

**UNIFIED
ZONING
&
LAND DEVELOPMENT
ORDINANCE**

City of Loris,
South Carolina

PART 1

ZONING ORDINANCE

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ZONING ORDINANCE OF THE CITY OF LORIS, SOUTH CAROLINA

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

PREAMBLE

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

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

Section 1-1. Establishment of Districts

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

Map Symbol

- R-1 Low Density Residential District**
- R-2 Medium Density Residential District**
- HC Health Care District**
- MU Mixed Use District**
- C-1 Central Business District**
- C-2 General Business District**
- IND Industrial District**
- FA Forest-Agricultural District**

Section 1-2. Purpose of Districts

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

R-1, Low Density Residential District. The R-1 District is intended to foster, preserve and protect areas of the community in which the principal use of land is for detached, single-family dwellings, and limited residential support facilities at low densities.

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

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

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

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

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

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

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

Section 1-3. Establishment of Official Zoning Map

The boundaries of the use districts established by this Ordinance are shown on the official zoning map which shall be identified by the signature of the Mayor, attested by the City Clerk and maintained at City Hall. The official zoning map and all

amendments, certifications, citations and other matters entered on to the official zoning map are hereby made a part of this Ordinance and have the same legal effect as if fully set out herein.

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

Section 1-4. Amendments to the Official Zoning Map

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

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

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

- (1) Boundaries indicated as approximately following the center lines of streets, highways, alleys, or public utility easements shall be construed to follow such center lines.
- (2) Boundaries indicated as approximately following platted lot or tract lines shall be construed as following such lines, whether public or private.
- (3) Boundaries indicated as approximately following city limits shall be construed as following such city limits.
- (4) Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks.
- (5) Boundaries indicated as approximately following the center lines of natural barriers such as marshes and streams, shall be construed to follow such center lines.

- (6) Boundaries indicated as parallel to, or extensions of features indicated in Subsections 1 through 5 above shall be so construed. If distances are not specifically indicated on the official zoning map, or in other circumstances not covered by Subsections 1 through 5 above, the boundaries shall be determined by the use of scale of such map.
- (7) Where uncertainties continue to exist after the application of the other rules in this Section, appeal for clarification may be taken to the Board of Zoning Appeals.

Section 1-6. Zoning Annexed Property

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

ARTICLE II

ZONE DISTRICT REGULATIONS

Section 2-1. Establishment of Tables

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

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

Section 2-2. Use of Tables

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

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

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

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

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

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

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

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

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

TABLE I

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

	<u>SIC</u>	<u>R-1</u>	<u>R-2</u>	<u>HC</u>	<u>MU</u>	<u>C-1</u>	<u>C-2</u>	<u>IND</u>	<u>FA</u>	<u>REQUIRED OFF-STREET PARKING SPACE(S)</u>
DIVISION A, AGRICULTURE, FORESTRY, FISHING										
Agricultural Production	01									
Crops	01								P	None
Livestock, Animal Specialties	02									None
Livestock, except feedlots (Sec. 3-19)	021/024								C	None
Animal specialties (Sec. 3-19)	027								C	None
General Farms	029								P	None
Agricultural Services	07							P		1.0 per 1,000 s.f. GFA
Veterinary Services	0742						P	P	P	1.0 per 350 s.f. GFA
Animal Shelters & Pounds	0752							P		1.0 per 1,000 s.f. GFA
Landscape & Horticultural	078				P		P	P	P	1.0 per 1,000 s.f. GFA
DIVISION C, CONSTRUCTION										
Bldg. construction-general contract & operative bldrs.	15						P	P		1.0 per 1,000 s.f. GFA
Heavy Construction other than building construction contractors	16							P		1.0 per 1,000 s.f. GFA

	<u>SIC</u>	<u>R-1</u>	<u>R-2</u>	<u>HC</u>	<u>MU</u>	<u>C-1</u>	<u>C-2</u>	<u>IND</u>	<u>FA</u>	REQUIRED OFF-STREET PARKING SPACE(S)
Construction & Special Trade Contractors	17						P	P		1.0 per 1,000 s.f. GFA
DIVISION D, MANUFACTURING (Sec. 3-9)										
Food & kindred products	20							C		1.0 per 500 s.f. GFA
Tobacco Products	21							C		1.0 per 500 s.f. GFA
Textile mill products	22							C		1.0 per 500 s.f. GFA
Apparel & other finished prod. made from fabrics & similar materials	23							C		1.0 per 500 s.f. GF
Lumber & wood products, except furniture	24							C		1.0 per 500 s.f. GFA
Furniture & fixtures	25							C		1.0 per 500 s.f. GFA
Paper & allied products	26							C		1.0 per 500 s.f. GFA
Printing, publishing & allied indust.	27					P	P	P		1.0 per 500 s.f. GFA
Chemicals & allied products	28							C		1.0 per 500 s.f. GFA
Petroleum refining & related indust.	29									
Rubber & misc. plastic prod.	30							C		1.0 per 500 s.f. GFA
Leather & leather prod.	31							C		1.0 per 500 s.f. GFA
Stone, clay, glass & concrete prod.	32							C		1.0 per 1,000 s.f. GFA
Primary metal ind.	33							C		1.0 per 1,000 s.f. GFA
Fabricated metal products, except machinery & transportation equip.	34							C		1.0 per 500 s.f. GFA

DIVISION D (continued)	SIC	R-1	R-2	HC	MU	C-1	C-2	IND	FA	REQUIRED OFF-STREET PARKING SPACE(S)
Industrial & commercial machinery and computer equip.	35							C		1.0 per 500 s.f. GFA
Electronic & other electrical equipment & components, except computer equip.	36							C		1.0 per 500 s.f. GFA
Transportation equipment	37							C		1.0 per 500 s.f. GFA
Measuring, analyzing & controlling instruments; photographic, medical & optical goods; watches & clocks	38							C		1.0 per 500 s.f. GFA
Misc. manufacturing indust.	39							C		1.0 per 500 s.f. GFA
DIVISION E, TRANSPORTATION, COMMUNICATIONS, ELECTRIC, GAS & SANITARY SERVICES										
Railroad Transportation	40					P	P	P		1.0 per 500 s.f. GFA
Local & suburban transit & interurban highway passenger transport	41					P	P	P		1.0 per 500 s.f. GFA
Motor freight transport. & warehousing	42					P	P	P		1.0 per 500 s.f. GFA
Mini-warehouses (Sec. 3-10)	4225						C	P		1.0 per 6 storage units
U.S. Postal Service	43			P	P	P	P	P		1.0 per 250 s.f. GFA
Transportation by Air	45							P	P	1.0 per 500 s.f. GFA
Transportation Services	47					P	P	P		1.0 per 500 s.f. GFA
Communications	48				P	P	P	P		1.0 per 500 s.f. GFA

DIVISION E (continued)	SIC	R-1	R-2	HC	MU	C-1	C-2	IND	FA	REQUIRED OFF-STREET PARKING SPACE(S)
Communication towers & antennas (Sec. 3-11)	48			C	C	C	C	C	C	None
Electric, gas & sanitary services	49									
Electric	491									
Generation	491							P		1.0 per 500 s.f. GFA
Transmission	491	P	P	P	P	P	P	P	P	
Natural Gas	492									
Storage	492						P	P	P	1.0 per 500 s.f. GFA
Transmission	492	P	P	P	P	P	P	P	P	
Water supply systems	494									
Transmission	494	P	P	P	P	P	P	P	P	1.0 per 500 s.f. GFA
Storage/Treatment	494					P	P	P	P	
Sewerage systems	4952									
Collection	4952	P	P	P	P	P	P	P	P	1.0 per 500 s.f. GFA
Treatment	4952						P	P	P	
Refuse systems (Sec. 3-9)	4953							C		1.0 per 500 s.f. GFA
Air conditioning supply	496						P	P		1.0 per 500 s.f. GFA
DIVISION F, WHOLESALE TRADE										
Wholesale trade-durable goods	50						P	P		1.0 per 5,000 s.f. GFA
Scrap & waste materials (Sec. 3-12)	5093/5015							C		1.0 per 5,000 s.f. GFA
Wholesale trade-nondurable goods	51						P	P		1.0 per 5,000 s.f. GFA
DIVISION G, RETAIL TRADE										
Building materials, hardware, garden supply & mobile home dealers	52									
Lumber & bldg. materials	521						P	P		1.0 per 1,000 s.f. GFA

DIVISION G (continued)	SIC	R-1	R-2	HC	MU	C-1	C-2	IND	FA	REQUIRED OFF-STREET PARKING SPACE(S)
Paint, glass & wallpaper	523					P	P	P		1.0 per 350 s.f. GFA
Hardware stores	525					P	P	P		1.0 per 350 s.f. GFA
Retail nurseries, lawn & garden sup.	526				P	P	P	P		1.0 per 350 s.f. GFA
Mobile home dealers	527						P			1.0 per 600 s.f. GFA
General Merchandise stores	53					P	P			1.0 per 350 s.f. GFA
Food stores	54					P	P	P		1.0 per 350 s.f. GFA
Convenience & Food Stores	5411					P	P	P		1.0 per 350 s.f. GFA
Automotive dealers & gasoline service stations	55						P	P		1.0 per 600 s.f. GFA
Motor vehicle dealers	551/552						P	P		1.0 per 600 s.f. GFA
Auto, home supply stores	553					P	P	P		1.0 per 350 s.f. GFA
Gasoline service stations	554						P	P		1.0 per 600 s.f. GFA
Truck stops	554						P	P		1.0 per 600 s.f. GFA
Boat dealers	555						P	P		1.0 per 600 s.f. GFA
Recreational vehicle dealers	556						P	P		1.0 per 600 s.f. GFA
Motor cycle dealers	557						P	P		1.0 per 600 s.f. GFA
Dealers not otherwise classified	559						P	P		1.0 per 600 s.f. GFA
Apparel & accessory stores	56					P	P			1.0 per 350 s.f. GFA
Home furniture, furnishings & equipment stores	57					P	P			1.0 per 350 s.f. GFA
Eating places	5812			P		P	P	P		1.0 per 150 s.f. GFA

DIVISION G (continued)	SIC	R-1	R-2	HC	MU	C-1	C-2	IND	FA	REQUIRED OFF-STREET PARKING SPACE(S)
Drinking places	5813					P	P	P		1.0 per 150 s.f. GFA
Miscellaneous retail	59					P	P			1.0 per 350 s.f. GFA
Drug & proprietary	591			P		P	P			1.0 per 350 s.f. GFA
Liquor stores	592					P	P			1.0 per 350 s.f. GFA
Used merchandise, except pawm shops & flea markets	593					P	P			1.0 per 350 s.f. GFA
Pawm shops	593					P	P			
Flea Markets	593						P			1.5 per stall
Miscellaneous stores	594					P	P			1.0 per 350 s.f. GFA
Sporting goods & bicycle shops	5941					P	P			1.0 per 350 s.f. GFA
Book stores	5942			P	P	P	P			1.0 per 350 s.f. GFA
Stationery shops	5943			P	P	P	P			1.0 per 350 s.f. GFA
Jewelry stores	5944					P	P			1.0 per 350 s.f. GFA
Hobby, toy & game shops	5945					P	P			1.0 per 350 s.f. GFA
Camera & photography supply	5946				P	P	P			1.0 per 350 s.f. GFA
Gift, novelty & souvenir shops	5947			P	P	P	P			1.0 per 350 s.f. GFA
Luggage & leather goods stores	5948					P	P			1.0 per 350 s.f. GFA
Sewing, needle & piece goods	5949				P	P	P			1.0 per 350 s.f. GFA
Non-store Retailers	596				P	P	P			1.0 per 500 s.f. GFA

DIVISION G (continued)	SIC	R-1	R-2	HC	MU	C-1	C-2	IND	FA	REQUIRED OFF-STREET PARKING SPACE(S)
Fuel dealers	598						P	P		1.0 per 500 s.f. GFA
Retail not elsewhere classified, except grave monuments, fireworks, sexually oriented	599					P	P			1.0 per 350 s.f. GFA
Grave stones, monuments	5999						P	P		1.0 per 500 s.f. GFA
Sexually oriented business (Sec. 3-13)	5999/7299						C			1.0 per 350 s.f. GFA
DIVISION H, FINANCE, INSURANCE AND REAL ESTATE										
Depository Institutions	60			P	P	P	P			1.0 per 350 s.f. GFA
Nondepository Institutions	61				P	P	P			1.0 per 350 s.f. GFA
Security & commodity brokers, dealers, exchanges & services	62				P	P	P			1.0 per 350 s.f. GFA
Insurance carriers	63				P	P	P			1.0 per 350 s.f. GFA
Insurance agents, brokers & service	64				P	P	P			1.0 per 350 s.f. GFA
Real Estate	65				P	P	P			1.0 per 350 s.f. GFA
Cemeteries	6531/6553						P	P	P	None
Holding & other investment offices	67				P	P	P			1.0 per 350 s.f. GFA
DIVISION I, SERVICES										
Hotels, Rooming houses, camps, and other lodging	70									
Hotels & motels	701					P	P			1.5 per rental unit

DIVISION I (continued)	SIC	R-1	R-2	HC	MU	C-1	C-2	IND	FA	REQUIRED OFF-STREET PARKING SPACE(S)
Bed & Breakfast Inns (Sec. 3-7)	7011	C	C		C		P			1.0 per bedroom
Rooming & boarding houses, dormitories, group housing	702/704		P		P		P			1.0 per bedroom
Camps & recreational vehicle parks (Sec.3-14)	703						C		C	Not Applicable
Personal services	72									
Laundry, cleaning & garment serv.	721					P	P	P		1.0 per 500 s.f. GFA
Photographic studios, portraits	722				P	P	P			1.0 per 300 s.f. GFA
Beauty shops	723				P	P	P			2.5 per chair or basin
Barber shops	724				P	P	P			2.5 per chair or basin
Shoe repair, shoe shine shops	725					P	P			1.0 per 300 s.f. GFA
Funeral service, except crematories	728				P	P	P			5.0, plus 1.0 per 2 seats main assembly
Crematories	726							P		1.0 per 500 s.f. GFA
Misc. personal services	729					P	P			1.0 per 300 s.f. GFA
Business Services	73				P	P	P			1.0 per 300 s.f. GFA
Salvaging & scrap steel cutting (Sec. 3-9)	7389							C		1.0 per 300 s.f. GFA
Signs	NA									SEE ARTICLE V
Automotive parking	752			P	P	P	P	P		None

DIVISION I (continued)	SIC	R-1	R-2	HC	MU	C-1	C-2	IND	FA	REQUIRED OFF-STREET PARKING SPACE(S)
Automotive repair & services	75						P	P		1.0 per 500 s.f. GFA
Car washes	7542						P	P		None
Miscellaneous Repair	76						P	P		1.0 per 350 s.f. GFA
Motion picture dist. & allied services, video tape rental	78				P	P	P			1.0 per 350 s.f. GFA
Motion picture theaters	783					P	P			1.0 per 5 seats
Amusement & recreation services	79									
Dance studio & schools	791				P	P	P			1.0 per 200 s.f. GFA
Theatrical producers	792					P	P			1.0 per 300 s.f. GFA
Bowling centers	793						P			5.0 per lane
Commercial sports	794						P			By Individual Review
Miscellaneous Amusement	799					P	P			By Individual Review
Physical fitness facilities	7991			P	P	P	P			1.0 per 300 s.f. GF
Public golf courses	7992	P	P				P		P	5.0 per hole
Coin operated amusement (Sec. 3-15)	7993					C	C			1.0 per 200 s.f. GFA
Amusement parks	7996						P			By Individual Review
Misc. amusement services	7997						P			By Individual Review
Recreational, golf, tennis & swimming clubs	7997	P	P		P		P			1.0 per 4 members based on maximum anticipated membership

DIVISION I (continued)	SIC	R-1	R-2	HC	MU	C-1	C-2	IND	EA	REQUIRED OFF-STREET PARKING SPACE(S)
Amusement & recreation services not elsewhere classified	7999						P			By Individual Review
Fairs, carnivals (Sec. 3-16)	7999						C	C		
Public parks & playgrounds	7999	P	P	P	P	P	P	P	P	
Health Services	80			P			P			1.0 per 150 s.f. GFA
Offices & clinics of doctors of medicine	801			P	P	P	P			1.0 per 150 s.f. GFA
Offices & clinics of dentists	802			P	P	P	P			1.0 per 150 s.f. GFA
Offices & clinics of doctors of osteopathy	803			P	P	P	P			1.0 per 150 s.f. GFA
Offices & clinics of other health practitioners	804			P	P	P	P			1.0 per 150 s.f. GFA
Nursing & personal care facilities	805			P	P		P			0.4 per bed
Hospitals	806			P						0.7 per bed
Medical & dental laboratories	807			P			P	P		1.0 per 500 s.f. GFA
Home health care services	808			P	P	P	P			1.0 per 500 s.f. GFA
Misc. health & allied services	809			P			P			1.0 per 500 s.f. GFA
Legal Services	81				P	P	P			1.0 per 350 s.f. GFA
Educational Services	82									
Elementary schools	821	P	P		P		P			2.0 per classroom, plus 5 admin. spaces
Secondary schools	821	P	P		P		P			5.0 per classroom, plus 10 admin. spaces

