



# CHAPTER 44 OF THE CODE OF ORDINANCES

DRAFT 10 JAN 25

2025  
LAURENS  
LAND USE  
ORDINANCE

ADOPTED & EFFECTIVE  
2-1-2025



URBAN  
EDGE  
STUDIO



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## LAURENS ZONING ORDINANCE

This Zoning Ordinance was prepared for the City of Laurens, South Carolina by William T. Eubanks, FASLA of Urban Edge Studio with grateful acknowledgment to the City of Franklin, Tennessee and Town Planning & Urban Design Collaborative, LLC for generously providing their ordinance which provided a framework and served as an inspiration and the basis of this ordinance.

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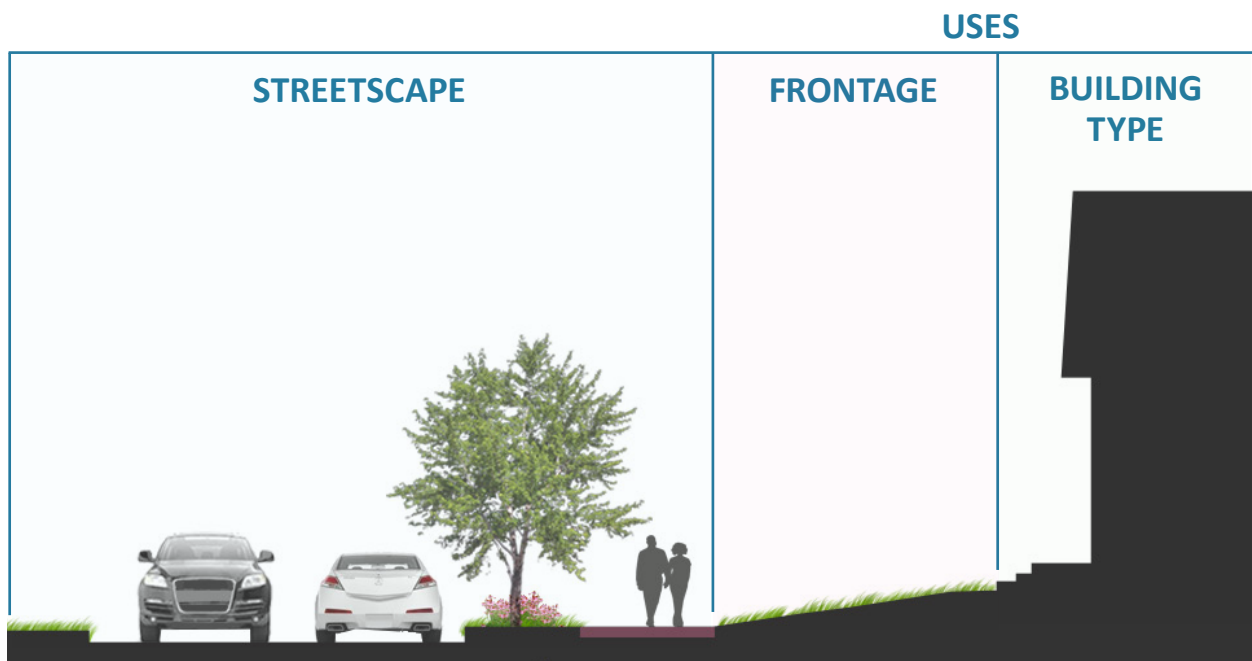
## LAURENS, SOUTH CAROLINA | ZONING ORDINANCE

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The Laurens Zoning Ordinance is intended to facilitate the type of high-quality, vibrant, and sustainable development prescribed by the Laurens Comprehensive Plan . This Ordinance provides standards organized around the following areas:

- A. The zoning map divides the City into zoning districts and any applicable overlay districts.
- B. The zoning districts regulate the uses, building types, frontage types, building setbacks, number of buildings, landscape surface area, and other standards for a lot in Section 3.
- C. The overlay districts may further regulate uses and require additional development standards in Section 4.
- D. Use regulations cover the principal, accessory, and temporary uses permitted by zoning district, along with any additional regulations that may apply to a particular use in Section 5.
- E. Building types contain the standards that apply to each type of building regulated by this Ordinance in Section 6.
- F. Frontage types regulate the type of development along the street edge in Section 7.
- G. Development standards in Sections 8 through 18 are organized around transitional features, streets and circulation, parking, open space, landscape, fences, walls, and screening, lighting, signs, utilities, natural resources, and historic resources.
- H. The review bodies and their authority are outlined in Section 19.



## HOW TO USE THIS ORDINANCE

### Laurens Zoning Ordinance

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- I. The review and approval procedures for various development applications are found in Section 20.
- J. Performance agreement and sureties provide assurance that approved site improvements are completed in Section 21.
- K. Enforcement is described in Section 22.
- L. Definitions and interpretations are found in Section 23.

# SECTION 1

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## INTRODUCTORY PROVISIONS

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## 1.1 Legal Provisions

### 1.1.1 Title

This Ordinance shall be known as the “Laurens Land Use Ordinance”, referred to throughout this document as “this Ordinance”.

### 1.1.2 Authority

This ordinance is prepared pursuant to the authority conferred by S.C. Code: Title 6 - Local Government--Provisions Applicable to Special Purpose Districts and Other Political Subdivisions; ARTICLE 5: Local Planning — Zoning; SECTION 6 29 710. South Carolina Local Government Comprehensive Planning Enabling Act of 1994.

### 1.1.3 Effective Date

This Ordinance was adopted by the Mayor and City Council and it became effective on **February 1, 2025 by Ordinance 2025-xx**.

### 1.1.4 Establishment

The adoption of this Ordinance hereby establishes all its Sections, Subsections, sentences, phrases, and all other contents.

### 1.1.5 Applicability

This Ordinance applies to all land, lots, buildings, structures, uses, improvements, and development or redevelopment activity located within the City of Laurens, South Carolina referred to throughout this Ordinance as “the City”.

### 1.1.6 Purpose

The purpose and intent of this Ordinance is to promote the public health, safety, and general welfare of residents and businesses in the City. This Ordinance is adopted to achieve the following:

- A. Implement the policies and principles contained within adopted general plans, including the Laurens Comprehensive Plan;
- B. Enhance the quality of the built environment through exceptional site design, building form, uses, setbacks, activated streets, signage, and pedestrian focus;
- C. Facilitate infrastructure-supported growth, so that service demands of development and redevelopment will not exceed the capabilities of existing streets, utilities, or other public facilities and services;
- D. Strategically locate pedestrian-oriented nonresidential and mixed-use nodes that serve surrounding residential neighborhoods to minimize traffic and trip length;
- E. Provide safe, efficient, and convenient vehicular, bicycle, pedestrian, and transit mobility and circulation patterns throughout the City;
- F. Improve active transportation for both destinations and recreation by connecting uses and development through sidewalks, multi-use paths, and nature trails;
- G. Promote a balanced mix of uses that is compatible with adjacent land uses and has good access to transportation and transit networks;
- H. Protect commercial and industrial activities to preserve and strengthen the City’s economic base;
- I. Protect the historic resources of the City, including structures, neighborhoods, districts, landmarks, landscapes, historic stone walls, cemeteries, streetscapes, and archaeological sites;
- J. Preserve and reinforce the character of established neighborhoods and ensure contextually compatible infill development;
- K. Provide a variety of housing types to serve the needs of a diverse population;
- L. Protect the City’s natural beauty by



- preserving scenic corridors and viewsheds;
- M. Preserve and protect existing trees and vegetation, floodplains, stream corridors, water quality, wildlife habitat, hillsides, hilltops, steep slopes, and other areas of scenic and environmental significance from adverse impacts of land development;
- N. Enhance the visual quality of the built environment through landscape standards and planting requirements;
- O. Secure safety from fire, flooding along watercourses, and other hazards;
- P. Provide adequate light and air;
- Q. Encourage development of a sustainable and accessible system of recreational facilities, parks, trails, and open space that meets year-round neighborhood and community-wide needs; and
- R. Ensure greater public safety, health, and welfare, and convenience and accessibility through the physical design and location of land use and development.

### 1.1.7 Minimum Requirements

The requirements of this Ordinance are considered the minimum requirements for the promotion of the public health, safety, and general welfare of the City. All development or redevelopment shall occur in accordance with the regulations in this Ordinance. No land, lot, building, structure, development, improvement, establishment, facility, or premises shall be used or developed for any purpose or in any manner other than in compliance with this Ordinance.

### 1.1.8 Relationship to Other Provisions

If any provisions of this Ordinance are inconsistent with similar provisions of any other City, State, or Federal regulation, law, statute, or ordinance, the more restrictive provision shall control, to the extent permitted by law.

### 1.1.9 Conflicting Provisions

In cases where two or more standards within this Ordinance conflict with one another, the more restrictive standard shall be controlling, unless one of the provisions in conflict expressly states that it shall apply, control, or take precedence.

### 1.1.10 Conflicts with Private Agreements

This Ordinance is not intended to modify, revoke, or repeal any easement, covenant, or other private agreement; however, where the regulations of this Ordinance are more restrictive, the requirements of this Ordinance shall be controlling. The City does not enforce the provisions of easements, covenants, or agreements between private or third parties.

### 1.1.11 Review of Public Improvements

Whenever the Laurens Planning Commission has adopted a plan of the municipality or any part thereof, then and thenceforth no street, park or other public way, ground, place or space, no public building or structure, or no public utility, whether publicly or privately owned, shall be constructed or authorized in the City until and unless the location and extent thereof shall have been submitted to and approved by the Planning Commission.

In case of disapproval, the Planning Commission shall communicate its reasons to

the Mayor and City Council, which by a vote of a majority of its membership, shall have the power to overrule such disapproval and, upon such overruling, the Mayor and City Council shall have the power to proceed.

If the public way, ground, place, space, building, structure or utility is one the authorization or financing of which does not, under the law governing the same, fall within the province of the Mayor and City Council, then the submission to the Planning Commission shall be by the State, County, District, City, or other Board or official having such jurisdiction, and the Planning Commission's disapproval may be overruled by the chief legislative body by a majority vote of its membership, or by such official.

The widening, narrowing, relocation, vacation, change in the use, acceptance, acquisition, sale or lease of any street or public way, ground, place, property or structure shall be subject to similar submission and approval, and the failure to approve may be similarly overruled.

The failure of the Planning Commission to act within 45 days from and after the date of official submission to it shall be deemed approval, unless a longer period is granted by the Mayor and City Council or other submitting board or official. The date of official submission shall be the date at which the Planning Commission first considers the item.

#### **1.1.12 Continuation of Violations**

Any violation of previous versions of this Ordinance shall continue to be a violation under this Ordinance and shall be subject to the penalties and enforcement set forth in Section 22: Enforcement, unless the applicable use, development, improvement, construction, or activity complies with the provisions of this Ordinance. Payment shall be required

for any penalty assessed under the previous regulations, even if the original violation is no longer considered to be a violation under this Ordinance.

#### **1.1.13 Nonconformities**

Any use, building, structure, development, improvement, or lot that legally existed on the effective date of this Ordinance that does not meet all provisions set forth in this Ordinance shall be considered nonconforming and shall be controlled by Section 2, Nonconformities.

#### **1.1.14 Severability**

It is expressly declared that this Ordinance and each Section, Subsection, sentence, phrase, and all other content, is adopted and enforceable regardless of whether one or more other portions of this Ordinance are judged invalid or unconstitutional by a court of competent jurisdiction. Such judgment shall not affect:

- A. The validity and continued enforcement of any other provision of this Ordinance;
- B. The application of this Ordinance to any other building, structure, development, improvement, lot, land, or situation not specifically included in that judgment; or
- C. Any other conditions or requirements attached to the same approval that are not specifically included in that judgment.

Whenever a condition or limitation is included in an administrative action authorizing regulatory activity, then it shall be conclusively presumed that the authorizing officer, commission, or board considered such condition or limitation necessary to carry out the spirit and intent of this Ordinance and believed that the condition or limitation was lawful.

## 1.2 Transitional Rules

The following transitional rules will resolve the status of properties with pending or approved applications at the time of adoption of this Ordinance:

### 1.2.1 Pending Applications

All applications submitted on or after February 1, 2025 shall comply with this Ordinance, including applications submitted for the February 2025 Planning Commission or City Council.

An applicant with a pending application may waive review under prior ordinances through a written letter to the Planning Department and request review and vesting under the provisions of this Ordinance.

### 1.2.2 Approved Plans

Approved development plans, site plans, variances, certificates of appropriateness, grading permits, tree removal permits, or building permits that are valid on the effective date of this Ordinance shall remain valid until their expiration date, where applicable.

Plans approved under prior ordinances, such as concept plans, regulating plans, and conservation plans that are valid on the effective date of this Ordinance shall also remain valid until their expiration date, where applicable.

### 1.2.3 Amendments or Revisions

Amendments or revisions to previously-approved plans shall comply with this Ordinance, unless the original approval is considered to be vested, per Subsection 1.2.3, Vested Plans.

### 1.2.4 Re-Application of Expired Plans

Any re-application following the expiration of an approved plan shall be subject to the Ordinance in effect on the date the application is resubmitted.

### **1.3 Relationship to the Laurens Comprehensive Plan**

The Laurens Comprehensive Plan is a general plan that articulates the long-term vision for growth and development throughout the City.

The policies may be amended from time to time to meet the changing requirements of the City in accordance with Section 20.3, Plan Amendment.

Text amendments to this Ordinance should maintain and enhance consistency with the Laurens Comprehensive Plan.

lines shall generally follow parcel lines. However, split zoning of a parcel is allowed when it is deemed to be more appropriate or found to be in the best interest of the City.

## **1.4 Zoning Map**

### **1.4.1 Establishment of the Zoning Map**

- A. The location and boundaries of zoning districts and overlay zoning districts established by this Ordinance are shown and maintained as part of Laurens County's Geographic Information System (GIS).
- B. The zoning GIS layers constitute the City's zoning map and are hereby adopted and made a part of this Ordinance.
- C. The zoning map shall be maintained and made available in accordance with CHAPTER 29, ARTICLE 5, Local Planning - Zoning SECTION 6-29-760 of the South Carolina State Code of Laws.
- D. When a property is rezoned, the change shall be identified by updating the original electronic data with details of the change.

### **1.4.2 District Boundaries**

Unless otherwise indicated on the zoning map, the district boundaries are parcel lines or the corporate limit lines, as they existed at the time of the enactment of this Ordinance.

When property is rezoned, new zoning district

# SECTION 2

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## NONCONFORMITIES

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## 2.1 General Provisions

### 2.1.1 Applicability

Any principal or accessory use, structure, lot of record, sign, or tower that was lawfully established before the effective date of this Ordinance and no longer complies with this Ordinance is considered nonconforming. Nonconformities shall be allowed to continue subject to the provisions of this Chapter.

### 2.1.2 Determination of Nonconformity Status

The burden of establishing that a nonconformity lawfully exists shall be on the owner of the property on which the purported nonconformity is located.

## 2.2 Nonconforming Uses

### 2.2.1 Change of Use

- A. A nonconforming use shall not be changed to or replaced with another use unless that use conforms to the requirements of all City Ordinances.
- B. A change in occupancy or ownership shall not, by itself, constitute a change of use.
- C. If the use is changed to, or replaced by a conforming use, it shall lose its nonconforming status.

### 2.2.2 Discontinuance or Abandonment of a Nonconforming Use

- A. 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 such nonconforming

use, building, structure, or portions thereof, shall not be:

1. Reused or reoccupied after discontinuance of occupancy for three months, or in cases involving the settlement of an estate, one year. For purposes of this section, the term vacated or discontinued is synonymous with the removal of equipment, structures or other aspects of such nonconforming use, or discontinuance of electric power. When seeking relief under this section it shall be the responsibility of the owner, manager, or tenant of a nonconforming use to establish the existence of such use prior to the effective date of this ordinance
  2. Reestablished, reoccupied, or replaced with the same or similar use, structure, or building, after physical removal or relocation from its original location at the time of enactment, amendment, or revision of this ordinance, except as provided herein.
  3. Repaired, rebuilt, or altered after any damage exceeding 50 percent of its market value at the time of destruction.
  4. Continued to be used if the Business License has been suspended, revoked, or expired.
- B. Operation only of an accessory use to the principal nonconforming use during the 3-month period shall not constitute continuation of the principal nonconforming use.

### 2.2.3 Expansion of a Nonconforming Use

Nonconforming uses may be expanded, provided the following is met:

- A. The nonconforming use shall not be enlarged, expanded, or altered in a way that increases the degree of nonconformity. Any proposed expansion must conform to all other applicable standards of this Ordinance. For example:
  5. The expansion of a nonconforming use cannot include any additional uses not permitted by the applicable zoning district; and
  6. A duplex use in a single-family residential district is not permitted to add any additional dwelling units, inclusive of accessory dwellings.
- B. The type, size, and intensity of the proposed expansion, including such considerations as the size of the site, the location of the nonconforming use upon it, the hours of operation, the amount of noise generated, and the number of people who are likely to patronize the use will be adequate with respect to minimizing any negative impacts on adjoining lots and avoiding nuisances to adjacent landowners; and
- C. The nonconforming use shall not be expanded through the acquisition of additional land beyond that in use by the nonconformity on the effective date of this Ordinance.

## 2.3 Nonconforming Structures

### 2.3.1 Applicability

This Section shall apply to nonconforming structures, other than signs and towers.

### 2.3.2 Repair and Maintenance of a Nonconforming Structure

Routine maintenance, stabilization, or restoration to a safe condition of any part of a nonconforming structure is permitted in accordance with this Chapter.

### 2.3.3 Expansion of a Nonconforming Structure

A nonconforming structure may be expanded, provided the following is met:

- A. The nonconforming structure shall not be enlarged, expanded, or altered in a way that increases the degree of nonconformity. Any proposed expansion must conform to all other applicable standards of this Ordinance. For example:
  1. For a building that is located five feet from a side lot line, where this Ordinance requires a ten foot minimum side yard setback, any building addition or increase in building height must comply with the ten-foot setback; and
  2. For a building that is entirely within a required front yard setback, any building addition must occur only to the rear of the building.
- B. The type, size, and intensity of the proposed expansion, such as the size of the site and the location of the nonconforming structure upon it, will be adequate with respect to minimizing any negative impacts on adjoining lots and avoiding nuisances to adjacent landowners; and
- C. The nonconforming structure shall not be expanded through the acquisition of

additional land beyond that in use by the nonconformity on the effective date of this Ordinance.

## **2.4 Nonconforming Lots**

### **2.4.1 Nonconforming Platted Lots**

A lot in a subdivision that was legally created by final plat and recorded prior to the effective date of this Ordinance that does not meet the dimensional standards of the applicable zoning district:

- A. May be developed with the uses permitted in the applicable zoning district; and
- B. Shall retain the approved dimensional standards and minimum required open space.

### **2.4.2 Nonconforming Lots of Record**

A lot that was legally created by deed or other legal mechanism before it was in the City or prior to the City's initial adoption of the Subdivision Regulations that does not meet the dimensional standards of the applicable zoning district:

- A. May be developed with the uses permitted in the applicable zoning district;
- B. Shall comply with the dimensional standards of the applicable zoning district as closely as possible; and
- C. Must conform to all other applicable provisions of this Ordinance.

### **2.4.3 Governmental Acquisition**

Governmental acquisition of a portion of a lot for a public purpose that results in a reduction in dimensional standards below that required by this Ordinance shall not render the lot nonconforming.



# SECTION 3

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## ZONING DISTRICTS

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## 3.1 General Provisions

### 3.1.1 Zoning Districts

For the purposes of this Ordinance, the City is divided into the following zoning districts as set forth on the zoning map:

CN | Conservation District  
ER | Estate Residential District  
SR | Sub-Urban Residential District  
LR | Legacy Residential District  
TR | Traditional Residential District  
MR | Mixed Residential District  
PD | Planned Development District  
CI | Civic Institutional District  
NC | Neighborhood Commercial District  
LC | Limited Commercial District  
CO | Core Commercial District  
GC | General Commercial District  
IN | Industrial District

### 3.1.2 District Components

Each zoning district contains the following provisions:

- A. The purpose, which provides the intent of the district;
- B. Use regulations, which specify the range of permitted uses and structures in accordance with Section 5, Use Regulations;
- C. Building types, which specify the permitted principal building types in accordance with Section 6, Building Types;
- D. Frontage types, which specify the permitted frontage types in accordance with Section 7, Frontage Types;
- E. Dimensional standards, which specify the regulations for lot standards, building setbacks, building height, landscape surface area, and other requirements; and
- F. Additional standards, which provide links to additional development standards that may be applicable in the district.

## 3.2 CN | Conservation District

### 3.2.1 Purpose

The CN District is intended to be used for agricultural land uses; undeveloped land set aside either as permanent open space; or land for which a use has not been determined.

### 3.2.2 Use Regulations

- A. Principal uses shall comply with Section 5.1, Principal Uses.
- B. Accessory uses and structures, other than agricultural structures, shall comply with Section 5.2, Accessory Uses and Structures. Agricultural structures are customary in this district and not otherwise regulated.
- C. Temporary uses and structures shall comply with Section 5.3, Temporary Uses and Structures.

### 3.2.3 Building Types

The following principal building types are permitted:

- A. Agricultural structures, which are customary in this district and not otherwise regulated

### 3.2.4 Frontage Types

The following frontage type is permitted:

- A. Yard Frontage

**3.2.5 Dimensional Standards**

The following dimensional standards are required:

| <b>Lot Standards</b>                            |  | <b>Minimum</b>  |
|---|--|---|
| Lot Size  |  | 5 acres   |
| Lot Width                                       |  | 200 feet  |
| Front Lot Line                                  |  | 160 feet  |
| <b>Number of Buildings</b>                      |  | <b>Maximum</b>  |
| Principal Building                              |  | NA  |
| Accessory Structure                             |  | NA  |
| Minor Accessory Structure                       |  | NA  |
| <b>Principal Building Setbacks</b>              |  | <b>Minimum</b>  |
| Front Yard                                      |  | 100 feet  |
| Side Yard                                       |  | 50 feet   |
| Rear Yard                                       |  | 100 feet  |
| <b>Appurtenance Encroachments into Setbacks</b> |  |   |
| Front Yard                                      |  | 6 feet max  |
| Side Yard                                       |  | 5 feet max, but no closer than 5 feet from lot line   |
| Rear Yard                                       |  | 15 feet max, but no closer than 20 feet from lot line |

Steps may encroach up to the front lot line, but no closer than 5 feet from a side or rear lot line

| <b>Accessory Structure Setbacks</b> |               |
|-------------------------------------|---------------|
| Front Yard                          | Not permitted |
| Side Yard                           | 5 feet        |
| Rear Yard                           | 5 feet        |

| <b>Building Height</b>    | <b>Maximum</b> |
|---------------------------|----------------|
| Principal Building        | 2 ½ stories    |
| Accessory Structure       | NA             |
| Minor Accessory Structure | NA             |
| <b>Landscape</b>          |                |
| Landscape Surface Area    | 70%            |

**3.2.6 Additional Standards**

| <b>Section References</b>    |            |
|------------------------------|------------|
| Building Types               | Section 6  |
| Frontage Types               | Section 7  |
| Transitional Features        | Section 8  |
| Streetscape and Circulation  | Section 9  |
| Parking                      | Section 10 |
| Open Space                   | Section 11 |
| Landscape                    | Section 12 |
| Fences, Walls, and Screening | Section 13 |
| Lighting                     | Section 14 |
| Signs                        | Section 15 |
| Utilities                    | Section 16 |
| Natural Resources            | Section 17 |
| Historic Resources           | Section 18 |

### 3.3 ER | Estate Residential District

#### 3.3.1 Purpose

The ER district is intended to provide for single-family residential on estate-sized lots and for preservation of a semi-rural character.

#### 3.3.2 Use Regulations

- A. Principal uses shall comply with Section 5.1, Principal Uses.
- B. Accessory uses and structures, other than agricultural structures, shall comply with Section 5.2, Accessory Uses and Structures.
- C. Temporary uses and structures shall comply with Section 5.3, Temporary Uses and Structures.

