

ARTICLE 11. DEFINITIONS

Words not defined herein shall have the meanings stated in the International Building Code, International Residential Code, International Gas Code, International Mechanical Code, International Plumbing Code, and the National Electric Code, as currently adopted Code. Words not defined in the Standard Codes shall have the meanings in Webster's Tenth Edition Collegiate Dictionary, as revised.

Words in the present tense include the future tense.

Words used in the singular include the plural, and words used in the plural include the singular.

The word "shall" is always mandatory.

The word "may" is permissive.

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

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

The word "used" or "occupied" as applied to any land or building shall be construed to imply that said land or building is in actual use or occupancy and shall be construed to include the words "intended," "arranged," or "designed to be used or occupied."

The word "map" or "zoning map" shall mean the Official Zoning Map(s) of Fairfield County, South Carolina.

The term "Planning Commission" refers to the Fairfield County Planning Commission.

The term "Council" refers to the Fairfield County Council.

The term "Zoning Board of Appeals or ZBA" refers to the Fairfield County Zoning Board of Appeals.

Words contained in this ordinance and not defined hereinafter shall assume definitions as prescribed in Merriam-Webster's Collegiate Dictionary, 11th edition.

Other words and terms defined herein are as follows:

11.1 A

Access - A legal means of vehicular or pedestrian approach or entry to or exit from property.

Affordable Housing - In the case of dwelling units for sale, housing in which mortgage, amortization, taxes, insurance, and condominium or association fees, if

any, constitute no more than twenty-eight percent of the annual household income for a household earning no more than eighty percent of the area median income, by household size, for the metropolitan statistical area as published from time to time by the U.S. Department of Housing and Community Development (HUD) and, in the case of dwelling units for rent, housing for which the rent and utilities constitute no more than thirty percent of the annual household income for a household earning no more than eighty percent of the area median income, by household size for the metropolitan statistical area as published from time to time by HUD.

Agricultural Facility – Pursuant to SC Code Section 46-45-20, this includes but is not limited to, any land, building, structure, pond, impoundment appurtenance, machinery, or equipment which is used for the commercial production or processing of crops trees, livestock, animals, poultry, honeybees, honeybee products, livestock products, poultry products, or products which are used in commercial aquaculture.

Agritourism – Events and activities conducted on a working farm offered to the public or to invited groups for the purpose of recreation, education, and/or active involvement in the farm operation, and that are related to agricultural activity on-site. Agritourism includes but is not limited to farm tours, hayrides, corn mazes, petting zoos, classes related to agricultural products or skills, and picnic and party facilities offered in conjunction with such activities.

Alley- Public right-of-way which affords a secondary means of access to abutting property.

Animal Shelter - A building for the purpose of housing and containing stray, homeless, abandoned, or unwanted animals and that is owned, operated, or maintained by a public body, an established humane society, animal welfare society, society for the prevention of cruelty to animals, or other nonprofit organizations devoted to the welfare, protection, and humane treatment of animals.

Antenna – A structure designed for radiating and receiving electromagnetic radiation and constructed primarily for the purpose of supporting one or more antennas for telephone, radio, television, microwave, or satellite dish antennas.

Arboretum and/or Botanical Garden – Land where trees, shrubs, flowers, fruits, vegetables, and ornamental plants are grown for scientific, educational, conservation, or passive recreational purposes. This does not include the harvesting of plants or their produce.

Artisan Manufacturing – A building or structure involving on-site production of goods by hand manufacturing, involving the use of hand tools and small-scale,

light mechanical equipment. This includes cabinet shops, ceramic studios, jewelry manufacturing, and woodworking.

Asphalt Plant – A site where concrete or asphalt is manufactured on site for use and delivery elsewhere. This includes the ancillary storage of raw materials, maintenance of plant and equipment, and administrative facilities and staff amenities when conducted or located on the same premises.

Auto Repair, Major – A building or structure providing significant repairs and replacement of parts and motor services to automobiles, including, but not limited to, such services as: engine rebuilding, reconditioning of automobiles, repair of engines, transmissions, etc., painting and/or body work, the sale of goods and the provision of services required in the operation and maintenance of automobiles, vehicles, and crafts.

Auto Repair, Minor – A building or structure providing the sale of automotive fuels or oils and the incidental repair and replacement of vehicle parts and motor services to automobiles or vehicles, including oil change, tire sales, replacement, and alignment, but not including any operation specified under “major auto repair.”

11.2 B

Bar or Other Drinking Place – An establishment providing or dispensing alcoholic beverages by the drink for on-site consumption and in which the sale of food products is incidental to the consumption of such beverages. This includes bars, taverns, night clubs, private clubs, and similar facilities serving alcoholic beverages.

Bed and Breakfast Inn - Any dwelling or portion thereof offering rooms and meals at breakfast to transient lodgers in return for compensation.