DIVISION I (continued)	SJC	R-1	R-2	HC	MU	C-1	C-2	IND	EA	REQUIRED OFF-STREET PARKING SPACE(S)
Colleges, universities, professional schools	822					P	P			5.0 per classroom, plus 2 per admin. office
Libraries	823				P	P	P			1.0 per 350 s.f. GFA
Vocational schools	824				P	P	P	P		5.0 per classroom, plus 2 per admin. office
Other schools & educ. serv.	829				P	P	P			5.0 per classroom, plus 2 per admin. office
Social Services	83					P	P			1.0 per 350 s.f. GFA
Individual & family soc. serv.	832					P	P			1.0 per 350 s.f. GFA
Job training & vocational rehabilitation services	833					P	P	P		1.0 per 350 s.f. GFA
Child day care services	835				P		P			1.0 per 200 s.f. GFA
Residential care	838		P	P			P			1.0 per 500 s.f. GFA
Other social services	839			P	P	P	P			1.0 per 500 s.f. GFA
Museums, Art Galleries, and Zoological Gardens	84									
Museums & art galleries	841				P	P	P			1.2 per 1,000 s.f. GFA
Arboreta, botanical, zoological gardens	842						P			1.2 per 1,000 s.f. GFA
Membership Organizations, i.e. religious, fraternal, professional, political, civic, business	86			P	P	P	P	P		1.0 per 250 s.f. GFA

DIVISION I (continued)	SIC	R-1	R-2	HC	MU	C-1	C-2	IND	FA	REQUIRED OFF-STREET PARKING SPACE(S)
Religious Organizations	866	P	P	P	P	P	P	P	P	1.0 per 250 s.f. GFA
Engineering, accounting, research management & related services	87				P	P	P	P		1.0 per 350 s.f. GFA
Misc. services, i.e. artists, authors geologists, etc.	89				P	P	P			1.0 per 350 s.f. GFA
DIVISION J, PUBLIC ADMINISTRATION										
Executive, legislative & general government, except finance	91				P	P	P			1.0 per 350 s.f. GFA
Justice, public order & safety	92					P	P			1.0 per 350 s.f. GFA
Courts	921					P	P			1.0 per 350 s.f. GFA
Public order & safety	922	P	P	P	P	P	P	P	P	1.0 per 350 s.f. GFA
Correctional Institution	9223					P	P	P		1.0 per jail cell, plus 1.0 per 250 s.f. GFA
Fire protection	9224	P	P	P	P	P	P	P	P	4.0 per bay
Public finance, taxation & monetary policy	93				P	P	P			1.0 per 350 s.f. GFA
Administration & human resources	94			P	P	P	P			1.0 per 350 s.f. GFA
Administration of environmental quality & housing programs	95				P	P	P			1.0 per 350 s.f. GFA
Administration of economic programs	96				P	P	P			1.0 per 350 s.f. GFA
RESIDENTIAL USES										
Single-family detached housing	NA	P	P	P	P		P		P	2.0 per unit
Manufactured housing (Sec. 3-2)	NA		C						C	2.0 per unit

RESIDENTIAL USES (continued)	SIC	R-1	R-2	HC	MU	C-1	C-2	IND	EA	REQUIRED OFF-STREET PARKING SPACE(S)
Duplexes	NA		P				P			2.0 spaces per unit
Mobile homes (Sec. 3-3)	NA		See Section 3-3							
Manufactured home parks (Sec. 3-4)	NA		C							2.0 spaces per unit
Townhouses (Sec. 3-5)	NA		C				C			2.0 spaces per unit
Patio houses (Sec. 3-6)	NA		C				C			2.0 spaces per unit
Triplex, quadraplex	NA		P				P			1.5 spaces per one bedroom unit; 2.0 spaces per unit for all others
Multi-family, apartments (Sec. 3-17)	NA		P			C	P			2.0 spaces per unit
ACCESSORY USES TO RESIDENTIAL USES (Sec. 7-7.2)										
Bathhouses, cabanas	NA	P	P	P	P	NA	P	NA	P	None
Domestic animal shelters	NA	P	P	P	P	NA	P	NA	P	None
Non-commercial greenhouses	NA	P	P	P	P	NA	P	NA	P	None
Private garage & carport	NA	P	P	P	P	NA	P	NA	P	None
Storage Building	NA	P	P	P	P	NA	P	NA	P	None
Swimming pool, tennis courts	NA	P	P	P	P	NA	P	NA	P	None
Auxiliary shed, workshop	NA	P	P	P	P	NA	P	NA	P	None
Home occupation	NA	P	P	P	P	NA	P	NA	P	None
Horticulture, gardening	NA	P	P	P	P	NA	P	NA	P	None

ACCESSORY USES TO RESIDENTIAL USES (Sec. 7-7.2) (continued)

	<u>SIC</u> 836	<u>R-1</u> P	<u>R-2</u> P	<u>HC</u> P	<u>MU</u> P	<u>C-1</u> NA	<u>C-2</u> P	<u>IND</u> NA	<u>FA</u> P	REQUIRED OFF-STREET PARKING SPACE(S)
Family day care home										None
Satellite dishes	NA	P	P	P	P	NA	P	NA	P	None
Accessory apartment (Sec.3-8)	NA	C	C	C	C	NA	P	NA		None

ACCESSORY USES TO NON-RESIDENTIAL USES

Buildings, structures	NA	P	P	P	P	P	P	P	P	None
Open storage (Sec. 3-18)	NA						C	C	C	None
TEMPORARY USES (SEC. 3-16)	NA		C	C	C	C	C	C	C	By Individual Review

TABLE II

**SCHEDULE OF LOT AREA, YARD, SETBACK, HEIGHT, DENSITY, FLOOR AREA AND
IMPERVIOUS SURFACE REQUIREMENTS, BY DISTRICT**

District	Minimum Lot			Minimum Yard and Building Setback (ft.)									
	Area (s.f.)		Width(ft.)	FRONT(A)		SIDE		REAR		Maximum Height (ft.)(B)	Maximum Impervious Surface Ratio	Maximum Residential Density(C)	Maximum Floor Area Ratio:Non- Res.Uses(D)
	Res.	Non-Res.		Major Street	Minor Street	Res.	Non-Res.	Res.	Non-Res.				
R-1	10,000	15,000	100	40	25	10	30	20	50	35	.45	4.0	.25
R-2	(E)	15,000	60	40	25	7.5	30	20	40	40	.55	10.0	.25
HC	6,000	6,000	60	40	25	7.5	7.5	20	20	50	.75	4.0	None
MU	6,000	6,000	60	40	25	7.5	7.5	20	20	35	.55	4.0	None
C-1	NA	2,500	20	None	None	(F)	(F)	(F)	(F)	50	1.00	NA	NA
C-2	(E)	6,000	60	40	25	7.5	7.5	20	20	40	.85	10.0	None
IND	NA	20,000	150	40	25	NA	40	NA	40	None	.85	NA	None
FA	5 ac.	1 ac.	150	60	40	25	50	50	50	50	.15	0.2	.10

(A) through (F) See Notes to Table II.

Refer to Section 7.2 for yard and setback modifications.

(s.f.) = square feet

(ft.) = feet

NA = Not Applicable

ac. = acres

NOTES TO TABLE II

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

ARTICLE III

CONDITIONAL USE REGULATIONS

Section 3-1. Application

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

Section 3-2. Manufactured Housing

Manufactured housing, where permitted by this Ordinance, shall:

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

- (8) Be maintained in habitable condition, as defined in Section 3-3.

Section 3-3. Mobile Homes

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

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

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

with an approved listed smoke detector, installed in accordance with the manufacturer's recommendations and listing. When activated, the detector shall provide an audible alarm.

- (6) The Zoning Administrator shall periodically inspect existing mobile/manufactured homes for compliance with the provisions of this Section.

Section 3-4. Manufactured Home Parks

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

- (1) The park site shall be not less than two (2) acres, and have not less than 200 feet frontage on a public dedicated and maintained street or road.
- (2) The park shall be served by public water and sewer systems, a system of storm drainage, and refuse disposal facilities, plans of which shall be approved by local DHEC officials.
- (3) All dwelling spaces shall abut upon an all-weather surface driveway of not less than eighteen (18) feet in width which shall have unobstructed access to a public street.
- (4) A description of the procedures of any proposed home owners association or other group maintenance agreement must be submitted to and approved by the City Attorney.
- (5) All on-site roadway intersections shall be provided with a street light, and interior lights shall be provided at not less than 400-foot intervals.
- (6) Each individual home site shall be at least 30 feet from any other site.
- (7) All homes shall be installed in accord with the installation requirements of Section 19-425.39 of the South Carolina Manufactured Housing Board Regulations.
- (8) Not less than 10 percent of the park site shall be set aside and developed for common open space and recreation usage.

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

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

Section 3-5. Townhouses

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

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

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

Section 3-6. Patio and Zero Lot Line Housing

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

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

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

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

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

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

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

Section 3-8. Accessory Apartments

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

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

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

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

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

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

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

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

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

Table III
Night Time Schedule

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

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

Table IV
Day Time Schedule

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

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

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

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

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

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

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

conducted so as to comply with the performance standards governing exterior illumination prescribed below.

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

Maximum Intensity of Light Sources

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3-13.1 Location

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

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

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

3-13.2 License Required

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

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

3-13.3 Expiration of License

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

3-13.4 Fees

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

3-13.5 Inspection

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

3-13.6 Suspension

The Zoning Administrator shall suspend a permit and/or license for a period not to exceed thirty (30) days if determined that a permittee and/or licensee or an employee of a permittee and/or licensee has:

- (1) Violated or is not in compliance with any section of this Ordinance.
- (2) Engaged in excessive use of alcoholic beverages while on the sexually oriented business premises.
- (3) Refused to allow an inspection of the sexually oriented business premises as authorized by this Section.
- (4) Knowingly permitted gambling by any person on the sexually oriented business premises.

3-13.7 Revocation

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

determined that:

- (a) A permittee and/or licensee gave false or misleading information in the material submitted to the building department during the application process.
- (b) A permittee and/or licensee or an employee has knowingly allowed possession, use or sale of controlled substances on the premises.
- (c) A permittee and/or licensee or an employee has knowingly allowed prostitution on the premises.
- (d) A permittee and/or licensee or an employee knowingly operated the sexually oriented business during a period of time when the permittee's and/or licensee's permit and/or license was suspended.
- (e) A permittee and/or licensee or an employee has knowingly allowed any act of sexual intercourse, sodomy, oral copulation, masturbation, or other sexual conduct to occur in or on the permitted and/or licensed premises.
- (f) A permittee and/or licensee is delinquent in payment to the city or state for any taxes or fees past due.

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

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

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

percent of the project site.

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

Street Frontage 50'

All other property lines 25'

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

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

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

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

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

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

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

Section 3-16 Temporary Services

3-16.1 Permit Required

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

or disruption may have its temporary permit revoked by the Zoning Administrator.

3-16.2 Type and Location

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

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

3-16.3 Removal

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

3-16.4 Off-Street Parking

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

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

Section 3-17 Apartments in the C-1 District

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

Section 3-18 Open Storage

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

Section 3-19 Livestock and Animal Specialties

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

ARTICLE IV

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

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

Section 4-1. Buffer Areas

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

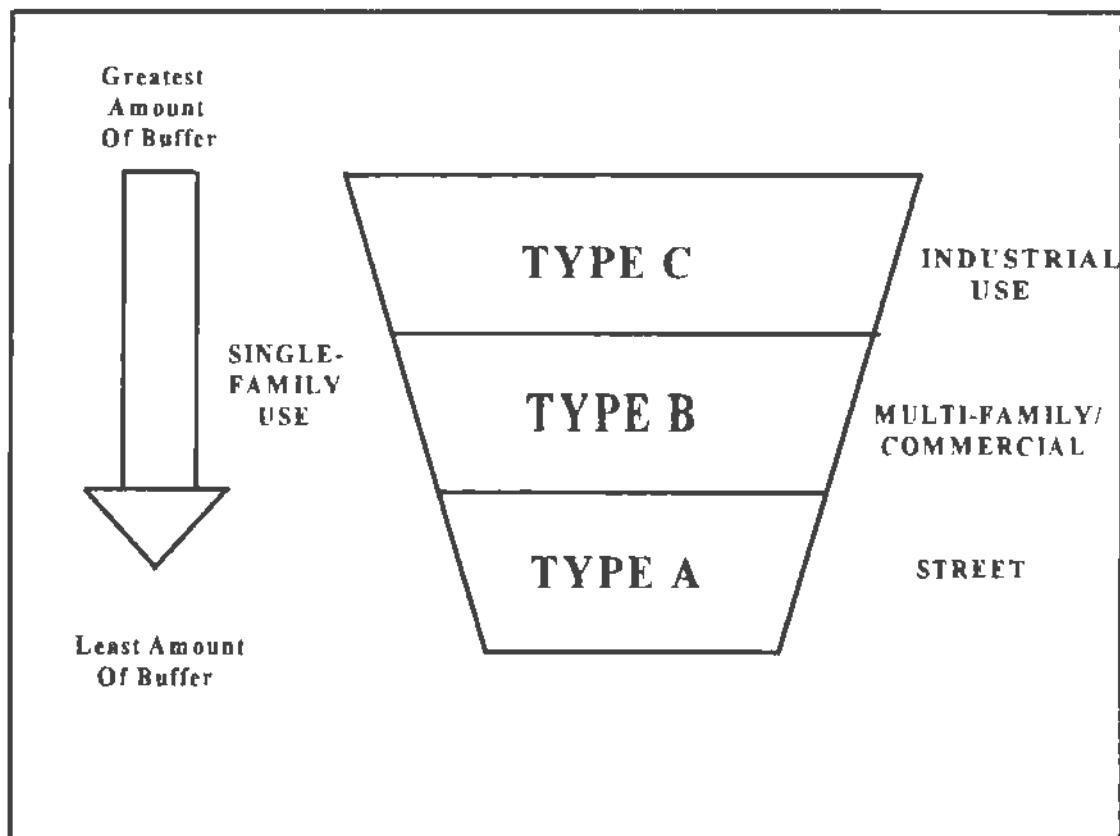
4-1.2 Purpose. The purpose of a buffer area is to ameliorate any potential adverse impact between adjacent land uses and streets, and promote land use compatibility.

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

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

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

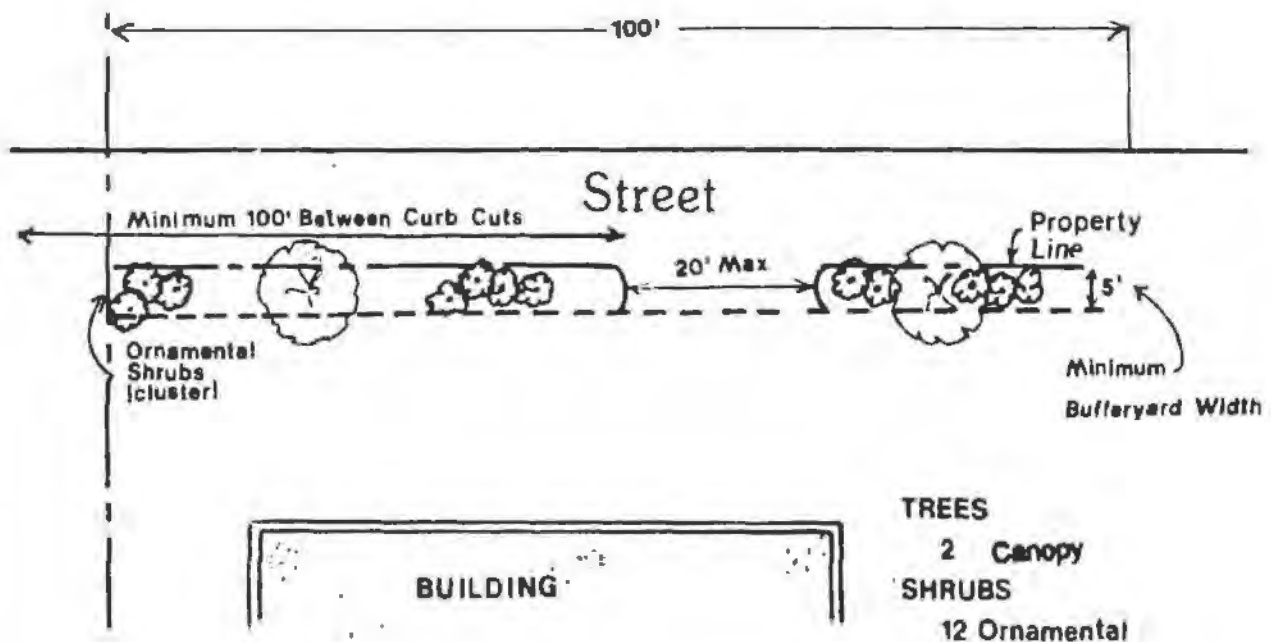
- (2) **Type B Buffer Area Required.** Wherever a multi-family building, mini-warehouse, institutional or commercial use is proposed for a site or lot adjoining a single-family residential or duplex dwelling in the R-1 or R-2 Districts with no intervening public or private street or right-of-way of eighteen (18) feet or greater, a Type B Buffer Area shall be provided along the boundary of the adjoining residential property line.
- (3) **Type C Buffer Area Required.** Wherever an industrial, warehouse, outdoor storage, or related use is proposed for a site or lot adjoining any residential use in the R-1 or R-2 Districts with no intervening public or private street or right-of-way of eighteen (18) feet or greater, a Type C Buffer Area shall be provided along the boundary of the adjoining residential property line.