#### 3.3.3 Building Types

The following principal building type is permitted:

- A. House

#### 3.3.4 Frontage Types

The following frontage type is permitted:

- A. Yard Frontage

**3.3.5 Dimensional Standards**

The following dimensional standards are required:

| Lot Standards   |  | Minimum  |
|---|--|--|
| Lot Size  |  | .5 acres   |
| Lot Width   |  | 100 feet   |
| Number of Buildings   |  | Maximum  |
| Principal Building  |  | 1 per lot  |
| Accessory Structure   |  | 1 per lot  |
| Minor Accessory Structure   |  | 1 per lot  |
| Principal Building Setbacks   |  | Minimum  |
| Front Yard  |  | 30 feet  |
| Side Yard   |  | 25 feet  |
| Rear Yard   |  | 35 feet  |
| Appurtenance Encroachments into Setbacks  |  |  |
| Front Yard  |  | 6 feet max   |
| Side Yard   |  | 5 feet max, but no closer than 5 feet from lot line                                |
| Rear Yard   |  | 15 feet max, but no closer than 20 feet from lot line                              |
| Steps may encroach up to the front lot line, but no closer than 5 feet from a side or rear lot line |  |  |
| Accessory Structure Setbacks  |  |  |
| Location  |  | At least 5 feet behind the principal building<br>At least 5 feet from any lot line |
| Building Height   |  | Maximum  |

|                    |             |
|--------------------|-------------|
| Principal Building | 3 ½ stories |
|--------------------|-------------|

|                     |   |
|---------------------|---|
| Accessory Structure | Shall not exceed the height of the principal building, except for agricultural structures |
|---------------------|---|

|                           |         |
|---------------------------|---------|
| Minor Accessory Structure | 1 story |
|---------------------------|---------|

**Landscape Minimum**

|                        |     |
|------------------------|-----|
| Landscape Surface Area | 60% |
|------------------------|-----|

**Alternate Standards**

For lots in recorded subdivisions, if there are different dimensional standards on the final plat, then those standards on the final plat shall govern

**3.3.6 Additional Standards**

**Section References**

|                              |            |
|------------------------------|------------|
| Building Types               | Section 6  |
| Frontage Types               | Section 7  |
| Transitional Features        | Section 8  |
| Streetscape and Circulation  | Section 9  |
| Parking                      | Section 10 |
| Open Space                   | Section 11 |
| Landscape                    | Section 12 |
| Fences, Walls, and Screening | Section 13 |
| Lighting                     | Section 14 |
| Signs                        | Section 15 |
| Utilities                    | Section 16 |
| Natural Resources            | Section 17 |
| Historic Resources           | Section 18 |

### 3.4 SR | Sub-Urban Residential District

#### 3.4.7 Purpose

The SR district is intended to provide for single-family residential with lot sizes of at least 7,500 square feet, designed with walkable, well-connected street systems, and designed around natural features as accessible community amenities.

#### 3.4.8 Use Regulations

- A. Principal uses shall comply with Section 5.1, Principal Uses.
- B. Accessory uses and structures shall comply with Section 5.2, Accessory Uses and Structures.
- C. Temporary uses and structures shall comply with Section 5.3, Temporary Uses and Structures.

#### 3.4.9 Building Types

The following principal building type is permitted:

- A. House

#### 3.4.10 Frontage Types

The following frontage type is permitted:

- A. Yard Frontage

**3.4.11 Dimensional Standards**

The following dimensional standards are required:

| <b>Lot Standards</b>  |  | <b>Minimum</b>  |
|---|--|---|
| Lot Size  |  | 7,500 square feet                                     |
| Lot Width   |  | 50 feet   |
| <b>Number of Buildings</b>  |  | <b>Maximum</b>  |
| Principal Building  |  | 1 per lot   |
| Accessory Structure   |  | 1 per lot   |
| Minor Accessory Structure   |  | 1 per lot   |
| <b>Principal Building Setbacks</b>  |  | <b>Minimum</b>  |
| Front Yard  |  | 20 feet   |
| Side Yard   |  | 10 feet   |
| Rear Yard   |  | 30 feet   |
| <b>Appurtenance Encroachments into Setbacks</b>   |  |   |
| Front Yard  |  | 6 feet max  |
| Side Yard   |  | 5 feet max, but no closer than 5 feet from lot line   |
| Rear Yard   |  | 15 feet max, but no closer than 20 feet from lot line |
| Steps may encroach up to the front lot line, but no closer than 5 feet from a side or rear lot line |  |   |
| <b>Accessory Structure Setbacks</b>   |  |   |
| Location  |  | At least 5 feet behind the principal building         |
|   |  | At least 5 feet from any lot line                     |
| <b>Building Height</b>  |  | <b>Maximum</b>  |
| Principal Building  |  | 2 ½ stories   |

|                     |  |  |
|---------------------|--|--|
| Accessory Structure |  | 2 stories, but shall not exceed the height of the principal building |
|---------------------|--|--|

|                           |  |         |
|---------------------------|--|---------|
| Minor Accessory Structure |  | 1 Story |
|---------------------------|--|---------|

| <b>Landscape</b>       |  | <b>Minimum</b> |
|------------------------|--|----------------|
| Landscape Surface Area |  | 40%            |

**Alternate Standards**

For lots in recorded subdivisions, if there are different dimensional standards on the final plat, then those standards on the final plat shall govern. When there are platted front yard setbacks but no side or rear yard setbacks, then 10-foot side and 25-foot rear yard setbacks shall apply

**3.4.12 Additional Standards**

**Section References**

|                              |            |
|------------------------------|------------|
| Building Types               | Section 6  |
| Frontage Types               | Section 7  |
| Transitional Features        | Section 8  |
| Streetscape and Circulation  | Section 9  |
| Parking                      | Section 10 |
| Open Space                   | Section 11 |
| Landscape                    | Section 12 |
| Fences, Walls, and Screening | Section 13 |
| Lighting                     | Section 14 |
| Signs                        | Section 15 |
| Utilities                    | Section 16 |
| Natural Resources            | Section 17 |
| Historic Resources           | Section 18 |



### 3.5 LR | Legacy Residential District

#### 3.5.1 Purpose

The LR district is intended to preserve the established, historic residential neighborhoods throughout Laurens and ensure contextual compatibility of infill development.

#### 3.5.2 Use Regulations

- A. Principal uses shall comply with Section 5.1, Principal Uses.
- B. Accessory uses and structures shall comply with Section 5.2, Accessory Uses and Structures.
- C. Temporary uses and structures shall comply with Section 5.3, Temporary Uses and Structures.

#### 3.5.3 Building Types

The following principal building type is permitted:

- A. House

#### 3.5.4 Frontage Types

The following frontage type is permitted:

- A. Yard Frontage

#### 3.5.5 Dimensional Standards

The following dimensional standards are required:

| Lot Standards | Minimum  |
|---------------|--|
| Lot Size      | 75% of the average lot size of existing lots on the same block face, but in no case shall be less than 6,500 square feet |
| Lot Width     | 75% of the average lot width of existing lots on the same block face, but in no case shall be less than 60 feet          |

|                |                          |
|----------------|--------------------------|
| Front Lot Line | 80% of minimum lot width |
|----------------|--------------------------|

| Number of Buildings | Maximum |
|---------------------|---------|
|---------------------|---------|

|                    |           |
|--------------------|-----------|
| Principal Building | 1 per lot |
|--------------------|-----------|

|                     |           |
|---------------------|-----------|
| Accessory Structure | 1 per lot |
|---------------------|-----------|

|                           |           |
|---------------------------|-----------|
| Minor Accessory Structure | 1 per lot |
|---------------------------|-----------|

| Principal Building Setbacks | Minimum |
|-----------------------------|---------|
|-----------------------------|---------|

|            |  |
|------------|--|
| Front Yard | Average setback of existing buildings on the same block face, but no closer to the front lot line than the closest adjacent building, and in no case less than 10 feet |
|------------|--|

|           |        |
|-----------|--------|
| Side Yard | 7 feet |
|-----------|--------|

|           |         |
|-----------|---------|
| Rear Yard | 20 feet |
|-----------|---------|

|                             |                                       |
|-----------------------------|---------------------------------------|
| Rear Yard Abutting an Alley | See building type for garage setbacks |
|-----------------------------|---------------------------------------|

| Appurtenance Encroachments into Setbacks |  |
|--|--|
|--|--|

|            |            |
|------------|------------|
| Front Yard | 6 feet max |
|------------|------------|

|           |   |
|-----------|---|
| Side Yard | 5 feet max, but no closer than 5 feet from lot line |
|-----------|---|

|           |   |
|-----------|---|
| Rear Yard | 15 feet max, but no closer than 20 feet from lot line |
|-----------|---|

Steps may encroach up to the front lot line, but no closer than 5 feet from a side or rear lot line

| Accessory Structure Setbacks |  |
|------------------------------|--|
|------------------------------|--|

|          |  |
|----------|--|
| Location | At least 5 feet behind the principal building<br>At least 5 feet from any lot line |
|----------|--|

| Building Height           | Maximum  |
|---------------------------|--|
| Principal Building        | Building height shall not exceed one-half story above the average height of existing buildings on the same block face, but in no case shall exceed 2 1/2 stories |
| Accessory Structure       | 1 1/2 stories , but shall not exceed the height of the principal building  |
| Minor Accessory Structure | 1 Story  |

| Landscape              | Minimum |
|------------------------|---------|
| Landscape Surface Area | 40%     |

**Alternate Standards**

Where there is not an existing house on a block face to establish the lot standards, principal building setbacks, or building height, then the house(s) on the opposite block face shall be used to determine the applicable requirements. For lots in recorded subdivisions, if there are different dimensional standards on the final plat, then those standards on the final plat shall govern

**3.5.6 Additional Standards**

| Section References           |            |
|------------------------------|------------|
| Building Types               | Section 6  |
| Frontage Types               | Section 7  |
| Transitional Features        | Section 8  |
| Streetscape and Circulation  | Section 9  |
| Parking                      | Section 10 |
| Open Space                   | Section 11 |
| Landscape                    | Section 12 |
| Fences, Walls, and Screening | Section 13 |
| Lighting                     | Section 14 |
| Signs                        | Section 15 |
| Utilities                    | Section 16 |
| Natural Resources            | Section 17 |
| Historic Resources           | Section 18 |

### 3.6 TR | Traditional Residential District

#### 3.6.1 Purpose

The TR district is intended to create walkable neighborhoods with small lots and shallow setbacks and ensure contextual compatibility of new development.

#### 3.6.2 Use Regulations

- A. Principal uses shall comply with Section 5.1, Principal Uses.
- B. Accessory uses and structures shall comply with Section 5.2, Accessory Uses and Structures.
- C. Temporary uses and structures shall comply with Section 5.3, Temporary Uses and Structures.

#### 3.6.3 Building Types

The following principal building type is permitted:

- A. House

#### 3.6.4 Frontage Types

The following frontage type is permitted:

- A. Yard Frontage

#### 3.6.5 Dimensional Standards

The following dimensional standards are required:

| Lot Standards       | Minimum           |
|---------------------|-------------------|
| Lot Size            | 3,200 square feet |
| Lot Width           | 34 feet           |
| Number of Buildings | Maximum           |
| Principal Building  | 1 per lot         |
| Number of Buildings | Maximum           |
| Accessory Structure | 1 per lot         |

| Number of Buildings   | Maximum   |
|---|---|
| Minor Accessory Structure   | 1 per lot   |
| Principal Building Setbacks   | Minimum   |
| Front Yard  | Average setback of existing buildings on the same block face, but no closer to the front lot line than the closest adjacent building, and in no case less than 10 feet                          |
| Side Yard   | 5 feet  |
| Rear Yard   | 15 feet   |
| Rear Yard Abutting an Alley   | See building type for garage setbacks   |
| Appurtenance Encroachments into Setbacks  |   |
| Front Yard  | 6 feet max  |
| Side Yard   | Not Permitted   |
| Rear Yard   | Not Permitted   |
| Steps may encroach up to the front lot line, but no closer than 5 feet from a side or rear lot line |   |
| Accessory Structure Setbacks  |   |
| Location  | At least 5 feet behind the principal building<br>At least 5 feet from any lot line  |
| Building height   | Maximum   |
| Principal Building  | Building height facing the street shall not exceed one-half story above the average height of existing single-family buildings on the same block face, but in no case shall exceed two stories. |

|                     |  |
|---------------------|--|
| Accessory Structure | 1 1/2 stories, but shall not exceed the height of the principal building |
|---------------------|--|

|                           |         |
|---------------------------|---------|
| Minor Accessory Structure | 1 Story |
|---------------------------|---------|

**Landscape Minimum**

|                        |     |
|------------------------|-----|
| Landscape Surface Area | 30% |
|------------------------|-----|

**Alternate Standards**

For lots in recorded subdivisions, if there are different dimensional standards on the final plat, then those standards on the final plat shall govern

**3.6.6 Additional Standards**

**Section References**

|                              |            |
|------------------------------|------------|
| Building Types               | Section 6  |
| Frontage Types               | Section 7  |
| Transitional Features        | Section 8  |
| Streetscape and Circulation  | Section 9  |
| Parking                      | Section 10 |
| Open Space                   | Section 11 |
| Landscape                    | Section 12 |
| Fences, Walls, and Screening | Section 13 |
| Lighting                     | Section 14 |
| Signs                        | Section 15 |
| Utilities                    | Section 16 |
| Natural Resources            | Section 17 |
| Historic Resources           | Section 18 |

### 3.7 MR | Mixed Residential District

#### 3.7.1 Purpose

The MR district is intended to provide for a variety of residential building types while protecting environmentally sensitive areas, preserving open spaces through compact development patterns, and providing standards to help ensure the compatibility of new development with surrounding neighborhoods.

#### 3.7.2 Use Regulations

- A. Principal uses shall comply with Section 5.1, Principal Uses.
- B. Accessory uses and structures shall comply with Section 5.2, Accessory Uses and Structures.
- C. Temporary uses and structures shall comply with Section 5.3, Temporary Uses and Structures.

#### 3.7.3 Building Types

The following principal building types are permitted:

- A. House
- B. Duplex
- C. Multiplex
- D. Townhouse
- E. Multi-Family

#### 3.7.4 Frontage Types

The following frontage types are permitted:

- A. Yard Frontage
- B. Urban Frontage

#### 3.7.5 Diversity in Housing

- A. In new developments, the first building next to a lot for an existing house must be a house or a duplex. This does not apply when the houses are part of the same development.
- B. Proposed development may be all houses, all duplexes, or a mix of both.
- C. If a proposed development includes townhouses or multiplex dwelling units, the townhouse and multiplex dwelling units shall not exceed 50 percent of the total dwelling unit count of a development. The remaining 50 percent shall be a balanced mix of duplexes and houses.

#### 3.7.6 Dimensional Standards for Houses and Multiplexes

The following dimensional standards for houses and multiplexes are required:

| Lot Standards for Alley-Loaded Lots                           |  | Minimum           |
|---|--|-------------------|
| Lot Size  |  | 4,000 square feet |
| Lot Width   |  | 40 feet           |
| Front Lot Line  |  | 35 feet           |
| Lot Standards for Frontage-Facing Garage in the Rear Yard     |  | Minimum           |
| Lot Size  |  | 5,500 square feet |
| Lot Width   |  | 50 feet           |
| Front Lot Line  |  | 40 feet           |
| Lot Standards for Frontage-Facing Garage Not in the Rear Yard |  | Minimum           |
| Lot Size  |  | 7,150 square feet |
| Lot Width   |  | 65 feet           |
| Front Lot Line  |  | 55 feet           |

**Number of Buildings      Maximum**

|                           |           |
|---------------------------|-----------|
| Principal Building        | 1 per lot |
| Accessory Structure       | 1 per lot |
| Minor Accessory Structure | 1 per lot |

**Principal Building Setbacks      Minimum**

|                             |                                       |
|-----------------------------|---------------------------------------|
| Front Yard                  | 10 feet                               |
| Side Yard                   | 5 feet                                |
| Rear Yard                   | 15 feet                               |
| Rear Yard Abutting an Alley | See building type for garage setbacks |

**Appurtenance Encroachments into Setbacks**

|            |  |
|------------|--|
| Front Yard | 6 feet max   |
| Side Yard  | Not Permitted  |
| Rear Yard  | 6 feet max, but no closer than 10 feet from lot line |

Steps may encroach up to the front lot line, but no closer than 5 feet from a side or rear lot line

**Accessory Structure Setbacks**

|          |   |
|----------|---|
| Location | At least 5 feet behind the principal building |
|          | At least 5 feet from any lot line             |

**Building Height      Maximum**

|                           |  |
|---------------------------|--|
| Principal Building        | 2.5 stories  |
| Accessory Structure       | 1.5 stories, but shall not exceed the height of the principal building |
| Minor Accessory Structure | 1 Story  |

**Landscape      Minimum**

|                        |     |
|------------------------|-----|
| Landscape Surface Area | 30% |
|------------------------|-----|

**Alternate Standards**

For lots in recorded subdivisions, if there are different dimensional standards on the final plat, then those standards on the final plat shall govern

**3.7.7 Dimensional Standards for Duplexes and Townhouses**

The following dimensional standards for duplexes and townhouses are required:

- A. Lots shall be platted in a manner in which each dwelling unit is situated on a separately platted lot, unless the units are under a common regime, where the applicable side lot line runs coincident with the common wall separating the dwelling units. The building type shall be designated on the plat as the only building type permitted on such lot.
- B. Duplexes that are horizontally split by floors shall not comply with this Subsection and instead comply with Subsection 3.7.6, Dimensional Standards for Houses and Multiplexes.

**Lot Standards      Minimum**

|                |                   |
|----------------|-------------------|
| Lot Size       | 2,275 square feet |
| Lot Width      | 18 feet           |
| Front Lot Line | 15 feet           |

**Number      Maximum**

|                           |           |
|---------------------------|-----------|
| Dwelling Units            | 1 per lot |
| Accessory Structure       | 1 per lot |
| Minor Accessory Structure | 1 per lot |

| Dwelling Unit Setbacks  | Minimum  |
|---|--|
| Front Yard  | 8 feet   |
| Side Yard   | 0 feet when a side lot line is designated for a common wall separating dwelling units<br>5 feet on any other side lot line |
| Rear Yard   | 15 feet  |
| Rear Yard Abutting an Alley   | See building type for garage setbacks  |
| Appurtenance Encroachments into Setbacks  |  |
| Front Yard  | 6 feet max   |
| Side Yard   | Not Permitted  |
| Rear Yard   | 6 feet max, but no closer than 10 feet from lot line   |
| Steps may encroach up to the front lot line, but no closer than 5 feet from a side or rear lot line |  |
| Accessory Structure Setbacks  |  |
| Location  | At least 5 feet behind the principal building<br>At least 5 feet from any lot line   |
| Building Height   | Maximum  |
| Principal Building  | 3 stories  |
| Accessory Structure   | 2 stories, but shall not exceed the height of the principal building   |
| Minor Accessory Structure   | 1 Story  |

| Landscape              | Minimum |
|------------------------|---------|
| Landscape Surface Area | 20%     |

**Alternate Standards**  
For lots in recorded subdivisions, if there are different dimensional standards on the final plat, then those standards on the final plat shall govern.

### 3.7.8 Additional Standards

| Section References           |            |
|------------------------------|------------|
| Building Types               | Section 6  |
| Frontage Types               | Section 7  |
| Transitional Features        | Section 8  |
| Streetscape and Circulation  | Section 9  |
| Parking                      | Section 10 |
| Open Space                   | Section 11 |
| Landscape                    | Section 12 |
| Fences, Walls, and Screening | Section 13 |
| Lighting                     | Section 14 |
| Signs                        | Section 15 |
| Utilities                    | Section 16 |
| Natural Resources            | Section 17 |
| Historic Resources           | Section 18 |

## 3.8 PD| Planned District

### 3.8.1 Purpose

The PD district is intended to:

- A. Allow for the review and approval of a development plan that establishes the entitlements for a property, including a customized combination of permitted uses, building types, frontage types, setbacks, and any modifications of standards in accordance with Section 20.8, Development Plan;
- B. Utilize the planned unit development process in accordance with State law.

### 3.8.2 Applicability

Rezoning of property to a PD district and the subsequent development plan shall not be proposed or used to avoid, or have the effect of avoiding compliance with the standards and requirements of this Ordinance or for the other zoning districts, and instead, shall be used sparingly. Rezoning of property to a PD district shall be limited to situations where:

- A. Rezoning of property to a PD district shall be limited to situations where this district is needed in order to implement guiding principles and design concepts of the Comprehensive Plan; or
- B. Rezoning of property to a PD district shall be limited to situations where a property, due to unique site conditions or the necessary intrinsic size, use, building placement, building elements, building configuration, building type, or other building and development characteristics, cannot under any other circumstances conform to one or more of the other zoning districts or standards specified in this Ordinance.

### 3.8.3 Use Regulations

- A. Permitted principal uses shall be determined by the Mayor and City Council through the adoption of a development plan. See Subsection 5.1.3, Permitted Principal Uses by Zoning District, for the possible principal uses. Permitted principal uses may be further regulated by overlay zoning districts.
- B. Accessory uses and structures shall comply with Section 5.2, Accessory Uses and Structures.
- C. Temporary uses shall comply with Section 5.3, Temporary Uses and Structures.

### 3.8.4 Building Types

Permitted principal building types shall be determined by the Mayor and City Council through the adoption of a development plan. The list of possible building types is below:

- A. House
- B. Duplex
- C. Multiplex
- D. Townhouse
- E. Multifamily Building
- F. Commercial/Mixed-Use Building
- G. Large-Scale Office Building
- H. Large-Scale Retail Building
- I. Civic Building

### 3.8.5 Frontage Types

Permitted frontage types shall be determined by the Mayor and City Council through the adoption of a development plan. The list of possible frontage types is below:

- A. Yard Frontage
- B. Landscape Frontage
- C. Urban Frontage



### 3.8.6 Modifications of Standards

Development or redevelopment shall conform to all provisions of this Ordinance. In accordance with Section 20.8, Development Plan, an applicant may request certain provisions to be modified through a modification of standards adopted by the Mayor and City Council .

### 3.8.7 Dimensional Standards

The following dimensional standards are required:

| Lot Standards | Minimum |
|---------------|---------|
|---------------|---------|

Lot sizes, widths, and frontages shall be determined by the Mayor and City Council through the adoption of a development plan

| Number of Buildings | Maximum |
|---------------------|---------|
|---------------------|---------|

|                    |  |
|--------------------|--|
| Principal Building | As adopted by the Mayor and City Council |
|--------------------|--|

|                     |                       |
|---------------------|-----------------------|
| Accessory Structure | 1 per residential lot |
|---------------------|-----------------------|

|                           |                       |
|---------------------------|-----------------------|
| Minor Accessory Structure | 1 per residential lot |
|---------------------------|-----------------------|

| Principal Building Setbacks | Minimum |
|-----------------------------|---------|
|-----------------------------|---------|

All building setbacks shall be determined by the Mayor and City Council through the adoption of a development plan

Buildings shall maintain a minimum spacing of ten feet

| Appurtenance Encroachments into Setbacks |  |
|--|--|
|--|--|

|            |            |
|------------|------------|
| Front Yard | 6 feet max |
|------------|------------|

|           |               |
|-----------|---------------|
| Side Yard | Not Permitted |
|-----------|---------------|

|           |   |
|-----------|---|
| Rear Yard | 15 feet max, but no closer than 15 feet from lot line |
|-----------|---|

Steps may encroach up to the front lot line, but no closer than 5 feet from a side or rear lot line

| Accessory Structure Setbacks |  |
|------------------------------|--|
|------------------------------|--|

|          |  |
|----------|--|
| Location | At least 5 feet behind the principal building<br>At least 5 feet from any lot line |
|----------|--|

| Building Height | Maximum |
|-----------------|---------|
|-----------------|---------|

|                    |  |
|--------------------|--|
| Principal Building | As adopted by the Mayor and City Council |
|--------------------|--|

|                     |   |
|---------------------|---|
| Accessory Structure | Shall not exceed the height of the principal building |
|---------------------|---|

|                           |         |
|---------------------------|---------|
| Minor Accessory Structure | 1 Story |
|---------------------------|---------|

| Landscape | Minimum |
|-----------|---------|
|-----------|---------|

|                        |     |
|------------------------|-----|
| Landscape Surface Area | 20% |
|------------------------|-----|

| Alternate Standards |  |
|---------------------|--|
|---------------------|--|

For lots in recorded subdivisions, the dimensional standards on the final plat, shall govern. For single-family residential subdivisions that have platted front yard setbacks but no side or rear yard setbacks, then 10-foot side and 25-foot rear yard setbacks shall apply

### 3.8.8 Additional Standards

| Section References           |            |
|------------------------------|------------|
| Building Types               | Section 6  |
| Frontage Types               | Section 7  |
| Transitional Features        | Section 8  |
| Streetscape and Circulation  | Section 9  |
| Parking                      | Section 10 |
| Open Space                   | Section 11 |
| Landscape                    | Section 12 |
| Fences, Walls, and Screening | Section 13 |
| Lighting                     | Section 14 |
| Signs                        | Section 15 |
| Utilities                    | Section 16 |
| Natural Resources            | Section 17 |
| Historic Resources           | Section 18 |

### 3.9 CI | Civic Institutional District

#### 3.9.1 Purpose

The CI district is intended to accommodate civic, recreational, and institutional uses of public and semi-public gathering that support the common good.

