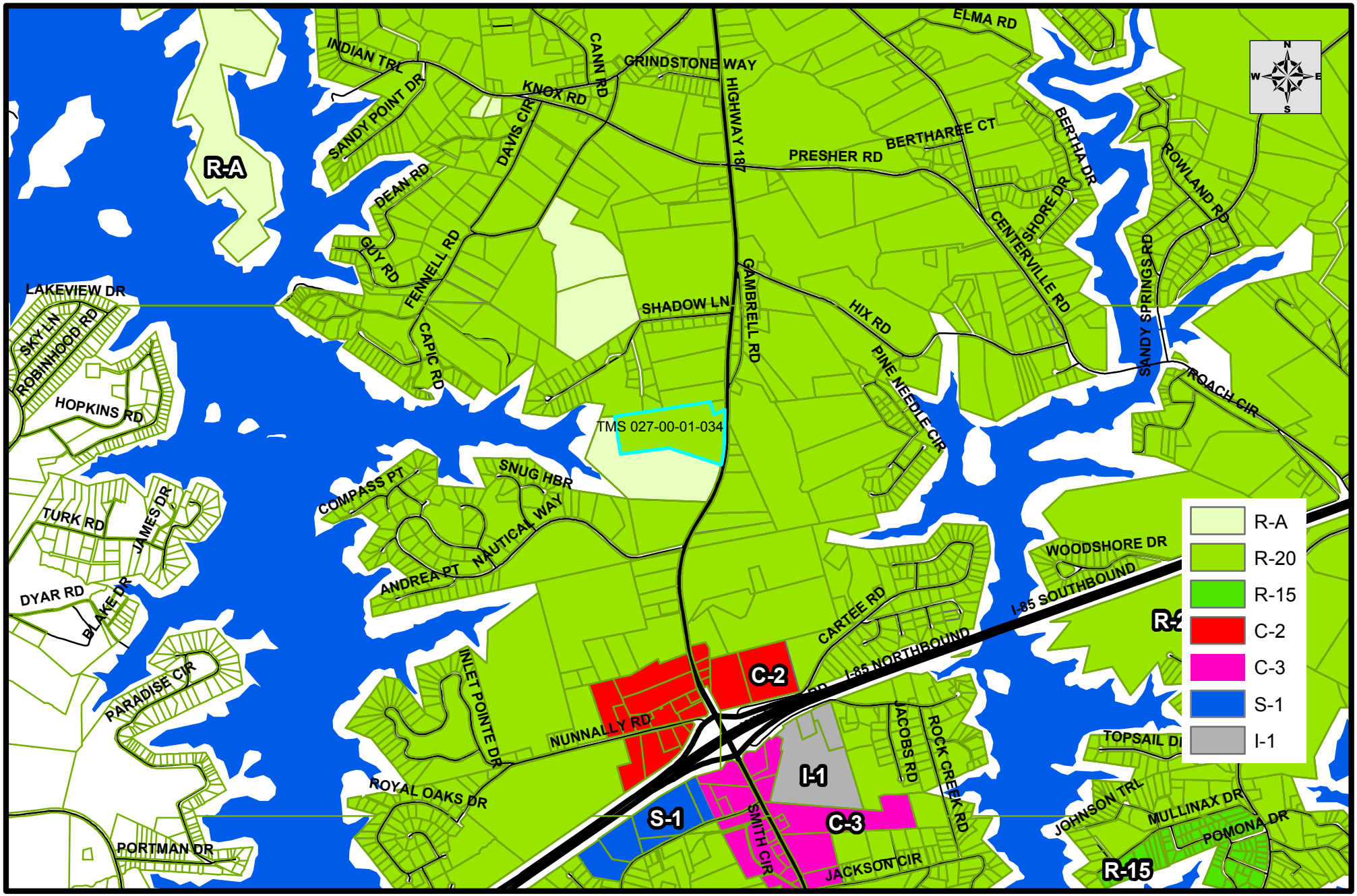
Rezoning Request
5585 Highway 187
R-20 to R-A