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

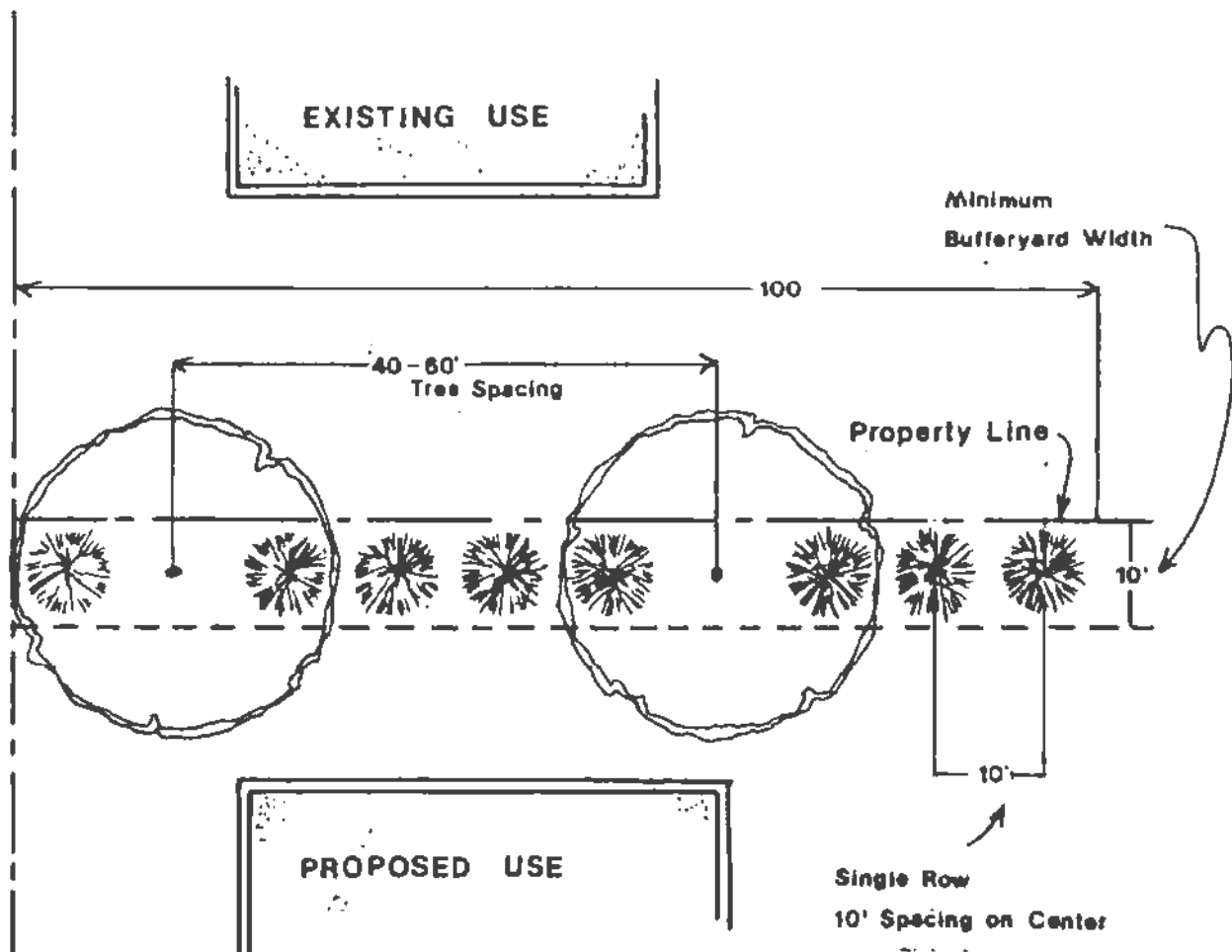
- (1) **Type "A" Buffer Area.** The Type A Buffer Area consists of low density landscaping and minimal acceptable separation between uses. The buffer area shall be not less than five (5) feet in width. Per 100 lineal feet of frontage, the buffer area shall consist of a combination of not less than 12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

TYPE "A" BUFFER AREA



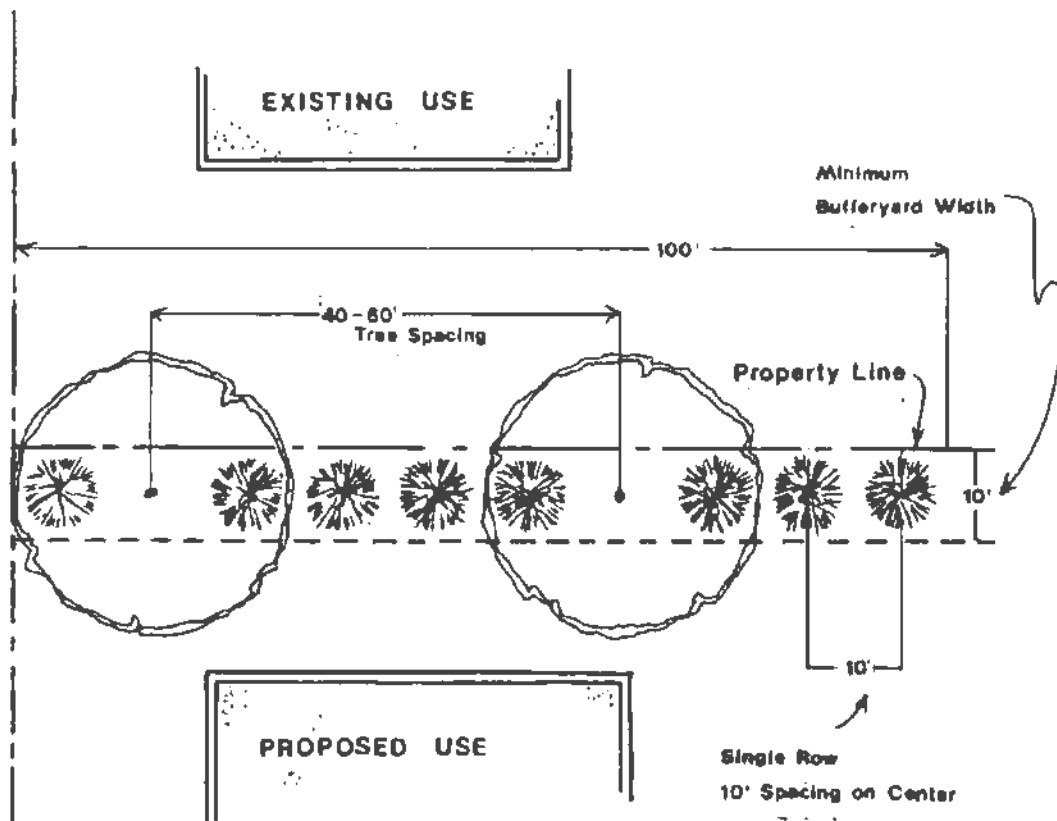
- (2) **Type "B" Buffer Area.** The Type B Buffer Area is a medium density screen intended to block visual contact between uses and to create spatial separation. The buffer area shall be a minimum width of 10 feet. Per 100 lineal feet the screen shall consist of a combination of 2 deciduous trees planted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

TYPE "B" BUFFER AREA



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

TYPE "C" BUFFER AREA



4-1.6 Buffer Area Specifications

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

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

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

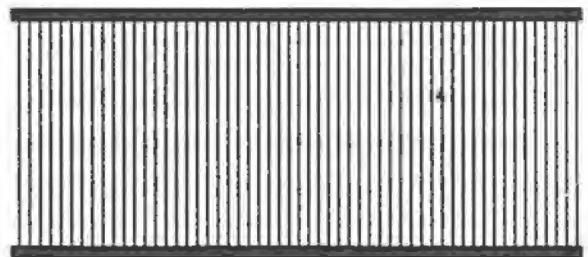
- (1) **Existing Plant Materials.** Existing trees of 4 inches DBH (Diameter Breast High) or more in diameter, within the required buffer area may be included in the computation of the required buffer area planting, with approval of the Zoning Administrator.
- (2) **Fence or Wall.** Where, owing to existing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

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

Fence and Wall Illustrations



Masonry Wall



Wood Stockpile

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

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

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

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

Section 4-2. Screening

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

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

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

4-2.4 Type Screening Required. Screening shall be accomplished by an opaque divide not less than eight (8) feet high. Screening may be accomplished by the use of sight obscuring plant materials (generally evergreens), earth berms, walls, fences, proper siting of disruptive elements, building placement or other design techniques approved by the Zoning Administrator.

Section 4-3 Landscaping

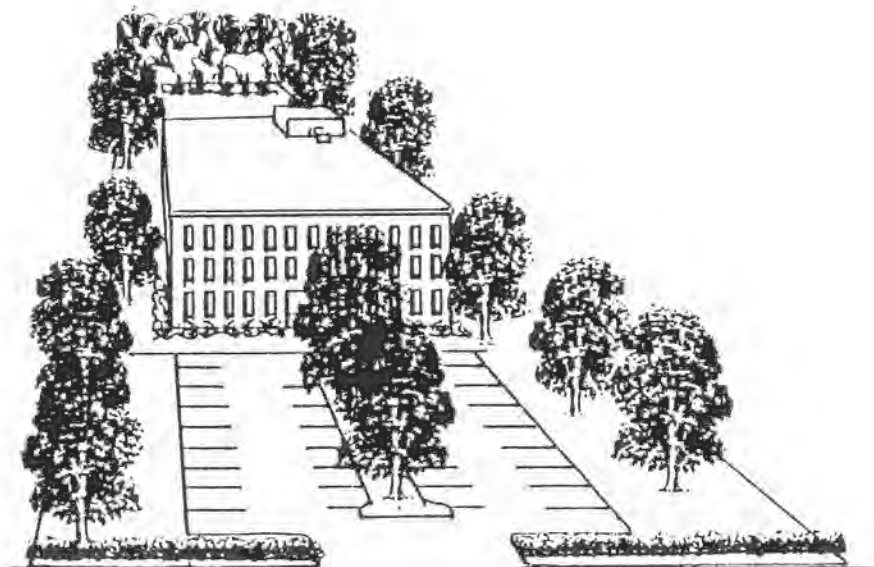
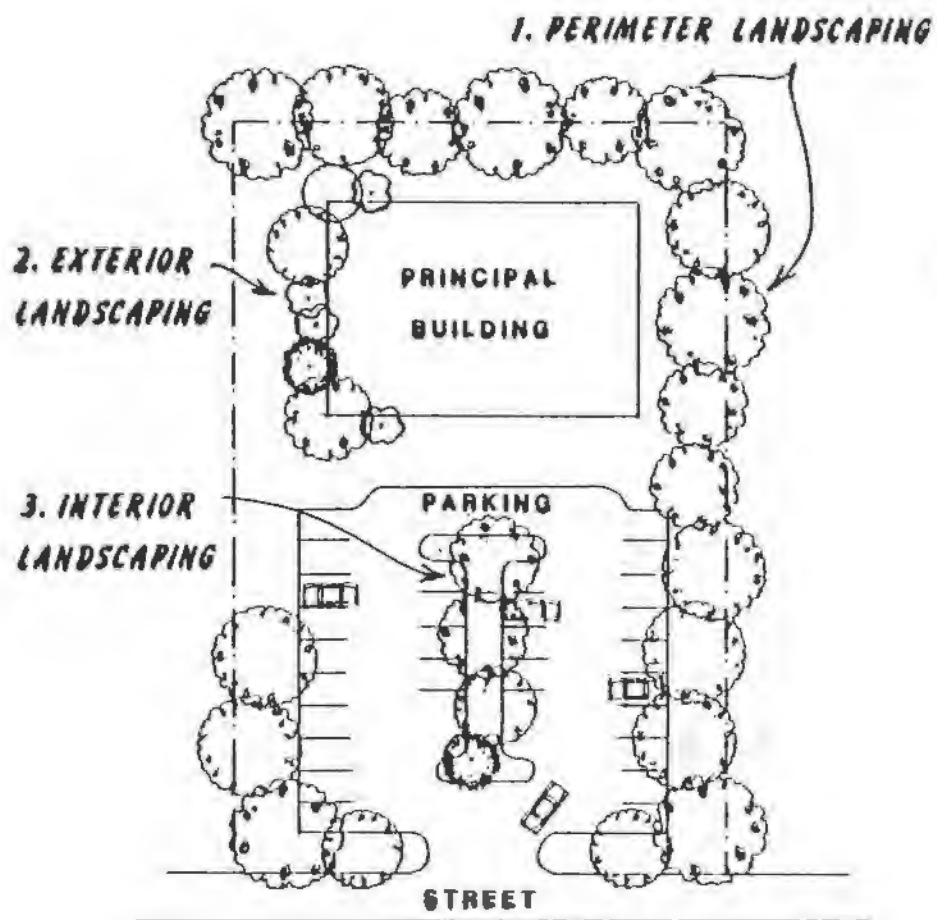
4-3.1 Definition. Landscaping is a type of open space permanently devoted and maintained for the growing of shrubbery, grass, other plants and decorative features to the land.

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

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

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

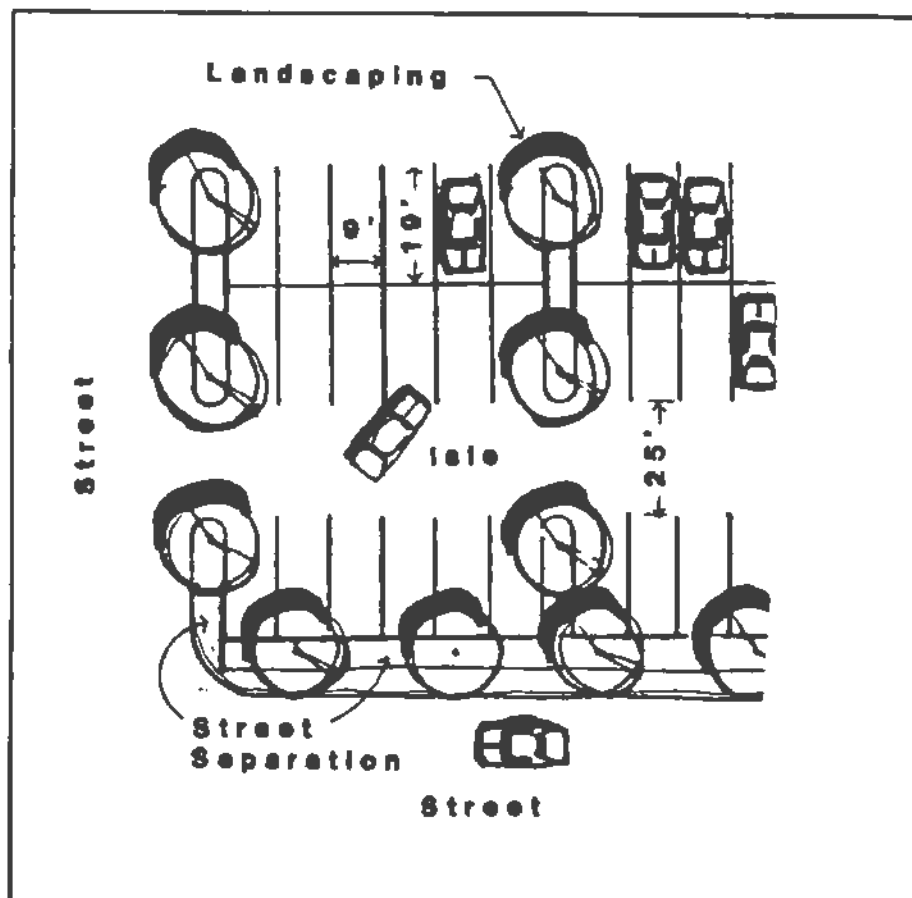
- (1) Designate areas to be reserved for landscaping. The specific design of landscaping shall be sensitive to the physical and design characteristics of the site.
- (2) Indicate the location and dimensions of landscaped areas, plant materials, decorative features, etc.



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

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

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



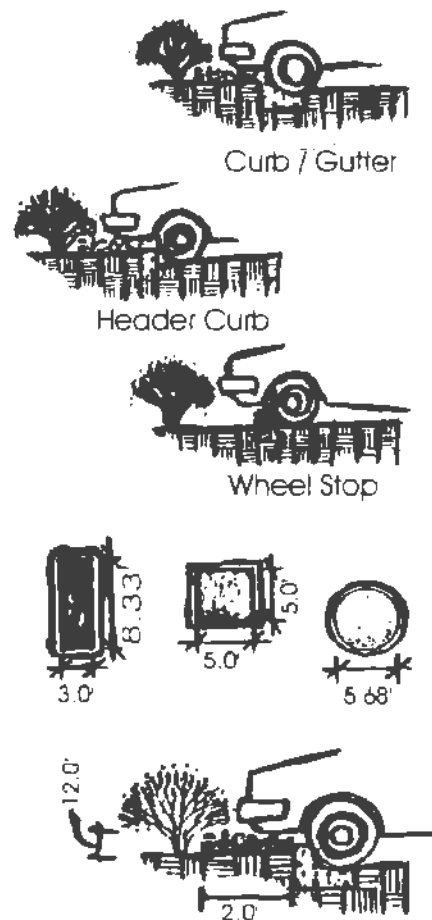
At a minimum, interior lot landscaping shall be provided in the following amounts:

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

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

4-3.6 Landscaped Areas

- (1) All landscaped areas in or adjacent to parking areas shall be protected from vehicular damage by a raised concrete curb or an equivalent barrier of six inches in height. The barrier need not be continuous.
- (2) Landscaped areas must be at least 25 square feet in size and a minimum of three feet wide to qualify.
- (3) Landscaped areas adjacent to parking spaces shall be landscaped so that no plant material greater than 12 inches in height is located within two feet of the curb or other protective barrier.



(Plant material greater than 12 inches in height would be damaged by the automobile bumper overhang or by doors swinging open over the landscaped areas.)

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

Section 4-4. Common Open Space

- 4-4.1 Definition.** Common open space is land and/or water bodies used for recreation, amenity or buffer; it shall be freely accessible to all residents and property owners of a development, where required by this Ordinance. Open space shall not be occupied by buildings or structures other than those in conjunction with the use of the open space, roads, or parking nor shall it include the yards or lots of residential dwelling units required to meet minimum lot area or parking area requirements.
- 4-4.2 Purpose.** The purpose of this section is to ensure adequate open space for high density residential development; to integrate recreation, landscaping, greenery and/or natural areas into such projects; to promote the health and safety of residents of such projects; and to compensate for the loss of open space inherent in single-family residential projects.
- 4-4.3 Where Required.** The following uses/projects consisting of nine or more units shall provide common open space in the amounts prescribed:

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

- (1) **New Sites:** No proposed development, building or structure in connection with the above shall hereafter be erected or used unless common open space is provided in accord with the provisions of this section.
- (2) **Existing Sites:** Expansion or enlargement of an existing building or structure of 50 percent or more shall meet in full the minimum common open space requirements of this section for the entire site. Expansion or enlargement involving less than 50 percent shall meet the minimum requirements for the enlargement only.