#### 3.9.2 Use Regulations

- A. Principal uses shall comply with Section 5.1, Principal Uses.
- B. Accessory uses and structures shall comply with Section 5.2, Accessory Uses and Structures.
- C. Temporary uses and structures shall comply with Section 5.3, Temporary Uses and Structures.

#### 3.9.3 Building Types

The following principal building types are permitted:

- A. House (for continuum of care use only)
- B. Duplex (for continuum of care use only)
- C. Multiplex (for continuum of care use only)
- D. Townhouse (for continuum of care use only)
- E. Civic Building
- F. Multifamily Building (for continuum of care use only)

#### 3.9.4 Frontage Types

The following frontage types are permitted:

- A. Yard Frontage
- B. Parking Frontage
- C. Landscape Frontage
- D. Urban Frontage

**3.9.5 Dimensional Standards**

The following dimensional standards are required:

| Lot Standards                                 |  | Minimum  |
|---|--|--|
| Lot Size                                      |  | -  |
| Lot Width                                     |  | -  |
| Front Lot Line                                |  | -  |
| Number of Buildings                           |  | Maximum  |
| Principal Building                            |  | -  |
| Accessory Structure                           |  | -  |
| Principal Building Setbacks                   |  | Minimum  |
| Front Yard Abutting Local or Collector Street |  | 25 feet  |
| Front Yard Abutting Arterial Street           |  | 75 feet  |
| Side Yard                                     |  | 25 feet  |
| Rear Yard                                     |  | 25 feet  |
| Appurtenance Encroachments into Setbacks      |  |  |
| Front Yard                                    |  | 6 feet max   |
| Side Yard                                     |  | Not Permitted  |
| Rear Yard                                     |  | Not Permitted  |
| Accessory Structure Setbacks                  |  |  |
| Location                                      |  | At least 5 feet behind the principal building<br>At least 5 feet from any lot line |
| Building Height                               |  | Maximum  |
| Principal Building                            |  | 3 stories  |
| Accessory Structure                           |  | 2 stories, but shall not exceed the height of the principal building               |
| Landscape                                     |  | Minimum  |
| Landscape Surface Area                        |  | 40%  |

**3.9.6 Additional Standards**

| Section References           |            |
|------------------------------|------------|
| Building Types               | Section 6  |
| Frontage Types               | Section 7  |
| Transitional Features        | Section 8  |
| Streetscape and Circulation  | Section 9  |
| Parking                      | Section 10 |
| Open Space                   | Section 11 |
| Landscape                    | Section 12 |
| Fences, Walls, and Screening | Section 13 |
| Lighting                     | Section 14 |
| Signs                        | Section 15 |
| Utilities                    | Section 16 |
| Natural Resources            | Section 17 |
| Historic Resources           | Section 18 |

### 3.10 NC | Neighborhood Commercial District

#### 3.10.1 Purpose

The NC district is intended to provide for pedestrian-oriented, small-scale commercial nodes that serve surrounding residential neighborhoods.

#### 3.10.2 Use Regulations

- A. Principal uses shall comply with Section 5.1, Principal Uses.
- B. Accessory uses and structures shall comply with Section 5.2, Accessory Uses and Structures.
- C. Temporary uses and structures shall comply with Section 5.3, Temporary Uses and Structures.

#### 3.10.3 Building Types

The following principal building types are permitted:

- A. Commercial/Mixed-Use Building
- B. Civic Building

#### 3.10.4 Frontage Types

The following frontage types are permitted:

- A. Landscape Frontage
- B. Urban Frontage

**3.10.5 Dimensional Standards**

The following dimensional standards are required:

| Lot Standards                            | Minimum   |
|--|---|
| Lot Size                                 | -   |
| Lot Width                                | -   |
| Front Lot Line                           | -   |
| Number of Buildings                      | Maximum   |
| Principal Building                       | -   |
| Accessory Structure                      | -   |
| Principal Building Setbacks              |   |
| Front Yard                               | 10 feet min to 45 feet max  |
| Side Yard                                | Minimum 5 feet  |
| Rear Yard                                | Minimum 25 feet   |
| Appurtenance Encroachments into Setbacks |   |
| Front Yard                               | 6 feet max  |
| Side Yard                                | Not Permitted   |
| Rear Yard                                | 6 feet max  |
| Accessory Structure Setbacks             |   |
| Location                                 | At least 5 feet behind the principal building<br>At least 5 feet from any lot line                                    |
| Building Height                          | Maximum   |
| Principal Building                       | 3 stories with minimum building setback of 20 feet at the 3rd floor<br>2 1/2 stories for buildings with pitched roofs |
| Accessory Structure                      | 2 stories, but shall not exceed the height of the principal building  |

| Landscape              | Minimum |
|------------------------|---------|
| Landscape Surface Area | 15%     |

**3.10.6 Additional Standards**

| Section References           |            |
|------------------------------|------------|
| Building Types               | Section 6  |
| Frontage Types               | Section 7  |
| Transitional Features        | Section 8  |
| Streetscape and Circulation  | Section 9  |
| Parking                      | Section 10 |
| Open Space                   | Section 11 |
| Landscape                    | Section 12 |
| Fences, Walls, and Screening | Section 13 |
| Lighting                     | Section 14 |
| Signs                        | Section 15 |
| Utilities                    | Section 16 |
| Natural Resources            | Section 17 |
| Historic Resources           | Section 18 |

**3.11 LC | Limited Commercial District**

**3.11.1 Purpose**

The LC district is intended to provide mixed-use centers or corridors with pedestrian-oriented development.

**3.11.2 Use Regulations**

- A. Principal uses shall comply with Section 5.1, Principal Uses.
- B. Accessory uses and structures shall comply with Section 5.2, Accessory Uses and Structures.
- C. Temporary uses and structures shall comply with Section 5.3, Temporary Uses and Structures.

**3.11.3 Building Types**

The following principal building types are permitted:

- A. Commercial/Mixed-Use Building
- B. Civic Building

**3.11.4 Frontage Types**

The following frontage types are permitted:

- A. Yard Frontage
- B. Landscape Frontage
- C. Urban Frontage

**3.11.5 Dimensional Standards**

The following dimensional standards are required:

| Lot Standards                      | Minimum |
|------------------------------------|---------|
| Lot Size                           | -       |
| Lot Width                          | -       |
| Front Lot Line                     | -       |
| Number of Buildings                | Maximum |
| Principal Building                 | -       |
| Accessory Structure                | -       |
| <b>Principal Building Setbacks</b> |         |

|            |   |
|------------|---|
| Front Yard | 5 feet min to 25 feet max<br>Where there is an established front yard setback on a block face that is expected to remain, pursuant to the Laurens Comprehensive Plan, new buildings on individual lots shall have the average setback of existing buildings on the same block face. No new building shall be located closer to the front lot line than the closest adjacent building. |
| Side Yard  | 5 feet min  |
| Rear Yard  | 20 feet min   |

|                             |                                       |
|-----------------------------|---------------------------------------|
| Rear Yard Abutting an Alley | See building type for garage setbacks |
|-----------------------------|---------------------------------------|

**Appurtenance Encroachments into Setbacks**

|            |               |
|------------|---------------|
| Front Yard | 6 feet max    |
| Side Yard  | Not Permitted |
| Rear Yard  | 6 feet max    |

**Accessory Structure Setbacks**

|                        |  |
|------------------------|--|
| Location               | At least 5 feet behind the principal building<br>At least 5 feet from any lot line   |
| <b>Building Height</b> | <b>Maximum</b>   |
| Principal Building     | 3 stories with minimum building stepback of 20 feet at the 3rd floor for a commercial/mixed-use building<br>2 1/2 stories for residential building types |
| Accessory Structure    | 2 stories, but shall not exceed the height of the principal building   |
| <b>Landscape</b>       | <b>Minimum</b>   |
| Landscape Surface Area | 15%  |



### 3.11.6 Additional Standards

| Section References           |            |
|------------------------------|------------|
| Building Types               | Section 6  |
| Frontage Types               | Section 7  |
| Transitional Features        | Section 8  |
| Streetscape and Circulation  | Section 9  |
| Parking                      | Section 10 |
| Open Space                   | Section 11 |
| Landscape                    | Section 12 |
| Fences, Walls, and Screening | Section 13 |
| Lighting                     | Section 14 |
| Signs                        | Section 15 |
| Utilities                    | Section 16 |
| Natural Resources            | Section 17 |
| Historic Resources           | Section 18 |

**3.12 CO | Core Commercial District****3.12.1 Purpose**

The CO district is intended to provide for a vibrant downtown core with a variety of pedestrian-scale commercial, civic, and residential uses. New development must adhere to traditional development patterns.

**3.12.2 Use Regulations**

- A. Principal uses shall comply with Section 5.1, Principal Uses.
- B. Accessory uses and structures shall comply with Section 5.2, Accessory Uses and Structures.
- C. Temporary uses and structures shall comply with Section 5.3, Temporary Uses and Structures.

**3.12.3 Building Types**

The following principal building types are permitted:

- A. Commercial/Mixed-Use Building
- B. Civic Building

**3.12.4 Frontage Types**

The following frontage types are permitted:

- A. Yard Frontage
- B. Urban Frontage

### 3.12.5 Dimensional Standards

The following dimensional standards are required:

| Lot Standards               | Minimum   |
|-----------------------------|---|
| Lot Size                    | -   |
| Lot Width                   | -   |
| Front Lot Line              | -   |
| Number of Buildings         | Maximum   |
| Principal Building          | -   |
| Accessory Structure         | -   |
| Principal Building Setbacks |   |
| Front Yard                  | No closer than the smallest setback and no further than the largest setback of historic structures on the same block face<br>If the block face does not have a historic structure, then the opposite block face shall set the range above |
| Side Yard                   | 0 feet for commercial/mixed use building<br>10 feet min for any other principal building  |
| Rear Yard                   | 5 feet min for commercial/mixed use building and civic building<br>15 feet for any other principal building   |

#### Appurtenance Encroachments into Setbacks

Steps may encroach up to the front lot line, but no closer than 5 feet from a side or rear lot line

#### Accessory Structure Setbacks

|          |  |
|----------|--|
| Location | At least 5 feet behind the principal building<br>At least 5 feet from any lot line |
|----------|--|

#### Building Height Maximum

|                     |  |
|---------------------|--|
| Principal Building  | 3 stories  |
| Accessory Structure | 2 stories, but shall not exceed the height of the principal building |

#### Building Coverage Maximum

|                   |     |
|-------------------|-----|
| Building coverage | 85% |
|-------------------|-----|

#### Landscape Minimum

|                        |    |
|------------------------|----|
| Landscape Surface Area | 0% |
|------------------------|----|

#### Pedestrian Facilities

|           |  |
|-----------|--|
| Sidewalks | Minimum width of 12 feet, with at least 8 feet continuously unobstructed by street tree pits, light poles, or similar features |
|-----------|--|

**3.12.6 Additional Standards**

| Section References           |            |
|------------------------------|------------|
| Building Types               | Section 6  |
| Frontage Types               | Section 7  |
| Transitional Features        | Section 8  |
| Streetscape and Circulation  | Section 9  |
| Parking                      | Section 10 |
| Open Space                   | Section 11 |
| Landscape                    | Section 12 |
| Fences, Walls, and Screening | Section 13 |
| Lighting                     | Section 14 |
| Signs                        | Section 15 |
| Utilities                    | Section 16 |
| Natural Resources            | Section 17 |
| Historic Resources           | Section 18 |

### 3.13 GC General Commercial District

#### 3.13.1 Purpose

The GC district is intended to promote economic development through a diverse mix of high-intensity uses with a building height of up to four (4) stories.

#### 3.13.2 Use Regulations

- A. Principal uses shall comply with Section 5.1, Principal Uses.
- B. Accessory uses and structures shall comply with Section 5.2, Accessory Uses and Structures.
- C. Temporary uses and structures shall comply with Section 5.3, Temporary Uses and Structures.

#### 3.13.3 Building Types

The following principal building types are permitted:

- A. Commercial/Mixed-Use Building
- B. Large-Scale Office Building
- C. Large-Scale Retail Building
- D. Civic Building
- E. Multifamily Building

#### 3.13.4 Frontage Types

The following frontage types are permitted:

- A. Landscape Frontage
- B. Urban Frontage

**3.13.5 Dimensional Standards**

The following dimensional standards are required:

| Lot Standards   | Minimum  |
|---|--|
| Lot Size  | -  |
| Lot Width   | -  |
| Front Lot Line  | -  |
| Number of Buildings   | Maximum  |
| Principal Building  | -  |
| Accessory Structure   | -  |
| Principal Building Setbacks   |  |
| Front Yard for Streets or Internal Drives   | 5 feet min to 30 feet max  |
| Side Yard   | 15 feet min  |
| Rear Yard   | 25 feet min  |
| Appurtenance Encroachments into Setbacks  |  |
| Front Yard  | 6 feet max   |
| Side Yard   | At least 5 feet from lot line  |
| Rear Yard   | 6 feet max   |
| Steps may encroach up to the front lot line, but no closer than 5 feet from a side or rear lot line |  |
| Accessory Structure Setbacks  |  |
| Location  | At least 5 feet behind the principal building<br>At least 5 feet from any lot line |
| Building Height   | Maximum  |
| Principal Building  | 6 stories  |
| Accessory Structure   | 3 stories, but shall not exceed the height of the principal building               |

| Landscape              | Minimum |
|------------------------|---------|
| Landscape Surface Area | 15%     |

**3.13.6 Additional Standards**

| Section References           |            |
|------------------------------|------------|
| Building Types               | Section 6  |
| Frontage Types               | Section 7  |
| Transitional Features        | Section 8  |
| Streetscape and Circulation  | Section 9  |
| Parking                      | Section 10 |
| Open Space                   | Section 11 |
| Landscape                    | Section 12 |
| Fences, Walls, and Screening | Section 13 |
| Lighting                     | Section 14 |
| Signs                        | Section 15 |
| Utilities                    | Section 16 |
| Natural Resources            | Section 17 |
| Historic Resources           | Section 18 |

## 3.14 IN | Industrial District

### 3.14.1 Purpose

The IN district is intended to provide for heavy industrial uses.

### 3.14.2 Use Regulations

- A. Principal uses shall comply with Section 5.1, Principal Uses.
- B. Accessory uses and structures shall comply with Section 5.2, Accessory Uses and Structures.
- C. Temporary uses and structures shall comply with Section 5.3, Temporary Uses and Structures.

### 3.14.3 Building Types

The following principal building types are permitted:

- A. Commercial/Mixed-Use Building
- B. Flex Building

### 3.14.4 Frontage Types

The following frontage types are permitted:

- A. Landscape Frontage
- B. Parking Frontage

**3.14.5 Dimensional Standards**

The following dimensional standards are required:

| Lot Standards   |  | Minimum  |
|---|--|--|
| Lot Size  |  | -  |
| Lot Width   |  | -  |
| Front Lot Line  |  | -  |
| Number of Buildings   |  | Maximum  |
| Principal Building  |  | 1 per lot  |
| Accessory Structure   |  | -  |
| Principal Building Setbacks   |  | Minimum  |
| Front Yard  |  | 30 feet  |
| Side Yard   |  | 15 feet  |
| Rear Yard   |  | 25 feet  |
| Appurtenance Encroachments into Setbacks  |  |  |
| Front Yard  |  | 6 feet max   |
| Side Yard   |  | 5 feet max   |
| Rear Yard   |  | 6 feet max   |
| Steps may encroach up to the front lot line, but no closer than 5 feet from a side or rear lot line |  |  |
| Accessory Structure Setbacks  |  |  |
| Location  |  | At least 5 feet behind the principal building                        |
|   |  | At least 5 feet from any lot line                                    |
| Building Height   |  | Maximum  |
| Principal Building  |  | 3 stories  |
| Accessory Structure   |  | 2 stories, but shall not exceed the height of the principal building |
| Landscape   |  | Minimum  |
| Landscape Surface Area  |  | 20%  |

**3.14.6 Additional Standards**

| Section References           |            |
|------------------------------|------------|
| Building Types               | Section 6  |
| Frontage Types               | Section 7  |
| Transitional Features        | Section 8  |
| Streetscape and Circulation  | Section 9  |
| Parking                      | Section 10 |
| Open Space                   | Section 11 |
| Landscape                    | Section 12 |
| Fences, Walls, and Screening | Section 13 |
| Lighting                     | Section 14 |
| Signs                        | Section 15 |
| Utilities                    | Section 16 |
| Natural Resources            | Section 17 |
| Historic Resources           | Section 18 |



# SECTION 4

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## OVERLAY ZONING DISTRICTS

|   |    |
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## 4.1 General Provisions

### 4.1.1 Overlay Zoning Districts

Overlay districts shall be in addition to and shall overlay the zoning districts in Section 3, Zoning Districts. For the purposes of this Ordinance, the following overlay zoning districts are applied to certain properties as set forth on the zoning map:

FH | Flood Hazard Overlay District

HP | Historic Preservation Overlay District

CC| Community Character Overlay District

SO | Scenic Overlay District

### 4.1.2 Conflicting Provisions

Where the standards of the overlay district and the underlying zoning district differ, then the overlay standard shall apply, unless specifically referenced in another Section by a provision to override an overlay district.

## 4.2 FH | Flood Hazard Overlay District

### 4.2.1 Purpose

The purpose of the FH district is as follows:

A. To protect human life and health, minimize property damage, encourage appropriate construction practices, and minimize public and private losses due to flood conditions by requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction.

B. Preserve the portion of the floodplain that carries the flow of water during storm and flood events;

C. Prevent an increase in flood height that may result in the loss of life or property damage; and

D. Restrict development, improvements, uses, and encroachments that would impede or obstruct the water flow.

E. Additionally, this district is intended to help maintain a stable tax base by providing for the sound use and development of flood prone areas and to ensure that potential home buyers are notified that property is in a flood area. The provisions of this district are intended to minimize damage to public facilities and utilities such as water and gas mains, electric, telephone, and sewer lines, street and bridges located in the floodplain, and prolonged business interruptions; and to minimize expenditures of public money for costly flood control projects and rescue and relief efforts associated with flooding.

### 4.2.2 District Boundaries

The flood hazard overlay district includes:

- A. Floodplains and Floodways;
- B. Areas of shallow flooding;
- C. Areas of special flood hazard; and

### 4.2.3 Permitted Uses

The following uses are the only uses permitted in the FH, subject to Section 17.6, Floodplain Protection, and the Stormwater Management Ordinance:

- A. Passive parks and natural areas;
- B. Active recreation features that are City-owned and operated, provided that all permanent structures are located outside of the ten-year flood zone;
- C. Parking areas for public parks that are City-owned and operated;
- D. Golf courses, excluding permanent structures;
- E. Seasonal agricultural sales, subject to Section 5.3, Temporary Uses and Structures; and
- F. Garage/yard sales, subject to Section 5.3, Temporary Uses and Structures.

### 4.2.4 Permitted Encroachments

The following encroachments are the only encroachments permitted in the FH, subject to Section 17.6, Floodplain Protection, and the Stormwater Management Ordinance:

- B. Public and private infrastructure; and
- C. Event tents, subject to Section 5.3, Temporary Uses and Structures.
- D. Minimal floodway alteration for uses and encroachments permitted by Subsections 4.2.3, Permitted Uses, and 4.2.4, Permitted Encroachments.

### 4.2.5 Exemptions

Historic structures within the HP shall be used in accordance with the permitted uses in the underlying zoning district. Historic structures may be altered or subjected to major repair, subject to Section 17.6, Floodplain Protection, and Section 20.11, Certificate of Appropriateness.

### 4.2.6 Prohibited Development

Any portion of land within the FH shall be placed in an open space lot and noted on the final plat as non-buildable.

### 4.2.7 General Development Standards

- A. The development of these areas, shown on flood hazard boundary maps, issued by the Federal Emergency Management Agency (FEMA) for the City, may not occur where alternative locations exist due to the inherent hazards and risks involved.
- B. Before a building permit is issued, the applicant shall demonstrate that new structures cannot be located outside of the flood hazard district. Where there is no alternative to a location in a flood hazard overlay district, proposed development shall be regulated by this division.
- C. New construction and substantial improvements of existing structures shall be anchored to prevent flotation, collapse, or lateral movement of the structure.
- D. New construction and changes of existing structures below the minimum first floor elevation shall be constructed with materials and utility equipment resistant to flood damage.
- E. New construction or substantial improvements of existing structures shall be constructed by methods and practices that

minimize flood damage.

F. All heating and air conditioning equipment and components, all electrical, ventilation, plumbing, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

G. Manufactured homes shall be anchored to prevent flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard shall be in addition to and consistent with applicable state requirements for resisting wind forces.

H. New and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system.

I. New and replacement sanitary sewerage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into floodwaters.

J. On-site waste disposal systems shall be located and constructed to avoid impairment or contamination during flooding.

K. Any alteration, repair, reconstruction, or improvement to a structure, which is not in compliance with the provisions of this ordinance, shall be undertaken only if nonconformity is not furthered, extended, or replaced.

#### **4.2.8 Specific Development Standards**

In all areas of special flood hazard where base flood evaluation data are available, the following shall be required:

A. Residential Construction. New construction or substantial improvement of any residential structure (including manufactured homes) shall have the lowest floor elevated no lower than one foot above the base flood elevation. A pre-construction and post-construction flood evaluation certificate shall be submitted. No basements are permitted. Should solid foundation perimeter walls be used to elevate a structure, creating a fully enclosed area, said enclosed area shall:

1. Be designed to preclude permanent living space;
2. Be usable solely for parking vehicles, building access, or storage; and
3. Include openings sufficient to facilitate unimpeded movement of floodwaters and/or be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for entry and exit of floodwaters. Designs for complying with this requirement must either be certified by a professional engineer or architect or meet the following minimum criteria:
  - a. Provide a minimum of two openings on different walls having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
  - b. The bottom of all openings shall be no higher than one foot above grade;
  - c. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided they permit the automatic flow of floodwaters in both directions; and,
  - d. Fill placed around foundation walls must be graded so that the grade inside the enclosed area is equal to or higher than the adjacent grade outside the building on at least one side.

B. Nonresidential construction. New construction or substantial improvements of any commercial, industrial, or nonresidential structure shall have the lowest flood elevated no lower than one foot above the level of the base flood elevation. No basements are permitted. A registered, professional engineer or architect shall certify that the standards of this subsection are satisfied.

C. Temporary development. All applicants for temporary use must submit to the administrator, prior to the issuance of a building permit, a written plan for the removal of any temporary use or structure in the event of a hurricane or flash flood warning notification. The plan shall be reviewed and approved in writing, and must include the following information:

1. A specified time for which the temporary use will be permitted;
2. The name, address, and phone number of the individual responsible for the removal of said use;
3. The period prior to the event at which any structure will be removed (i.e., minimum of 72 hours before landfall of a hurricane or immediately upon flood warning notification);
4. A copy of a contract or other suitable instrument with a trucking company to ensure the availability of removal equipment when needed;
5. Designation, accompanied by documentation, of a location outside the floodplain to which said temporary structure will be moved; and
6. A plan to restore the area to its natural condition once the temporary permit expires or the temporary use is terminated, whichever is first.

D. Accessory structures. An accessory structure, the cost of which is greater than \$3,000.00, must comply with the elevated structure requirements of this section. When accessory structures of \$3,000.00 or less are to be placed in the floodplain, such structures shall:

1. Not be used for human habitation, including work, sleeping, living, cooking, or restroom areas; and
2. Be designed to have low flood damage potential, be constructed, and placed on the building site so as to offer minimum resistance to floodwaters, and be firmly anchored to prevent flotation, collapse, or lateral movement.

E. Floodways. The following provisions shall apply within floodways:

1. No encroachments, including fill, new construction, substantial improvements, additions, or other developments shall be permitted unless it has been demonstrated through hydraulic analysis performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in the flood levels during the occurrence of a base flood.
2. Where no such increase is certified, new construction and substantial improvements may be permitted in compliance with the requirements of this section.
3. Permissible uses exempt from such certification include general farming, pasture, outdoor plant nurseries, horticulture, forestry, wildlife sanctuary, game farm, and other similar agricultural, wildlife, and related uses, lawns, gardens, play areas, picnic grounds, hiking and horseback riding trails, provided that they do not employ structures or fill.