Berm - Any hill or slope which represents a change of elevation of at least two feet at a slope of between twenty-five and fifty percent and which is covered with an appropriate stabilizing vegetation

Block – an area of land bounded by a street, or by a combination of streets and public parks, cemeteries, railroad rights-of-way, exterior boundaries of a subdivision, shorelines of waterways, or corporate boundaries.

Boarding House - A residential use that consists of at least one (1) dwelling unit together with more than two (2) rooms that are rented out or are designed or intended to be rented but which rooms, individually or collectively do not constitute separate dwelling units. A rooming house or a boarding house is distinguished from a tourist home in that the former is designed to be occupied by longer term residents (month to month tenants) as opposed to overnight or weekly guests.

Bond - Any form of security including a cash deposit, surety bond, collateral, property, or instrument of credit in an amount and form satisfactory to the

Government Body. All bonds shall be approved by the Governing Body wherever a bond is required by these regulations.

Brewery – See Craft Alcohol Production

Broadcasting Studio- A building or portion of a building used as a place to stage, record, and broadcast content for radio and television broadcasting or other broadcast media. This term does not include a transmission tower.

Buffer yard - A strip of land, improved by landscaping or fences, or both, designed to mitigate the extent of high intensity land uses on neighboring lower intensity uses.

Building Permit - A permit issued by the Fairfield Planning, Building and Zoning Department and which complies with Fairfield Zoning Ordinance and the Fairfield Building Codes. A written warrant or license issued by a local building official that authorizes the construction or renovation of a building or structure at a specified location.

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

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

Building, Alteration - Any act or process that changes one or more of the exterior architectural features of a structure, including, but not limited to, the erection, construction, reconstruction, or removal of any structure.

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

11.3 C

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

Car Wash- A building or portion thereof containing facilities for the cleaning and washing of vehicles utilizing production line methods. The use of personnel for one or more phases of this operation in conjunction with or without complete automation or mechanical devices does not alter its classification. This includes coin-operated self-service facilities.

Certificate of Occupancy - A document allowing the occupancy or use of a building or certifying that the structure or use has been constructed or will be used in compliance with all applicable provisions of this Ordinance and the Building Code.

Certificate of Zoning Compliance - A document certifying that a proposed use meets all requirements of this Ordinance.

Certify - Whenever this ordinance requires that some agency certify the existence of some fact or circumstance to the County, the County may require that such certification be made in any manner that provides reasonable assurance of the accuracy of the certification. By way of illustration, and without limiting the foregoing, the County may accept certification by telephone from some agency when the circumstances warrant it, or the County may require that the certification be in the form of a letter or other document.

Civic Meeting Facilities – Not-for-profit membership organizations such as alumni associations, booster clubs, scouting organizations, ethnic associations, social clubs, fraternal lodges, and veterans’ membership organizations primarily engaged in promoting the civic and social interests of their members.

Commercial Recreation and Entertainment, Indoor – An establishment offering entertainment and/or recreation to the general public, where the activity takes place indoors. Such uses generally include, but are not limited to amusement arcades, game rooms, billiard parlors, bowling alleys, skating rinks, motion picture theaters, performing arts theaters, physical fitness centers, dance studios, martial arts studios, yoga studios, aquatic centers, and gyms.

Commercial Recreation and Entertainment, Outdoor – An establishment offering entertainment and/or recreation to the general public, where the activity takes place outdoors. Such uses generally include, but are not limited to: amusement parks, batting cages, go-cart tracks, miniature golf courses, freestanding driving ranges, and similar uses. This does not include paintball and airsoft facilities, gun ranges, or skeet shooting facilities.

Community Center - A publicly sponsored, non profit indoor facility providing for one (1) or more of various types of cultural, social, or recreational uses intended to serve the surrounding community. Facilities may include but are not limited to gymnasiums, swimming pools, indoor court areas, meeting/activity rooms, and other similar uses.

Compost means the humus-like product of the process of composting waste.

Composting Facility means any facility used to provide aerobic, thermophilic decomposition of the solid organic constituents of solid waste to produce a stable, humus-like material. It may not contain any hazardous or medical bio waste.

Concentrated Animal Feeding Operations (Feedlots, poultry houses) - An agricultural facility where animals are confined and fed or maintained for commercial production for a total of forty-five days or more in a twelve-month period, and crops, vegetated forage growth, or post-harvest residues are not sustained in the normal growing season over any portion of the lot or facility. Structures used for the storage of animal waste from animals in the operation also are part of the feedlot operation. This definition is designed to mirror the definition used by DES in the administration of State regulations relating to CAFOs.