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

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

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

- (1) **Natural areas** are areas of undisturbed vegetation or areas replanted with vegetation after construction. Woodlands and wetlands are specific types of natural areas. Maintenance is limited to removal of litter, dead trees, plant materials, and brush. Natural water courses are to be maintained as free-flowing and devoid of debris. Stream channels shall be maintained so as not to alter floodplain levels.
- (2) **Recreational areas** are designed for specific active recreational uses such as tot lots, tennis courts, swimming pools, ballfields, and similar

uses. Recreational areas shall be accessible to all residents of the development. Maintenance is limited to ensuring that there exist no hazards, nuisances, or unhealthy conditions.

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

4-4.6 Preservation of Open Space

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

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

In the event that any private owner of open space fails to maintain same, the city may in accordance with the Open Space Plan and following reasonable notice, demand that deficiency of maintenance be corrected, and enter the open space to maintain same. The cost of such maintenance shall be charged to those persons having the primary responsibility for maintenance of the open space.

Section 4-5. Tree Protection

4-5.1 Purpose. The purpose of this section is to prevent the clear cutting of building sites, a practice which destroys the balance of nature, leads to sedimentation and erosion, contributes to air and water pollution, and unnecessarily robs the community of valuable natural resources.

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

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

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

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

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

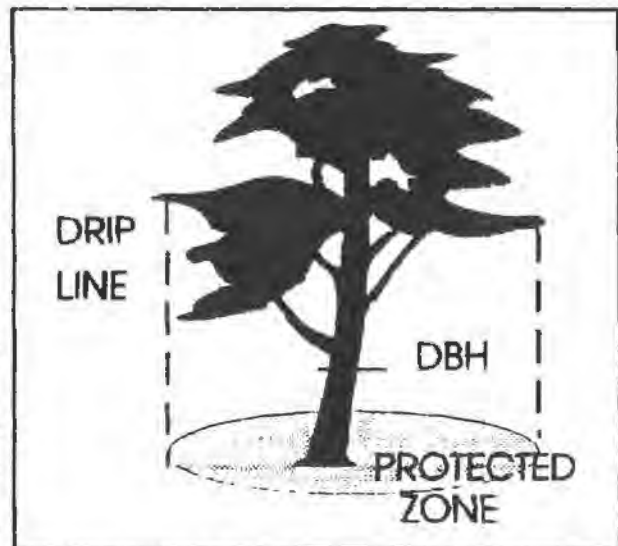
4-5.4 Significant Trees Removed Without Permits

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

4-5.5 Development Precautions

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

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



4-5.6 Cutting, etc. of Significant Trees Prohibited

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

ARTICLE V

SIGN REGULATIONS

Section 5-1. Purpose

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

Section 5-2. Applicability and Conformance

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

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

Section 5-3. Signs on Private Property

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

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

Section 5-4. Common Signage Plan Required

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

TABLE V

REGULATION OF SIGNS BY TYPE, CHARACTERISTICS AND ZONING DISTRICTS

SIGN TYPE	R-1	R-2	INS(3)	HC	MU	C-1	C-2	IND	FA
PERMANENT									
Freestanding									
Principal	N(1)	N(1)	P	P	P	P	P	P	P
Incidental	N	A	A	A	A	A	A	A	A
Building									
Canopy	N	N	N	P	P	P	P	P	N
Identification	A	A	A	A	A	A	A	A	A
Incidental	N	A	A	A	A	A	A	A	N
Marquee	N	N	N	N	P	P	P	P	N
Projecting	N	N	N	N	P	P	P	P	N
Roof	N	N	N	N	N	N	N	N	N
Roof, Integral	N	N	N	N	N	N	P	P	N
Wall	N	N	N	N	N	P	P	P	N
Window	N	N	N	A	A	A	A	A	N
TEMPORARY (2)									
Banner	N	N	N	N	P	P	P	P	N
Posters	A	A	A	A	A	A	A	A	A
Portable	N	N	N	N	N	P	P	N	N
Inflatable	N	N	N	N	N	P	P	N	N
Pennants	N	N	N	N	N	P	P	N	N
SIGN CHARACTERISTICS									
Animated	N	N	N	N	P	P	P	N	N
Changeable Copy	N	N	A	A	A	A	A	A	N
Illumination Indirect	A	A	A	A	A	A	A	A	A
Illumination Internal	A	A	A	A	A	A	A	A	A
Illumination, Exposed bulbs	N	N	N	N	N	N	N	N	N

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

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

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

(a) Subdivision identification and residential project signs, not to exceed 20 square feet in area are permitted in these districts, provided they meet the requirements for a Common Signage Plan, in accord with Section 5-4

(b) This column does not represent a zoning district. It applies to institutional and other non-residential uses permitted under the zoning ordinance in residential zoning districts, i.e. churches, schools, parks, etc.

(c) Not to exceed 300 square feet.

(d) Free standing signs shall be permitted only where yard depth is at least 20 feet

(e) Lots fronting on two or more streets are allowed the permitted signage for each street frontage, but signage cannot be accumulated and used on one street in excess of that allowed for lots with only one street frontage.

NA = Not applicable.

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

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

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

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

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

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

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

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

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

5-5.1 Signs Forfeited

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

Section 5-6. Temporary Signs

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

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

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

Section 5-7. Prohibited Signs

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

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

Section 5-8. Development Standards

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

5-8.1 Visual Clearance At Intersections

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

5-8.2 Vehicle Clearance Area

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

5-8.3 Pedestrian Clearance Area

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

5-8.4 Sign Materials; Code Compliance

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

5-8.5 Sign Illumination

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

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

Section 5-9. Sign Measurement

5-9.1 Sign Face Area

- (1) The area of a sign enclosed in frames or cabinets is determined by measuring the outer dimensions of the frame or cabinet surrounding the sign face (Illustration 1). Sign area does not include foundations or supports. Only one side of a double-faced or V-shaped, free-standing sign is counted.
- (2) For signs on a base material and attached without a frame, such as a wood board or plexiglass panel, the dimensions of the base material are to be used in the measurement unless it is clear that part of the base contains no sign related display or decoration.
- (3) For signs constructed of individual pieces attached to a building wall, sign area is determined by a perimeter drawn around all the pieces (Illustration 2).
- (4) For sign structures containing multiple modules oriented in the same direction, the modules together are counted as one sign face (Illustration 3).
- (5) The maximum surface area visible at one time of a round or three-dimensional sign is counted to determine sign area.
- (6) For signs incorporated into awnings, the entire panel containing the sign is counted as the sign face unless it is clear that part of the panel contains no sign related display or decoration.

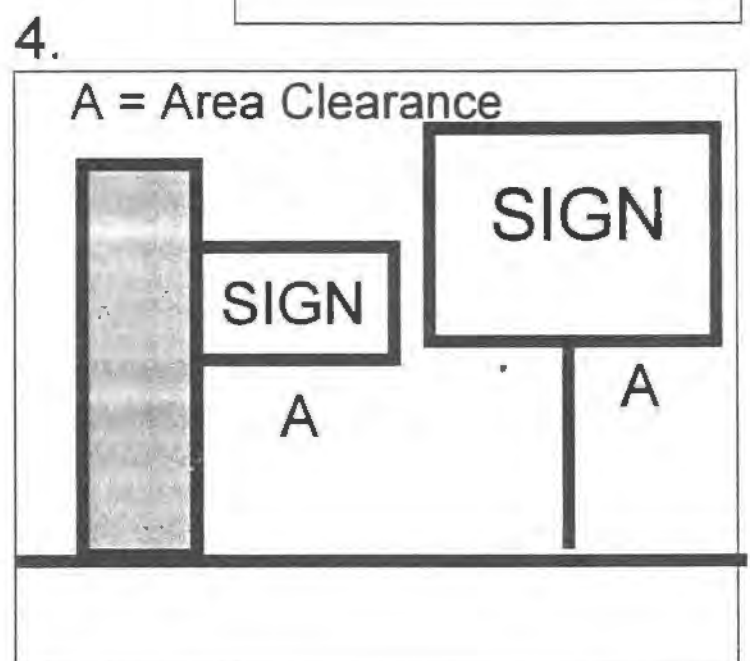
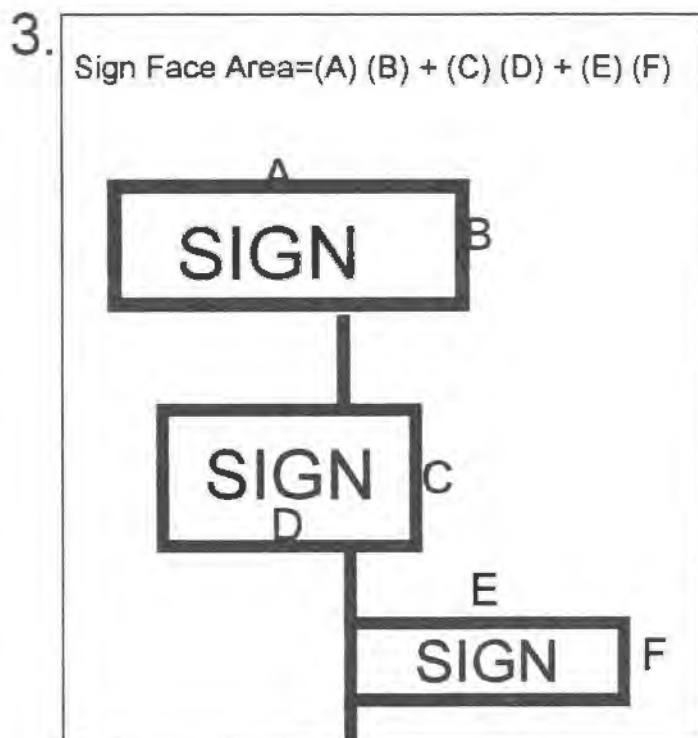
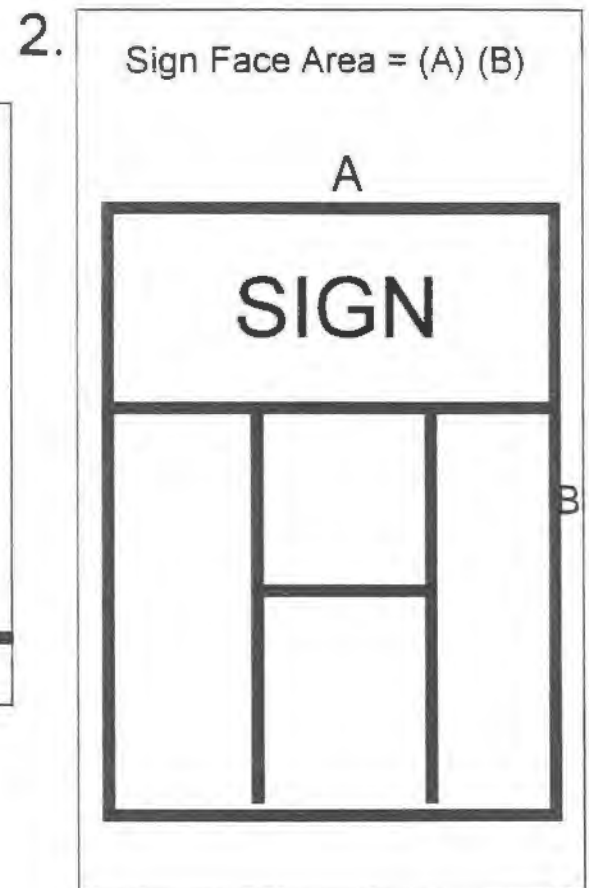
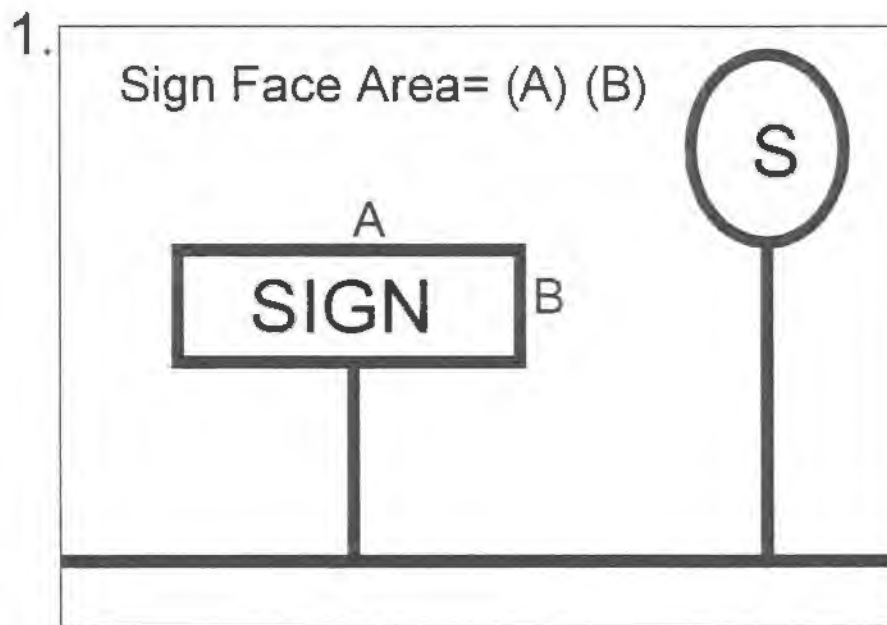
5-9.2 Clearances

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

Section 5-10. Removal of Signs

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

Sign Measurement Illustrations



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

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

ARTICLE VI
SUPPLEMENTAL OFF-STREET
PARKING AND LOADING REGULATIONS

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

Section 6-1. Off-Street Parking

6-1.1 General Requirements

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

6-1.2 Land To Provide Parking

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

6-1.3 Design Standards

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

(1) Parking Dimensions

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

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

(2) Construction, Paving

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

(3) Drainage

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

(4) Separation From Walkways and Streets

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

(5) Entrances and Exits

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

(6) Marking

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

(7) Lighting

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

(8) Landscaping

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

6-1.4 Maintenance

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

6-1.5 Parking Space For The Physically Handicapped

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

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

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

Section 6-2. Off-Street Loading

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

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

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

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

ARTICLE VII

GENERAL PROVISIONS AND REGULATIONS

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

Section 7-1. Street Access

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

Section 7-2. Yard and Setback Modifications

7-2.1 Setbacks on Corner Lots

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

7-2.2 Front Yard Setbacks From Streets

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

7-2.3 Setbacks From Railroads

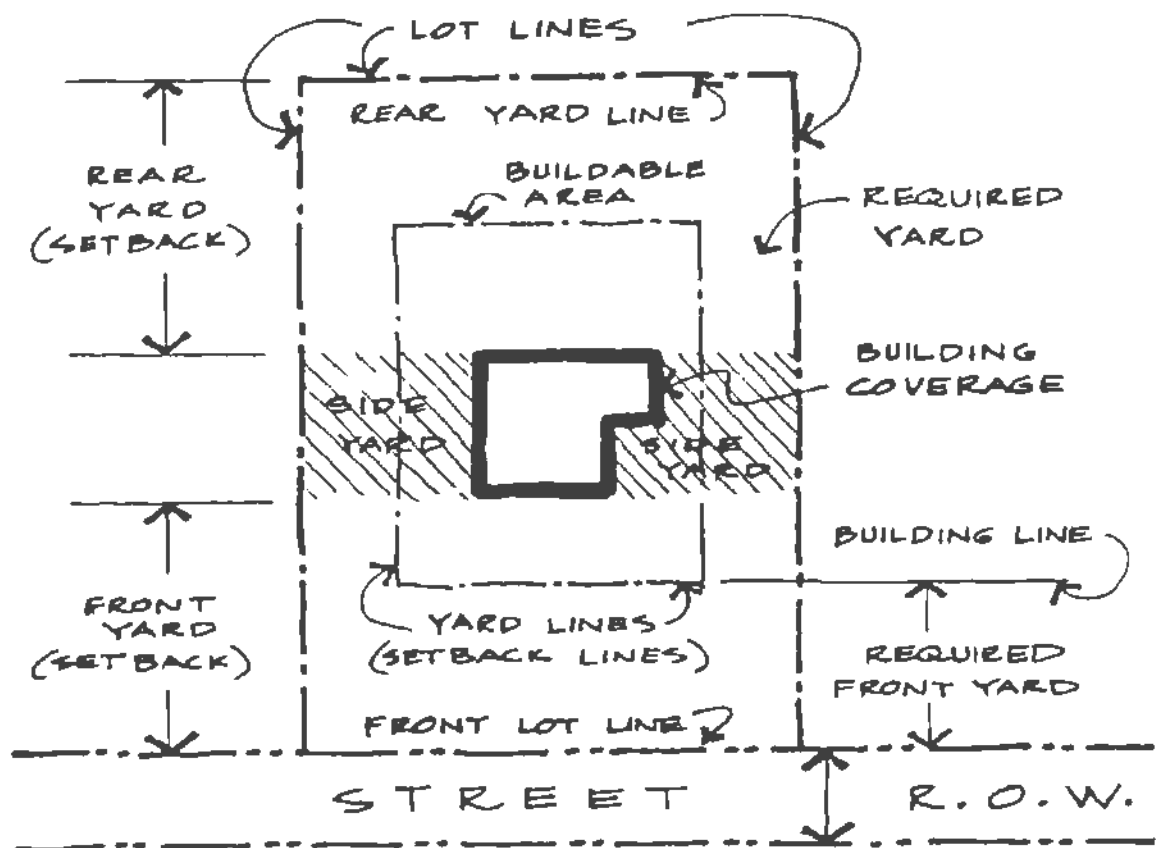
Structures within commercial and industrial districts which are adjacent to railroads may locate closer to the railroad right-of-way than the permitted side or rear yard setbacks of the respective zoning districts. However, the location must be in accordance with applicable railroad standards and conform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

provisions of the Zoning Ordinance.