F. Standards for streams and/or floodways

without established base flood elevations. Development contiguous to small streams where no flood data have been provided or where no floodways have been identified shall adhere to the following:

1. No encroachments, including fill, new construction, substantial improvements, or new development shall be permitted within 100 feet of the stream bank unless certification with supporting technical data by a registered, professional engineer is provided demonstrating that such encroachments shall not result in any increase in flood levels during the occurrence of base flood discharge.

2. Where no such increase is certified, new construction and substantial improvements may be allowed within such areas provided all applicable provisions of this section are satisfied.

G. Standards for areas of shallow flooding (AO Zones). Development within the areas subject to shallow flooding in the AO Zone shall adhere to the general and specific development standards of this section.

H. Warning and disclaimer of liability. The degree of flood protection required by this ordinance is based on scientific and engineering considerations. However, larger floods can and will occur on rare occasions. Therefore, this ordinance shall not create liability on the part of the City or by any officer or employee thereof for any flood damages that may result from reliance on this ordinance, or any administrative decision lawfully made thereunder.

## **4.3 HP | Historic Preservation Overlay District**

### **4.3.1 Purpose**

The purpose of the Historic Preservation Overlay District is to promote, protect, conserve, and preserve one of the City's most valued and important assets, its historical and architectural heritage, including buildings, structures, sites, landmarks, monuments, streetscapes, landscapes, cemeteries, walls, squares, neighborhoods, and archaeological sites. By means of recognizing, designating, and regulating historic overlay districts and historic landmarks, and by means of acquiring and managing selected historic properties where appropriate, the City seeks to:

1. Protect, preserve, and enhance the distinctive architectural and cultural heritage of Laurens;
2. Promote the use and conservation of Laurens' historic resources for the education, pleasure, and enrichment of the residents of the city, county, and state as a commemoration and reminder of its origins and development;
3. Foster civic beauty and pride through the development and maintenance of historic sites, buildings, and landmarks; and
4. Stabilize and enhance property values in the Historic Preservation Overlay District areas; promote the economy, commerce, and industry, and encourage tourism.

### **4.3.2 Conflicting Provisions**

Where the Historic District Design Guidelines and any requirement of this Ordinance conflict, the Historic District Design Guidelines shall take precedence.

**4.3.3 Establishment**

It is the hope of the City Council that by encouraging a general harmony in style, form, proportion, and material between buildings of historic design and those of contemporary design, Laurens' historic buildings and historic overlay districts will continue to be a distinctive aspect of the city and will serve as visible reminders of the significant historical and cultural heritage of the city and state.

A. Establishment. The HP district is hereby established as an overlay district. As such, the "underlying" or primary zone district determines permitted uses.

B. Process for expansion and modification.

1. An HP district shall be established, modified, or contracted in size on the official zoning map in accordance with the provisions for amendments of this ordinance, and in accord with the requirements of this section.

2. However, before an amendment to establish or modify an existing designation is forwarded to the Planning Commission for action, it must first be referred to the Historic Preservation Commission for consideration and recommendation.

3. The Historic Preservation Commission shall conduct investigative studies of the proposed amendment to determine the historical significance of the area, buildings, and/or structures in question, conduct a public meeting on the matter, then recommend to the Planning Commission a course of action to approve, approve with conditions, or disapprove the proposed amendment.

4. Upon receiving the results of such studies, reports, and recommendation from the HP Commission, the Planning Commission shall review the matter in accord with the guidelines for processing amendments

generally, and then forward a recommendation to City Council.

5. The City Council shall then act on such recommendation, following an advertised public hearing and, if approved, shall instruct the administrator to establish the HP district on the official zoning map.

6. Owners of properties proposed for historic designation shall be notified in writing 30 days prior to consideration by City Council. Owners may appear before the City Council to voice approval or opposition to such designation. Any property owner objecting to a decision by the City Council may file suit against the City before the courts of the state.

C. Initiation of process. HP districts may be established or modified as follows:

1. By petition to the administrator of more than ten percent of the property owners in a proposed historic district; or

2. By initiative of the HP Commission, the Planning Commission, or the City Council.

D. Criteria and requirements for modification and/or expansion. Consideration and recommendation for historic designation and inclusion in the HP district shall be based on the following criteria. The proposed building or structure:

1. Has significant inherent character, interest, or value as part of the development or heritage of the community, state, or nation;

2. Is the site of a significant event in history;

3. Is associated with a person or persons who contributed significantly to the culture and development of the community, state, or nation;

4. Exemplifies the cultural, political, economic, social, ethnic, or historic heritage of

the community, state, or nation;

5. Individually, or as a collection of resources, embodies distinguishing characteristics of a type, style, period, or specimen in architecture or engineering;

6. Is the work of a designer whose work has significantly influenced the development of the community, state, or nation;

7. Contains elements of design, detail, materials, or craftsmanship which represent a significant innovation;

8. Is part of or related to a square or other distinctive element of community;

9. Represents an established visual feature of the community; or

10. Has yielded, or may be likely to yield, important historical information.

E. Plan and strategy requirement. Additionally, an historic district preservation plan and strategy shall be required. The plan shall include an investigation and report describing the significance of the buildings, structures, features, sites, or surroundings included in the proposed historic district, together with a description of the proposed historic district's boundaries. The preservation strategy shall include, but not be limited to, the following:

1. The need for the historic district, including the specific reasons why the regulatory provisions of this ordinance should be applied in order to effectively accomplish the preservation of the area;

2. The principles, design guidelines and criteria to be followed in the historic district for exterior activities involving new construction, alteration, restoration, or rehabilitation and which shall be the basis for the Commission's review and action upon an application for a

certificate of appropriateness; and

3. A description of the various financial incentives proposed for use in promoting preservation within the historic district, how those incentives would be utilized and how property owners will be made aware of them.

#### **4.3.4 District Boundaries and Designation Criteria**

The HP shall be comprised of many individual historic districts of various sizes and geographic areas. The following criteria shall be used to determine HP districts:

A. The quality of significance in American history, architecture, archaeology, and culture is present;

B. Sites, buildings, or structures possess integrity of location, design, setting, materials, workmanship, feeling, or association with events that have made a significant contribution to the broad patterns of history or with the lives of persons significant in the past;

C. Sites, buildings, or structures embody the distinctive characteristics of a type, period, or method of construction or that represent the work of a master, or that possess high artistic value, or that represent a significant and distinguishable entity whose components may lack individual distinction;

D. Sites, buildings, or structures have yielded, or may be likely to yield, archaeological information; or

E. Sites, buildings, or structures are listed in the National Register of Historic Places.



### 4.3.5 Certificate of Appropriateness

A. Certificate required. Once a property or area has been designated and included in an Historic Preservation Overlay District, a certificate of appropriateness, approved by the HP Commission, shall be required before any exterior building or structural alterations not expressly exempt by this section may occur, and no building permit shall be issued without said certificate. In granting a certificate of appropriateness, the Commission shall take into account:

1. Appropriateness of altering, moving, or demolishing any designated building, structure, or landmark. The Commission shall consider the historic, architectural, and aesthetic features of buildings, their relationship to the district, and importance to the district.
2. Appropriateness of exterior architectural features including signs and other exterior fixtures of any new buildings and structures to be included within the district.
3. Appropriateness of exterior design of any extension of any existing building or structure.
4. Appropriateness of front yards, location of entrance drives into the property, and sidewalks along the public right-of-way, which might affect the character of any building or structure.
5. Appropriateness of the general exterior design, scale, proportion, arrangement, texture, and material of any building or structure in question and the relation of such factors to similar buildings in the immediate area. However, the Commission may not make requirements as to the use of such structure as long as the use is permitted by the primary or "underlying" zone district.
6. The Commission shall not consider

interior changes to buildings and no certificate of appropriateness shall be required for interior changes. However, this does not excuse the property owner from obtaining required building permits for interior work.

B. Guidelines for determining appropriateness. In its deliberations of an application for a certificate of appropriateness, the Commission shall be guided by local standards, where adopted by City Council, and/or standards included in the Secretary of the Interior's Standards for Rehabilitation, as follows:

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a property shall be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other buildings, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and,

where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.

7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.

8. Archaeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.

9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale, and proportion, and massing to protect the integrity of the property and its environment.

10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired. All first floor openings originally designed as windows shall be maintained as windows, complete with sills, lintels, frame, and glass.

11. The exterior surfaces of all buildings and/or structures shall be painted in a color as approved by the Historic Preservation Commission.

12. All exterior surfaces, which require paint or sealing in order to protect the underlying surface from deterioration shall be painted or sealed.

13. All exterior surfaces, which have been painted, shall be maintained free of peeling and flaking.

14. All chimneys, flues and vent attachments thereto shall be maintained structurally sound; free from defects so as to capably perform at all times the functions for which they were designed. Chimneys, flues, gas vents or other draft producing equipment shall provide sufficient draft to develop the rated output of the connected equipment; and shall be structurally safe, durable, smoke tight and capable of withstanding the action of flue gases.

15. All exterior porches, landings, balconies, stairs, and fire escapes shall be provided with banisters or railing properly designed and maintained to minimize the hazard of falling, and the same shall be kept structurally sound, in good repair, and free of defects.

16. All cornices shall be made structurally sound, and rotten or weakened portions shall be removed and/or replaced to match as closely as possible the original patterns. All exposed wood shall be painted.

17. Where landscaping has been incorporated in the development plan of a commercial business, or where landscaping has been required by the City as part of a development plan (including parking plans), the landscaped areas shall be maintained in a manner to equal and reflect the original landscaping approved for the development plan.

18. Damage to public sidewalks and/or curb and gutter located in the public right-of-way shall be repaired or replaced at no expense to the City when such damage is caused by vehicles making deliveries to the premises under the control of the owner and/or operator.

19. Vending machines, with the exception of newspaper racks, are prohibited from being placed on sidewalks and streets, except during designated special events and festivals.

20. All unused and non-decorative metal hooks; clips, angles and brackets shall be removed from all building facades.

21. All exposed electrical wiring shall be removed from the facades of all buildings. Electrical wiring concealed in conduit with weather head installations shall be permitted.

22. Brackets, support rods, chains, cables, and other support systems attached to canopies, awnings or other coverings protruding over the public right-of-way which are visible from 100 feet and at six feet above the ground, must be removed. It shall be the responsibility of the property owner to remove or reinstall all such canopies and awnings to be structurally sound, and to comply with this visual standard.

23. All windows shall be repaired or replaced, and no windows may be permanently boarded up.

24. All paneled areas, which cover original brickwork, other than as recessed in the original transom areas or in areas below the original transom area, shall be removed, and the original brickwork restored.

25. The roofs of all buildings and/or structures shall be maintained in compliance with all applicable building codes.

**4.3.6 Exemptions**

Exemptions from requirements for certificate. The following activity shall be exempt from the requirements for a certificate of appropriateness:

1. Ordinary maintenance or repair of any exterior architectural feature that does not involve a change in the design, material, color, or outer appearance of a building or structure.
2. Construction, reconstruction, alteration, restoration, or demolition of any such feature, which is determined to be a threat to public

safety. The Laurens Inspections Department shall certify in writing to the Commission that such action is required for public safety because of an unsafe or dangerous condition.

D. Application filing procedures for certificate. Applications for a certificate of appropriateness shall be considered by the Commission at its next regularly scheduled meeting, provided they have been filed at least 14 business days before the meeting. If the Commission fails to take action upon any application within 45 days after the complete application is received, the application shall be considered approved, except in cases where the Commission has postponed an application to demolish a structure under the provisions contained in this ordinance. All certificates of appropriateness will expire one year from the time they are approved.

E. Contents of application. The Commission shall, in its Rules of Procedure, require data as is reasonable and necessary to determine the nature of the application. An application shall not be considered complete until all the required data has been submitted. Three copies each of the following shall accompany application for a certificate of appropriateness for alterations and/or additions to existing structures, or for erection of any new structures and/or signs, or modification of existing signs:

1. Drawings, including plans and exterior elevations, drawn to scale.
2. Specifications or other information describing proposed materials, textures, and colors, including samples of materials or color samples.
3. Plot plan or site layout showing all structures, walls, walks, terraces, plantings, accessory structures, signs, lights, and other elements.
4. Photographs of the site location, showing

contiguous properties and streetscapes.

An application for a certificate of appropriateness shall not be considered complete until all the above data has been submitted; however, the Commission may, in appropriate cases, waive submission of any of the foregoing data. All of the data shall be filed with the administrator, and the administrator shall transfer such data, together with the application, to the Commission within seven days of receipt of the same. Nothing shall keep an applicant from filing with the application additional relevant information bearing on the application.

F. Notification of application filed. Upon receipt of an application for a certificate of appropriateness, the Commission shall inform the owners of any property likely to be materially affected by the application and shall give the applicant and such owners an opportunity to be heard.

G. Denial and submission of new application.

1. If the Commission denies an application for a certificate of appropriateness a new application affecting the same property may be submitted only if substantial change is made in the plans for the proposed work.

2. Where an applicant alleges that denial of his application has created an unnecessary hardship, he may reapply to the Commission citing specifics of the hardship. Unnecessary hardship is to be considered by the Commission where one or more of the following unusual and compelling circumstances exist:

a. The property cannot reasonably be maintained in the manner dictated by the ordinance;

b. There are no other reasonable means of saving the property from deterioration, or collapse; or

c. The property is owned by a nonprofit organization, and it is not feasible financially or physically to achieve the charitable purposes of the organization while maintaining the property appropriately. Note: The owner may be required to submit documents to show the inability to comply with the design guidelines and earn a reasonable rate of return on the investment in the property.

3. If the Commission denies, or postpones for 180 days, a request to demolish a historic building, the Commission shall work closely with the owner to find an appropriate use for the property, to help find a buyer or to obtain funding for rehabilitation, including low interest loans or grants. The Commission shall inform the community concerning the threat to the building, its value as part of the fabric of the community and, through publicity and contacts with civic groups, seek to provide assistance in preserving the property.

4. Deviations and appeals.

a) Deviations. City Council recognizes that, because of the wide range of locations, buildings, and properties to which this ordinance must apply, it is neither possible nor prudent to establish inflexible requirements related to minimum standards. Therefore, the administrator and the Historic Preservation Commission may authorize deviations from the requirements of this ordinance wherever they find that such deviations are necessary because of particular circumstances associated with a building, property, or business. Whenever the Commission and administrator allow or require a deviation from the requirements, such deviations shall be noted on the face of the certificate of appropriateness, along with the reasons for allowing or requiring the deviation.

b) Appeal to Commission. Any person

aggrieved or having a substantial interest in any decision made by the administrator relative to a notice of noncompliance may appeal such decision.

c) Appeal to circuit court. Any person who may have a substantial interest in any decision of the Historic Preservation Commission may appeal against any decision of the Commission to the circuit court. The person must file a written petition with the clerk of court stating why the decision is contrary to law. The appeal must be filed within 30 days after the affected party receives action notice of the decision of the Historic Preservation Commission. The appeal shall proceed in accordance with Ordinance 6-29-900 of the Code of Laws of South Carolina.

#### 4.3.7 Maintenance and Repair of Structures

- A. Property owners shall perform routine maintenance and repairs to maintain the exterior of structures in the HP in conformance with this Ordinance, the Municipal Code, the Historic District Design Guidelines, and all applicable building codes.
- B. When a notice of violation has been issued for failure to maintain improvements in the HP, the property owner or their agent shall meet with the Planning Department to discuss a plan of action to address the maintenance issues identified on the property. Within 60 days following the issuance of a notice of violation, the property owner or their agent will propose a timeline for the completion of the repair and will come to a consensus with staff as to the prioritization of each item necessitating repair. Deviation from the

timeline will result in citation to court, as provided in the Municipal Code.

#### 4.3.8 Remediating of Dangerous Conditions

- A. City enforcement agencies may determine, in consultation with, at a minimum, the Planning Department, that the condition of a property is dangerous to life, health, or property.
- B. Upon making such a determination, when an enforcement agency orders or directs the construction, removal, alteration, or demolition of an improvement, to remedy conditions determined to be dangerous to life, health, or property, then nothing contained in this Section shall be construed as making it unlawful for a person, without prior issuance of a certificate of appropriateness, to comply with the order or direction. Where practicable, the enforcement agency shall give the HPC notice of the proposed order or direction if it may affect the exterior appearance of a structure or site. The HPC shall have adequate opportunity to review and provide written comments upon the action proposed by an enforcement agency prior to the initiation of an action.

#### 4.3.9 Right of Entry Upon Land

The HPC, in the performance of its work, may enter upon land within its jurisdiction, make examinations and surveys, and place or remove public notices as required by this Ordinance, but there shall be no right of entry into a building without the consent of the owner or lawful tenant.

## 4.4 CC | Community Character Overlay District

### 4.4.1 Purpose

For the purposes of this ordinance, “Community Character” refers to the distinct identity, sense of place, and visual appearance of the City of Laurens and the collective impressions a street, neighborhood, or commercial area may make on a resident or a visitor.

B. The Community Character Overlay District (CC) District is intended to minimize the possibility that construction activity within a residential community, specifically those in the LR, Legacy Residential District or in the HP, Historic Preservation Overlay District or the expansion of the CO, Core Commercial District would have a significant negative impact on the existing character of that community.

C. The CC designation is an Overlay, not a stand-alone Zoning District. The guidelines and requirements within this Overlay are intended to augment and supplement those found in the respective Primary Zoning Districts and/or other associated Overlays.

### 4.4.2 District Boundaries and Designation Criteria

The CC shall be comprised of individual overlay districts in different blocks or neighborhoods. Each CC shall meet the following criteria:

- A. The CC contains a minimum of one block face;
- B. At least 75 percent of the land area in the CC is improved or developed;
- C. One or more of the following distinctive features is present that creates a cohesive, identifiable setting, character, or association:
  1. Scale, size, type of construction, or distinctive building materials;

2. Lot layouts, setbacks, street layouts, alleys, or sidewalks;
3. Special natural or streetscape characteristics, such as creek beds, parks, gardens, or street landscaping;
4. Land use patterns, including mixed or unique uses or activities; or
5. Adjacent to or linking designated historic landmarks and/or districts.

### 4.4.3 Applicability

A. Unless exempt in accordance with subsection C. below, all new commercial or residential construction on or subdivision of land within the CC Overlay District, regardless of its Primary Zoning District or other applicable Overlay Districts, shall comply with the standards in this Section.

B. For the purpose of this Section, “new construction” includes the placement of a structure moved from another site.

C. The following are exempt from this Section:

1. Subdivision of a parcel ten acres or larger;
2. Parcels rezoned to PD, Planned Development District, which will be subject to specific provisions of the PD intended to protect community character to a level beyond this overlay.
3. Development on a Corner Lot
  - a. It is important in both neighborhoods and commercial areas that buildings address the intersection of two streets in a meaningful way. Therefore, within the CC Overlay, the setbacks for the underlying zoning shall serve as a “build to” line on corners, as long as applicable sight lines are also met. If structures need to be further from the right of way line

to meet sight distance requirements, that setback shall be the minimum needed to meet those requirements.

b. The Zoning Administrator may allow a different orientation or setback than that required by this Section if a different orientation or setback would further the intent of this Section, or where such orientation would preserve a grand and/or significant tree.

#### 4.4.4 Height

A. New construction on a residential lot which is contiguous to a lot, or lots, upon which a structure 1½ stories high or less exists shall be no higher than a line drawn at a 45-degree angle from a point either eight feet above the common lot line, or lines, or than the maximum allowance within the underlying zoning district, whichever is less.

B. These provisions shall not apply to chimneys, cupolas, domes, and other unoccupied appurtenances attached to the structure.

#### 4.4.5 Demolition of Existing Structures

A. The City of Laurens shall not issue a demolition or relocation permit for any structure fifty (50) years old or more within any geographic area to which this overlay applies without prior review and approval by the Planning Commission.

B. The following demolitions and relocations are exempt from this section:

1. Structures deemed noncontributing by the City Planner as determined by criteria below.

2. Partial demolitions where the City Planner determines that the portion of the structure to be demolished does not contribute

to the design integrity of the structure.

3. The structure poses an immediate threat to the public safety as determined by the Building Official.

C. The age of the structure shall be established by the records maintained by the Laurens County Assessor's Office. If the age of the structure cannot be established by the records maintained by the Assessor's Office, the applicant for a demolition or relocation permit shall present other documentation to the City to establish the age of the structure.

D. The Planning Commission shall approve a request for demolition or relocation only if it finds one or more of the following:

1. The physical integrity of the structure is compromised to such a degree that it is no longer salvageable and/or represents a hazardous or unsafe condition.

2. The structure does not contribute to the historical architectural character of the district.

3. The structure or property cannot be put to any reasonable economic beneficial use for which it is or may otherwise be adapted without approval of demolition.

E. For applications to demolish or relocate a structure, the Planning Commission shall apply the following criteria for review:

1. Determination of the architectural significance and whether it contributes to the character of the community.

2. The Commission shall consider the structure in relation to the street and the district as a whole. The architectural significance is defined by being fifty (50) years or older and meeting at least one of the following criteria:

a. A building which exemplifies an architectural style or building type

characterized by innovation, rarity, uniqueness, or overall quality of design, detail, materials, or craftsmanship.

b. An example of a style or type of building which is rare within Laurens or its historic context.

c. The significant work of an architect or builder of local, regional, or national importance.

d. The existing structural condition, as assessed by a licensed engineer or architect with experience in rehabilitation or adaptive reuse projects.

e. A determination of the building use and economic viability. The applicant shall submit information, prepared by qualified professionals, sufficient to demonstrate the following:

1. The current use does not generate a reasonable economic return;
2. The appropriate and reasonable alternate uses in the building could not generate a future reasonable economic return; and
3. That alterations or additions to the existing building could not make the current or future use generate a reasonable economic return.

#### **4.4.6 Modifications to Existing Buildings**

A. Modifications to existing residential structures that significantly alter the appearance in terms of height, mass, scale, and materiality are generally not allowed.

B. Significant modifications to residential structures must be approved by Planning Commission.

C. Painting of existing elements or replacement of doors, windows, shutters,

railings, etc. are not considered significant alterations and do not require prior approval. However, citizens are encouraged to consider the context and character of the community when making these changes.

#### **4.4.7 New Construction**

A. New construction, whether commercial or residential, shall consider the context of the community and provide appropriate height, mass, scale, siting, forms, materials, and detailing that are respectful of the context of the community.

B. Forms, materials, and siting that is significantly different than the context are generally not allowed.

C. All new construction in the Overlay is subject to review and approval by the Planning Commission.

#### **4.4.8 Public Notice Requirement**

The property upon which the structure is located shall be posted with notice of the application for new construction, major renovations, demolition, or relocation at least 15 days prior to the consideration by the Planning Commission.

#### **4.4.9 Development Standards**

The CC development standards adopted as part of the ordinance creating the CC shall become the standards in the overlay district and may include:

- A. Development standards that supersede or augment the standards in this Ordinance; and
- B. Restriction or expansion of the use regulations of Section 5, Use Regulations.



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#### **4.4.10 Maintenance and Repair of Structures**

Property owners shall perform regular maintenance and repairs to maintain the exterior of structures in the CC in conformance with all applicable building codes and Municipal Code.

#### **4.4.11 Building Permit**

A building permit for construction, expansion, or alteration of a structure in the CC may be issued only when the proposal complies with the development standards in the CC.

### 4.5 SO | Scenic Overlay District

Properties within the SO shall comply with the requirements of this Section.

#### 4.5.1 Purpose

The SO district is intended to:

- A. Protect the City’s natural beauty along scenic corridors by preserving viewsheds and gateways; and
- B. Enhance the City's community identity through landscape and common design elements.

#### 4.5.2 Applicability

- A. In cases where the standards of this Section and other Sections or Sections of this Ordinance conflict, the standard in this Section shall apply.
- B. Existing residential lots that are 2.0 acres or less are exempt from this Section.

#### 4.5.3 District Boundaries

The SO shall encompass land fronting along Highways 221, 76, W. Farley St., E. Farley Ave., Anderson Dr., Fleming St./Exchange Dr. and Highway 14/Church Street, as shown on the Zoning Map.

#### 4.5.4 Prohibited Encroachments

Buildings, parking areas, parking area drive aisles, and streets or internal drives that parallel the scenic corridor shall be prohibited within the front yard setback.