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

Conformity or Conformance - Any land, structure or use that is in fully meets 1) all of the regulations specified for the district in which it is located and 2) all of the general requirements of the Zoning Ordinance

Conditional Use - A use of land or structure, which is permitted in a district under conditions specified in the Zoning Ordinance. Zoning ordinance provisions that impose conditions, restrictions, or limitations on a permitted use that are in addition to the restrictions applicable to all land in the zoning district. The conditions, restrictions, or limitations must be set forth in the text of the zoning ordinance,

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

Conservation Subdivision or Cluster Development - A development design technique that concentrates buildings in specific areas on the site to allow the remaining land to be used for recreation, common open space, and preservation of environmentally sensitive features.

Construction Plan - maps of drawings accompany a subdivision plat or plan and showing specific location and design of improvements to be installed in the subdivision in accordance with the requirements of the Planning Commission as a condition of the approval of the plat or plan.

Conventional Subdivision – A typical subdivision design that includes medium to large size lots and limited amounts of common open space.

Convenience Store - A retail store containing less than 3,000 square feet of gross floor area that is designed and stocked to sell primarily food, beverages, and other household supplies to customers who purchase only a relatively few items (in contrast to a supermarket). It is designed to attract and depends upon a large volume of stop and go traffic.

Craft Alcohol Production- A facility that produces beer, wine, mead, or other alcoholic beverages in quantities compliant with applicable local, state, and federal

regulations for distribution, retail or wholesale, on or off premises. The establishment shall include a tasting room as an ancillary use and may include other uses such as a restaurant or tavern.

11.4 D

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

Day Care Home or Family Child Care Home – a facility within a residence occupied by the operator in which childcare is regularly provided for no more than twelve children, unattended by a parent or legal guardian, including those children living in the home and children received for childcare who are related to the resident caregiver.

Day Care Center or Child Care Center - An arrangement where, at any one time, thirteen (13) or more children who do not reside where the care is provided, receive care on a regular basis of at least once per week for more than four hours but less than 24 hours per day from persons other than their guardians or full-time custodians, or from persons not related to them by birth, marriage, or adoption.

Density - The number of dwelling units per acre of land developed or used for residential purposes. Density requirements in this Ordinance are expressed in dwelling units per gross acre; that is, per acre of land devoted to residential use is based on the total land area within a development tract or subdivision, excluding nothing.

Dedication - The transfer of property interests from private to public ownership for a public purpose. The transfer may be of fee-simple interest or of a less than fee interest, including an easement.

DES - South Carolina Department of Environmental Services.

Design Criteria - Standards that set forth specific improvement requirements.

Developed Lot - Any existing lot upon which development has taken place.

Developer - The owner or owners (or their representative) of a lot or of any land included in a proposed development. Also, the holder of an option or contract to purchase, or any other person having enforceable proprietary interest in such land.

Display Area - Any unenclosed area or lot used for the display of merchandise.

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

Domestic Animal Shelter - A pen, shelter, or structure where dogs or small domestic animals, not to include horses, cows, goats, swine including pot bellied pigs, sheep, ponies, grazing animals, and fowl of any kind, are boarded and kept.

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

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

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

Dwelling, Duplex - A building containing two dwelling units.

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

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

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

Dwelling, Quadraplex - A building containing four dwelling units.

Dwelling, Residential Designed Manufactured Home - A single-family dwelling unit built according to the Federal Manufactured Housing Construction and Safety Standards (245 CFR 3280) HUD Code, 6-15-76, and bearing a HUD manufactured home label, which:

- A. Has a minimum width over 20 feet (multiple-section);
- B. Has a minimum of 1,200 square feet of enclosed living area;
- C. Has a minimum 5:12 roof pitch in the RG District and a minimum 3:12 roof pitch where elsewhere permitted by this Ordinance;
- D. Has a type of shingle commonly used in standard residential construction;
- E. Is covered with an exterior material customarily used on site built homes, including vinyl or aluminum lap siding, wood, masonite, or other materials similar to the exterior siding commonly used in standard residential construction; and
- F. Has a roof overhang of not less than eight (8) inches.

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

Dwelling, Standard Designed Manufactured Home - A single family dwelling unit built according to the Federal Manufactured Housing Construction and Safety Standards (24 CFR 3280) HUD Code, 6-15-76, and which does not meet the definition of a Residential Designed Manufactured Home.

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

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

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

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

11.5 E

Easement - A right of way granted, but not dedicated, for limited use of private land for a public or quasi-public purpose and within which the owner of the property shall not erect any permanent structures.

Easement, Private - An easement dedicated to a specific private function: for example, private access to private property.

Easement, Public - An easement dedicated to a specific public function: for example a public highway or placement of public utility lines.

11.6 F

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

Family Day Care Home - Where permitted as an accessory use, family day care home shall mean a home in which care is given by a family member and no others during the day only for one and not more than six children, including the day care parents' own children.