Section 7-3. Yard Measurements - Buildable Area

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

YARDS AND SETBACKS



Section 7-4. Structures and Projections Into Required Yards and Setback Areas

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

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

Section 7-5. Exceptions To Height Limitations

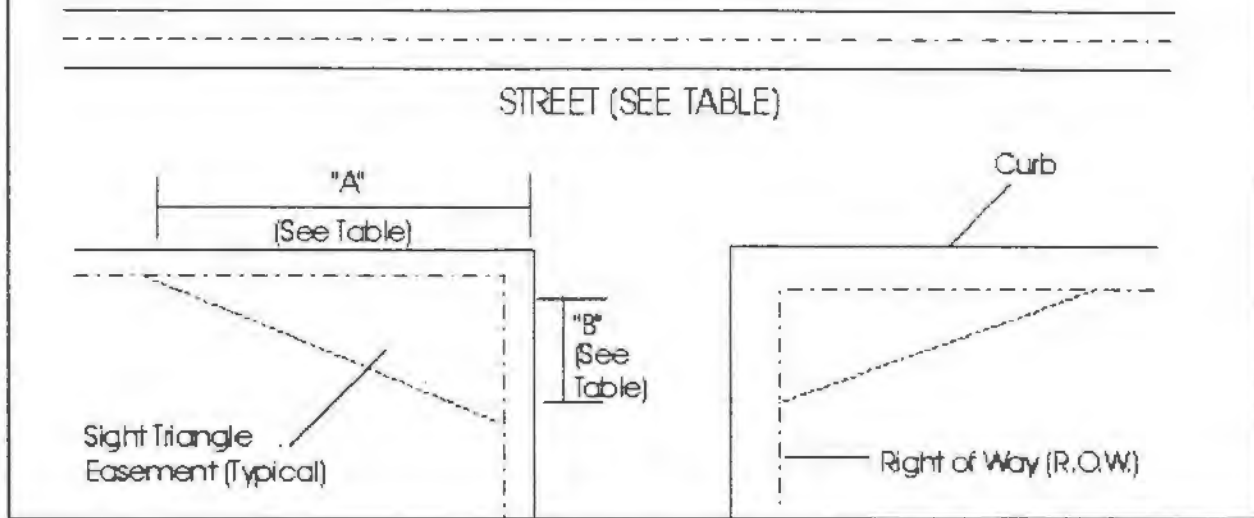
The height limitations of this Ordinance shall not apply to church spires, belfries, cupolas, domes not intended for human occupancy, monuments, water towers, utility poles, chimneys, conveyors, flag poles, masts, communication towers and antennas, or roof mounted mechanical equipment; provided, however, water towers, communication towers and antennas shall be separated from any adjoining property line in the R-1 and R-2 Residential Zoning Districts by a distance equal to one foot for each one foot in height, measured from the required property line.

Section 7-6. Visibility At Intersections

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

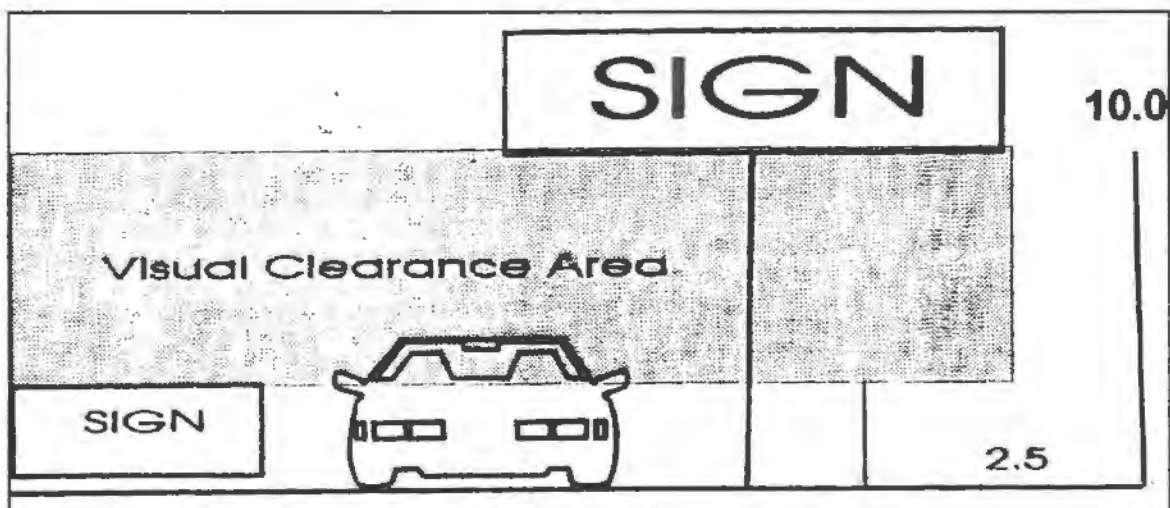
Vision Clearance Illustration

Sight Triangles



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

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



Section 7-7. Accessory Buildings and Uses

7-7.1 Generally

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

7-7.2 Location

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

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

ACCESSORY USE

CONDITIONS

Off-Street Parking

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

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

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

Swimming pools, tennis courts, recreational uses

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

Section 7-8. Use of Land or Structures

7-8.1 Conformity With Regulations

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

No structure shall be erected or altered:

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

7-8.2 Number of Principal Buildings Per Lot

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

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

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

7-8.3 Minimum Requirements Established

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

Section 7-9. Nonconformities

7-9.1 Existing Nonconforming Lots Of Record

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

7-9.2 Existing Nonconforming Uses, Buildings, and Structures

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

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

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

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

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

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

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

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

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

street serving the property.

- (2) Parking of vehicles, implements and/or equipment used for commercial, industrial, farm or construction purposes in the R-1 and R-2 Districts shall be limited to one vehicle per residence, with a capacity no greater than 2 tons.
- (3) Vehicles with capacity greater than 2 tons and used for commercial, industrial, farm or construction purposes are prohibited from parking in the above referenced Zoning Districts, including the street/highway right-of-way in such districts, when not actively involved in commerce.

ARTICLE VIII

ADMINISTRATIVE PROCEDURES AND ENFORCEMENT REGULATIONS

Section 8-1. Administration and Enforcement

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

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

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

Section 8-2. Administrative Procedures and Requirements

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

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

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

The provisions of this Section shall not apply to the necessary construction, replacement or maintenance by a public utility of its outside plant facilities, including such items as poles, crossarms, guys, wire, cable and drops.

8-2.1 Filing Applications

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

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

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

8-2.3 Application Requirements for a Building Permit

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

A plat and/or Site Plan showing:

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

8-2.4 Application Requirements For a Sign Permit

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

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

Section 8-3. Expiration of Building/Sign Permits

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

Section 8-4. Inspections for Compliance

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

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

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

Section 8-6. Complaints Regarding Violations

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

Section 8-7. Penalties For Violation

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

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

Section 8-8. Right of Appeal

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

Section 8-9. Establishment of Board of Zoning Appeals

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

8-9.1 Proceedings of the Board of Zoning Appeals

The Board of Zoning Appeals shall elect a Chairman and a Vice-Chairman from its members, who shall serve for one year, or until reelected. The Board shall appoint a Secretary, who may be a city officer or a member of the Board of Zoning Appeals. The Board shall adopt rules and by laws in accordance with Section 6-29-790 of the

South Carolina Code of Laws. Meetings of the Board shall be held at the call of the Chairman and at such other times as the Board may determine. All meetings of the Board shall be open to the public. A quorum shall be required to take any official action by the Board. Three members present shall constitute a quorum.

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

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

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

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

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

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

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

individual case, result in the unnecessary hardship so that the spirit of the Ordinance shall be observed, public safety and welfare secured, and substantial justice done. Such variance may be granted in such individual case of unnecessary hardship if the Board makes and explains in writing the following findings:

- (a) There are extraordinary and exceptional conditions pertaining to the particular piece of property;
- (b) These conditions do not generally apply to other property in the vicinity;
- (c) Because of these conditions, the application of the Ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
- (d) The authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.

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

8-9.4 Decisions of the Board of Zoning Appeals

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

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

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

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

ARTICLE IX

AMENDMENTS

Section 9-1. Authority

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

Section 9-2. Procedure

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

- (1) **Initiation of amendments:** A proposed amendment to the Zoning Ordinance may be initiated by the Planning Commission, City Council or by application filed with the Planning Commission by the owner or owners of any property proposed to be changed; provided however, that action shall not be initiated for a zoning amendment affecting the same parcel or parcels of property or any part thereof, by a property owner or owners more often than once every twelve (12) months.
- (2) **Application procedure:** Application forms for amendments shall be obtained from the office of the Zoning Administrator. Completed forms, together with the required application fee to cover administrative costs (advertising), plus any additional information the applicant feels to be pertinent, shall be filed with the Zoning Administrator. Any communication purporting to be an application for an amendment shall be regarded as mere notice to seek relief until it is made in the form required.

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

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

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

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

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

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

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

Section 9-3. Notice of Public Hearing

9-3.1 Public Notice

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

within sixty (60) days of receipt of the Planning Commission's recommendation on the application.

9-3.2 Posting of Property

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

Section 9-4. Action By City Council

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

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

ARTICLE X

DEFINITIONS

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

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

The word "shall" is always mandatory.

The word "may" is permissive.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Dwelling, Duplex - A building containing two dwelling units.

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

Dwelling, Manufactured Home - A factory built home built after the enactment of and bearing a label of compliance with the Federal Manufactured Home Construction

and Safety Standards Act, effective June 15, 1976 (HUD Code).

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

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

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

Dwelling, Quadruplex - A building containing four dwelling units.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Habitable Dwelling - A dwelling meeting the minimum habitability requirements of

this Ordinance, and other applicable regulations

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Lot, Width - The horizontal distance between the side lines of a lot measured at right

angles to its depth along a straight line parallel to the front lot line at the minimum required building setback line.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

the specified materials which depict or describe "specified sexual activities" or "specified anatomical areas".

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

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

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

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

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

(6) **Adult Theater.** A theater, concert hall, auditorium or similar commercial establishment which regularly features persons who appear in a state of nudity or live

performances which are characterized by the exposure of "specified anatomical areas" or by "specified sexual activities".

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

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

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

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

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

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

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

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

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

Sign, Changeable Copy - A sign or portion thereof with characters, letters or

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

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

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

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

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

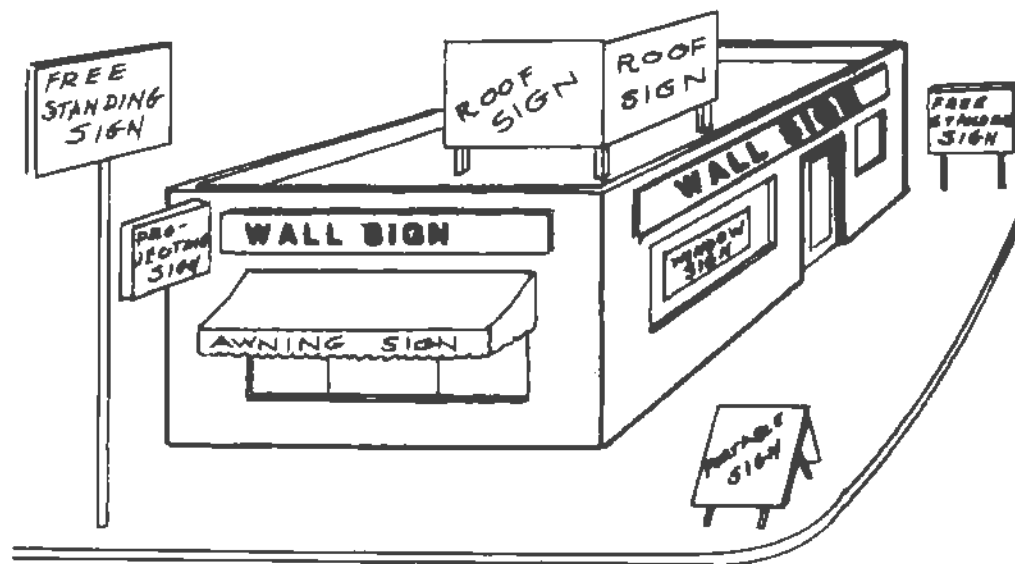
Sign, Permanent - A sign attached to a building, structure or the ground in some manner and made of materials intended for more than short term use.

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

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

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

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



SIGN TYPES

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.

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

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

Specified Sexual Activities. Includes any of the following.

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

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

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

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

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

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

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

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

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

Use, Accessory - See Building, Accessory.

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

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

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

Vegetation - Any object of natural growth.

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

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

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

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

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

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

ARTICLE XI

LEGAL STATUS PROVISIONS

Section 11-1. Conflict With Other Laws

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

Section 11-2. Validity

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

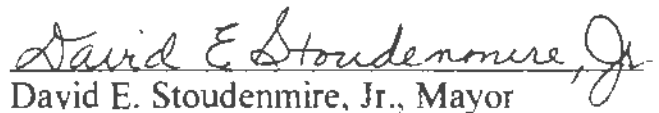
Section 11-3. Repeal of Conflicting Ordinances

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

Section 11-4. Effective Date

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

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


David E. Stoudenmire, Jr., Mayor


Martha Dorman
City Clerk & Treasurer

PART 2

LAND DEVELOPMENT ORDINANCE

STATE OF SOUTH CAROLINA)
COUNTY OF HORRY)
CITY OF LORIS)

AN ORDINANCE GOVERNING THE DEVELOPMENT OF LAND WITHIN
THE CITY OF LORIS, SOUTH CAROLINA, AND PROVIDING FOR DESIGN
STANDARDS, REQUIRED IMPROVEMENTS, AND THE ADMINISTRATION,
ENFORCEMENT, AND AMENDMENT THEREOF.

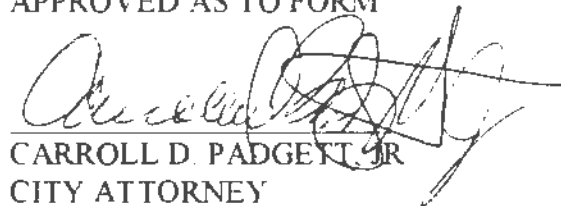
BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE
CITY OF LORIS, SOUTH CAROLINA, IN COUNCIL ASSEMBLED

ATTEST


MARTHA G. DORMAN
CLERK-TREASURER


DAVID E. SToudenmire, JR. MAYOR

APPROVED AS TO FORM


CARROLL D. PADGETT, JR.
CITY ATTORNEY

FIRST READING: JUNE 1, 1998

SECOND READING: JULY 6, 1998

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**CITY OF LORIS
LAND DEVELOPMENT ORDINANCE**

AN ORDINANCE GOVERNING THE DEVELOPMENT OF LAND
WITHIN THE CITY OF LORIS, SOUTH CAROLINA, AND PROVIDING FOR
DESIGN STANDARDS, REQUIRED IMPROVEMENTS, AND THE
ADMINISTRATION, ENFORCEMENT, AND AMENDMENT THEREOF.

BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE
CITY OF LORIS, SOUTH CAROLINA, IN COUNCIL ASSEMBLED.

ARTICLE I. GENERAL

Section 1-1. Title

This Ordinance shall be known as the Land Development Ordinance of the City of Loris, South Carolina.

Section 1-2. Authority

This Ordinance is adopted pursuant to the authority granted under the General Statutes of South Carolina, 1976 Code of Laws, Sections 6-29-1110 through 6-29-1200.

Section 1-3. Purpose

The purpose of this Ordinance is in keeping with the declaration of intent by the State of South Carolina (6-29-1120), to require harmonious, orderly, and progressive development of land in pursuit of public health, safety, economy, good order, appearance, convenience, morals, and the general welfare. In furtherance of this general intent, the regulation of land development is authorized for the following purposes among others:

1. To encourage economically sound and stable development;
2. To assure the timely provision of required streets, utilities, and other facilities and services to new land development;
3. To assure the adequate provision of safe and convenient traffic access

and circulation, both vehicular and pedestrian in and through new land developments;

4. To assure the provision of needed public open spaces and building sites in new land developments through the dedication or reservation of land to recreation, education, transportation, and other public purposes; and
5. To assure, in general, the wise and timely development of new areas in harmony with the Comprehensive Plan of the City of Loris.

Section 1-4. Application of Ordinance

No plat for the subdivision of land within the City of Loris shall be filled with or recorded by the Horry County Clerk of Court until such plat shall have first been submitted to and approved by the Loris Planning Commission according to procedures set forth in this Ordinance.

No permit shall be issued to develop, construct, or otherwise change land characteristics in the City of Loris except in compliance with all applicable provisions of this Ordinance, Building Codes, and the City's Zoning Ordinance.

No street or other public way or land shall be accepted or maintained, nor shall any water lines, sewerage, street lighting, or similar improvements be extended or connected, nor shall any permit be issued by any department of the City for construction of any building or other improvement in any subdivision established hereafter which has not been approved by the Planning Commission.

Section 1-5. Variances

Whenever, in the opinion of the Planning Commission, the strict application of the requirements contained in this Ordinance would result in extreme practical difficulties or undue economic hardship, the Planning Commission may modify such requirements as are necessary to allow the development of the property in a reasonable manner, providing that the public interests of the community and its citizens are protected and the general intent and spirit of these regulations are preserved. The Commission shall grant such variance or modification only upon determination that:

1. The variance will not be detrimental to the public health, safety, and general welfare of the community.
2. The variance will not adversely affect the reasonable development of adjacent property.
3. The variance is justified because of topographic or other special conditions unique to the property involved, in contra-distinction to mere inconvenience or financial disadvantage.
4. The variance is consistent with the objectives of this Ordinance and will not have the effect of nullifying the intent or purpose of this Ordinance or the Comprehensive Plan.
5. Such variance will not conflict with applicable requirements of the Zoning Ordinance.