#### 4.5.5 Landscape Requirements

Street trees are not required along the scenic corridor. Instead, there shall be a 20-foot landscape easement along the entire length of frontage along the scenic corridor with the following plantings:

- A. A minimum of three canopy trees and three understory trees for every 100 linear feet.

- In overhead utility easements, understory trees may be substituted for canopy trees;
- B. Trees placed informally or coordinated with fencing and planted pursuant to Section 12.9, Planting Standards.

#### 4.5.6 Fences and Walls

- A. Fencing and walls within the scenic corridor setback shall be limited to the following:

| Type of Fence <sup>1</sup>     | Height           | Material      |
|--------------------------------|------------------|---------------|
| Three-board Horse Fence        | 3.5 feet maximum | Wood          |
| Four-or more board Horse Fence | 4.5 feet maximum | Wood          |
| Picket Fence                   | 4 feet maximum   | Wood          |
| Stone Wall                     | 4 feet           | Natural stone |

Notes:

- 1. Other types of fences or walls may be approved by the Planning Department, if the applicant demonstrates that such a fence or wall is more appropriate based on fencing in surrounding developments, historical antecedents, or similar considerations.

- B. Existing historic stone walls shall be preserved, unless removal of a segment is necessary for the extension of a street, internal drive, or driveway. In these cases, only the minimum width necessary shall be removed, pursuant to applicable requirements, and the remaining wall shall be stabilized.

#### 4.5.7 Grading

The natural, existing topography of a site shall be used in development and grading shall be minimized. Mass grading is prohibited.

# SECTION 5

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## USE REGULATIONS

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## 5.1 Principal Uses

### 5.1.1 General Provisions

- A. Permitted principal uses by district are listed in the table in Subsection 5.1.3, Permitted Principal Uses by Zoning District. Specific uses are grouped into six use classifications: agricultural, residential, recreation, civic and institutional, commercial, and industrial. Certain zoning overlay districts may restrict or expand the permitted principal uses listed in the underlying zoning district.
- B. Certain uses are subject to additional requirements, as described in Subsection 5.1.4, Principal Use Regulations.
- C. In the case of a principal use not listed in the table, the Planning Department may make a determination whether such use is substantially similar to a listed use. If no similar use determination can be made, the Planning Department shall refer the use to the Planning Commission, who may initiate an amendment to this Ordinance to classify the use.

### 5.1.2 Principal Use Table Key

- A. A solid black circle - ● - indicates a permitted principal use in the respective district. The use is also subject to all other applicable requirements of this Ordinance.
- B. A half-black circle - ◐ - indicates additional requirements associated with the permitted principal use or uses in a district. The use is also subject to all other applicable requirements of this Ordinance.
- C. A blank cell indicates the principal use is not permitted in the respective district.

5.1.3 Permitted Principal Uses by Zoning District

| Principal Use | Zoning Districts |    |    |    |    |    |                 |    |    |    |    |    |    |
|---------------|------------------|----|----|----|----|----|-----------------|----|----|----|----|----|----|
|               | CN               | ER | SR | LR | TR | MR | PD <sup>1</sup> | CI | NC | LC | CO | GC | IN |

● Permitted  
◐ Permitted with Additional Use Regulations per Subsection 5.1.4

AGRICULTURAL USES

|                   |   |   |   |   |   |   |   |   |   |   |   |   |   |
|-------------------|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Agricultural Uses | ◐ |   |   |   |   |   |   |   |   |   |   |   |   |
| Community Gardens | ● | ● | ● | ● | ● | ● | ● | ● | ● | ● | ● | ● | ● |

RESIDENTIAL USES

|                           |  |   |   |   |   |   |   |   |  |   |   |   |  |
|---------------------------|--|---|---|---|---|---|---|---|--|---|---|---|--|
| Duplexes                  |  |   |   | ◐ |   | ● | ● |   |  |   | ◐ |   |  |
| Multifamily Residential   |  |   |   |   |   | ● | ● |   |  |   | ◐ | ◐ |  |
| Multiplexes               |  |   |   | ◐ |   | ● | ● |   |  | ◐ | ◐ | ◐ |  |
| Single-Family Residential |  | ● | ● | ● | ● | ● | ● | ◐ |  |   | ◐ |   |  |
| Townhouses                |  |   |   | ◐ |   | ● | ● | ◐ |  |   | ◐ |   |  |

RECREATION USES

|                              |   |   |   |   |   |   |   |   |   |   |   |   |   |
|------------------------------|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Active Recreation            | ◐ | ● | ● |   |   |   | ● | ● |   |   |   |   | ● |
| Commercial Recreation        |   |   |   |   |   |   | ● |   |   | ● |   | ● | ● |
| Golf Courses                 |   |   |   |   |   |   | ● |   |   |   |   |   |   |
| Neighborhood Amenities       |   | ◐ | ◐ | ◐ | ◐ | ◐ | ◐ |   |   |   | ● |   |   |
| Passive Parks and Open Space | ● | ● | ● | ● | ● | ● | ● | ● | ● | ● | ● | ● | ● |

CIVIC AND INSTITUTIONAL USES

|  |  |  |  |  |  |  |   |   |   |   |   |   |   |
|--|--|--|--|--|--|--|---|---|---|---|---|---|---|
| Cemeteries                                     |  |  |  |  |  |  | ● | ● |   |   |   |   |   |
| Charitable, Fraternal, or Social Organizations |  |  |  |  |  |  | ● | ● | ● | ● | ● | ● | ● |
| Clinics  |  |  |  |  |  |  | ● | ● | ● | ● | ● | ● | ● |
| Continuum of Care Facilities                   |  |  |  |  |  |  | ◐ | ◐ |   | ◐ |   | ◐ | ◐ |

<sup>1</sup> Permitted principal uses in the PD district are determined by the Mayor and City Council during the development plan approval process.

**USE REGULATIONS**

Principal Uses

| Principal Use   | Zoning Districts |    |    |    |    |    |                 |    |    |    |    |    |    |
|---|------------------|----|----|----|----|----|-----------------|----|----|----|----|----|----|
|   | CN               | ER | SR | LR | TR | MR | PD <sup>1</sup> | CI | NC | LC | CO | GC | IN |
| ● Permitted<br>◐ Permitted with Additional Use Regulations per Subsection 5.1.4 |                  |    |    |    |    |    |                 |    |    |    |    |    |    |
| Correctional Facilities   |                  |    |    |    |    |    |                 |    |    |    |    |    | ●  |
| Educational Facilities  |                  |    |    |    |    |    | ●               | ●  | ●  | ●  | ●  | ●  | ●  |
| Entrepreneurship/Innovation Centers   |                  |    |    |    |    |    | ●               |    |    | ●  | ●  | ●  | ●  |
| Essential Services  |                  | ◐  | ◐  | ◐  | ◐  | ◐  | ●               | ●  | ◐  | ◐  | ●  | ●  | ●  |
| Group Homes   |                  |    |    |    |    |    | ●               | ●  |    |    |    |    |    |
| Hospitals   |                  |    |    |    |    |    | ●               |    | ●  |    |    | ●  | ●  |
| Museums   |                  |    |    |    |    |    | ●               | ●  |    | ●  | ●  | ●  | ●  |
| Places of Public Assembly   |                  |    |    |    |    |    | ●               |    |    | ●  | ●  | ●  | ●  |
| Rehabilitation Centers  |                  |    |    |    |    |    | ●               |    | ●  |    |    |    | ●  |

COMMERCIAL USES

|                                |  |  |  |   |  |  |   |   |   |   |   |   |   |
|--------------------------------|--|--|--|---|--|--|---|---|---|---|---|---|---|
| Day Care Centers               |  |  |  |   |  |  | ● |   | ● | ● |   | ● | ● |
| Event Venues                   |  |  |  |   |  |  | ◐ | ◐ |   |   | ◐ | ◐ |   |
| Funeral Homes                  |  |  |  |   |  |  | ● | ● | ● | ● |   | ● |   |
| Garden Centers                 |  |  |  |   |  |  | ◐ |   |   |   |   |   |   |
| Gas Stations                   |  |  |  |   |  |  | ◐ |   |   | ◐ |   | ◐ |   |
| Hotels                         |  |  |  |   |  |  | ◐ |   |   |   | ◐ | ◐ |   |
| Indoor Animal Services         |  |  |  |   |  |  | ◐ |   |   | ◐ |   | ◐ | ◐ |
| Indoor/Outdoor Animal Services |  |  |  |   |  |  | ◐ |   |   |   |   |   |   |
| Offices                        |  |  |  | ◐ |  |  | ● | ● | ● | ● |   | ● | ● |
| Personal Services              |  |  |  |   |  |  | ● |   | ● | ● | ● | ● | ● |
| Restaurants                    |  |  |  |   |  |  | ● |   | ● | ● | ● | ● |   |
| Retail                         |  |  |  |   |  |  | ● |   | ● | ● | ● | ● |   |
| Showrooms                      |  |  |  |   |  |  | ● |   |   |   |   |   |   |

<sup>1</sup> Permitted principal uses in the PD district are determined by the Mayor and City Council during the development plan approval process.

| Principal Use   | Zoning Districts |    |    |    |    |    |                 |    |    |    |    |    |    |
|---|------------------|----|----|----|----|----|-----------------|----|----|----|----|----|----|
|   | CN               | ER | SR | LR | TR | MR | PD <sup>1</sup> | CI | NC | LC | CO | GC | IN |
| ● Permitted<br>◐ Permitted with Additional Use Regulations per Subsection 5.1.4 |                  |    |    |    |    |    |                 |    |    |    |    |    |    |
| Telecommunication Towers and Antennas   | ◐                | ◐  |    |    |    | ◐  | ◐               | ◐  | ◐  | ◐  | ◐  | ◐  | ◐  |
| Theaters  |                  |    |    |    |    |    | ●               |    |    |    | ●  |    |    |
| Uses with Drive-In/Drive-Through Facilities                                     |                  |    |    |    |    |    | ◐               |    |    | ◐  |    | ◐  |    |
| Vehicle Sales and Rental  |                  |    |    |    |    |    |                 |    |    |    |    | ◐  | ◐  |
| Vehicle Service Facilities  |                  |    |    |    |    |    | ◐               |    |    |    |    | ◐  | ◐  |
| Vehicle Wash Facilities   |                  |    |    |    |    |    | ◐               |    |    |    |    | ◐  | ◐  |
| Wholesale Sales   |                  |    |    |    |    |    |                 |    |    |    |    |    | ●  |

INDUSTRIAL USES

|  |  |  |  |  |  |  |   |  |  |  |  |   |   |
|--|--|--|--|--|--|--|---|--|--|--|--|---|---|
| Adult-Oriented Establishments            |  |  |  |  |  |  |   |  |  |  |  |   | ◐ |
| Data Centers                             |  |  |  |  |  |  | ◐ |  |  |  |  | ◐ | ◐ |
| General Warehousing                      |  |  |  |  |  |  |   |  |  |  |  |   | ● |
| Heavy Industrial Uses                    |  |  |  |  |  |  |   |  |  |  |  |   | ● |
| Industrial Sales                         |  |  |  |  |  |  |   |  |  |  |  |   | ● |
| Industrial Services                      |  |  |  |  |  |  |   |  |  |  |  |   | ● |
| Light Industrial Uses                    |  |  |  |  |  |  |   |  |  |  |  |   | ● |
| Machinery Assembly and Repair Facilities |  |  |  |  |  |  |   |  |  |  |  |   | ● |
| Self-Storage Facilities                  |  |  |  |  |  |  | ◐ |  |  |  |  |   | ◐ |
| Vehicle Repair Facilities                |  |  |  |  |  |  | ◐ |  |  |  |  |   | ◐ |
| Wrecker Service                          |  |  |  |  |  |  |   |  |  |  |  |   | ● |

<sup>1</sup> Permitted principal uses in the PD district are determined by the Mayor and City Council during the development plan approval process.

### 5.1.4 Principal Use Regulations

#### A. Agricultural Uses

In the CN district, agricultural uses may include the land, buildings, and machinery used in the commercial production of farm products and nursery stock, farming activities carried on in connection with the commercial production of farm products and nursery stock, recreational and educational activities on land used for the commercial production of farm products and nursery stock, and entertainment activities conducted in conjunction with, but secondary to, commercial production of farm products and nursery stock, when such activities occur on land used for the commercial production of farm products and nursery stock.

#### B. Adult-Oriented Establishments

1. Definitions: For purposes of this Ordinance, sexually oriented businesses shall mean and include the following:
  - a. 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”.
  - b. 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:

- i. 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”;
- ii. Instruments, devices, or paraphernalia which are designed for use in connection with “specified sexual activities”. A commercial establishment may have other principal business purposes that do not involve the offering for sale or rental of material depicting or describing “specified sexual activities” or “specified anatomical areas” and still be categorized as an adult bookstore or adult video store. Such other business purposes will not serve to exempt such commercial establishment from being categorized as an adult bookstore or adult video store so long as: one of its principal business purposes is the offering for sale or rental for consideration the specified materials which depict or describe “specified sexual activities” or “specified anatomical areas”.
- c. Adult Cabaret. A nightclub, bar, restaurant, or similar commercial establishment which regularly features:



- i. Persons who appear in a state of nudity; or
  - ii. Live performances which are characterized by the exposure of “specified anatomical areas” or by “specified sexual activities”; or
  - iii. Films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the description of “specified sexual activities” or “specified anatomical areas”.
- d. Adult Motel. A hotel, motel, or similar commercial establishment which:
  - i. 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
  - ii. Offers a sleeping room for rent for a period of time that is less than ten (10) hours; or
  - iii. Allows a tenant or occupant of a sleeping room to sub-rent the room for a period of time that is less than ten (10) hours.
- e. 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”.
- f. 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”.
- g. Sexual Encounter Center. A business or commercial enterprise that, as one of its primary business purposes, offers for any form of consideration:
  - i. Physical contact in the form of wrestling or tumbling between persons of different sexes; or
  - ii. 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 semi-nude.
- h. Specified Anatomical Areas means the male genitals in a state of sexual arousal and/or the vulva or more intimate parts of the female genitals.
- i. Specified Sexual Activities means and includes any of the following:
  - i. The fondling or other erotic touching of human genitals, pubic region, buttocks, anus, or female breasts;
  - ii. Sex acts, normal or perverted, actual, or simulated, including

- intercourse, oral copulation, or sodomy;
  - iii. Masturbation, actual or simulated; or
  - iv. Excretory functions as part of or in connection with any of the activities set forth above.
2. Specific Regulations
- a. Location: Owing to potentially objectionable operational characteristics of sexually oriented or adult uses, and the deleterious effect of such uses on existing businesses and/or residential areas around them, the location of such uses where conditionally permitted by Table 1, shall be tempered by the supplemental standards of this section. No such use shall be located within 1,000 feet (measured in a straight line and documented on a map drawn to scale) of:
    - i. A residence or residential zone;
    - ii. A church or religious institution;
    - iii. Public or private schools and educational facilities;
    - iv. Public parks and recreational facilities;
    - v. Another sexually oriented business; or
    - vi. Day care facility.
  - b. 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.
  - c. An application for a permit and/or license must be made on a form provided by the City Clerk.
  - d. The premises must be inspected and found to be in compliance with the law by health, fire and building officials.
  - e. Expiration of License: Each permit and/or license shall expire at the end of each calendar year and may be renewed only by making application as provided herein.
  - f. Inspections: An applicant or permittee and/or licensee shall permit representatives of the planning department, police, health or fire department or other governmental department or agency 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.
  - g. 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.
  - h. Suspension: The Planner Director shall suspend a permit and/or license for a period not to exceed thirty (30) days if he determines that a permittee and/or licensee or an employee of a permittee and/or licensee has:
    - i. Violated or is not in compliance with any section of this Ordinance.
    - ii. Engaged in excessive use of alcoholic beverages while on the sexually oriented business

- premises.
- iii. Refused to allow an inspection of the sexually oriented business premises as authorized by this Section.
- iv. Knowingly permitted gambling by any person on the sexually oriented business premises.
- i. Revocation: The zoning administrator shall revoke a permit and/or license if he determines that:
- i. A permittee and/or licensee gave false or misleading information in the material submitted to the building department during the application process.
- ii. A permittee and/or licensee or an employee has knowingly allowed possession, use or sale of controlled substances on the premises.
- iii. A permittee and/or licensee or an employee has knowingly allowed prostitution on the premises.
- iv. 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.
- v. 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.
- vi. A permittee and/or licensee is delinquent in payment for any taxes or fees past due.
- C. Continuum of Care Facilities**
- Continuum of care facilities may have one or any combination of assisted living, nursing home, or skilled nursing for the elderly or for other individuals incapacitated in some manner for medical reasons, as determined and licensed and/or certified by the South Carolina Department of Health, Board of Licensing Health Care Facilities. In addition to the above, up to 30 percent of the total square footage may be used for age-restricted independent living as regulated by the U.S. Department of Housing and Urban Department.
- D. Data Centers**
- The building footprint for a data center shall not be located within 500 feet of an arterial street; however, a data center may be closer than 500 feet if it is not visible from the arterial street.
- E. Duplex**
- Not on an arterial street; height, mass, scale, and materiality is compatible with surrounding structures; meets all other applicable codes; design is reviewed and approved by the Planning Commission and/or Historic Preservation Commission, as applicable.
- F. Essential Services**
- Public buildings that are 12,000 square feet or less may be located in any zoning district. Larger buildings or uses shall be limited to the PD, CI, CO, GC, and IN districts.
- G. Event Venues**
1. Event venues shall not create a substantial or undue adverse impact

- upon adjacent property, the character of the area, or the public health, safety, and welfare or create any nuisance such as noise or lighting.
2. Event venues shall be constructed, arranged, and operated so as not to dominate the immediate vicinity or to interfere with the use and development of neighboring property pursuant to the applicable district regulations.
  3. Event venues shall not cause undue traffic congestion or draw significant amounts of traffic through residential streets.
  4. All necessary steps shall be taken to minimize any adverse effects of the event venue and development on the immediate vicinity through building design, site design, landscaping, and screening.
  5. When establishing this use in a PD district, conditions of approval may be imposed to minimize adverse impacts with the surrounding residential areas. Conditions may include:
    - a. Limitations and restrictions on the use of the property;
    - b. Restrictions on construction activity that will occur on and around the property;
    - c. Conditions concerning the character and design of the proposed use and development;
    - d. The location of the use within the property;
    - e. The provision of landscaping and screening with specificity as to design, quantity, quality, size, and location;
    - f. Restrictions on the hours of operation of the use;
    - g. Requirements for sound proofing or other noise mitigation;
- h. A requirement that the property be developed and used in strict accordance with the development plan; and
  - i. A requirement for periodic review with a public hearing before the Mayor and City Council. .

#### **H. Garden Centers**

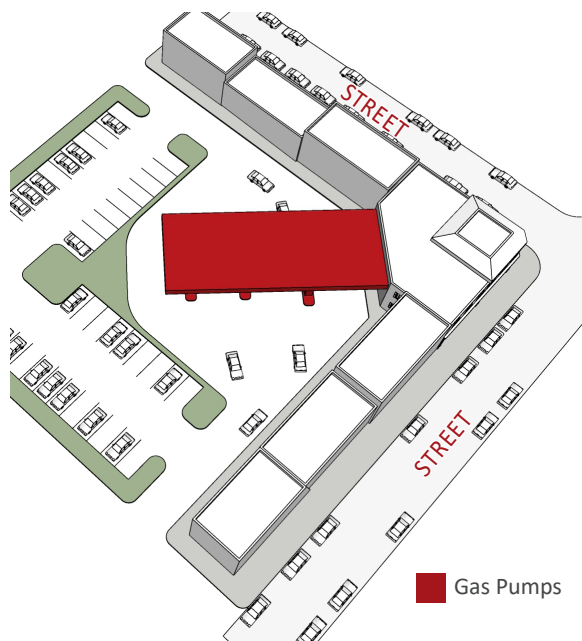
1. Outdoor storage and outdoor sales are not permitted in required setbacks, fire lanes, drive aisles, required parking areas, or areas intended for pedestrian circulation.
2. Any outdoor storage other than live vegetation shall be located behind the building or screened from public view and adjacent properties with an opaque fence or wall with a height of at least six feet. Landscaping may be used if a six-foot tall solid evergreen screen is provided at the time of planting.
3. Garden centers are not subject to Paragraph 5.2.7.J, Outdoor Sales Area, or Paragraph 5.2.7.K, Outdoor Storage.

#### **I. Gas Stations**

1. Gas stations shall not be located on a lot at a street intersection composed of two or more arterial streets.
2. Gas stations on lots at intersections, where permitted, shall be designed so that any fueling pumps and associated canopies are located away from the intersection and to the side or rear of the building.
3. Gas stations shall not be located adjacent to a residential lot, unless approved by the Mayor and City Council as part of a development plan.
4. Gas stations shall have pitched roofs for buildings and canopies.

5. Canopies shall have a maximum clearance height of 15 feet from the finished grade to the underside of the canopy.
6. Canopies shall use the same exterior materials and architectural style as the principal building. Each column or pier shall have a base of brick, natural stone, or cultured stone.
7. Canopy lighting shall comply with Subsection 14.3.6, Canopy and Awning Lights.
8. A gas station canopy is permitted one sign that does not exceed 15 percent of the canopy face that does not project above or below the canopy or roofline.

**Figure 5.1.4.H** Gas Station Canopy



**J. Hotels**

1. Each guestroom shall be accessed from an interior corridor, not an exterior entrance.
2. Hotels shall provide high quality services such as concierge availability,

meeting rooms, sitting rooms, patios, and other amenities.

3. Hotels shall have a lobby that is staffed 24 hours a day, seven days a week; and
4. Hotels shall offer complimentary maid service.

**K. Indoor Animal Services**

1. The building footprint for indoor animal services shall not be located within 200 feet of a property line of a residential lot but may be reduced to 100 feet if the building is soundproofed.
2. This use shall adhere to the provisions in Chapter 10, Animals, as well as S.C. Code 1976, title 47; municipal authority regarding care and control of animals, S.C. Code 1976, § 47-3-20; municipal powers not limited by state law, S.C. Code 1976, § 47-3-70; regulation of dangerous animals, S.C. Code 1976, § 47-3-710 et seq.

**L. Indoor/Outdoor Animal Services**

1. The outdoor portion of any indoor/outdoor animal services for:
  - a. Companion animals shall not take place within 500 feet of a property line of a residential lot; and
  - b. Farm animals shall not take place within 100 feet of a property line of a residential lot.
2. The building footprint for any indoor portion of animal services shall not be located within 200 feet of a property line of a residential lot, but may be reduced to 100 feet if the building is soundproofed.
3. Outdoor runs, kennels, and storage areas shall not be visible from streets or adjacent properties.

**M. Machinery Assembly and Repair Facilities**

In the IN district, all assembly and repair

activities shall take place within an enclosed structure.

**N. Multiplex**

In the LR, CO, and GC districts, a Multiplex shall not be allowed on an arterial street, Height, mass, scale, and materiality must be compatible with surrounding structures and the land use must meet all other applicable codes. The design shall be reviewed and approved by the Planning Commission and/or Historic Preservation Commission, as applicable.

**O. Multifamily Residential**

1. In the CO and GC districts, where buildings containing multifamily residential are along a street frontage, they must have ground-floor commercial uses along the street frontage.
2. In the CO and GC districts, multifamily residential is permitted only if:
  - a. It is integrated horizontally and/or vertically with the nonresidential uses in the proposed walkable development; and
  - b. Stand-alone multifamily residential cannot be separated from the nonresidential uses by an arterial or collector street.

**P. Neighborhood Amenities**

Neighborhood amenities that have commercial activities, such as restaurants, banquet halls, food sales, pro shops, or retail sales, shall be allowed in residential districts only as part of an approved development plan.

**Q. Offices**

In the LR district, professional offices are allowed if the following conditions are met:

1. Business hours of operation involving clients shall be limited to between 8 a.m. and 8 p.m.;
2. Goods shall not be visible from the exterior;
3. Driveways are limited to one per lot;
4. No more than two (2) lots shall be combined for an allowed non-residential use and the principal structure on each lot shall be retained; unless other requirements of this ordinance are met allowing demolition, additions, replacement, or other

modifications.