Farmer's Market - An area, open or partially enclosed, at which vendors gather to sell fresh produce, seasonal fruits, fresh flowers, arts and crafts items, food and beverages, baked goods, dairy products, delicatessen and grocery products to the general public.

Federal Manufactured Home Construction and Safety Standards - Regulations promulgated by the Department of Housing and Urban Development (HUD) governing the design and construction, strength and durability, transportability, fire resistance, energy efficiency, and quality of manufactured housing. These

standards also set performance requirements for heating, plumbing, air conditioners, thermal, and electrical systems.

Flea Market – A collection of vendors using stalls, booths, or tables for the sale of merchandise, collectibles, crafts, antiques, and other items, excluding automobiles, automobile parts, and nonportable household appliances.

Flood - A general and temporary condition of partial or complete water coverage of normally dry land area because of the accumulation or runoff of surface waters from any source.

Floodplain - Land areas adjoining a river, stream or water course which are subject to a one percent or greater chance of flooding in any given year, which areas are more specifically established by the Federal Emergency Management Agency in its Flood Insurance Study for Fairfield County.

Floodway - The channel or river or other watercourse and the adjacent land areas that must be reserved in order to discharge the 100-year flood without cumulatively increasing the water surface elevation more than one foot at any point.

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

11.7 G

General Manufacturing – A building or structure where manufacturing of finished and unfinished projects, primarily from extracted or raw materials, or recycled or secondary materials, or bulk storage and handling of such products and materials. Industrial service firms engaged in the repair or servicing of industrial or commercial machinery, equipment, products or by-products. This includes apparel manufacturing, leather and allied product manufacturing, textile mills, textile product mills, transportation equipment manufacturing, wood product manufacturing, primary metal manufacturing, fabricated metal product manufacturing, welding shops, machine shops, industrial tool repair, fuel oil distributors, solid fuel yards, and carpet cleaning plants.

General Medical – A building or group of buildings that administer human health care in a non-hospital, outpatient setting. This includes medical office or clinic, dental office or clinic, acute care facility, birthing center, chiropractic office, optometrist, orthodontist, physical therapy office, surgical out-patient facility, urgent care, and accessory laboratory.

General Office – A building or group of buildings that provide space for a variety of business, professional or financial services to be conducted. This includes accounting, advertising, architecture, auditing, banking, bookkeeping, consulting,

contracting, design, employment, engineering, insurance, investment, legal, real estate, security or technology services, call centers, radio or TV broadcasting studios, and recording studios.

General Personal Service- A building or group of buildings that provide a variety of personal care or repair services. This includes barbershop, salon and spas, copy, printing, art or music school, animal grooming service, laundromat, laundry drop-off facility, dry-cleaning that does not involve hazardous chemicals, tailor, shoe repair, upholsterers, and tattoo or body piercing.

General Retail- A building 10,000 square feet or less that sells, leases, or rents a variety of new or used products. This includes appliance stores, bicycle sales, rental or repair, book store, clothing or shoe store, craft or fabric store, electronics store, department store, drug store or pharmacy, flower shop, home goods or furniture store, hardware store, musical instrument sales, rental or repair, optician, pet store, sporting goods store, toy store, paint and wallpaper store, photography or art studio, grocery store, and jewelry store.

General Retail, Large- A building 10,000 square feet or more that otherwise meets the definition of "general retail."

Golf Course – A tract of land laid out with at least nine holes for playing a game of golf, including any accessory clubhouse, driving range, office, restaurant, concession stand, picnic tables, pro shop, maintenance building, shelter(s), restroom facilities, or similar accessory uses or structures. This type of facility may also include public or private trails and golf cart paths.

Government Office- A facility used for the conduct of business of a unit of government, including offices of County, State, and Federal government or their agencies that provide administrative and/or direct services to the public, executive offices, legislative offices, courts, post offices, school administrative facilities, and individual and family services.

Grade - The slope of a road, street, or other public way, specified in percentage (%) terms from the horizontal.

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

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

11.8 H

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

Hazardous Waste - Any material defined in Section 44-56-20(6) of the South Carolina Hazardous Waste Management Act as set out in the Code of Laws of South Carolina (1976, as amended) or in any regulations promulgated by the South Carolina Department of Health and Environmental Control pursuant to the provisions of the said South Carolina Hazardous Waste Management Act.

Hazardous Waste Facility - Any landfill, incinerator or other facility used to store, treat, or dispose of Hazardous Waste and also any facility used to inspect, wash, clean, park or store any trucks, trailers, railroad cars, other vehicles, or other containers used to transport, store or treat hazardous waste (except for minute quantities thereof to be tested or analyzed in laboratories). Public roads, tracks of railroad companies, garages, truck stops, and other businesses providing maintenance, fuel, or other services to common carriers in general shall not be deemed to be a Hazardous Waste Facility due to the fact they provide services to any such trucks, trailers, railroad cars, or to other vehicles or containers transporting Hazardous Waste if those same services are routinely provided to other common carriers carrying cargo other than Hazardous Waste.