0 2,200 4,400 Feet



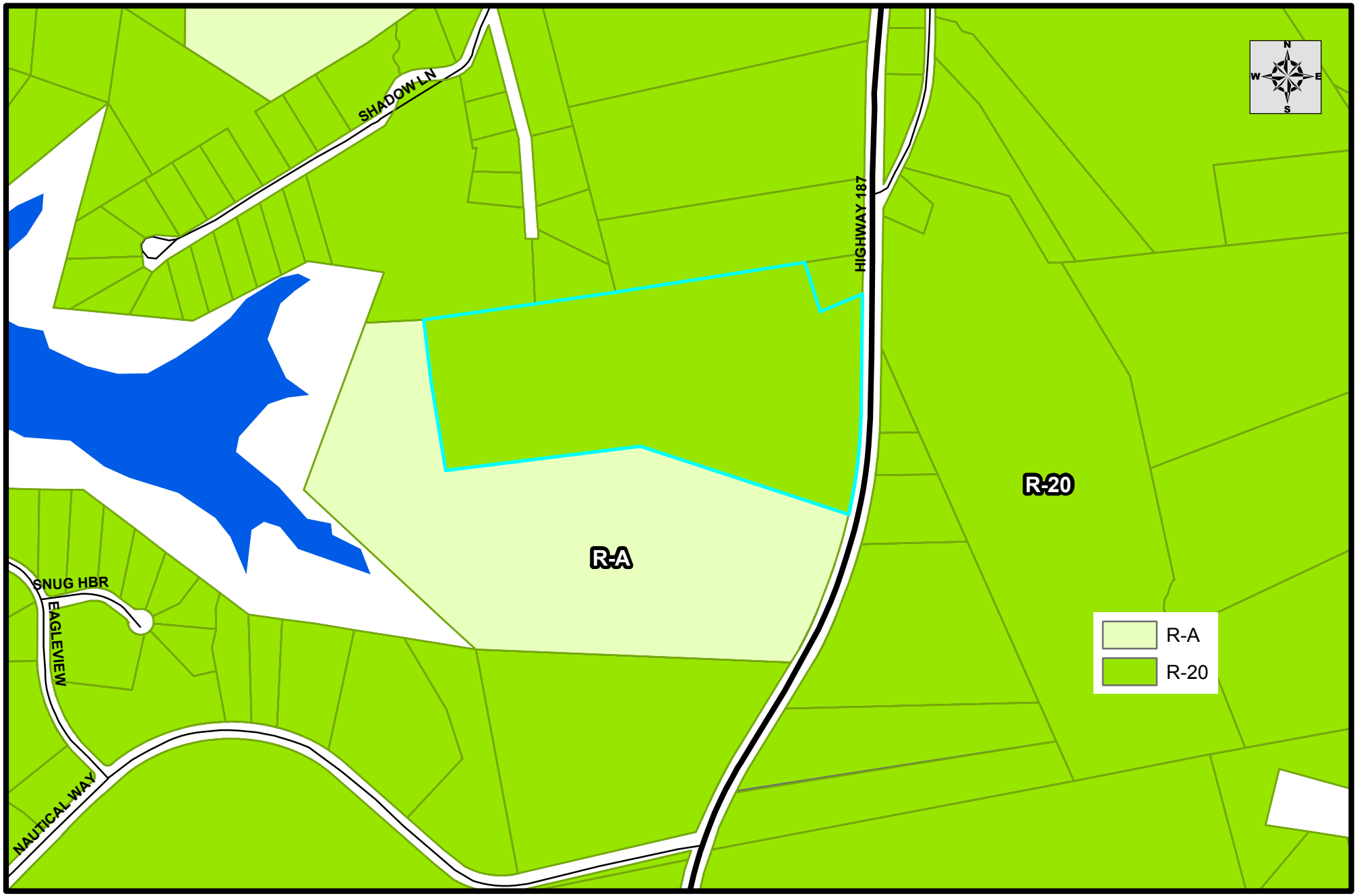
Rezoning Request
5585 Highway 187
R-20 to R-A