5. Parking and driveways shall be pervious materials, except for the driveway aprons which shall be paved to a depth of 20 feet from face of curb. ADA compliant spaces and associated aisles shall be durable surfaces.
6. All parking shall be provided to the rear or sides of the principal building(s).
7. If any part of a residential property is used for a non-residential use, parking shall no longer be permitted in the front yard.
8. Exterior lighting shall be shielded and installed to minimize glare on adjacent properties. Pole mounted lights shall not be taller than twelve feet (12'-0"). Light intrusion at any property line shall not exceed .5 (on half) foot-candle.
9. If no street tree exists, a canopy tree of 2.5 caliper inch (minimum) shall be planted within five (5) feet of the front right-of-way, provided required sight lines are met.
10. Landscape buffers or screens shall be installed as follows:
  - a. Parking spaces in the side yard shall be screened from view from the street with a 5'-0" wide landscape buffer, planted with a hedge intended to have a mature height of at least 5'-0" and at least 3 gallon container size at planting. An opaque screen wall or fence may be substituted for the landscape buffer.
  - b. A minimum 5'-0" Landscape Buffer shall be located along all property lines adjacent to a residentially zoned lot. Where utility easements run along property lines, the

required buffer shall be located adjacent to the easement. Buffers shall include a six-foot (6'-0") high opaque fence or wall and a minimum of five (5) canopy trees (2.5" caliper minimum) and/or understory trees (8'-0" height minimum) per 100 linear feet.

- c. Fences shall extend from the rear property line to a point perpendicular to the front facade of the adjacent principal building(s).
- d. A six-foot (6'-0") opaque fence or wall shall be required along all property lines of lots to a point perpendicular to the front facade of adjacent principal building(s).

11. Building requirements.

- a. Existing principal buildings shall be retained, unless demolition is approved by the City of Laurens.
- b. Building additions and new structures shall be designed to be compatible with surrounding structures in their height, massing, scale, materiality, fenestration, roof pitch, and overall character.

**R. Self-Storage Facilities**

1. The building footprint for a self-storage facility shall not be located within 500 feet of an arterial street; however, a self-storage facility may be closer than 500 feet if it is not visible from the arterial street.
2. Outdoor storage associated with this use shall comply with Subsection 13.3.6, Outdoor Storage Areas.

**S. Short-Term Vacation Rentals**

In addition to the applicable requirements of the Municipal Code, the following shall apply:

1. A maximum of one short-term vacation rental is permitted on a lot;
2. The owner of the lot is a permanent occupant of the premises, as defined under 'single-family residential' in Section 23, Definitions and Interpretations;
3. On a lot that has both a dwelling and an accessory dwelling, the owner of the lot may live in one and rent out the other as a short-term vacation rental; and
4. On a lot that has a dwelling with no accessory dwelling, the owner of the lot may rent out the dwelling only under the following:
  - a. Nightly rentals shall not exceed 113 nights in any 12 month period, calculated on a rolling basis; and
  - b. The owner of the lot shall vacate the premises for the duration of the rental.

**T. Telecommunication Towers and Antennas**

1. Applicability  
HAM radio antenna are exempt from these requirements.
2. General Requirements
  - a. Towers and antennas may be either principal or accessory uses.
  - b. Towers shall not be artificially lighted, unless required by the Federal Aviation Administration (FAA) or other applicable authority. If lighting is required, then the lighting alternatives and design chosen shall cause the least



- disturbance to surrounding views.
- c. Towers and antennas shall comply with current regulations of the FAA, the Federal Communications Commission (FCC), and any other federal or state government agency with the authority to regulate towers and antennas. If those regulations are changed, then the owners of the towers and antennas shall bring them into compliance within the time mandated by the controlling federal or state agency. Failure to bring towers and antennas into compliance with such revised regulations shall constitute grounds for removal of the tower or antenna at the owner’s expense.
  - d. Owners or operators of towers and antennas shall:
    - i. Certify that all franchises required by law for constructing or operating a wireless communication system in the City have been obtained; and
    - ii. File a copy of all required franchises with the City.
  - e. Signs on towers or antennas shall be prohibited, except for those required by regulatory agencies.
  - f. Buildings, equipment cabinets, or structures associated with towers shall comply with all applicable building codes.
3. Separation Distances Between Towers and Off-Site Lots
- The minimum separation between a new tower or an existing tower to be modified or rebuilt to a taller height and an off- site lot shall comply with the following table:

| Off-Site Lot <sup>1 2</sup>   | Separation Distance                                    |
|---|--|
| Lot for a House, Modular Home, or <b>Mobile Home</b>                      | 200 feet or 300% of tower height, whichever is greater |
| Lot for a Duplex, Multiplex, Townhouse, <b>Multifamily</b> , or Mixed-Use | 200 feet or 200% of tower height, whichever is greater |
| Lot in a Nonresidential <b>Zoning District</b>                            | Minimum setbacks per the applicable zoning district    |

- Notes:
- 1. Tower separation shall be measured from the base of the tower to the lot line of the off-site lot.
  - 2. Measurements shall be measured from the outer perimeter of the towers included in an AM array (excluding guy anchors).

- 4. Separation Distances Between Existing and Proposed Towers
- The minimum separation between a new tower or an existing tower to be modified or rebuilt to a taller height and an existing tower shall comply with the following table:

| Tower Type                              | Lattice or Guyed Tower | Monopole 60 Feet in Height or Less | Monopole Greater than 60 Feet in Height |
|---|------------------------|------------------------------------|---|
| Lattice or Guyed                        | 5,000 feet             | 5,000 feet                         | 1,500 feet                              |
| Monopole 60 Feet in Height or Less      | 750 feet               | 250 feet                           | 750 feet                                |
| Monopole Greater than 60 Feet in Height | 1,500 feet             | 750 feet                           | 1,500 feet                              |

Notes:

1. Required separation distances are measured from the base of the existing tower to the base of the proposed tower.
2. Measurements shall be measured from the outer perimeter of the towers included in an AM array (excluding guy anchors).
3. Additional towers and antennas may be constructed on a lot with existing towers and antennas and its associated structures.

5. Fall Radius Requirements

Towers shall be located so that there is sufficient radius of land around the tower so that its collapse will be contained on the property where located. A professional engineer licensed under the guidelines of the State of South Carolina shall certify technical documentation concerning the tower fall radius.

6. Aesthetic Requirements

- a. Towers shall have either a galvanized steel finish or be painted a neutral color to reduce visual obtrusiveness, subject to any applicable FAA standards.

- b. The design of the buildings, related structures, and equipment cabinets shall use colors, landscaping, materials, screening, and textures that will blend them into the natural setting and surrounding buildings.
- c. If an antenna is installed on a structure other than a tower, then the antenna and supporting electrical and mechanical equipment shall be of a neutral color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible.

7. Landscape and Fencing

- a. In addition to landscape otherwise required, tower facilities shall be landscaped with plant materials that effectively screen the view of the tower compound and ground-based equipment from off-site view.
- b. Existing mature tree growth and natural landforms on the site shall be preserved to the maximum extent practicable. In some cases, such as towers sited on large, wooded lots, natural growth around the property perimeter may be accepted as effective screening.
- c. Towers and related appurtenances, such as guy wire anchors, shall be enclosed by security fencing at least six feet in height that shall be equipped with appropriate anti-climbing devices.

8. Application Submittal

- a. Telecommunication construction plans shall be submitted in accordance with the requirements

established by the Department of Building and Neighborhood Services.

- b. An applicant shall provide an inventory of its existing towers, antennas, or sites approved for towers or antennas that are within the City, and towers outside of the City which serve areas within the City, as well as within the coverage area of the proposed tower or antenna, whether within the City or outside its jurisdiction, including specific information about the design, height, and location of each tower.

9. Administrative Final Action

The Planning Department may administratively approve the following:

- a. Telecommunication towers with a height of 60 feet or less, including small cellular potential support structures, that are located on a lot. Small cellular facilities in the right-of-way are subject to the Municipal Code;
- b. Antennas on existing structures as an accessory use to a nonresidential, mixed-use, or multifamily residential structure of eight or more dwelling units, provided that the antenna:
  - i. Extends no more than 30 feet above the highest point of the structure;
  - ii. Complies with applicable FAA and FCC regulations; and
  - iii. Complies with all applicable building codes. Documentation shall be provided justifying why the antenna cannot be a concealed device; and

iv. Antennas on existing towers for collocation purposes. To minimize adverse visual impacts associated with the proliferation and clustering of towers, collocation of antennas by more than one carrier on existing towers shall take precedence over the construction of new towers, provided such collocation is accomplished in a manner consistent with the following:

- 1) A tower that is modified or reconstructed to accommodate the collocation of additional antennas shall be of the same tower type as the existing tower, unless the Department of Building and Neighborhood Services permits reconstruction as a monopole, or otherwise determines that a different tower type would enhance collocation possibilities;
- 2) An existing tower may be modified or rebuilt to a taller height, not to exceed 30 feet over the tower's original height, to accommodate the collocation of additional antennae. The tower's pre-modification height shall be used to calculate distance separation requirements; and
- 3) A tower that is being rebuilt to accommodate the collocation of an additional antenna may be moved within 50 feet of its existing location, or elsewhere on the site, as determined by the Planning

Department. After the tower is rebuilt to accommodate collocation, only one tower may remain on the site. The relocation of a tower shall in no way be deemed to cause a violation of this Subsection.

10. Administrative Appeal

If an administrative final action is for disapproval, then the applicant may file an appeal to the Planning Commission.

11. Planning Commission Final Action

All towers or antennas must obtain approval by the Planning Commission, pursuant to Section 20.12, Site Plan.

12. Approval Criteria

The applicable review body shall consider the following criteria in approving applications for towers and antennas and may impose conditions necessary to minimize adverse effects of proposed towers or antennas on adjoining properties:

- a. The applicable standards of the zoning district;
- b. The standards in this Subsection and other applicable standards in this Ordinance;
- c. Tower or antenna height;
- d. Surrounding topography;
- e. Surrounding tree coverage and foliage;
- f. Proposed ingress and egress; and
- g. Availability of suitable existing towers, other structures, or alternative technologies that do not require a tower or structure. No new tower shall be permitted

unless the applicant submits evidence that meets one of the following criteria that no existing tower, structure, or alternative technology can accommodate the applicant's proposed antenna:

- i. No existing towers or structures are located within the geographic area that meets the applicant's engineering conditions consistent with these requirements;
- ii. Existing towers or structures are of insufficient height to meet the applicant's engineering requirements, or they have insufficient structural strength to support the applicant's proposed antenna and related equipment;
- iii. The applicant's proposed antenna would cause electromagnetic interference with the antenna on the existing towers or structures, or the antenna on the existing towers or structures would cause interference with the applicant's proposed antenna;
- iv. The fees, costs, or contractual provisions required by the owner in order to share an existing tower or structure, or to adapt an existing tower or structure for sharing exceed the cost of new tower development;
- v. The applicant demonstrates that there are other limiting factors that render existing towers and structures unsuitable; or
- vi. The applicant demonstrates that an alternative technology

that does not require the use of towers or structures is unsuitable. Costs of alternative technology that exceed new tower or antenna development shall not be presumed to render the technology unsuitable.

13. Maintenance

To ensure the structural integrity of towers and antennas, owners shall ensure that they are maintained in compliance with standards contained in applicable building codes and the applicable standards published by the Electronic Industries Association.

If, upon inspection, the tower or antenna fails to comply with such codes and standards and constitutes a danger to persons or property, then, upon notice being given, the owner shall have 30 days to bring such tower or antenna into compliance. Failure to do so shall constitute grounds for the removal of the tower or antenna at the owner's expense.

14. Removal of Abandoned Towers and Antennas

Any tower or antenna that is not operated for a continuous period of 12 months or more shall be considered to have been abandoned, and the owner shall remove the same within 90 days of receipt of notice of abandonment from the Planning Department. Failure to remove an abandoned tower or antenna within said 90 days shall be grounds to remove the tower or antenna at the owner's expense.

If there are two or more users of a single tower, then this provision shall not become effective until all users

abandon the tower. A performance agreement shall be established with appropriate financial security to defray the costs of removal.

15. Nonconforming Towers

a. Nonconforming towers and antennas approved prior to the effective date of this Ordinance shall be permitted to continue their usage as they presently exist. Routine maintenance shall be permitted. All other construction or improvements must comply with this Ordinance.

b. Nonconforming towers or antennas that are damaged or destroyed may be rebuilt without having to meet separation requirements. Building permits to rebuild the facility shall be obtained within 180 days from the date the facility is damaged or destroyed. If no permit is obtained or if the permit expires, then the tower or antenna shall be deemed abandoned.

U. Townhouse

In the LR and GC districts, townhouses shall not be on an arterial street. Height, mass, scale, and materiality shall be compatible with surrounding structures and meet all other applicable codes. The design shall be reviewed and approved by the Planning Commission and/or Historic Preservation Commission, as applicable.

V. Uses with Drive-In/Drive Through Facilities

See Paragraph 5.2.7.F, Drive-In/Drive-Through Facilities.

**W. Vehicle Sales and Rental**

1. Vehicle sales and rental shall not be located on a street intersection composed of two or more arterial streets.
2. Vehicle sales and rental is not permitted on any lot within 500 feet of a dwelling or residentially zoned lot.

**X. Vehicle Service, Repair, or Wash Facilities**

1. Vehicle service, repair, or wash facilities shall take place within an enclosed structure and shall not be within 500 feet of a dwelling or residentially zones lot; or within 500 feet of an arterial street.
2. There shall be no open storage of junked vehicles, dismantled parts, scrap parts or other salvage material other than outdoor storage of not more than ten disabled vehicles with current license plates.
3. Servicing shall be conducted in an area that can be cleaned.

## 5.2 Accessory Uses and Structures

### 5.2.1 General Provisions

- A. Accessory uses and structures are permitted in conjunction with a permitted principal use.
- B. Accessory uses and structures are permitted by district as listed in the table in Subsection 5.2.6, Permitted Accessory Uses and Structures by Zoning District.
- C. Accessory uses and structures are subject to additional requirements, as described in Subsection 5.2.7, Accessory Use and Structure Regulations.
- D. Accessory uses and structures shall be subject to approval by the Planning Department unless a site plan is required pursuant to Section 20.12, Site Plan.

### 5.2.2 Accessory Uses

Accessory uses shall be:

- A. Clearly incidental and subordinate to a permitted principal use in terms of area and function;
- B. Customarily found in connection with the principal use;
- C. Located on the same lot as the principal use; and
- D. Owned or operated by the same person as the principal use.

### 5.2.3 Accessory Structures

Accessory structures shall:

- A. Comply with the maximum number, setback, and height requirements in the applicable zoning district, except those structures subject to Section 5.1.4.T, Telecommunication Towers and Antenna;
- B. Not be located within platted or recorded easements or over underground utilities;
- C. Be subordinate in area and size to the

principal building (except for agricultural structures);

- D. Meet all other applicable standards of this Ordinance when taken together with the principal building or use; and
- E. Not be constructed prior to the time the principal building is constructed (except for community gardens and agricultural uses).

### 5.2.4 Minor Accessory Structures

Minor accessory structures, such as storage or potting sheds, workshops, or greenhouses, shall:

- A. Comply with Subsection 5.2.2, Accessory Uses;
- B. Comply with the maximum number, setback, and height requirements in the applicable zoning district;
- C. Have a building footprint of less than 200 square feet;
- D. Not be within platted or recorded easements or over underground utilities;
- E. Not be constructed prior to the time the principal building is constructed (except for community gardens and agricultural uses).

### 5.2.5 Accessory Uses and Structures Table Key

- A. A solid black circle - ● - indicates a permitted accessory use or structure in the respective district. The use and structure are also subject to all other applicable requirements of this Ordinance.
- B. A half-black circle - ◐ - indicates additional requirements associated with the permitted accessory use or uses within a district. The use and structure are also subject to all other applicable requirements of this Ordinance.
- C. A blank cell indicates the accessory use is not permitted in the respective district.

5.2.6 Permitted Accessory Uses and Structures by Zoning District

| ACCESSORY USE OR STRUCTURE  | ZONING DISTRICTS |    |    |    |    |    |    |    |    |    |    |    |    |
|---|------------------|----|----|----|----|----|----|----|----|----|----|----|----|
|   | CN               | ER | SR | LR | TR | MR | PD | CI | NC | LC | CO | GC | IN |
| <ul style="list-style-type: none"> <li>● Permitted</li> <li>◐ Permitted with Additional Use Regulations per Subsection 5.2.7</li> </ul> |                  |    |    |    |    |    |    |    |    |    |    |    |    |
| Accessory Dwellings   |                  | ◐  | ◐  | ◐  | ◐  | ◐  | ◐  |    |    |    |    |    |    |
| Accessory Structures Serving a Dwelling   |                  | ◐  | ◐  | ◐  | ◐  | ◐  | ◐  |    |    |    |    |    |    |
| Agricultural Uses   | ◐                | ●  | ●  | ●  | ●  | ●  | ●  |    |    |    |    |    | ●  |
| Bed and Breakfasts  |                  | ◐  | ◐  | ◐  | ◐  | ◐  | ◐  |    |    |    |    |    |    |
| Canopies  |                  |    |    |    |    |    | ◐  | ◐  | ◐  | ◐  | ◐  | ◐  | ◐  |
| Drive-In/Drive-Through Facilities   |                  |    |    |    |    |    | ◐  |    |    | ◐  |    | ◐  | ◐  |
| Home Occupations  |                  | ◐  | ◐  | ◐  | ◐  | ◐  | ◐  |    |    | ◐  | ◐  |    |    |
| Mailbox Delivery Facilities   |                  | ◐  | ◐  | ◐  | ◐  | ◐  | ◐  |    |    | ◐  |    | ◐  |    |
| Outdoor Playground Areas  | ●                | ●  | ●  | ●  | ●  | ●  | ◐  | ◐  | ◐  | ◐  | ◐  | ◐  | ◐  |
| Outdoor Sales Areas   |                  |    |    |    |    |    | ◐  |    | ◐  | ◐  |    | ◐  | ◐  |
| Outdoor Storage   |                  |    |    |    |    |    |    |    |    |    |    |    | ◐  |
| Parking Areas Serving a Principal Use   |                  | ●  | ●  | ●  | ●  | ●  | ●  | ●  | ●  | ●  | ●  | ●  | ●  |
| Recreational Facilities/Non-Illuminated Athletic Fields   | ●                | ●  | ●  | ●  | ●  | ●  | ●  | ●  |    | ●  |    | ●  | ●  |
| Refuse Areas  |                  |    |    |    |    | ◐  | ◐  | ◐  | ◐  | ◐  |    | ◐  | ◐  |
| Retail Sales of Goods (As Part of a Warehousing Use)  |                  |    |    |    |    |    |    |    |    |    |    |    | ◐  |



| ACCESSORY USE OR STRUCTURE  | ZONING DISTRICTS |    |    |    |    |    |    |    |    |    |    |    |    |
|---|------------------|----|----|----|----|----|----|----|----|----|----|----|----|
|   | CN               | ER | SR | LR | TR | MR | PD | CI | NC | LC | CO | GC | IN |
| ● Permitted<br>◐ Permitted with Additional Use Regulations per Subsection 5.2.7 |                  |    |    |    |    |    |    |    |    |    |    |    |    |
| Satellite Dish Antennas   |                  | ◐  | ◐  | ◐  | ◐  | ◐  | ◐  | ◐  | ◐  | ◐  | ◐  | ◐  | ◐  |
| Stand-Alone Drive-Through Uses or Automated Teller Machines or Kiosks           |                  |    |    |    |    |    | ◐  | ◐  | ◐  | ◐  |    | ◐  | ◐  |
| Storage/Parking of Recreational Equipment                                       |                  | ◐  | ◐  |    |    |    |    |    |    |    |    | ◐  | ◐  |
| Storage/Parking of Commercial Vehicles or Trailers                              |                  | ◐  | ◐  | ◐  | ◐  | ◐  | ◐  | ◐  | ◐  | ◐  |    | ◐  | ◐  |
| Swimming Pools  |                  | ◐  | ◐  | ◐  | ◐  | ◐  | ◐  | ●  | ●  | ●  |    |    |    |
| Telecommunication Towers and Antenna  |                  | ◐  | ◐  | ◐  | ◐  | ◐  | ◐  | ◐  | ◐  | ◐  | ◐  | ◐  | ◐  |

### 5.2.7 Accessory Use and Structure Regulations

In addition to the standards in Subsection 5.2.2, Accessory Uses, and Subsection 5.2.3, Accessory Structures, the following regulations shall apply to each specific accessory use or structure. Where there is a conflict between the Subsections and the specific accessory use or structure, the standards for the specific accessory use or structure shall apply.

#### A. Accessory Dwellings

1. A maximum of one accessory dwelling is permitted on a lot.
2. On a single-family residential lot, the owner of the lot is a permanent occupant of the premises, as defined under 'single-family residential' in Section 23, Definitions and Interpretations.
3. The building footprint shall not exceed 50 percent of the building footprint of the principal building.
4. Accessory dwellings shall comply with the principal building type standards for materials, material changes, colors, and roof elements.
5. Accessory dwellings are not required to have exposed foundation cladding.
6. Any dormers shall be set back a minimum of one foot from the exterior wall.
7. Exterior stairs, decks, entry doors, and major windows shall face the principal building, the alley, the street, or the interior of the lot, and away from adjacent properties where possible.
8. Accessory dwellings may be converted from an existing accessory structure, as long as the conversion does not increase any dimensional nonconformity.
9. Parking shall be provided pursuant to

Subsection 10.1.6, Minimum Parking.

10. Accessory dwellings shall be subject to all applicable building codes.

#### B. Accessory Structures Serving a Dwelling

An accessory structure serving a dwelling shall comply with the following:

1. Accessory structures of 200 square feet or greater shall comply with the principal building type standards for materials, material changes, roof elements, and colors. Accessory structures of less than 200 square feet are subject to Subsection 5.2.4, Minor Accessory Structures.
2. Any parking space within an accessory structure shall be at least ten feet by 20 feet of clear space per vehicle space.
3. Garages or carports in rear yards abutting an alley shall comply with the alley-loading garage standards of the applicable building type.
4. The accessory structure footprint shall not exceed 50 percent of the building footprint of the principal building.

#### C. Agricultural Uses

Limited agricultural uses are allowed in residential districts but limited to fruit and vegetable production for non-commercial uses and no livestock other than chickens. The agricultural use shall not be a nuisance by producing noise, noxious odors, or effluence.

#### D. Bed and Breakfasts

1. Prior to establishment, the applicant for a bed and breakfast shall:
  - a. Obtain a City-issued business license.
2. The operator shall permanently reside on the premises.
3. A maximum of four sleeping rooms may

be available for transient occupancy by up to eight guests, and in no event shall a sleeping room be occupied by a guest for more than seven consecutive days.

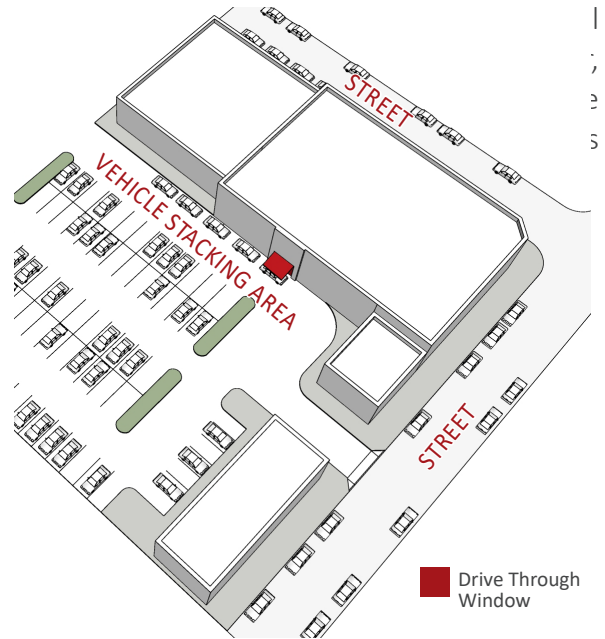
4. Cooking facilities shall not be permitted within individual sleeping rooms, and food may be served only to overnight guests.
5. Dining or gathering areas shall not be leased for social events.
6. Occupancies shall comply with International Fire Code and the National Fire Protection Association Life Safety Code, which may result in additional requirements.

**E. Canopies**

Canopies, except those associated with gas stations, shall comply with the following:

1. Canopies shall be attached to a principal building and shall not be freestanding or attached to an accessory structure, unless it is located to the rear of the principal building.
2. Canopies shall have a maximum clearance height of 15 feet from the finished grade to the underside of the canopy.
3. Canopies shall use the same exterior materials and architectural style as the principal building. Each column or post shall have a base of brick, natural stone, or cultured stone.
4. Canopy lighting shall comply with Subsection 14.3.6, Canopy and Awning Lights.