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

High Impact Industrial – Industrial land uses that have a high potential for impacting neighboring properties. Uses include intensive manufacturing, asphalt plants, mining and extraction activities, hazardous waste facilities and wrecking, scrap and salvage yards.

Highway - See Street, Major

Home Occupation - Any occupation within a dwelling, including a hobby and clearly incidental thereto, carried on by a member or members of the family residing on the premises.

Hospital – A facility that administers primarily in-patient, intensive, human medical or surgical care, including stand-alone emergency care services.

11.9 I

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

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

Inert Material - A material whose rate of decomposition by micro-organisms or chemical oxidation is such that substantial environmental pollution does not usually result.

Inert Solid Waste Landfill - Any landfill, publicly or privately owned, that receives inert waste. Examples of inert material include, but are not limited to bricks, concrete and other masonry material; soil; rocks; lumber; paving material; tree and brush stumps, etc.

Infectious Waste - Infectious waste has the meaning given in Section 44-93-20 of the S. C. Infectious Waste Management Act.

Intensive Manufacturing – An establishment primarily engaged in manufacturing or other enterprises with significant external effects. This includes manufacturing of animal food, animal slaughtering and processing, beverage, other soft drink and water, cement and concrete products, manufacturing of acetylene, corrosive acid or fertilizer, insecticides, disinfectants, poisons, paint lacquer, varnish, petroleum products, plastic and synthetic resin, and radioactive materials.

Improvement - Any man-made immovable item that becomes part of, placed upon, or is affixed to real estate.

11.10 J

Junk or Salvage - Any materials consisting of waste, discarded or salvage matter which is bought, sold, exchanged, stored, baled, packed or disassembled for profit, trade or hire, and shall include any vehicle damaged so as not to comply with state or federal safety regulations, incapable of self-propulsion or partially dismantled if retained on the premises for more than seventy-two (72) hours whether for repair or not. In R-1 and R-2 zoned areas, junk or salvage shall mean any materials consisting of waste, discarded or salvage matter consisting of a total of more than six (6) cubic feet in volume regardless of whether it is to be bought, sold, exchanged, stored, baled, packed or disassembled for profit, trade or hire, and shall include any vehicle damaged so as not to comply with state or federal safety regulations, incapable of self-propulsion or partially dismantled if retained on the premises for more than seventy-two (72) hours whether for repair or not. The term junk shall also mean, but not be limited to old or scrap copper, brass, aluminum, rope, rags, paper, trash, tire carcasses, rubber debris, old vehicle parts, non-working major appliances, and other old ferrous or non-ferrous material.

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

11.11 K

Kennel - A building where pet animals owned by another person are temporarily boarded. This does not include a veterinary hospital or clinic that provides boarding of animals as a regular, but not primary, focus of business.

11.12 L

Land Development Project. The changing of land characteristics through redevelopment, construction, subdivision into parcels, condominium complexes, apartment complexes, commercial parks, shopping centers, industrial parks, manufactured or mobile home parks, and similar developments for sale, lease, or any combination of owner and rental characteristics.

Light Limited Manufacturing, Assembly, & Fabrication- A building or structure primarily engaged in manufacturing uses that involve the mechanical transformation of predominantly previously prepared materials into new products, including assembly of component parts and the creation of products for sale to wholesalers or retailers or directly to the consumer. This includes catering establishments, printing and related support activities, machinery manufacturing, food manufacturing, computer and electronic product manufacturing/assembly, electrical equipment, appliance, component manufacturing/assembly, and other manufacturing and production establishments that typically have few, if any negative external impacts on surrounding areas.

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

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

Lot, Through or Double Frontage - A lot that has frontage on more than one street.

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

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

Lot, Developed – A developed lot or parcel is one which contains fifty thousand dollars (\$50,000) in commercial, industrial or business improvements, according to records in the County Tax Assessor's office or receipt of a valid Building Permit in such amount.

Lot, Developed Lake Lot– A developed lake lot or parcel is one which has one or more of the following improvements:

- A. A structure used for permanent or recreational habitation;

- B. A functional well with pump under power or community water service delivering potable water;
- C. A DES approved septic tank with documentation;
- D. A cleared building site with riparian buffer intact and/or other installed and maintained methods of erosion control;
- E. Electric service and meter on lot; or
- F. Lot access by an improved driveway with at least gravel and dock (bearing a tag of approval by the governing utility. (Ord. No. 577, 2-27-12)

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

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

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

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

Low Impact Commercial – A light-intensity commercial land use for office, civic, and retail uses, as well as medium-intensity residential. Structure size and hours of operation are limited to facilitate location compatibility with nearby residential zoning districts.