Section 1-6. Amendments

From time to time this Ordinance may be amended by the City Council, after holding a public hearing thereon, the time and place of which shall be duly advertised in a newspaper of general circulation in the City of Loris at least thirty (30) days prior to said hearing; provided, however, that no amendment shall become effective unless it shall have first been submitted to the Planning Commission for review and recommendation. The Planning Commission shall have 45 days within which to submit its report; provided, however, that the Council may waive this requirement and grant an extension of time. If the Planning Commission fails to submit a report within the specified time, it shall be deemed to have approved the amendment.

Section 1-7. Violations and Penalties

Any person, firm, or corporation who violates the provisions of this Ordinance, or the owner or agent of the owner of any land to be developed within the jurisdiction of this Ordinance who transfers or sells land before a plat therefor has been approved by the Planing Commission and recorded in the office of the Clerk of Court in and for the County of Horry, shall be guilty of a misdemeanor, and upon conviction thereof, shall forfeit and pay penalties as the Court may decide for each parcel so transferred or sold or agreed to be sold. The description of metes

and bounds in the instrument of transfer, descriptive drawings attached to deeds, or other documents used to sell or transfer property shall not exempt the transaction from these penalties. The Circuit Court in and for the County of Horry may enjoin such transfer or agreement by appropriate action.

Section 1-8. Interpretation and Conflict

In their interpretation and application, the provisions of this Ordinance shall be held to be minimum requirements.

Where the conditions imposed by any provisions of this Ordinance are either more restrictive or less restrictive than comparable conditions imposed by any other provisions of this Ordinance or any other applicable law, ordinance, resolution, rule, or regulation of any kind, the regulations which are more restrictive and impose higher standards or requirements shall govern.

ARTICLE II ADMINISTRATION AND PROCEDURES

Section 2-1. Purpose

The purpose of this Article is to establish the procedure for Planning Commission review and action on applications for development. The procedure is intended to provide orderly and expeditious processing of such applications.

Section 2-2. Administrative Responsibility

The Planning Commission shall be responsible for approving all subdivision plats and land development projects.

Section 2-3. Administrative Process

The administrative process consists of three phases: (1) pre-application, (2) preliminary application, and (3) final application.

Section 2-4. Pre-Application (optional)

For the purpose of expediting applications and reducing development costs, the developer may request a pre-application conference and/or sketch plan review in accordance with the following requirements:

1. Pre-Application Conference

At the request of the applicant, the City Administrator, Zoning Administrator, and Public Works Director shall arrange a pre-application conference to discuss requirements of this Ordinance, land development practices, proposed plans by the applicant, applicable provisions of the Comprehensive Plan and Zoning Ordinance, and related matters.

2. Sketch Plan

In addition or as an alternative to the pre-application conference, the applicant may request an informal review of a sketch plan for the proposed development.

The purpose of the sketch plan is to secure advice in the formative stages of development design.

Section 2-5. Preliminary Application

1. Assignment

All applications will fall into one of four categories;

- a. an exempt subdivision,
- b. a minor subdivision,
- c. a major subdivision, or
- d. a land development proposal other than a subdivision, as defined by this Ordinance.

2. Content

An application shall include all data specified in Article III of this Ordinance which constitutes a checklist of items to be submitted for preliminary review.

3. Filing Fees

All applications shall be accompanied by the following fees, as applicable:

- a. ***Exempt Subdivisions*** - \$25 or \$5 per lot, whichever is greater.
- b. ***Minor Subdivisions*** - \$50
- c. ***Major Subdivisions*** -
 - 1. Residential: \$100 minimum, or \$5 per lot, whichever is greater.
 - 2. Non-residential: \$100 minimum, or \$10.00 per lot, whichever is greater.
- d. ***Land Development proposal other than subdivision***- \$100

Section 2-6. Exempt Subdivisions

Applicants of subdivisions exempt from the requirements of this Ordinance shall nonetheless submit to the Zoning Administrator three copies of said exempt plat, drawn to the requirements of the Minimum Standards Manual for the Practice of Land Surveying in South Carolina. The Zoning Administrator shall indicate such exempt status on each copy of the plat for recording; “ **This plat is exempt from the requirements of the Land Development Ordinance of the City of Loris**” and signed by the Zoning Administrator.

Section 2-7. Minor Subdivisions

1. Applicants requesting approval for a proposed minor subdivision, as defined by this Ordinance, shall submit to the Zoning Administrator three (3) copies of a plat, drawn to the requirements of the Minimum Standards Manual for the Practice of Land Surveying in South Carolina, the prescribed fee, and evidence that no taxes or assessments are outstanding against the property.
2. If the subdivision is approved by the Zoning Administrator, the applicant shall be instructed to prepare a Final Plat as required for recording.
3. Action on the Final Plat shall be taken by the Planning Commission at its next regularly scheduled meeting, and bear the signature of the Chairman of the Planning Commission

Section 2-8. Major Subdivisions

Applicants requesting approval of a Major Subdivision, as defined by this Ordinance, shall submit a Preliminary and then a Final Plat in accord with the following procedures (steps):

PRELIMINARY PLAT (PLAN) APPROVAL

- Step 1** **The applicant shall submit to the Zoning administrator 3 copies of the Preliminary Plat, including all materials stipulated by Article III.**

The Zoning Administrator shall forward the Preliminary Plat to the Planning Commission, together with any staff comments and recommendations. The Planning Commission shall act on the application within 30 days of receipt of the application.

In its deliberations, the Planning Commission shall either approve, approve conditionally, or disapprove the Plat. If the Preliminary Plat is disapproved or approved conditionally, the reasons for such action shall be stated in writing and signed by the Chairman of the Planning Commission. The reasons for disapproval shall refer specifically to those parts of the Comprehensive Plan or Ordinance or regulation with which the Plat does not conform. One copy of the reasons shall be retained in the records of the Commission and one copy given to the applicant. On conditional approval, the Commission may require the applicant to resubmit the Preliminary Plat with all recommended changes before approving said Plat.

If the Preliminary Plat is found to conform to all requirements of the Ordinance, approval shall be given by the Planning Commission and shall be noted in writing by the Chairman of the Planning Commission on at least two (2) copies of the Preliminary Plat. One copy shall be retained by the Planning Commission and one copy given to the applicant.

Step 2 Effect of Preliminary Plat Approval

Preliminary Plat approval shall confer upon the applicant the following rights for one-year, unless extended by the Planning Commission, from the date of approval:

1. To proceed under the supervision of the city with the installation of site improvements; and
2. To proceed with the preparation of a Final Plat.

Preliminary Plat approval shall not authorize the applicant to sell or otherwise transfer lots or parcels within the platted subdivision.

Step 3 Final Plat Approval

Final Plat approval is an administrative action. No public notice or hearing is required in connection with approval proceedings on the Final Plat.

An applicant requesting Final Plat approval shall submit to the Zoning Administrator three copies of the material specified in Article III of this Ordinance together with an electronic copy of the Final Plat, which shall show all streets and utilities in exact location, identifying those portions already installed and those to be installed and/or certified in the amount of improvement guarantees required to assure completion of those improvements not yet installed, as stipulated in Article III of this Ordinance.

Final Plat approval shall be granted or denied within 45 days after submission of a complete application to the Zoning Administrator or within such further time as may be consented to by the applicant.

No subdivision plat, portion or phase thereof shall be accepted for filing by the Office of Clerk of Court until it has been approved by the Planning Commission as indicated on the plat by the signature of the Chairman of the Planning Commission. The signature of the Chairman shall not be affixed until the developer has completed all required improvements or has posted the guarantees required by Article V of this Ordinance.

Step 4 Effect on Final Plat Approval

Final Plat approval shall confer upon the applicant the following rights:

1. To record the plat with the County Clerk of Court, and
2. To proceed with the sale and/or transfer of lots and parcels in accord with the approved and recorded plat.

ARTICLE III
SPECIFICATION OF PLAT REQUIREMENTS
AND DOCUMENTS TO BE SUBMITTED

SECTION 3-1. PURPOSE

The documents to be submitted are intended to provide the Planning Commission with sufficient information and data to assure compliance with all applicable requirements, standards, and specifications contained in this Ordinance.

SECTION 3-2. REQUIREMENTS FOR PRELIMINARY PLAT REVIEW

Preliminary Plats shall be clearly and legibly drawn to a scale not less than one (1) inch equal to one hundred (100) feet. If a Preliminary Plat requires more than one sheet, a key diagram showing relative location of several sections shall be drawn on each sheet.

Preliminary Plats shall contain and show the following:

1. Proposed name of land development (subdivision), which shall not duplicate or approximate the name of any other developments, or the name of the City.
2. Name and address of developer and/or owner/applicant.
3. North arrow, scale, and date, including revision dates.
4. Tract boundaries and acreage.
5. Significant topographical features, including location of wetlands and flood plain areas, and storm drainage ditches.
6. Location, names, and right-of-way widths of existing streets in vicinity of tract.
7. Proposed street pattern, profiles, angles, and tangents.
8. Existing and proposed land use and zoning.

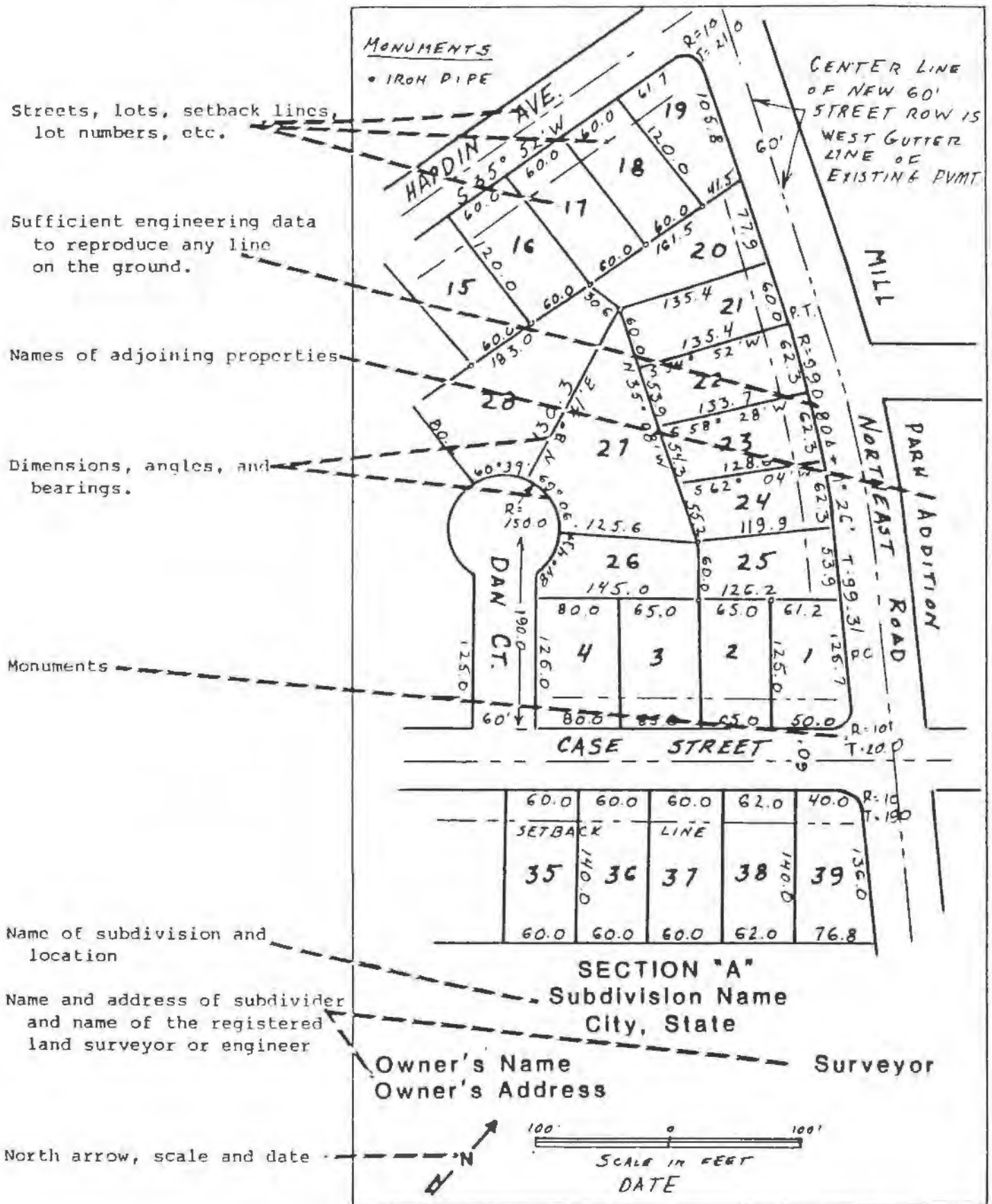
9. Time schedule if proposed for development in phases.
10. Proposed and existing easements, sewer lines, fire hydrants, and utility lines.
11. Proposed lot layout, average size and number of lots, lot dimensions, lot and block numbers, buildings, and set back lines along street rights-of-way.
12. Vicinity or location map, showing the relationship between the proposed development and surrounding areas.
13. Correct courses and distances to the nearest established street lines or official monument which accurately describes the location of the plat and is accurately tied to the primary control points of the subdivision.
14. Contour lines at vertical intervals of at least two (2) feet and the location and elevation of the benchmark to which contour elevations refer, recorded at survey quality points.
15. Preliminary engineering plans for sanitary sewers, storm sewers, water, and gas lines, showing connections to existing systems or proposals for developing new water supply, storm drainage, and sewerage disposal systems.
16. Plans for the protection of soils on the site from wash, erosion, and other drainage during the course of the construction period.
17. Parks, school sites, and other areas designated for public use if any, with any conditions governing such use.

SECTION 3-3. ADDITIONAL REQUIREMENTS FOR FINAL PLAT APPROVAL

Final Plat requirements are cumulative, and include the requirements for Preliminary Plat approval. Additionally, Final Plat requirements shall contain or be accompanied by the following:

1. **Certification Requirements:** The following certificates shall be lettered or printed on the face of the Final Plat:
 - a. ***Surveyor Certification.*** The signature, seal, and certification of a registered professional land surveyor to the effect that the Final plat accurately reflects a survey made by him, that any changes from the description appearing in the last record transfer of land contained in the Final plat are so indicated, that all monuments shown thereon actually exist or will be installed and their position is accurately shown, and that all dimensional and geodetic details are correct.
 - b. ***Owners Certification.*** A notarized certification of title showing that the applicants are the owners, and statements by such owners acknowledging offers of dedication of land for public use and restricting land by protective covenants. This certification shall also indicate that the title thereof is free and unencumbered.
 - c. ***Recording Notations.*** Appropriate notations for transfer and recording by the County Clerk of Court.
 - d. ***Certification by Planning Commission.*** The signature of the Chairman of the Planning Commission, together with the endorsement stamp thereof.
2. **Improvement Plans and Data:** The applicant shall submit construction plans and specifications for all improvements and installations required by Article IV of this Ordinance. The construction plans and specifications shall consist of all cross-sections, profiles, and other engineering data as required to meet the requirements of this Ordinance.
3. **Improvement Guarantee:** Certification that all required improvements have been installed or financial guarantees, as required by Article V, shall be submitted to the Planning Commission along with the Final Plat. Approval of the Final Plat shall not be granted in the absence of such improvements or guarantees.

PLAT ILLUSTRATION



ARTICLE IV DESIGN STANDARDS AND REQUIRED IMPROVEMENTS

Section 4-1. Purpose

The purpose of design and improvement standards is to create functional and attractive land developments, to minimize adverse impacts, and to ensure that such developments will be an asset to the city. To promote this purpose, all proposed land developments shall conform to the following standards.

Section 4-2. Site Design Standards, Generally

1. Site Analysis

An analysis shall be made of characteristics of the development site, such as site context, geology and soil, topography, ecology, existing vegetation, structures, and road networks, visual features, and past and present use of the site.

2. Site Design, Generally

Site design shall take into consideration all existing local and regional plans of the city, and shall be based on the site analysis. To the extent practical, development shall be located to preserve any natural features on the site, to avoid areas of environmental sensitivity, and to minimize negative impacts and alteration of natural features.

The following specific areas shall be preserved to the extent consistent with the reasonable utilization of the site.

- a. Unique and/or fragile areas, including wetlands as defined in Sec. 404, Federal Water Pollution Control Act Amendments of 1972, as determined by the U.S. Corps of Engineers.
- b. Trees 10" or more DBH (Diameter Breast High) in accord with Section 4-5 of the Loris Zoning Ordinance.
- c. Flood plain areas, as determined by FEMA (Federal Emergency

Management Agency) and delineated on Flood Boundary and Floodway Maps for the City of Loris, except as provided herein and in related regulations.

- d. Habitats of endangered wildlife, as identified on federal and state lists.
- e. Historically significant structures and sites, as listed on federal, state, and/or local lists of historic places.
- f. The development shall be designed to avoid adversely affecting ground water and aquifer recharge; to reduce cut and fill; to avoid unnecessary impervious cover; to prevent flooding; to provide adequate access to lots and sites; and to mitigate adverse effects of shadow, noise, odor, traffic, drainage, and utilities on neighboring properties.

Section 4-3. Streets

1. Circulation System Design

The street system shall be designed to permit the safe, efficient, and orderly movement of traffic; to have a simple and logical pattern; to respect natural features and topography; and to present an attractive streetscape.

2. Streets To Be Public

All streets shall be public dedicated streets and improved accordingly with the provisions of this Ordinance.