**F. Drive-In/Drive-Through Facilities**



**Figure 5.2.7.G** Drive-through window

**G. Home Occupations**

1. The following home occupations are permitted:
  - a. Artistic and creative professions, such as artist, author, baker, caterer, event planner, graphic designer, interior designer, recording artist, sewist, songwriter, tailor, or like profession, where business conducted shall be limited to one on-site client at a time. All other client and business contact shall be via phone/internet or off-site;
  - b. Counseling services that do not provide services to more than two clients at a time; however, this shall not preclude a family counseling session, provided that all other provisions of Paragraph 5.2.7.G are followed;
  - c. Office for mobile service provider, such as dog grooming, auto

- detailing or maintenance, courier service, mobile food vendor, or office for like mobile service, where business conducted shall be limited to one on-site client at a time. All other client and business contact shall be via phone/internet or off-site;
- d. Pet sitting that provides at-home services or overnight boarding to no more than two pets at a time and keeps pets mostly indoors;
  - e. Pet grooming that provides services to no more than one pet at a time;
  - f. Photography services, where services conducted shall be limited to one on-site client at a time.
  - g. Professional services, such as accountant, architect, landscape architect, attorney, contractor (office only), data entry clerk, engineer, planner, draftsman, Information Technology consultant, management or financial consultant, real estate agent, insurance agent, or like profession, where business conducted shall be limited to one on-site client at a time. All other client and business contact shall be via phone/internet or off-site;
  - h. Salespersons, sales agents, and sales representatives provided that customer contact is via phone/internet or off-site;
  - i. Small-scale child care that does not provide care for more than four children not related to the resident who is operating the business and meets the standards for a Family Child Care Home, as regulated by the State of South Carolina Department of Social Services;
  - j. Swim lessons that provide instruction to no more than two students at a time or the total number of students from a single family at a time, whichever is greater. Swim lessons on lots of one acre or more may have group lessons with up to five students; and
  - k. Tutoring and instructional services that provide instruction to no more than two pupils at a time
2. Personal services other than as permitted by Clause 5.2.7.G.1 above and retail sales from on-site inventory are prohibited as home occupations;
  3. Home occupations shall:
    - a. Be located entirely within the principal building and not exceed 50 percent of the total floor area of the principal building, or as an alternative, be located entirely within an accessory building, with the following exceptions:
      - i. Photography services may occur outdoors on lots of two acres or more, or on smaller lots when the area used for photography services is completely screened from off-site. No activities shall take place within any required setbacks; and
      - ii. Swim lessons and small-scale child care may have outdoor activities that take place in side or rear yards only;
      - iii. Be owned and operated by the person residing in the principal building;
      - iv. Employ no more than one person who does not reside on

- the premises;
- v. Not create traffic or parking congestion, noise, lighting, vibration, odor, glare, fumes, or electrical or communications interference that can be detected by the normal senses off the premises;
  - vi. Cause no change in the exterior appearance of the existing dwelling or other structures on the premises;
  - vii. Not include more than one vehicle not customarily found in a residential district parked on the premises overnight; and
  - viii. Not include signs or other means of advertising on the property.

#### **H. Mailbox Delivery Facilities**

Where centralized mailbox delivery facilities are provided, they shall comply with the following:

1. Centralized mailbox delivery facilities shall be installed on a lot owned and maintained by the homeowner's association or property owners' association.
2. Each cluster box unit shall comply with USPS specifications. In addition, a concrete or asphalt pad and a covered roof shall be provided that extends three feet on all sides that have access to mailbox compartments.
3. Adequate lighting shall be provided at each unit at an average illuminated intensity of 0.5 foot-candle.
4. Each facility serving up to 50 dwelling units shall have two dedicated parking spaces within easy access to the cluster box unit. One additional parking space

shall be provided per 50 additional dwelling units served.

#### **I. Outdoor Playground Areas**

1. Outdoor playground areas related to day care centers or a use classified as civic and institutional shall be placed to the side or rear of the building and bordered by a fence or wall at least three feet tall.
2. The perimeter of the fence shall be planted with a row of evergreen and deciduous shrubs with a minimum planting height of 30 inches and planted three feet on-center.

#### **J. Outdoor Sales Areas**

Outdoor sales areas associated with commercial uses shall:

1. Be located immediately adjacent to the front building facade;
2. Be limited to no more than one-half of the length of the front building facade. In the case of a shopping center, the outdoor sales area shall be limited to a maximum of one-half of the retail storefront associated with the display area;
3. Be prohibited in fire lanes, drive aisles, parking spaces, or areas intended for pedestrian circulation;
4. Maintain a minimum pedestrian walkway of at least five feet in width along the front of the display; and
5. Take place only on an improved surface such as the sidewalk or pavement.

#### **K. Outdoor Storage**

1. Any storage shall be located inside of a building or fully enclosed by a shed or similar structure, unless the items stored are:
  - a. Farm equipment in the CN district;
  - b. Live vegetation that is for retail sale,

provided the location and extent of the area used for such storage is indicated on a site plan; and

- c. Equipment or materials related to Local, State, or Federal government facilities provided such storage is fully screened pursuant to Section 13.3, Screening.
2. Outdoor storage of storage trucks, trailers, covered containers, or similar containers, whether on wheels or stationary, are prohibited, unless it is temporary storage or temporary holiday storage in a portable shipping container in accordance with Section 5.3, Temporary Uses and Structures.
3. Storage tanks of flammable liquid or gas in excess of 500 gallons total shall be stored underground.
4. Outdoor storage shall comply with Subsection 13.3.6, Outdoor Storage Areas.

#### **L. Refuse Areas**

See Subsection 13.3.4, Refuse Areas.

#### **M. Retail Sales as Part of General Warehouse Use**

Retail sale of goods as part of permitted freight or warehouse uses shall:

1. Be conducted entirely within the same building as the principal warehouse or freight use;
2. Have hours of operation limited to between 8:00 a.m. and 9:00 p.m., or to the operating hours of the principal use, whichever is more restrictive;
3. Include no additional signage for the retail sales operation;
4. Include only sales items manufactured in the principal building or from part of the principal warehouse's stock; and
5. Be limited to either ten percent

of the total gross floor area of the principal building or 5,000 square feet, whichever is less.

#### **N. Swimming Pools**

1. Outdoor swimming pools on residential lots shall be located at least ten feet behind the front facade and at least five feet from any lot line.
2. Swimming pools shall not be located within easements.

#### **O. Satellite Dish Antennas**

Satellite dish antennas shall:

1. Comply with the setback requirements in the applicable zoning district, unless otherwise permitted by applicable FCC regulations;
2. Be erected in a secure, wind-resistant manner;
3. Be screened so that no the satellite dish antenna is not visible from public right-of-way. The screen may consist of fencing, buildings, plantings, or any other opaque vegetation or structure permanently affixed to the structure; and
4. Be prohibited in locations where an antenna would be visible from the public right-of-way on lots in the HP, unless otherwise permitted by applicable FCC regulations.

#### **P. Stand-Alone Drive-Through Uses or Automatic Teller Machines or Kiosks**

Stand-alone drive-through uses or automatic teller machines or kiosks shall:

1. Be a permanent structure with a fixed foundation;
2. Be limited in size to 30 percent of the gross floor area of the principal building or 600 square feet, whichever is less;
3. Use the same exterior materials, colors,

and architectural style as the principal building;

4. Have adequate vehicle stacking spaces;
5. Be oriented so that vehicle stacking does not queue within public right-of-way or interfere with other on-site vehicular circulation;
6. Not be located in private streets, internal drives, landscaping areas, required yards, or setbacks; and
7. Not use freestanding signs.

**Q. Storage/Parking of Commercial Vehicles or Trailers**

1. Commercial, industrial, or agricultural vehicles, with the exception of passenger vehicles (cars, pickup trucks, vans, and sport utility vehicles with a maximum capacity of a driver and eight passengers) shall not be parked overnight on a lot zoned for residential use, other than in completely enclosed buildings, or physically removed from vision from any public street serving the property.
2. Commercial trailers that require a license plate, shall not be visible from any street serving a lot zoned for residential use.
3. Commercial construction equipment shall not be parked or stored on any lot zoned for residential use, whether visible from the street or not.
4. Tractor trailer cabs and/or truck beds shall not be parked overnight on a lot zoned for residential use.

**R. Storage/Parking of Recreational Equipment**

1. Storage/parking of recreational vehicles or equipment in the GC and IN districts shall be limited to approved

self storage facilities and shall comply with Subsection 13.3.6, Outdoor Storage Areas.

2. Storage/parking of recreational vehicles or equipment in the ER, SR, LR, and TR districts shall:
  - a. Be limited to storage/parking at least ten feet behind the front facade of the principal building and at least ten feet from any lot line and screened by an opaque fence, wall, or landscaping with a height of at least six feet; and
  - b. Be located on an approved parking pad limited to the locations described above.

**S. Telecommunication Towers and Antenna**

See Paragraph 5.1.4.T, Telecommunication Towers and Antenna.

### 5.3 Temporary Uses and Structures

#### 5.3.1 General Provisions

- A. Temporary uses and structures allow for the short-term activities, many of which would not be allowed on a permanent basis.
- B. Permitted temporary uses and structures are listed in the table in Subsection 5.3.4, Permitted Temporary Uses and Structures by Zoning District.
- C. Temporary uses and structures are subject to additional requirements, as described in Subsection 5.3.5, Temporary Use and Structure Regulations.
- D. Unless expressly stated otherwise, temporary uses and structures shall be subject to approval by the Planning Department.

#### 5.3.2 Temporary Uses and Structures

Temporary uses and structures shall:

- A. Not have substantial adverse effects or noise impacts on nearby residential neighborhoods;
- B. Contain sufficient land area to handle the temporary use or structure without disturbing environmentally sensitive lands; and
- C. Accommodate the parking and traffic movement associated with the temporary use.

#### 5.3.3 Temporary Uses and Structures Table Key

A half-black circle - ◐ - indicates additional requirements associated with the permitted accessory use or uses within a district. The use and structure are also subject to all other applicable requirements of this Ordinance.

#### 5.3.4 Permitted Temporary Uses and Structures by Zoning District

| Temporary Use or Structure                        | Permitted Districts | ◐ Permitted with Additional Use Regulations per Subsection 5.35 |
|---|---------------------|---|
| Carnival  | GC, IN              | ◐   |
| Construction Dumpster                             | All                 | ◐   |
| Construction Trailer                              | All                 | ◐   |
| Event Tent  | All                 | ◐   |
| Garage/Yard Sale                                  | All                 | ◐   |
| Mobile Food Vendor                                | All                 | ◐   |
| Residential Development Sales Office/Model Home   | All                 | ◐   |
| Seasonal Agricultural Sales                       | All                 | ◐   |
| Temporary Field Office                            | All                 | ◐   |
| Temporary Housing                                 | All                 | ◐   |
| Temporary Holiday Storage in a Shipping Container | All                 | ◐   |
| Temporary Storage in a Shipping Container         | All                 | ◐   |
| Temporary Place of Business                       | All                 | ◐   |
| Temporary Structures for Institutional Uses       | All                 | ◐   |



### 5.3.5 Temporary Use and Structure Regulations

In addition to the standards in Subsection 5.3.2, Temporary Uses and Structures, the following regulations shall apply to each temporary use or structure.

#### A. Construction Dumpster

Temporary construction dumpsters or other trash receptacles are used to hold waste from construction projects may be permitted:

1. Within a public right-of-way or other City-owned property, subject to the Municipal Code; or
2. On a lot or construction site, where the dumpster or trash receptacle shall:
  - a. Be located to the side or the rear of the site, to the maximum extent practicable;
  - b. Be located as far as possible from lots containing existing development;
  - c. Not be located within a floodplain or otherwise obstruct drainage flow;
  - d. Not be placed within 15 feet of a fire hydrant or within a required landscape area;
  - e. Be located outside of tree protection fencing and the dripline of existing trees; and
  - f. Be allowed to remain on the site until issuance of a final certificate of use and occupancy.

#### B. Construction Trailer

Construction trailers are mobile structures used to accommodate temporary offices, dining facilities, and storage of building materials during construction projects, and

may be permitted, provided that the trailer shall:

1. Be located on the same site or in the same development as the related construction;
2. Not be located within a required open space set-aside or landscape area;
3. Be associated with development for which a valid building permit has been or will be issued; and
4. Be allowed to remain on the site until the issuance of a final certificate of use and occupancy.

#### C. Carnival

Carnivals shall comply with the following:

1. The period of operation shall not exceed seven consecutive days, and no more than six events per year on the same property. There shall be a minimum of 14 consecutive days between events. Events exceeding these limitations shall be considered the commercial recreation use type as a principal use.
2. Adequate parking spaces must be provided for the intended maximum occupancy.

#### D. Event Tent

1. Event or party tents and membrane structures larger than 400 square feet shall:
  - a. Be subject to issuance of a permit from the Fire Department;
  - b. Be limited to a maximum of 45 days per occurrence and a maximum of three occurrences per year;
  - c. Not exceed more than two tents on a single lot that is less than 12 acres in size (the Planning Department may approve more than two tents as a part of a special event on a single lot of 12 or more acres in

- size);
  - d. Maintain a minimum clearance of 20 feet from all other structures and tents;
  - e. Not be placed within required landscape areas;
  - f. Not obstruct emergency vehicle access to adjacent lots or disrupt pedestrian circulation;
  - g. Be removed within two days of the event; and
  - h. Be required to have the area or site restored to its original condition within two days of the tent removal.
2. Tents for event venues are exempt from Clause 5.3.5.D.1.b and c above.

**E. Garage/Yard Sale**

Garage/yard sales are intended to allow for the occasional sale of miscellaneous household goods in the garage or yard of a dwelling.

1. Garage/yard sales shall:
    - a. Be subject to issuance of a garage sale permit by the City of Laurens prior to the sale;
    - b. Have the permit posted in a location that is visible from the public right-of-way during the sale;
    - c. Not take place on lots beyond the property specified in the permit;
    - d. Be limited to a maximum of four per dwelling per year. Members of more than one dwelling may join in obtaining a permit for a sale to be conducted at the dwelling of one of the persons indicated on the permit;
    - e. Not exceed a maximum duration of two consecutive days per sale or more than eight total days per calendar year;
  - f. Limited to hours of 7:00 a.m. to 9:00 p.m.; and
  - g. Not negatively affect surrounding properties in terms of noise, boisterous conduct, trash, parking, or impede the flow of traffic on nearby streets.
2. Following the conclusion of the sale, unsold items or other sale-related materials shall be removed from public view and trash must be placed in receptacles in accordance with solid waste regulations.
  3. The applicant to whom a permit is issued and the owner or tenant of the premises on which a sale is conducted shall be jointly and severally responsible for the sale and the premises.
  4. A police officer or other City official responsible for enforcing this or other City ordinances shall have the right of entry onto the premises showing evidence of a sale for enforcement or inspection and may close the premises from the sale.
  5. The Police Department may enforce temporary controls to alleviate special hazards or congestion created by a sale.
  6. Failure to observe these standards can result in revocation of the permit and the inability to obtain a subsequent permit for a period of up to two years.
  7. If a sale is not held on the dates for which the permit is issued or is terminated during the first day of the sale because of inclement weather conditions and a statement by the permit holder to this effect is submitted, then another permit may be issued to the applicant for a sale to be conducted at the same location within 30 days from the date

when the first sale was to be held, with no additional permit fee.

**F. Residential Development Sales Office/ Model Home**

Temporary real estate sales offices/model homes are for the initial sale or lease of properties or buildings within a developing residential development and shall:

1. Not exceed one sales office or model home per builder or developer in a section or phase of a new development;
2. Be operated by a developer or builder active in the same section or phase where the sales office or model home is located;
3. Be located on an approved lot intended to be occupied by a dwelling unit;
4. Comply with the applicable zoning district standards or the development plan, if applicable;
5. Be aesthetically compatible with the character of surrounding development in terms of exterior color, predominant exterior building materials, and landscape;
6. Be either constructed and intended for ultimate residential use as part of the residential development or a temporary modular office unit. If a temporary modular office unit is constructed, the following additional standards shall be met:
  - a. The modular office unit must be placed on a proper foundation, as recommended by the manufacturer.
  - b. Skirting shall be installed around all sides of the modular office unit; and
  - c. Evergreen shrubs shall be planted around the base of the structure,

each located five feet on-center, when visible from other developed lots or public right-of-way; and

7. Be removed or, if a model home, converted into a permanent dwelling once the occupancy in the section or phase of the development reaches 85 percent.

**G. Seasonal Agricultural Sales**

Seasonal agricultural sales shall:

1. Be contained in an area that will support the proposed temporary sale of products without encroaching into or creating a negative impact on existing vegetated areas, open space, landscaping, traffic movements, or parking space availability;
2. Not occur within the public right-of-way or within 200 feet of a dwelling;
3. Maintain a minimum pedestrian walkway of at least five feet in width along the front of the display;
4. Be limited to products obtained primarily through farming or agricultural activities, including:
  - a. Pumpkins;
  - b. Grains and seed crops;
  - c. Fruits and vegetables;
  - d. Nursery, floral, ornamental, and greenhouse products;
  - e. Trees and forest products, including Christmas trees, firewood, and pine straw;
  - f. Bees and beekeeping products;
  - g. Seafood; and
  - h. Dairy products.
5. Not include processed or prepared food products, other than ancillary sales of home processed food products such as jams, jellies, pickles, sauces, baked goods, or homemade handicrafts;

6. Not involve the display or short-term storage of products on-site for a period of two days or longer;
7. Not involve sales which are accomplished solely from a vehicle;
8. Be limited to the hours of 7:00 a.m. to 9:00 p.m., or the same hours of operation as a principal use on the same lot, whichever is more restrictive; and
9. Be allowed on an individual lot a maximum of 120 days per calendar year.

#### **H. Temporary Field Office**

Temporary field offices are intended for businesses that wish to substantially redevelop their properties while operating on-site during the construction period. Temporary field offices shall:

1. Be limited to office and administrative uses and not involve the interior stocking or interior display of merchandise for immediate sale;
2. Be shown on any applicable site plan. The applicant shall provide the characteristics of the use, location of the temporary structure, temporary signage, parking, sanitation, landscaping, safety, etc. and shall include a definitive time-frame and construction schedule for the permanent building, along with proof of necessity for the temporary field office;
3. Be subject to a performance agreement prior to issuance of a building permit for the removal of the temporary field office if the structure exceeds the permitted time-frame;
4. Be associated with a building permit for the principal building and shall coincide

with the construction of the principal building for a period not to exceed 60 days preceding the start of construction of the principal building and 30 days beyond the issuance of a final certificate of use and occupancy for the principal building or it shall expire with the building permit expiration for the principal building, whichever is sooner, but in no case shall the period exceed two years, unless approved by the Mayor and City Council; and

5. Be an approved manufactured structure or a structure designed by a State of South Carolina Licensed Professional Engineer or Architect and shall comply with the City's adopted building and fire codes.

#### **I. Temporary Housing**

This use is intended to provide temporary housing on a site where a previous dwelling was destroyed or rendered uninhabitable. Temporary housing shall:

1. Be in the form of a mobile or modular home;
2. Be located in accordance with the minimum setbacks and required yards to the maximum extent practicable;
3. Not include permanent alterations to the site;
4. Remain in place for a maximum of six months, but the duration may be extended for an additional three-month period with approval by the Planning Department; and
5. Be removed within 30 days of the final certificate of use and occupancy for the principal building.

#### **J. Temporary Holiday Storage in a Shipping Container**

Temporary holiday storage in a shipping

container shall:

1. Serve an existing principal use;
2. Be located in the rear or side yard;
3. Maintain a minimum ten-foot setback from any lot line or structure;
4. Not impede ingress, egress, or emergency access; and
5. Be placed on the site only between November 1 and January 31.

#### K. Temporary Storage in a Shipping Container

Temporary storage in a shipping container shall:

1. Serve a principal use;
2. Be located in the rear or side yard;
3. Maintain a minimum ten-foot setback from any lot line or structure;
4. Not impede ingress, egress, or emergency access; and
5. Not exceed a maximum duration of 30 days over a five-year period or be present only during a construction period.

#### L. Temporary Place of Business

This use is intended to provide a temporary place of business on a site where the previous place of business was destroyed or deemed unsafe for human occupancy by natural disaster or hazard. A temporary place of business shall:

1. Be an approved manufactured structure or a structure designed by a State of South Carolina Licensed Professional Engineer or Architect;
2. Meet the minimum setbacks and required yards;
3. Remain in place for six months or less, but may be extended for an additional three-month period as approved by the Planning Department; and
4. Be removed within 30 days of the final certificate of use and occupancy for

the principal building.

#### M. Temporary Structures for Institutional Uses

Temporary structures, such as modular classrooms or portable buildings, serving institutional uses shall:

1. Be located to the side or rear of the principal building and at least five feet from any other structure;
2. Be permitted within the building envelope but not within required parking, open space set-aside, or required landscape areas;
3. Have skirting or other methods that prevent unauthorized access underneath the structures;
4. Have evergreen shrubs planted around the base of the structure, each located five feet on-center, when visible from other developed lots or public right-of-way;
5. Comply with parking requirements according to Subsection 10.1.6, Minimum Parking;
6. Remain on the site a maximum of one year, but may be renewed for up to two additional one-year periods, as approved by the Planning Department, at least 30 days prior to the expiration date. In no event, however, shall such extensions allow the temporary structure to remain on the site for more than three years; and
7. Be required to have the area restored to its original condition following the removal of the temporary structure, including required trees and shrubs, unless the area is intended to accommodate new construction;

# SECTION 6

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## BUILDING TYPES

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## 6.1 General Provisions





### 6.1.1 Applicability

This Section shall apply to:

- A. New principal buildings;
- B. An expanded or altered portion of any existing principal building;
- C. The entire existing principal building when an expansion or alteration exceeds 50 percent of the building's existing square footage prior to the expansion or alteration; and
- D. Any accessory structure as specifically required by Section 5.2, Accessory Use and Structures.

**6.2 Overview of Building Types**

Building types are used to organize certain standards that apply to buildings. Building types are permitted by zoning district and in some cases, further regulated by overlay district. Each principal building shall comply with all standards and tables for the corresponding building type.

| Building Type Description   | Illustration   | Permitted Districts                |
|---|--|------------------------------------|
| <p><b>House:</b> A building containing one dwelling unit on its own lot, surrounded by yards on all sides. In some districts, nonresidential uses may be housed in this building type.</p>              |    | <p>ER SR LR TR MR PD CI<br/>CO</p> |
| <p><b>Duplex:</b> A building containing two dwelling units, which may be side-by-side, stacked, or front-to-back. They may have separate entrances or a shared common entrance.</p>                     |   | <p>LR MR PD CO</p>                 |
| <p><b>Multiplex:</b> A building containing three to four dwelling units that has the appearance of one house from the street. Only allowed in new developments.</p>                                     |  | <p>LR MR PD CI LC</p>              |
| <p><b>Townhouse:</b> A building where the dwelling units are joined side-by-side and separated by shared walls. Each dwelling unit has independent access to the frontage and may have small yards.</p> |  | <p>LR MR PD CI CO</p>              |



**Multifamily Building:** A building containing five or more dwelling units, with the units often stacked vertically, sharing common vertical walls and/or horizontal floors and ceilings, and often called apartments, lofts, condominiums, stacked flats, or age-restricted independent living.



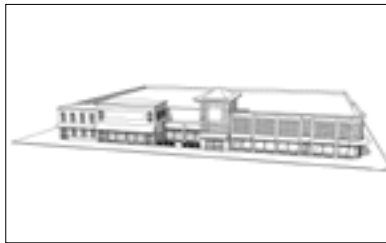
PD MR

**Commercial/Mixed-Use Building:** A building that typically accommodates a single use or a vertical or horizontal mix of commercial uses. Multifamily residential may be on upper floors, depending on the district.



PD NC LC CO GC IN

**Large-Scale Retail Building:** A building of 50,000 square feet or more that is most commonly associated with large-format commercial uses. It may have several commercial uses in the building or have in-line retail, either beside or in front of the primary anchor tenant.



PD GC IN

**Civic Building:** A building erected to be used only for civic or institutional purposes. It may be designed to stand apart from its surroundings due to the special nature of its use as a public facility or it may blend in with its surroundings. Civic and institutional uses may be in other building types.



PD CI NC LC GC CO IN

**Flex Building:** A building designed to accommodate uses in the industrial districts.



IN

**6.3 House**

A building containing one dwelling unit on its own lot, surrounded by yards on all sides. In certain districts, nonresidential uses may be housed in this building type. This building type shall comply with all other applicable standards of this Ordinance.