11.13 M

Major Subdivision – Any subdivision with greater than eight lots.

Manufactured Home Park - A lot or parcel with space, improvements and utilities for the long-term parking of three (3) or more manufactured homes, which may include services, and facilities for the residents.

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

Medical & Diagnostic Laboratory – A building or group of buildings where medical research, testing, or examination of materials derived from the human body for the purpose of providing information on diagnosis, treatment, mitigation, cure or prevention of disease. Includes compounding pharmacy and training of medical students.

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

Mixed Occupancy - Any building that is used for two or more occupancies classified by different occupancy use groups.

Mixed-Use Building – A building or portion of a building containing residential and non-residential uses.

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

Multi-family housing – Housing structures consisting of five or more units.

11.14 N

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

North American Industry Classification System (NAICS) - The classification of industrial, commercial, institutional, agricultural, construction, manufacturing, educational, utilities, services type activities as defined in the North American Industry Classification System Manual, 1997 as put out by the Executive Office Of The President Office Of Management and Budget.

Nursery – An agricultural activity or location where plants, such as trees, shrubs and other plants are grown for transplanting, or for use as stocks for grafting or budding.

11.15 O

Off-Site - Premises not located within the area of the property to be subdivided whether or not in the same ownership of the applicant for subdivision approval.

Office Trailer - See Modular Building Unit or Modular Structure

Open Space - Open space refers to an area that is not encumbered with any substantial structure; is not devoted to use as a roadway, parking area or sidewalk; is not part of any privately owned lot; and is legally and practicable accessible to the general public or to the residents of the development where the open space is located. Narrow strips of common area that separate lots within a development from each other, from streets, or from adjoining tracts shall generally not be regarded as open space unless the Planning Commission determines that the overall configuration of open space is acceptable as being conducive to the intent of requiring open space.

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

Open Storage-The storage of merchandise, goods, inventory, materials, or equipment, or other items which are not intended for immediate sale on the property as an accessory use of a permitted principal public, institutional, commercial, or industrial use.

11.16 P

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

Park or Greenway- Land used for recreation, exercise, sports, education, rehabilitation, or similar activities, or land intended for enjoyment of natural features or beauty. A public facility open for recreation, with commercial activities for recreational uses only, open space and public gardens. A greenway is a linear area that provides connections between open space and recreational facilities and between these facilities and their users.

Parking, Off-Street - An area adequate for parking an automobile with room for opening doors on both sides, together with properly related access to a public street arranged so that no maneuvering incidental to parking shall be on any public street and so that an automobile may be parked or un-parked therein without moving any other automobiles.

Permitted Use - A use permitted outright by district regulations.

PPD (Planned Development District) - A special purpose district established for specified use(s) only and with specified development standards in order to allow and encourage flexibility in the development of the land. 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.

Plat – A map or drawing upon which the developer's plan of a subdivision or land development is presented for approval.

Preliminary Plat or Plan - The preliminary drawing or drawings, described in these regulations, indicating the proposed manner or layout of the subdivision to be submitted to the Planning Commission for approval.

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

Previously Platted - The term "previously platted" shall mean platted approved, and recorded, if such lots were created in accordance with regulations in effect at the time of their creation, or created as a result of a land division and recorded prior to existence of applicable subdivision regulations.

Public Safety Facility – A police station, fire station, ambulance service facility, or other emergency medical service facility.

11.17 Q

11.18 R

11.19 S

Setback - The areas, measured from the property line to any structure, within which building is prohibited, but which may include driveway areas or other similar surface improvements. In other words, it is the distance a building must be from the street as required by zoning laws.

Setback, Front – Required setback from the front lot line (boundary line of the lot running along a street right-of-way or access easement).

Setback, Side – Required setback along the portion of a lot that is not adjacent to a street. It extends from the required front setback to the required rear setback.

Setback, Rear – Required setback that extends from the rear property line, the full width of the site.

Sexually Oriented Business - For purposes of this Ordinance, sexually oriented business operations shall mean and include the following:

- A. **Adult Arcade** means any place to which the public is permitted or invited wherein coin-operated or slug-operated or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are maintained to show images to five (5) or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by the depicting or describing of "specified sexual activities" or "specified anatomical areas".
- B. **Adult Bookstore or Adult Video Store** means a commercial establishment, which, as one of its principal business purposes, offers for sale or rental for any form of consideration any one or more of the following:
 - 1. Books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes or video reproductions, slides or other visual representations which depict or describe "specified sexual activities" or "specified anatomical areas"; or
 - 2. Instruments, devices, or paraphernalia, which are designed for use in connection with "specified sexual activities". A commercial establishment may have other principal business purposes that do not involve the offering

for sale or rental of material depicting or describing "specified sexual activities" or "specified anatomical areas" and still be categorized as an adult bookstore or adult video store. Such other business purposes will not serve to exempt such commercial establishment from being categorized as an adult bookstore or adult video store so long as: one of its principal business purposes is the offering for sale or rental for consideration the specified materials which depict or describe "specified sexual activities" or "specified anatomical areas".