0 550 1,100 Feet



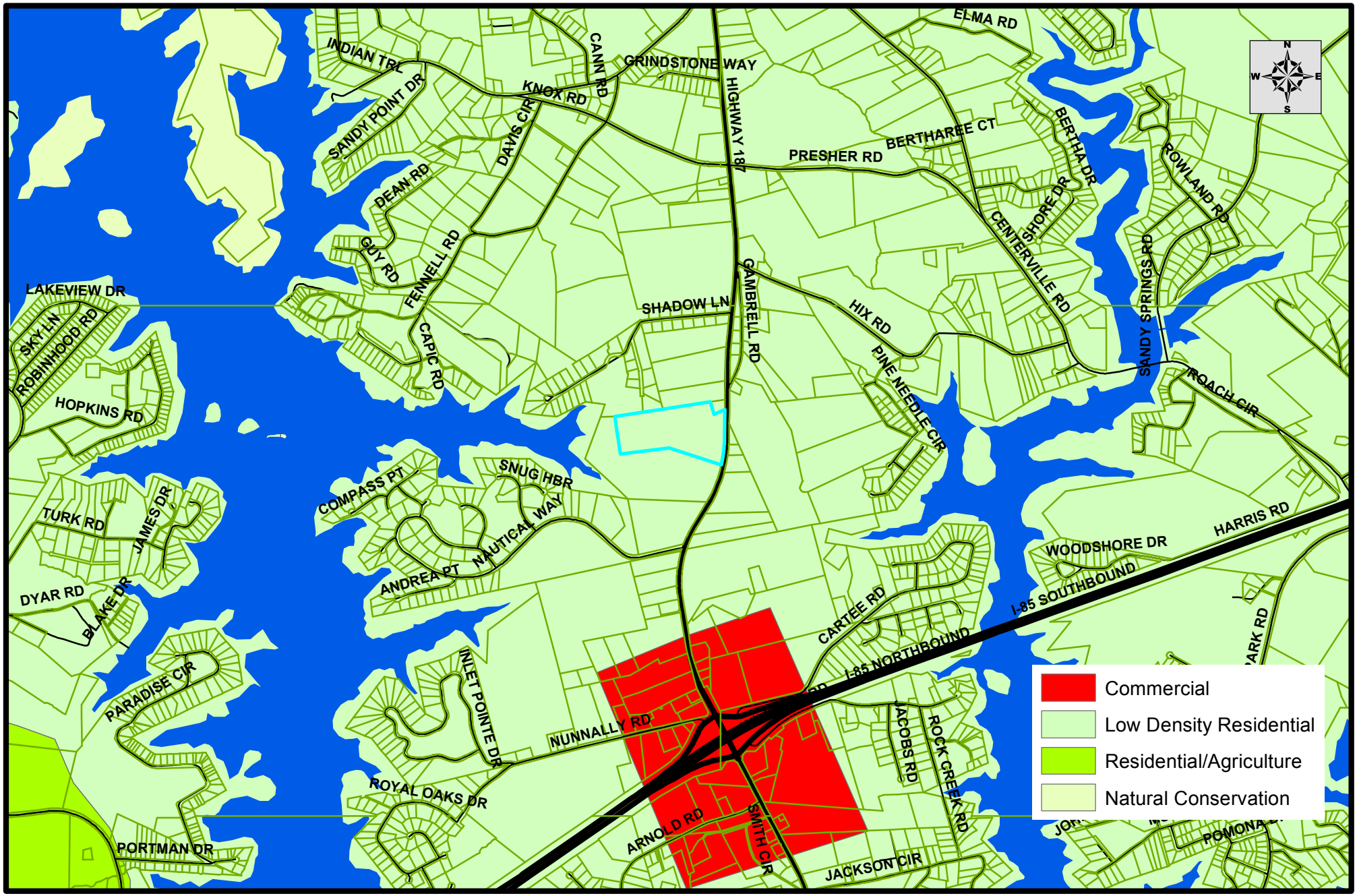
Rezoning Request
5585 Highway 187
R-20 to R-A

0 2,200 4,400 Feet



Rezoning Request
5585 Highway 187
R-20 to R-A

0 550 1,100 Feet



Rezoning Request
5585 Highway 187
R-20 to R-A

0 2,200 4,400 Feet

Feb 19, 2016

Feb 19, 2016

Feb 19, 2016

Feb 19, 2016

Feb 19, 2016

ARTICLE I – AUTHORIZATION

1. This Planning Commission is established pursuant to and in conformance with Title 6, Chapter 29 of the South Carolina Code and Chapter 38, Article 2, Division 2, Section 38-66 of the Anderson County Code.
2. The official title of the commission shall be the "Planning Commission", hereinafter referred to as the "Commission".

ARTICLE II – PURPOSE

1. The Commission shall perform all those functions assigned to it by Title 6, Chapter 29, Section 6-29-340 of the South Carolina Code and Chapter 38, Article 2, Division 2, Section 38-67 of the Anderson County Code.

ARTICLE III – MEMBERSHIP

1. The Commission shall consist of seven (7) members appointed by County Council. County Council shall consider members based on their professional expertise, knowledge of the community, and concern for the future welfare of the total community and its citizens. Members shall represent a broad cross section of the interests and concerns within the jurisdiction.
2. Members shall serve terms of three years and may be replaced at will by County Council.
3. Terms of office of the Commission shall run from July 1 through June 30 of the respective years of the term.
4. The Commission shall annually elect a Chairperson and Vice-Chairperson, hereinafter referred to as Chair and Vice-Chair, from among the regular members and a Secretary, who may be a member or may be a County employee.