3. Layout and Alignment

- a. Proposed streets shall be coordinated with the street system in the surrounding area and where possible shall provide for the continuation of existing streets abutting the development.
- b. All streets shall be opened to the exterior property lines of the development unless permanently terminated by a vehicular turn-

around or an intersection with another street.

- c. Reserve strips controlling access to streets are prohibited except where their control is placed with the city under conditions approved by the Planning Commission.
- d. No half streets shall be permitted.

4. Alleys

- a. Alleys are not permitted in residential developments.
- b. Paved alleys are permitted in commercial and industrial developments to provide service access, off-street loading and unloading, and parking consistent with and adequate for the uses proposed.

5. Cul-de-sacs

- a. Dead-end streets designed to be permanently closed at one end shall not exceed one thousand (1,000) feet in length measured from the right-of-way of the intersecting street to the center point of the turn-around.
- b. Turn-arounds shall be provided at the closed end of a street and shall have a minimum radius of fifty (50) feet. Pavement width shall have a minimum curb radius of forty (40) feet. A landscape center island may be provided if sight lines are not obstructed. If such island is provided, the pavement width of the turn-around shall be a minimum of thirty (30) feet.
- c. Temporary dead-end streets which extend for a greater distance than the depth of one abutting lot shall be provided with a temporary turn-around conforming to the illustration in this Section.

6. Intersections

- a. No more than two streets shall intersect at any one point.

- b. All streets shall intersect as nearly as possible at ninety degree right angles.
- c. Streets entering upon opposite sides of a given street shall have their center lines directly opposite or shall be off set a minimum distance of 150 feet for minor streets and 400 feet for major streets, measured along the centerline of the streets being intersected.
- d. Street intersections shall be located at least 150 feet from the right-of-way of any railroad track, measured from the centerpoint of the intersection to the railroad right-of-way line nearest the intersection.
- e. Private driveways shall not intersect a public street within 50 feet of an intersection, measured from the street right-of-way.

7. Right-of-way, Lane, and Pavement Widths

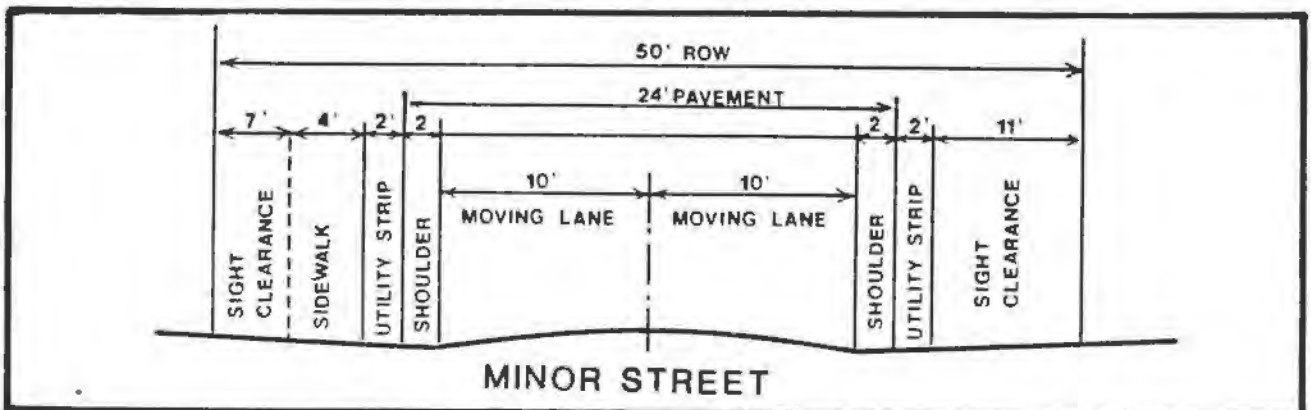
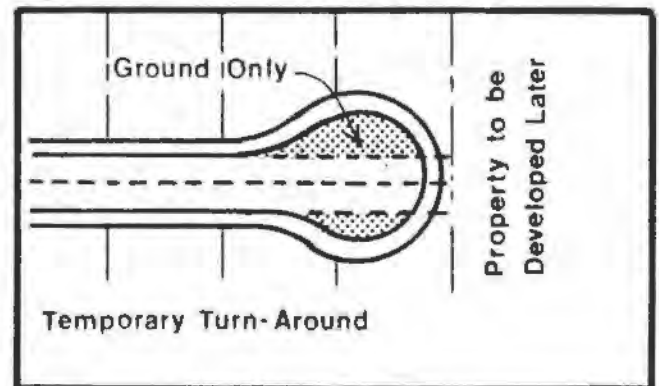
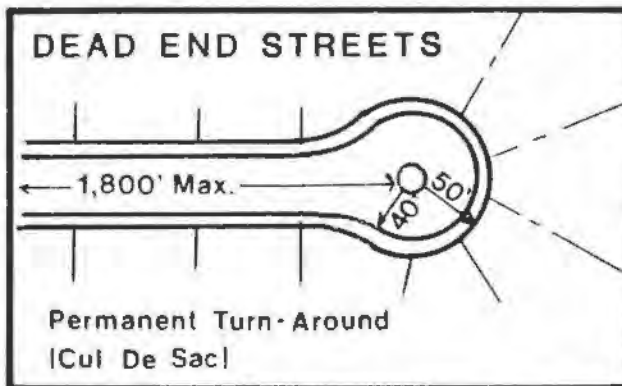
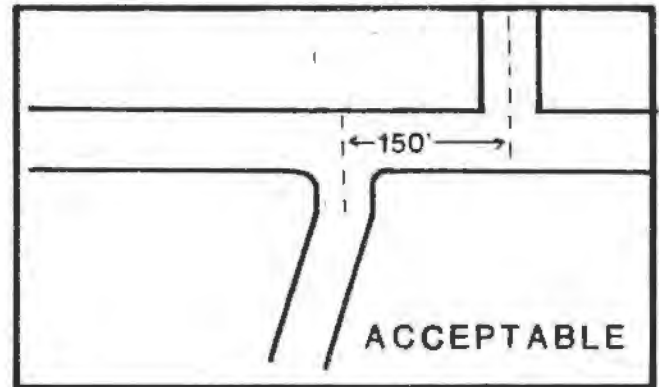
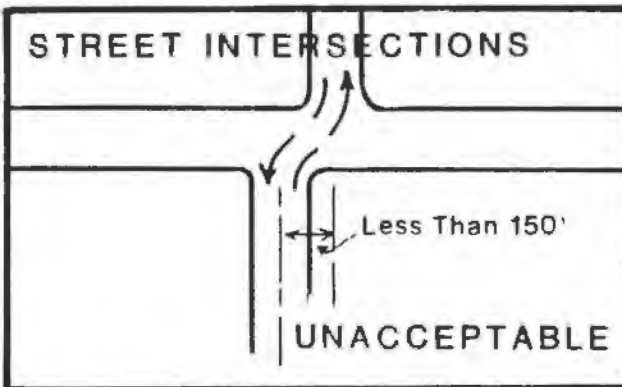
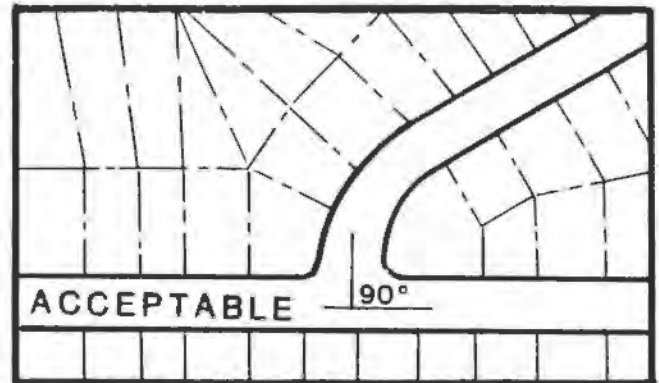
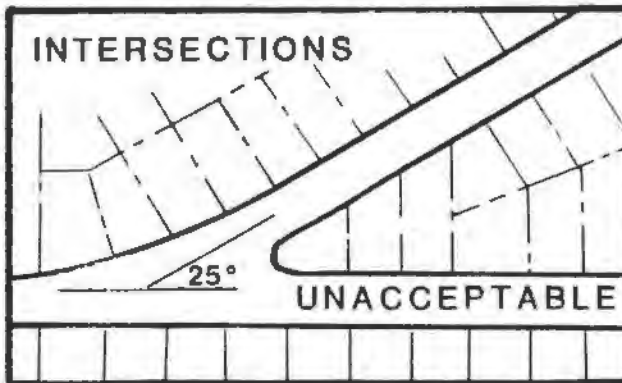
Minimum street right-of-way, lane, and pavement widths shall be as follows:

<u>Classification</u>	<u>Lane Width</u>	<u>Pavement Width</u>	<u>Right-of-Way Width</u>
Minor Street	10'	24'	50'
with parking (one side)	10'	34'	50'
Major Street	11'	28'	66'
with turning lane	11'	40'	66'
Alley	9'	18'	22'

8. Sight Distance

Where horizontal curves are used, the minimum sight distance shall be as follows:

ILLUSTRATIONS



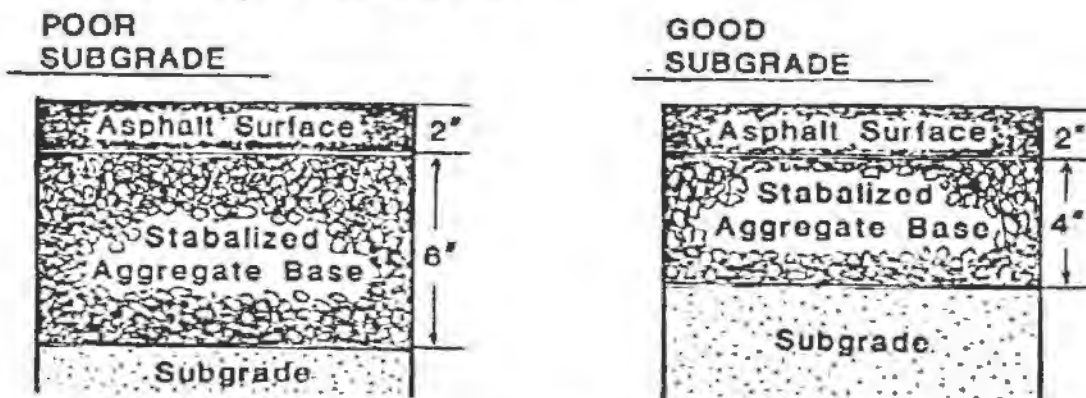
	Design Speed <u>MPH</u>	Minimum Curve <u>Radii</u>	Minimum Sloping Sight <u>Distance</u>
Minor	30-35 mph	275 ft.	200 ft.
Major	35-45 mph	350 ft.	240 ft.

9. Required Improvements

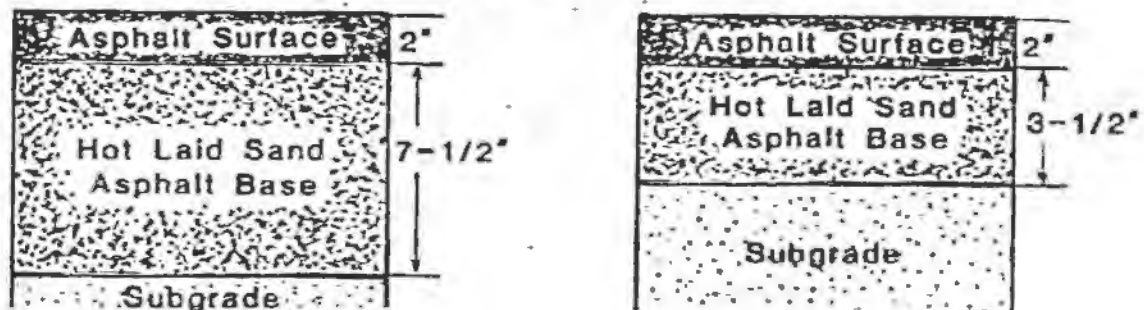
a. Dimensional Specifications

Street improvements shall adhere to the following specifications:

For Minor Streets



For Major (Collector) Streets



Note: All subgrades shall be considered "poor" unless the applicant proves otherwise through "proof roll testing," 50,000 lbs. Per tandem vehicle. Test results shall be reviewed for approval by the Director of Public Works.

b. Subgrade Categories

Subgrade categories are based on prevailing soil conditions and properties. Four of the five major soils in Loris — Goldsboro, Lynchburg, Norsmond, and Woodington — pose constraints to street development because of wetness. As such, they are generally considered to be “poor” subgrade.

c. Construction Specifications

All streets shall be constructed in accord with the South Carolina Standard Specification for Highway Construction Manual, Latest Edition. Specifically:

c-1 Earth work shall be completed in accord with Section 200.

c-2 Base and Subbases shall be constructed in accord with Section 300, as applicable to the proposed base course.

c-3 Paving shall be constructed in accord with Sections 400 or 500, as applicable to the proposed paving material.

d. Substitutions

If substitutions of the base, subbase, or paving materials required by Section 403(9)(a) above are proposed, they shall be submitted for approval to the Public Works Director, together with test results to ensure equivalency by an independent testing laboratory satisfactory to the Director of Public Works.

e. Testing

All required compaction and materials tests shall be performed at the expense of the developer, and in the presence of the Public Works Director.

f. Inspections

A registered engineer shall inspect all phases of construction and certify satisfactory completion of the following steps to the Director of Public Works:

- At completion of clearing and grubbing operations.
- At completion of rough grading.
- At completion of subgrade work.
- Before and after all prime and sealer applications.
- During final pavement application.
- Final acceptance inspection.

In addition, once notified, the Director will inspect the quality of construction of each stage within two working days. This inspection must be conducted prior to starting construction on the next phase.

Section 4-4. Curb and Gutter

1. Requirement

Curbs and gutters shall be required and installed along both sides of all streets.

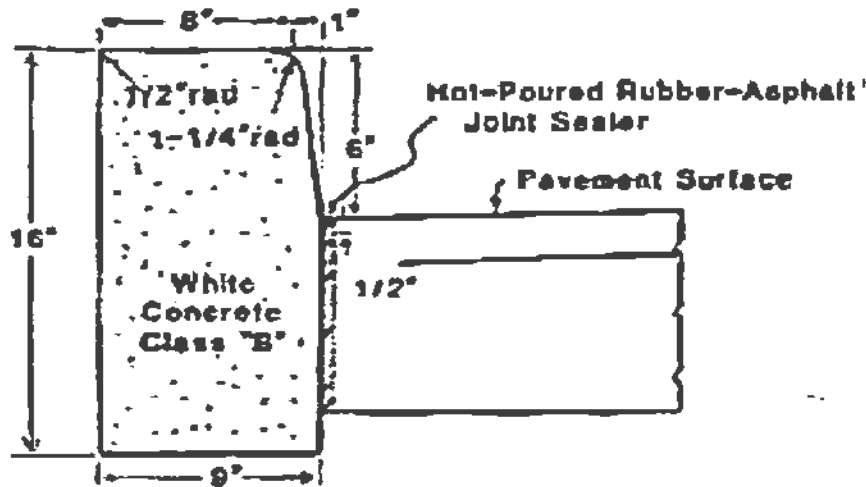
2. Construction Specifications

Curbs and gutters shall be constructed in accordance with Section 720 of the Standard Specifications For Highway Construction Manual, latest Edition.

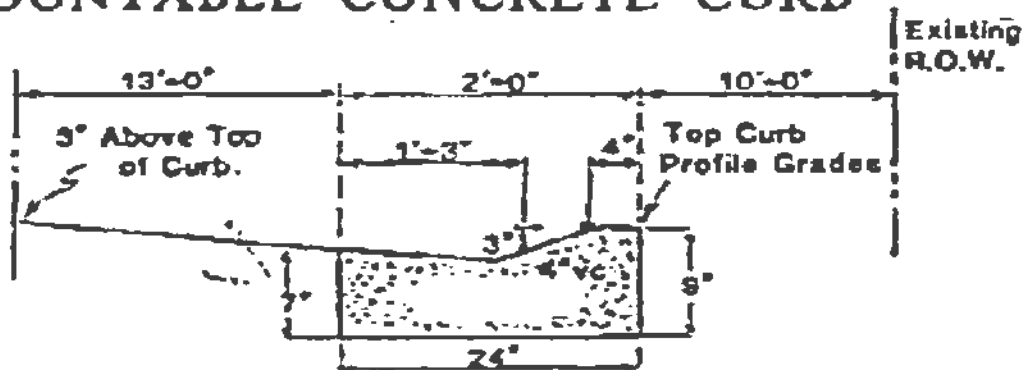
3. Design Specifications

Acceptable curb types are illustrated as follows:

BARRIER OR VERTICAL CONCRETE CURB



MOUNTABLE CONCRETE CURB



A valley gutter, not pictured, may be substituted for the above on minor residential streets, provided it is at least 3 feet wide.

4. Transition

The transition from one type to another shall be made only at street intersections with adequate provisions being made for driveway entrances.

Section 4-5. Shoulders

Shoulders shall consist of stabilized turf or other material acceptable to the Public Works Director and shall be prepared in compliance with Section 209 of the

Standards Specifications Manual previously referenced.

Section 4-6. Signage and Names

1. Street Signs

- a. Design and placement of traffic signs shall follow state regulations or the requirements specified in the Manual of Uniform Traffic Control Devices for Streets and Highways, published by the U.S. Department of Transportation. Responsibility for installation shall rest with the developer.
- b. At least two street name signs shall be placed at each four-way street intersection, and one at each "T" intersection. Signs shall be installed under street lights, where possible, and free of visual obstruction. The design of street names signs shall be approved by the Public Works Director and of a uniform size and color.

2. Names

- a. Streets. Street names shall be subject to approval of the Planning Commission and Horry County 911 Addressing. Proposed street names shall be substantially different in sound and spelling from existing streets in the city and county unless at a future date plans call for a tie-in between the proposed street and an existing street.
- b. Subdivisions and other Developments. Subdivision and development names shall be subject to the approval of the Planning Commission and shall not duplicate the name of any recorded subdivision or development.