- C. **Adult Cabaret** means a nightclub, bar, restaurant or similar commercial establishment, which regularly features:
 - 1. Persons who appear in a state of nudity; or
 - 2. Live performances which are characterized by the exposure of "specified anatomical areas" or by "specified sexual activities"; or films, motion pictures, videocassettes, slides, or other photographic reproductions, which are characterized by the description of "specified sexual activities" or "specified anatomical areas".
- D. **Adult Motel** means a hotel, motel or similar commercial establishment which:
 - 1. Offers accommodations to the public for any form of consideration; provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas"; and has a sign visible from the public right-of-way which advertises the availability of this adult-type of photographic reproductions; or
 - 2. Offers a sleeping room for rent for a period of time that is less than ten (10) hours; or
 - 3. Allows a tenant or occupant of a sleeping room to sublet the room for a period of time that is less than ten (10) hours.
- E. **Adult Motion Picture Theater** means a commercial establishment where, for any form of consideration, films, motion pictures, video cassettes, slides or similar photographic reproductions are regularly shown which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas."
- F. **Adult Theater** means a theater, concert hall, auditorium or similar commercial establishment which regularly features persons who appear in a state of nudity or live performances which are characterized by the exposure of "specified anatomical areas" or by "specified sexual activities".
- G. **Sexual Encounter Center** means a business or commercial enterprise that, as one of its primary business purposes, offers for any form of consideration:
 - 1. Physical contact in the form of wrestling or tumbling between persons of the opposite sex; or

2. Activities between male and female persons and/or persons of the same sex when one or more of the persons is in a state of nudity or seminude.

Shipping Container – A rectangular, prefabricated metal structure, designed for stacking, storage and transfer of goods and commodities by ship and/or container chassis trucks.

Shooting Range, Indoor – A public or private facility for archery and/or wherein the discharge of firearms occurs for the purposes of target practice, training, or temporary competition.

Shooting Range, Outdoor – The use of land for archery, and/or discharging of firearms for the purposes of target practice, skeet and trap shooting, mock war games, or temporary competitions. This includes paintball and airsoft facilities.

Short-term Rental – The use and enjoyment of a dwelling unit, or portion thereof, for a duration of less than 30 consecutive days in exchange for valuable consideration. Hotels, motels, bed and breakfast establishments, and inns are excluded from this definition.

Sign - Any object, device, display or structure, or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination or projected images.

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

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

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

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

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

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

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

Sign, Free-Standing - Any non-movable sign not affixed to a building.

Sign, Identification - A sign giving the nature, logo, trademark, or other identifying symbol; address; or any combination of the name, symbol, and address of a building, business, development, or establishment on the premises where it is located.

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

Sign, Off-Premise - A sign which directs attention to a business, commodity, service, or entertainment conducted, sold, or offered at a location other than the premises on which the sign is located.

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

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

Sign, Portable - A sign designed to be transported, but not limited by means of wheels.

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

Sign, Roof - A sign that is mounted on the roof of a building or which is wholly dependent upon a building for support and which projects above the point of a building with a flat roof, the ridge line of a building with a gambrel, gable, or hip roof or the deck line of a building with a mansard roof. Signs mounted on the sloping section of a roof or the gable end of a roof shall be classified as a wall sign.

Sign, Roof Integral - A sign whose structure is integrated into the structure of the roof, and is an integral part thereof.

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

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

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

Significant Tree – Any tree measuring 24” DBH (Diameter Breast High).

Solar Panels, Roof Mounted – An incidental use to the principal uses on a property that uses roof mounted equipment for the collection of solar energy to convert solar radiation to electrical energy. Typically, the panels are roof mounted on the principal building but may also be mounted to the roof of an accessory building.

Solar Energy Conversion, Small Scale – A series of ground mounted solar collector panels that collects solar radiation and transfers it as heat to a carrier fluid for use in hot water heating or space heating and cooling, and/or collects solar energy to convert it into electricity. This land activity covers a maximum of five (5) acres and is often referred to as a solar farm and does not include solar collection panels installed on the roofs of structures or solar collection panels intended to generate power or energy to individual entities.

Solar Energy Conversion, Large Scale – A series of ground mounted solar collector panels that collects solar radiation and transfers it as heat to a carrier fluid for use in hot water heating or space heating and cooling, and/or collects solar energy to convert it into electricity. This land activity covers more than five (5) acres is often referred to as a solar farm and does not include solar collection panels installed on the roofs of structures or solar collection panels intended to generate power or energy to individual entities.