ARTICLE IV – DUTIES OF OFFICERS

1. The Chair shall preside at all meetings of the Commission and at other meetings and public hearings called by the Commission. The Chair shall call special meetings of the Commission when required and shall transmit reports, plans, and recommendations of the Commission to the appropriate governing authority, and in general, shall act as spokesperson for the Commission. The Chair shall appoint all committees. The Chair shall certify all official documents involving the authority of the Commission and certify all minutes as true and correct copies. The Chair shall rule on all procedural questions, subject to reversal by majority vote of members present.
2. The Vice-Chair, in the absence of the Chair, shall serve as Chair, and perform the duties of the Chair as outlined above. In the event of some misfortune or resignation of the Chair, the

Vice-Chair shall perform the Chair's duties until such time as the Commission shall elect a new Chair.

3. The Secretary shall record or supervise the recording of all minutes of the Commission meetings; assist the Chair in the preparation of the agenda; shall make all postings and notifications to comply with Article VI.4; shall prepare and distribute minutes of the Commission meetings; if the Secretary is a member, she/he may delegate any or all of these duties to County staff.

ARTICLE V – COMMITTEES

1. The Chair may create Special Committees, not to exceed three (3) members, to study matters which in his/her judgment would best be handled by a Committee as opposed to the general Commission. The Chair shall designate one member of each Special Committee as its Committee Chair.
2. Any Committee shall meet at the call of its Committee Chair, subject to the provisions of Article VI.4.
3. A majority of its members shall constitute a quorum of any Committee. There shall be no Committee meeting without a quorum.
4. The Commission Chair shall be an ex officio member of every Committee.

ARTICLE VI – MEETINGS

1. Regular meetings of the Commission shall be held on the second Tuesday of each month at 6:00 P.M. Special meetings shall be called as needed. When a meeting date falls on a legal holiday as recognized by the State of South Carolina, the meeting shall be held the previous business day, unless otherwise designated by the Commission.
2. Special meetings may be called at any time upon the written request of the Chair or acting Chair or any three members of the Commission.
3. The Commission shall conduct its meetings in accordance with procedure set forth in Robert's Rules of Order except where amended by the Commission's By-Laws.
4. The Commission and each of its committees shall comply with the provisions of the South Carolina Freedom of Information Act and the requirements set forth in Anderson County Ordinance #342 and subsequent ordinances concerning freedom of information and the conduct of public meetings.
5. The Commission shall function by making recommendations in its area of responsibility to County Council. Recommendations from the Commission shall be submitted in writing to County Council or formally presented at County Council meetings. The Commission or any of its members may seek information and assistance from and work with any County staff in accomplishing its purpose.

6. The Commission may hold public hearings on any matter which it deems to be in the public interest, in addition to those required by law or County Council. An accurate, written record shall be made of the proceedings and maintained as a part of the Commission's files.
7. All records of the Commission shall be a public record.

ARTICLE VII – NOTICE OF MEETINGS

1. All Commission members shall be given notice of the date, time, and place of any meeting at least twenty-four hours in advance. Commission members shall be notified in writing, telephone, email, or other means.

ARTICLE VIII – QUORUM

1. Four members shall constitute a quorum of the Commission for transacting business and taking official action. No official Commission business will be conducted without a quorum.

ARTICLE IX – VOTING

1. Unless otherwise provided in these By-Laws, voting at all meetings of the Commission shall be by the raising of hands and abstentions shall be recorded by name. No proxy votes shall be accepted.
2. No members shall vote or participate in discussion on any issue in which he/she has a personal conflict of interest, a direct professional interest, or a financial interest. Any member who is unsure whether a particular issue that comes before the Commission poses a conflict of interest may seek a legal opinion.
3. No Commission member shall miss three consecutive meetings without due cause. Absence from three consecutive meetings shall be considered appropriate cause for dismissal of the member from the Commission by County Council, upon the recommendation of the Chair.

ARTICLE X – ORDER OF BUSINESS

1. The order of business at all regular meetings shall be as follows:
    a. Determination of a quorum
    b. Approval of minutes
    c. Conduct public hearings
    d. Report of standing committees
    e. Report of special committees
    f. Old Business
    g. New Business
    h. Other Business
    i. Adjournment

ARTICLE XI – FISCAL YEAR

1. The fiscal year of the Commission shall begin of the first day of July and terminate on the 30th day of June as per Chapter 38, Section 38-66 of the Anderson County Code.

ARTICLE XII – AMENDMENTS

1. These By-Laws may be amended by a majority vote of Commission's membership after thirty days prior notice.
2. By-Law changes must be kept in accord with Ordinance #370 whereby County Council established the Anderson County Planning Commission.

ARTICLE XIII – EFFECTIVE DATE

1. These By-Laws shall take effect and be in full force from and after their adoption by the Commission.

ARTICLE XIV – ADOPTION

1. Adoption by the Planning Commission at a meeting held in Anderson County, South Carolina on the 23rd day of March, 1993 as amended on April 9, 2002 and March 8, 2016.

_____ _____

CHAIR **ATTEST**