Section 4-7. Underground Wiring

1. Where Required

All electric, telephone, television or other communication lines, both main and service connections servicing new subdivisions shall be provided by underground wiring within easements or dedicated public

rights-of-way, installed in accordance with the prevailing standards and practices of the utility or other companies providing such services.

Lots that abut existing easements or public rights-of-way where overhead electric or telephone distribution supply lines and service connections have previously been installed may be supplied with electric and telephone service from those overhead lines, but the service connections from the utilities, should a road widening or an extension of service, or other such condition occur as a result of the development and necessitate the replacement or relocation of such utilities, such replacement or relocation shall be underground.

2. Exceptions

Where conditions are such that underground wiring is not practical, the Planning Commission may make an exception, provided; the placement and alignment of poles shall be designed to lessen the visual impact of overhead lines; that clearing swaths through treed areas shall be avoided by selective cutting and staggered alignment; that trees shall be planted in open areas and at key locations to minimize the view of poles and alignments; and that alignments shall follow rear lot lines and other alignments, as practical.

Section 4-8. Street Lighting

1. Where Required

Street lighting shall be provided at all street intersections, and between intersections where the distance is 800 feet or more; provided that such spacing between intersections shall be not less than 400 feet between street lights.

2. Height

The maximum height of street lights shall be 25 feet.

3. Shielding

Street lighting shall be properly shielded so as not to create a hazard to

drivers or a nuisance to residents.

Section 4-9. Easements

1. Drainage Easements

- a. Where a subdivision or development is traversed by a water course, drainage way, channel, or stream, adequate areas for storm water or drainage easements shall be allocated, conforming substantially with the lines of such water course, and of sufficient width to carry off storm water and provide for maintenance and improvements of the water course.
- b. The location of any surface drainage course shall not be changed without the approval of the Planning Commission.

2. Utility Easements

- a. Adequate areas of suitable size and location shall be allocated for utility easements. The location and size of such easements shall be coordinated with the public and private utilities involved.
- b. Where provided along side or rear lot lines, utility easements shall be not less than 20 feet in width. No structures or trees shall be placed within such easements. Such easements shall be maintained by the property owner(s) and may be used to satisfy yard requirements.

3. Maintenance

- a. Covenant restrictions placed in the deed of a lot which contains a utility easement shall stipulate that the city or utility company with lines in such easement shall have full right of access to such easement.
- b. The city shall maintain only those easements specifically accepted for public maintenance.

Section 4-10. Blocks

1. Residential

- a. Block lengths shall be appropriate to topographic conditions and density to be served, but shall not exceed 1,000 feet in length, or be less than 300 feet in length.
- b. Blocks should be of sufficient width to allow for two tiers of lots of appropriate depth, except where reverse frontage lots are required along a major street, or where prevented by the size, topographical conditions, or other inherent conditions of property.

2. Commercial and Industrial

Blocks intended for commercial or industrial development may vary from the standards of design detailed above in favor of dimensions more suitable to their prospective use; provided such blocks permit adequate traffic circulation.

Section 4-11. Lots

1. Accessibility

All lots except those in Exempt Subdivisions, as defined by this Ordinance, shall be accessible by a public street.

2. Design

The lot size, width, depth, shape, grade, and orientation shall be in proper relation to street and block design, to existing and proposed topographical conditions, and for the type of development and use contemplated.

3. Dimensions

All lots shall meet the minimum area and dimensional requirements of the zoning district in which they are to be located.

4. Double Frontage

Double or reverse frontage lots shall be prohibited, except where required to provide separation of residential development from major streets or to overcome specific disadvantages of topography or orientation. All residential reverse frontage lots shall have a minimum rear yard of 50 feet, measured from the shortest distance of the proposed back building line to the street right-of-way and shall within such rear yard and immediately adjacent to the right-of-way, have a non-access planting screen easement of at least 20 feet in depth.

5. Alignment

Side lot lines shall be aligned at approximately right angles to straight street lines and radial to curved street lines.

Section 4-12. Sidewalks

1. Where Required

A pedestrian system shall be provided where required by the Planning Commission for safety, i.e. access to recreational and educational facilities.

2. Design Specifications

Sidewalks shall be placed parallel to streets, with exceptions permitted to preserve natural features or to provide visual interest where required for pedestrian safety.

3. Construction Specifications

- a. Sidewalks shall be four inches thick except at points of vehicular crossings, where they shall be at least six inches thick. At vehicular crossings, sidewalks shall be reinforced with welded wire fabric mesh or an equivalent.
- b. Sidewalks shall be installed in accord with Section 720 of the Standard Specifications for Highway Construction Manual,

latest Edition.

- c. Graded areas shall be planted with grass or treated with other suitable ground cover.

Section 4-13. Areas Subject To Flooding

If the area being developed, or any part thereof, is located within the boundary of a designated Flood Plain Area, as delineated by the Flood Boundary and Floodway Maps for the City, adequate plans and specifications for protection from flooding shall be provided as herein required:

1. Not To Be Expanded

Any plat which contains land subject to flooding shall be accompanied by evidence that no appreciable expansion of the area subject to flooding would result from the proposed development of the land, and that the proposed development will be adequately protected from inundation without appreciable interference with the flow of any watercourse or into an impounding basin.

All such evidence including surveys and specifications shall be submitted with the Final Plat, and no final Plat shall be approved in the absence thereof.

In no case shall any fill, levee, or other protective works be approved unless sufficient compensating adjustments of waterways, ditches, or impounding basins are made to prevent any appreciable expansion of flood hazard areas.

2. Streets Subject to Flooding

The center line of all streets should be at least on the ten-year flood line.

Section 4-14. Water Supply

1. DHEC Approval Required

All subdivisions and lots within such developments shall be provided with water supplies and systems conforming to the requirements, rules, and policies of the South Carolina Department of Health and Environmental Control (DHEC), and approved by said agency.

2. When Required to Connect to City Supply System

Depending on the number of housing units, residential subdivisions shall be required to connect to the city's public water supply system if public service is available within the following distances.

<u>Size of Development</u>	<u>Distance</u>
1 unit	200 feet
2 units	400 feet
3 units	600 feet
4 units	800 feet
5-15 units	1,000 feet

3. System Requirements

The water supply system shall be adequate to handle domestic demand including fire flow, based on complete development.

4. System Approval Required

Improvement plans and specifications for all water supply systems for which the developer is responsible shall be submitted for approval with the Final Plat.

5. System To Include Fire Hydrants

Fire hydrants shall be installed by the developer in accordance with Section 4.16.

Section 4-15. Sanitary Sewerage Facilities

1. DHEC Approval Required

All developments and lots within subdivisions shall be provided with sanitary sewerage facilities conforming to requirements, rules, and policies of the South Carolina Department of Health and Environmental Control (DHEC), and approved by said agency. Said facilities shall be “stubbed out” prior to road service.

2. When Required to Connect to City Sewerage System

Depending on the number of housing units , residential subdivisions shall be connected to the city’s public sanitary sewer system if public service is available within the following distances:

<u>Size of Development</u>	<u>Distance</u>
1 unit	200 feet
2 units	400 feet
3 units	600 feet
4 units	800 feet
5-15 units	1,000 feet

If a public system is not in place or cannot be extended, the developer must provide individual subsurface disposal systems where appropriate, given site density, soil, slope, and other conditions and subject to applicable DHEC regulations.

3. System Requirements

The sanitary sewer system shall be adequate to handle the necessary flow based on complete development.

4. System Approval Required

Improvement plans and specifications for all disposal systems for which the developer is responsible shall be submitted for approval with the Final Plat.

Section 4-16. Fire Hydrants

Fire hydrants shall be installed and spaced throughout each subdivision to maintain a 500' radius between hydrants. The location and spacing of hydrants shall be approved by the Fire Chief.

Section 4-17. Survey and Markings

All land developments within the jurisdiction of this Ordinance shall be surveyed, platted, and marked in accord with the Minimum Standards Manual for the Practice of Land Surveying in South Carolina, as promulgated by the Code of Laws of South Carolina, 1976, Title 40, Chapter 21. This Manual is hereby adopted by reference and is as much a part of this Ordinance as if contained herein.

ARTICLE V IMPROVEMENT GUARANTEES

Section 5-1. Purpose

Where required improvements have not been completed and certified by the applicant developer prior to final plat approval, improvement guarantees may be provided to ensure the proper installation of such required improvements. The nature and duration of guarantees shall be structured to ensure installation of such improvements without adding unnecessary costs to the developer

Section 5-2. Optional Guarantees

Before recording final subdivision or development plats, or as a condition of final plat approval, the Planning Commission may require and the City Council may accept the following financial guarantees in an amount equal to 125 percent of the cost of installing the improvements.

1. **Security Bond.** The applicant may obtain a security bond from a surety bonding company authorized to do business in the state.
2. **Letter of Credit.** The applicant may provide an irrevocable letter of credit from a bank or other reputable institution.
3. **Escrow Account.** The applicant may deposit cash, or other instruments readily convertible into cash at face value, with the city or in escrow with a bank.
4. **Property.** The applicant may provide as a guarantee land or other property.
5. **Improvement Guarantee.** The applicant may provide as a guarantee an improvement agreement between the applicant, lender, and the City.
6. **Prepayment.** The applicant may make a payment to the City in the full amount of said improvements. Any unexpended funds shall be returned to the applicant.

Section 5-3. Option To Refuse Guarantee

The City Council shall have the right to refuse any of the optional financial guarantees and require construction and installation of all improvements by the developer, where:

1. Past performance of the developer is unsatisfactory, or
2. The selected option is unacceptable.

Section 5-4. Allocation of Guarantee

Any funds received from financial guarantees required by this Ordinance shall be used only for the purpose of making the improvements for which said guarantees were provided.

Section 5-5. Default of Guarantee

In the event the developer fails to install or construct the required improvements during the specified time allotted and in conformity with these regulations, the improvement guarantee shall be forfeited to the City to be used for completion of the improvements.

Section 5-6. Extension of Guarantee

If it appears to the developer that he may not complete construction of required improvements before expiration of his Improvement Guarantee, it shall be his obligation, at least 15 days prior to said expiration, to submit an extended guarantee request to City Council for approval. Such extension, if approved, shall be for a period of six months. A maximum of two such extensions shall be allowed.

Section 5-7. Acceptable Format for Improvement Guarantee

Any deviation from the acceptable format below may delay acceptance of this instrument:

STATE OF SOUTH CAROLINA

CITY OF LORIS

IMPROVEMENT GUARANTEE

KNOW ALL MEN BY THESE PRESENTS that we, _____,
as principal, and _____, as security, are held and
firmly bound unto the City of Loris, South Carolina, as oblige, in the sum of \$ _____,
for payment whereof to the oblige, the principal and security bind themselves, their
heirs, executors, administrators, successors, and assigns, jointly and severally, firmly
to these presents:

Signed, sealed, and dated, this _____ day of _____, 19____.

WHEREAS, application was made to the oblige for approval of a subdivision shown
on a plat entitle " _____",
dated _____, 19____, and filed with the Loris Planning
Commission, and said final plat was approved upon certain conditions, one of which
is that an Improvement Guarantee in the amount of \$ _____ be filed with
the City of Loris to guarantee certain improvements in said subdivision;

NOW THEREFORE, THE CONDITION OF THIS OBLIGATION is such that the
above-named principal shall, within _____ from the date hereof (in
no case shall the improvement guarantee be valid for more than two years), truly make
and perform the required improvements and construction of public improvements in
said subdivision/development in accordance with the specifications of the Land
Development Ordinance, then this obligation will be void; otherwise it will remain in
full force and effect.

It is hereby understood and agreed that in the event any required improvements
have not been installed within the terms of this Improvement Guarantee, the Loris City
Council may thereupon declare this guarantee to be in default and collect the sum
remaining payable thereunder, and upon receipt of the proceeds thereof, the city shall
install such improvements as are covered by the guarantee.

It is further understood and agreed that when the required improvements have
been approved for conformity with these regulations by the Director of Public Works,
the guarantee shall be released and returned. In addition, if any portion of the required

improvements is completed by the developer and approved by the Director of Public Works, a portion of the guarantee commensurate with the cost of these completed improvements may be released and returned. In no event shall an improvement guarantee be reduced below twenty-five (25%) percent of the principal amount until all improvements have been approved by the Director of Public Works.

Approved and accepted _____(L.S.)
this _____ day of _____(L.S.)
_____, 19____
by the Loris City
Council

Mayor

Clerk

**ARTICLE VI
DEDICATION, ACCEPTANCE, AND
MAINTENANCE OF IMPROVEMENTS**

Section 6-1. Improvements To Be Dedicated

The final responsibility for the installation of the improvements required by this Ordinance rests with the developer. Upon proper installation of these improvements, the developer shall take the final steps to dedicate the improvements and have them accepted by the City Council.

Section 6-2. Guidelines for Deed Preparation

The following guidelines are to be observed in the preparation of deeds and similar documents of conveyance to the City.

1. Standard deed forms commonly used in the field of property conveyance must be used.
2. The following official title for the city must be used in conveying title to or from the City, including deeds, easements, leases, and other instruments of title:

CITY OF LORIS, SOUTH CAROLINA, a body politic and
corporate and a political subdivision of the State of South
Carolina.

3. A deed conveying streets and/or easements to the city must include a phrase reading "... and appurtenances to said premises belonging or in any way incident or appertaining" in order to convey related structures such as drainage structures, catch basins, etc.
4. A deed must contain a derivation clause; tax map, block and parcel numbers; and information concerning recordation date, book, and page number of the related plat.
5. All deeds must be submitted to the City Administrator to be forwarded to the City Attorney for review and recommendation prior to acceptance of any such deed by City Council. The time for processing

the deed shall not exceed 60 days from the time of receipt by the City Administrator.

Section 6-3. Title Certification and Provision of Affidavit

Prior to the acceptance of title to any improvements by City Council, the developer shall provide to the council a title certification by an attorney licensed to practice in the State of South Carolina, certifying that the developer owns fee simple title to such improvements, free and clear of liens and encumbrances. Should said attorney make any exceptions in his certification on title, these must be specifically recited in the Resolution to be presented to City Council for acceptance of such improvements and the City Council must specifically recognize these exceptions before accepting legal title to the improvements.

In addition, prior to the acceptance of a deed to a newly constructed street by City Council, the developer and the contractor who constructed the street shall provide to Council an affidavit that all construction costs for the street have been paid and that the street is free of all encumbrances. For the purposes of this section, a "newly constructed street" is one which has been completed within two years of the date of the City Council's consideration of whether to accept the street.

Section 6-4. Effect of the Recording

Recording the approved final plat constitutes a dedication of all public streets to public use, a dedication of all neighborhood parks and other public areas to public use, and a reservation for possible future public acquisition of such additional areas as may be required by the Planning Commission or the City Council.

Section 6-5. Effect of Offers of Dedication

The offer to dedicate streets, parks, easements, or other areas or portions of them, does not impose any obligation upon the City Council concerning maintenance or improvements until the City Council has made actual acceptance by resolution, by entry, or by improvement.

ARTICLE VII

DEFINITIONS

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

Applicant. A developer submitting an application for development.

Drainage. The removal of surface water or groundwater from land by drains, grading, or other means.

Drainage Facility. The system through which water flows from the land, including all water courses, water bodies, and wetlands.

Drainage Systems. The system through which water flows from the land, including all water courses, water bodies, and wetlands.

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

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.

Escrow. A deed, a bond, money, or a piece of property delivered to a third person to be delivered by him to the grantee only upon fulfillment of a condition.

Final Plat. The final map of all or a portion of a subdivision which is presented for final approval.

Gutter. A shallow channel usually set along a curb or the pavement edge of a road for purposes of catching and carrying off water.

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

Individual Sewerage Disposal System. A septic tank, seepage tile, sewerage disposal system, or any other approved sewerage treatment device serving a single unit.

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

Performance Guarantee. Any security that may be accepted by the City as a guarantee that the improvements required as part of an application for a subdivision or development are satisfactorily completed.

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

Right-of-Way. A strip of land occupied or intended to be occupied by a street, crosswalk, railroad, road, electric transmission line, gas pipeline, water main, sanitary or storm sewer main, shade trees, or for another special use.

Shoulder. The graded part of a right-of-way that lies between the edge of the main pavement (main traveled way) and the curbline, ditch, and drainage way.

Storm Water Detention. A provision for storage of storm water runoff and the controlled release of such runoff during and after a flood or storm.

Subdivision. The division of a tract, parcel, or lot into two or more lots or building sites, or other divisions of land for the purpose, whether immediate or future, of sale, legacy, or building development, and includes all division of land involving a new street or a change in existing streets and includes the re-subdivision of land.

Subdivision, Exempt. An exempt subdivision is one which meets the following conditions:

1. Involves the division of land into parcels of five (5) acres or more

where no new street is involved; or

2. Includes the combination or recombination of portions of previously platted lots where the total number of lots is not increased and the resultant lots are equal to the standards of this Ordinance and other applicable regulations.
3. A subdivision involving cemetery lots.
4. The subdivision of property among heirs.

Subdivision, Major. A major subdivision is any subdivision other than an exempt or minor subdivision.

Subdivision, Minor. A minor subdivision is one which does not involve any of the following: (a) the creation of more than five lots, (b) the creation of any new street, (c) the extension of public water or sewer lines, or (d) the installation of drainage improvements through one or more lots to serve one or more other lots.

Surveyor. A person who is registered by the South Carolina State Board of Engineering Examiners to practice land surveying in South Carolina.

ARTICLE VIII

LEGAL STATUS PROVISIONS

Section 8-1. Separability and Validity

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

Section 8-2. Repeal of Conflicting Ordinances

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

Section 8-3. Effective Date

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