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

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

Street, Rural - A roadway that provides access to low density rural and residential development of less than 1 dwelling unit per acre (gross density).

Street, Local - A roadway that provides access to residential and small commercial properties with limited through traffic. It feeds traffic to collector roads. Typical trips per day do not exceed 250.

Street, Collector - A roadway which provides connection between the arterial road system and local roads as well as traffic circulation within residential, commercial and industrial areas. Typical trips per day are less than 1,500.

Street, Arterial - A roadway that provides traffic service between urban areas and major destinations serving a mix of local and through traffic. Typical trips per day exceed 1,500.

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

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

Subdivision - All divisions of a tract or parcel of land into two or more lots, building sites, or other divisions for the purpose, whether immediate or future, of sale, lease, or building development, and includes all division of land involving a new street or change in existing streets, and includes the re-subdivision of land which would involve the further division or relocation of lot lines of any lot or lots within a subdivision previously made and approved or recorded according to law; or, the alteration of any streets or the establishment of any new streets within any subdivision previously made and approved or recorded according to law, and includes combinations of lots of record.

11.20 T

Telecommunications Tower – A tower pole, or similar structure that supports a telecommunications antenna operated for commercial purpose above ground in a fixed location, freestanding, guyed, or on a building or other structures.

Tiny Home – Single-family dwelling units that are a maximum of seven hundred fifty (750) square feet. They must be on a permanent foundation in compliance with the South Carolina State Residential Code and are not attached to a chassis. They cannot be defined as manufactured homes as defined by HUD or a recreational vehicle (park model) as defined by National Fire Protection Association (NFPA) and American National Standards Institute (ANSI).

Tiny Home Village - A lot or parcel with space, improvements and utilities for three (3) or more tiny homes, which may include services, and facilities for the residents.

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

11.21 U

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

Unit – One; a single dwelling or unit.

Use, Accessory - See Building, Accessory.

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

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

Utilities- Electricity, gas, steam, telephone, transportation, water, wastewater, or other similar service furnished to the public under state or county regulations by any person, firm, corporation, municipal department, or board.

Utility, Major – Services of a regional nature that normally entail the construction of a building or facility such as water treatment plants, water towers, sewerage or wastewater treatment plants, gas compressor stations, and electrical substations. This use does not include telecommunications facilities or towers.

Utility, Minor – Services of a regional or community nature that entail the transmission of utilities that need to be in or near a neighborhood or use type where the service is provided. Examples of minor utilities include, water and sewerage pipes, pump stations, stormwater pipes, retention/detention facilities, telephone lines and local exchanges, electric lines, electric transformers, gas transmission pipes and valves, and CATV lines.

11.22 V

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

Veterinary Services – A place where animals or pets are given medical or surgical treatment and are cared for during the time of such treatment. Use as a kennel shall be limited to short-time boarding and shall be only incidental to such veterinarian use.

11.23 W

Wind Conversion, Large Scale – A wind energy conversion system consisting of wind turbines and associated control or conversion electronics, which has a total rated capacity of more than 100kW.

Wind Conversion, Small Scale – A single system designed to supplement other electricity sources as an accessory use to an existing buildings or facilities, wherein the power generated is primarily used for on-site consumption. A small

wind energy conversion system consists of a single wind turbine, a tower, and associated control of conversion electronics, which has a total rated capacity of 20kW or less. These systems are less than 120 feet in height.

Wind Turbine – A wind energy conversion system that converts wind energy into electricity through the use of a wind turbine generator, and may include a nacelle, rotor, tower, guy wires, and pad transformer.

Wind Turbine Height – The distance measured from grade at the center of the tower to the highest point of the turbine rotor or tip of the turbine blade when it reaches its highest elevation.

Wrecking, scrap and salvage operations - Any operation dealing with waste, discarded or salvage material which is bought, sold, exchanged, stored, baled, packed or disassembled for profit, trade or hire, and shall include any vehicle damaged so as not to comply with state or federal safety regulations, incapable of self-propulsion or partially dismantled if retained on the premises for more than 72 hours whether for repair or not. These terms shall also mean, but not limited to operations dealing with old or scrap copper, brass, aluminum, rope, rags, paper, trash, tire carcasses, rubber debris, non-working major appliances, other old ferrous or non-ferrous material, abandoned barrels or drums, dismantled or inoperable industrial or commercial equipment or machinery being salvaged for parts, and the following old, scrap, or used items; metal, batteries, cardboard, plastic, rubber, pallets, motors, industrial or commercial fixtures, rubbish, debris; wrecked, dismantled or disabled motor vehicles or parts thereof.

11.24 X

11.25 Y

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

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

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

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

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

11.26 Z

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

Zoo – An area, building, or structures which contain wild animals on exhibition for viewing by the public.