**Permitted Districts**

ER SR LR TR MR PD CI CO

**Number of Dwelling Units**

Dwelling Units 1 per building

**Building Orientation and Entry**

Main Entrance Prominently located on front facade and highly visible

Entry Features Shall have a covered porch, covered stoop, or a balcony over the entrance

Facade Position The front facade shall face the frontage

**Building Orientation and Entry (Continued)**

Side Facade Facing a Frontage Shall have a similar level of architectural detailing, window alignment, and organization as the front facade

**Windows**

Glazing Minimum 15% on front facades

Window Shape and Alignment Vertically proportioned and symmetrically aligned, but exceptions may be approved for particular architectural style e.g. prairie style

Trim on Windows Facing a Frontage Minimum 4-inch trim with sill and top plate when siding surrounds the window  
Soldier course above the lintel and a rowlock course below the sill when brick or stone surrounds the window

Shutters If any, shutters shall be proportioned to cover one-half the width of the window from each side or the total window from one side

**Foundations, Porches, and Stoops**

Finished Floor Elevation Minimum 18 inches above grade at front facade

Porch Depth Minimum 6 feet inclusive of railings, pillars, columns, or other porch features

Stoop Depth 3 to 6 feet deep

**Roof Elements**

Pitch 3:12 to 12:12, excluding small roof sections over porches, entryways, or similar features

**Materials**

Primary Materials on a Facade Up to two of the following: brick, natural stone, cultured stone, smooth wood siding, or fiber cement siding

|   |   |
|---|---|
| Accent Materials (Up to 25 Percent of Net Facade) | Architectural metal, such as stainless steel, copper, brushed nickel, brass, etc., authentic stucco, or any primary material not used as a primary material on the building |
| Foundation Cladding                               | Brick, natural stone, cultured stone, or authentic stucco   |
| Porch Pier Cladding                               | Brick, natural stone, cultured stone, or authentic stucco and painted or stained latticework between each pier  |
| Chimney Cladding                                  | Brick, natural stone, cultured stone, or material to match the primary material of the facade   |
| Prohibited Materials                              | Aluminum siding, corrugated metal siding, EIFS, or exposed smooth-faced concrete block, unless finished with brick, stone, or authentic stucco                              |

**Material Changes**

|                  |  |
|------------------|--|
| Material Changes | Primary materials on a front facade shall continue down side facades at least 20 feet and the entire length of side facade facing a frontage<br>Excluding trim, any material changes shall coincide with form, structural, or massing changes and shall not occur at the outside corner of such change |
|------------------|--|

**Colors**

|                   |  |
|-------------------|--|
| Colors            | Up to three colors, including material colors, but excluding trim colors |
| Prohibited Colors | Overly bright or neon colors   |

**Facade Variety**

|               |  |
|---------------|--|
| Front Facades | For development projects that include more than one house, a variety of front facade elevations shall be provided. Facades may not be repeated in less than 5 homes in a row or immediately across the street. |
|---------------|--|

**Garage**

|              |   |
|--------------|---|
| Garage Scale | Shall be subordinate in scale and massing to the building it serves |
|--------------|---|

**Frontage-Facing Garages**

|                                   |  |
|-----------------------------------|--|
| Front-Facing Garage Setback       | Minimum 20 feet behind front facade and front door and 22 feet from sidewalk                                   |
| Front-Facing Garage Plane Width   | Not more than 40% (measured from the outside edges of the doors) of the total linear width of the front facade |
| Side-Street Facing Garage Setback | Minimum of 22 feet from sidewalk and 3 feet behind side facade   |
| Garage Door Width                 | Maximum 9 feet   |
| Separation Between Garage Doors   | Minimum 2 feet   |
| Interior Dimensions               | Minimum 10 feet by 20 feet per vehicle parking space   |

|                                      |  |
|--------------------------------------|--|
| Five Required Architectural Features | Carriage house garage doors (counts as two)  |
|                                      | Garage doors behind the rear elevation (counts as two)                                   |
|                                      | Garage doors painted to match the main or accent color of the house                      |
|                                      | Two ornamental light fixtures  |
|                                      | One window per garage parking space  |
|                                      | Eaves with exposed rafters and/or with a minimum 6-inch projection from the facade plane |
|                                      | Roof line changes  |
|                                      | Dormers  |
|                                      | Decorative gable vent covers   |
|                                      | Decorative corning.  |

|                                 |  |
|---------------------------------|--|
| One-Car Garage Door Width       | Maximum 10 feet                                      |
| Two-Car Garage Door Width       | 16 to 18 feet  |
| Separation Between Garage Doors | Minimum 2 feet                                       |
| Interior Dimensions             | Minimum 10 feet by 20 feet per vehicle parking space |
| <b>Transitional Features</b>    |  |
| Requirements                    | See Section 8, Transitional Features                 |

**Alley-Loading Garages**

|                |  |
|----------------|--|
| Garage Setback | 5 feet or at least 22 feet from alley right-of-way<br>At least 22 feet from a mews right-of-way, when facing a mews the rear facade shall have a pedestrian door |
|----------------|--|

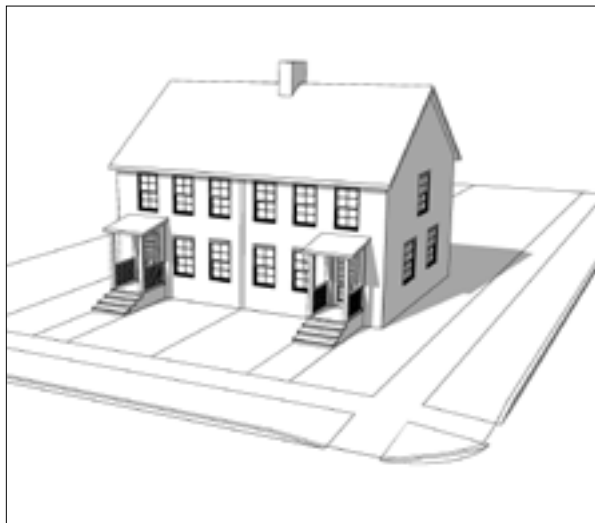
|                                 |  |
|---------------------------------|--|
| One-Car Garage Door Width       | Maximum 9 feet                                       |
| Two-Car Garage Door Width       | 16 to 18 feet  |
| Interior Dimensions             | Minimum 10 feet by 20 feet per vehicle parking space |
| Separation Between Garage Doors | Minimum 2 feet                                       |

**Side- or Rear-Loading Garages Facing Interior Lot Lines**

|                |   |
|----------------|---|
| Garage Setback | Minimum 3 feet behind front facade and front door |
|----------------|---|

### 6.4 Duplex

A building containing two dwelling units, which may be side-by-side, stacked, or front-to-back. They may have separate entrances or a shared common entrance. This building type shall comply with all other applicable standards of this Ordinance.



**Permitted Districts**

LR MR PD CO

**Number of Dwelling Units**

Dwelling Units 2 per building

**Building Orientation and Entry**

|                 |  |
|-----------------|--|
|                 | Prominently located on front facade and highly visible   |
| Main entrance   | Duplexes in existing single-family subdivisions shall be limited to one entrance on the front facade |
| Entry Features  | Shall have a covered porch or covered stoop  |
| Facade Position | The front facade shall face the frontage   |

**Building Orientation and Entry (Continued)**

|                               |  |
|-------------------------------|--|
| Side Facade Facing a Frontage | Shall have a similar level of architectural detailing, window alignment, and organization as the front facade, including side or wrap-around porches |
|-------------------------------|--|

**Windows**

|                                   |  |
|-----------------------------------|--|
| Glazing                           | Minimum 15% on front facades   |
| Window Shape and Alignment        | Vertically proportioned and symmetrically aligned  |
| Trim on Windows Facing a Frontage | Minimum 4-inch trim with sill and top plate when siding surrounds the window<br>Soldier course above the lintel and a rowlock course below the sill when brick or stone surrounds the window |

|          |   |
|----------|---|
| Shutters | If any, shutters shall be proportioned to cover one-half the width of the window from each side or the total window from one side |
|----------|---|

**Foundations, Porches, and Stoops**

|                          |   |
|--------------------------|---|
| Finished Floor Elevation | Minimum 18 inches above grade at front facade   |
| Porch Depth              | Minimum 6 feet of clear space, exclusive of railings, pillars, columns, or other porch features |
| Stoop Depth              | 3 to 6 feet deep  |

**Roof Elements**

|       |   |
|-------|---|
| Pitch | 3:12 to 12:12, excluding small roof sections over porches, entryways, or similar features |
|-------|---|

**Materials**

|   |   |
|---|---|
| Primary Materials on a Facade                     | Up to two of the following: brick, natural stone, cultured stone, smooth wood siding, or fiber cement siding  |
| Accent Materials (Up to 25 Percent of Net Facade) | Architectural metal, such as stainless steel, copper, brushed nickel, brass, etc., authentic stucco, or any primary material not used as a primary material on the building |
| Foundation Cladding                               | Brick, natural stone, cultured stone, or authentic stucco   |
| Porch Pier Cladding                               | Brick, natural stone, cultured stone, or authentic stucco and painted or stained latticework between each pier  |
| Chimney Cladding                                  | Brick, natural stone, cultured stone, authentic stucco, or material to match the primary material on the facade   |
| Prohibited Materials                              | Aluminum siding, corrugated metal siding, EIFS, or exposed smooth-faced concrete block, unless finished with a brick, stone, or authentic stucco                            |
| Materials in Hp or CC                             | See overlay district  |

**Material Changes**

|                  |  |
|------------------|--|
| Material Changes | Primary materials on a front facade shall continue down side facades at least 20 feet and the entire length of side facade facing a frontage<br>Excluding trim, any material changes shall coincide with form, structural, or massing changes and shall not occur at the outside corner of such change |
|------------------|--|

**Colors**

|                          |  |
|--------------------------|--|
| Colors                   | Up to three colors, including material colors, but excluding trim colors |
| Prohibited Colors        | Overly bright or neon colors   |
| Color Requirements in HP | See Section 4.3, HP District in HP                                       |

**Facade Variety**

|               |  |
|---------------|--|
| Front Facades | For development projects that include more than one duplex, a variety of front facade elevations shall be provided, proof of which shall be submitted with a site plan |
|---------------|--|

**Garage**

|              |   |
|--------------|---|
| Garage Scale | Shall be subordinate in scale and massing to the building it serves |
|--------------|---|

**Frontage-Facing Garages**

|                        |   |
|------------------------|---|
| Number of Garage Doors | Maximum of 1 frontage-facing garage at a minimum of 20 feet behind front facade and front door and 22 feet from sidewalk<br>Any additional garages shall be located at the rear of the building |
|------------------------|---|

|                                      |  |
|--------------------------------------|--|
| Garage Door Width                    | Maximum 9 feet   |
| Interior Dimensions                  | Minimum 10 feet by 20 feet   |
| Garage Door Width                    | Maximum 9 feet   |
| Five Required Architectural Features | Carriage house garage doors (counts as two)  |
|                                      | Garage doors behind the rear elevation (counts as two)                                   |
|                                      | Garage doors painted to match the main or accent color of the house                      |
|                                      | Two ornamental light fixtures  |
|                                      | One window per garage parking space  |
|                                      | Eaves with exposed rafters and/or with a minimum 6-inch projection from the facade plane |
|                                      | Roof line changes  |
| Dormers                              |  |
| Decorative gable vent covers         |  |
| Decorative corncing                  |  |

**Alley-Loading Garages**

|                           |  |
|---------------------------|--|
| Garage Setback            | 5 feet or at least 22 feet from alley right-of-way or drive aisle, where no alley right-of-way exists      |
|                           | At least 22 feet from a mews right-of-way, when facing a mews the rear facade shall have a pedestrian door |
| One-Car Garage Door Width | Maximum 9 feet   |
| Two-Car Garage Door Width | 16 to 18 feet  |
| Interior Dimensions       | Minimum 10 feet by 20 feet per vehicle parking space   |

**Side- or Rear-Loading Garages Facing Interior Lot Lines**

|                           |  |
|---------------------------|--|
| Garage Setback            | Minimum 3 feet behind front facade and front door    |
| One-Car Garage Door Width | Maximum 9 feet                                       |
| Two-Car Garage Door Width | 16 to 18 feet  |
| Interior Dimensions       | Minimum 10 feet by 20 feet per vehicle parking space |

**Transitional Features**

|              |                                      |
|--------------|--------------------------------------|
| Requirements | See Section 8, Transitional Features |
|--------------|--------------------------------------|

**6.5 Multiplex**

A building containing three to four dwelling units that has the appearance of one house from the street. This building type shall comply with all other applicable standards of this Ordinance.



**Permitted Districts**

MR PD CI NC LR

**Number of Dwelling Units**

Dwelling Units      3 to 4 per building

**Building Orientation and Entry**

|                               |   |
|-------------------------------|---|
| Main entrance                 | Only one entrance on the front facade shall be prominently located and highly visible   |
| Entry Features                | Shall have a covered porch or covered stoop   |
| Facade Position               | The front facade shall face the frontage  |
| Side Facade Facing a Frontage | Shall have a side porch or wrap-around porch<br>Shall have a similar level of architectural detailing, window alignment, and organization as the front facade |

**Windows**

|                                   |  |
|-----------------------------------|--|
| Glazing                           | Minimum 15% on front facades   |
| Window Shape and Alignment        | Vertically proportioned and symmetrically aligned  |
| Trim on Windows Facing a Frontage | Minimum 4-inch trim with sill and top plate when siding surrounds the window<br>Soldier course above the lintel and a rowlock course below the sill when brick or stone surrounds the window |
| Shutters                          | If any, shutters shall be proportioned to cover one-half the width of the window from each side or the total window from one side  |

**Foundations, Porches, and Stoops**

|                          |   |
|--------------------------|---|
| Finished Floor Elevation | Minimum 18 inches above grade at front facade   |
| Porch Depth              | Minimum 6 feet of clear space, exclusive of railings, pillars, columns, or other porch features |
| Stoop Depth              | 3 to 6 feet deep  |

**Materials**

|   |   |
|---|---|
| Primary Materials on a Facade                     | Up to two of the following: brick, natural stone, cultured stone, smooth wood siding, or fiber cement siding  |
| Accent Materials (Up to 25 Percent of Net Facade) | Architectural metal, such as stainless steel, copper, brushed nickel, brass, etc., authentic stucco, or any primary material not used as a primary material on the building |
| Foundation Cladding                               | Brick, natural stone, cultured stone, or authentic stucco   |



**Materials (Continued)**

Porch Pier Cladding  
 Brick, natural stone, cultured stone, or authentic stucco and painted or stained latticework between each pier

Chimney Cladding  
 Brick, natural stone, cultured stone, authentic stucco, or material to match the primary material of the facade

Prohibited Materials  
 Aluminum siding, corrugated metal siding, EIFS, vinyl cladding, or exposed smooth-faced concrete block, unless finished with a brick, stone, or authentic stucco

Materials in HP CC or SO  
 See applicable overlay district

**Material Changes**

Material Changes  
 Primary materials on a front facade shall continue down side facades at least 20 feet and the entire length of side facade facing a frontage  
 Excluding trim, any material changes shall coincide with form, structural, or massing changes and shall not occur at the outside corner of such change

**Colors**

Colors  
 Up to three colors, including material colors, but excluding trim colors

Prohibited Colors  
 Overly bright or neon colors

**Facade Variety and Features**

Front Facades  
 For development projects that include more than one multiplex, a variety of front facade elevations shall be provided, proof of which shall be submitted with a site plan. Facades should include decorative cornices and eaves, with a minimum projection of 6".

**Garages**

Parking/ Garage Location  
 Shall be located to the rear of the building

Garage Scale  
 Shall be subordinate in scale and massing to the building it serves

Garage Setback  
 5 feet or at least 22 feet from alley right-of-way or drive aisle, where no alley right-of-way exists  
 At least 22 feet from a mews right-of-way, when facing a mews the rear facade shall have a pedestrian door

One-Car Garage Door Width  
 Maximum 9 feet

Two-Car Garage Door Width  
 16 to 18 feet

Separation Between Garage Doors  
 Minimum 2 feet

Interior Dimensions  
 Minimum 10 feet by 20 feet per vehicle parking space

**Transitional Features**

Requirements  
 See Section 8, Transitional Features

**6.6 Townhouse**

A building where the dwelling units are joined side-by-side and separated by shared walls. Each dwelling unit has independent access to the frontage and may have small yards. This building type shall comply with all other applicable standards of this Ordinance.



**Permitted Districts**

LR MR PD CI CO

**Number of Dwelling Units**

Dwelling Units            Maximum 6 per building

**Dwelling Unit Orientation and Entry**

Main entrance            Each entrance prominently located on front facade and highly visible

Facade Position            Each dwelling unit shall face the frontage

Side Facade Facing a Frontage            Shall have a similar level of architectural detailing, window alignment, and organization as the front facade

**Windows**

Glazing                      Minimum 15% on the front facade

Window Shape and Alignment            Vertically proportioned and symmetrically aligned

Trim                            Minimum 4-inch trim with sill and top plate when siding surrounds the window  
Soldier course above the lintel and a rowlock course below the sill when brick or stone surrounds the window

Trim on Windows Facing a Frontage            Minimum 4-inch trim with sill and top plate when siding surrounds the window  
Soldier course above the lintel and a rowlock course below the sill when brick or stone surrounds the window

Shutters                      If any, shutters shall be proportioned to cover one-half the width of the window from each side or the total window from one side

| Facade Standards for Each Unit |   |
|--------------------------------|---|
| Entry Features                 | The front facade of each dwelling unit shall have a covered porch, covered stoop, or balcony over the main entrance   |
| Required Features              | A dormer with a window<br>Eaves with a minimum six-inch projection from the front facade with architectural details<br>Additional features framing windows, such as shutters, transoms, arches, or other architectural elements |
| Side Facade Facing a Frontage  | Shall have a similar level of architectural detailing, symmetrically aligned windows, and organization as the front facade, such as side or wrap-around porches   |

**Facade Variety**

Building details, materials, windows, doors, and trim shall reflect a complementary architectural style, but the front facade of each dwelling unit shall be an individual facade, different from adjacent dwelling unit facades and any facade on the same building. Individual facades shall vary from adjoining dwelling units in at least two of the following ways:

- Varied architectural elements associated with the main entrance and entry features
- Varied features framing windows
- Front facade projections or recesses with a minimum depth of eight inches
- Different primary materials and/or colors on a facade, such as alternating among natural brick and painted brick colors, or other materials as permitted.

As an alternative to the requirement above, a townhouse building with up to 4 units may be designed as a single cohesive front facade when each individual dwelling unit facade complies with all possible listed facade standards for each unit and the primary material is brick.

For development projects that include more than one building, a variety of front facade elevations shall be provided, proof of which shall be submitted with a site plan. There shall be no other substantially similar townhouse buildings within view of the townhouse building.

| Foundations, Porches, and Stoops |   |
|----------------------------------|---|
| Finished Floor Elevation         | Minimum 18 inches above grade at front facade   |
| Porch Depth                      | Minimum 6 feet of clear space, exclusive of railings, pillars, columns, or other porch features |
| Stoop Depth                      | 3 to 6 feet deep  |

**Roof Elements**

Pitch 3:12 to 12:12, excluding small roof sections over porches, entryways, or similar features

| Materials   |   |
|---|---|
| Primary Materials on an Individual Dwelling Unit Facade | Maximum of one of the following: brick, natural stone, cultured stone, smooth wood siding, or fiber cement siding |
| Primary Materials on an Entire Building Facade          | Maximum of two  |

|   |   |
|---|---|
| Accent Materials (Up to 25 Percent of Net Facade) | Architectural metal, such as stainless steel, copper, brushed nickel, brass, etc., authentic stucco, or any primary material not used as a primary material on the building |
| Foundation Cladding                               | Brick, natural stone, cultured stone, or authentic stucco   |
| Porch Pier Cladding                               | Brick, natural stone, cultured stone, or authentic stucco and painted or stained latticework between each pier  |
| Chimney Cladding                                  | Brick, natural stone, cultured stone, authentic stucco, or material to match the primary material of the facade   |
| Prohibited Materials                              | Aluminum siding, corrugated metal siding, EIFS, vinyl cladding, or exposed smooth-faced concrete block, unless finished with a brick, stone, or authentic stucco            |
| Materials in HP, CC or SO                         | See applicable overlay district   |

|                         |   |
|-------------------------|---|
| <b>Material Changes</b> |   |
| Material Changes        | <p>Primary materials on a front facade shall continue down side facades at least 20 feet and the entire length of side facade facing a frontage</p> <p>Excluding trim, any material changes shall coincide with form, structural, or massing changes and shall not occur at the outside corner of such change</p> |

|                                 |  |
|---------------------------------|--|
| <b>Colors</b>                   |  |
| Colors                          | Up to three colors, including material colors, but excluding trim colors   |
| Prohibited Colors               | Overly bright or neon colors   |
| Color Requirements              | See Section 4.3, HP District in HP   |
| <b>Garages</b>                  |  |
| Parking/Garage Location         | Shall be located to the rear of the building and served by an alley or drive aisle   |
| Garage Scale                    | Shall be subordinate in scale and massing to the building it serves  |
| Garage Setback                  | <p>5 feet or at least 22 feet from alley right-of-way or drive aisle, where no alley right-of-way exists</p> <p>At least 22 feet from a mews right-of-way, when facing a mews the rear facade shall have a pedestrian door</p> |
| One-Car Garage Door Width       | Maximum 9 feet   |
| Two-Car Garage Door Width       | 16 to 18 feet  |
| Separation Between Garage Doors | Minimum 2 feet   |
| Interior Dimensions             | Minimum 10 feet by 20 feet per vehicle parking space   |
| <b>Transitional Features</b>    |  |
| Requirements                    | See Section 8, Transitional Features   |

## 6.7 Multifamily

A building containing five or more dwelling units, with the units often stacked vertically, sharing common vertical walls and/or horizontal floors and ceilings, and often called apartments, lofts, condominiums, stacked flats, or age-restricted independent living. This building type shall comply with all other applicable standards of this Ordinance.



### Permitted Districts

PD MR

### Number of Dwelling Units

Dwelling Units Minimum 5 per building

### Building Orientation and Entry

Entrances shall be prominently located on front facade and highly visible

Entrances  
Facades along a street or internal drive shall have individual entrances to all publicly-accessed ground floor uses and all ground floor dwelling units, but the Planning Department may approve an alternative due to topography or environmental constraints Also see vertical articulation requirements

Facade Position  
The front facade shall face the public street, private street, or internal drive, in that priority order  
The front facade shall parallel the frontage

### Windows

Glazing Minimum 20% on facades facing frontages

Orientation Vertically proportioned

Window Arrangement  
Upper floor windows and other features shall be aligned with those of ground floor

Window Openings  
Shall be punched and recessed a minimum of 3 inches from the facade

Shutters If any, shutters shall be proportioned to cover one-half the width of the window from each side or the total window from one side

**Windows (Continued)**

Prohibited Glazing Materials Reflective, tinted, or other glass treatments that inhibit views into the building. This does not preclude glass treatments as required by the Energy Code or LEED certification

**Facade Variety**

A building facade shall not be within view of another same building facade. Each building facade shall appear as a distinct building facade, and shall be distinguished by variation in all the following elements:

- A. A change in shape, sill and header height, detail, size, spacing , rhythm, and muntin pattern of windows
- B. A change of building or cornice height
- C. A change in cornice details
- D. A change of wall material or wall color
- E. A change in trim courses and other horizontal elements
- F. A change in dormer or balcony design, if any
- G. Providing or changing pilasters, columns, or other facade elements

**Facade Standards**

Facade Composition Vertically orient materials, design elements, and architectural details to emphasize the proportion of height to width

Facade Design Proportions Facades shall be vertically proportioned

**Facade Standards (Continued)**

A facade greater than 160 ft in width shall be differentiated so that it appears to be comprised of two or more distinct, adjacent buildings, by dividing such facade into 18- to 160-foot segments, each of which includes a separate entrance and differs from each of the other segments with respect to all of the following:

- A. A change in shape, sill and header height, detail, size, spacing, rhythm, and muntin pattern of windows
- B. A change of building or cornice height
- C. A change in cornice details
- D. A change of wall material or wall color
- E. A change in trim courses and other horizontal elements
- F. A change in dormer or balcony design, if any
- G. Providing or changing pilasters, columns, or other facade elements

**Horizontal Articulation**

|                         |   |
|-------------------------|---|
| Horizontal Articulation | Shall define the base, middle, and cap  |
| Base                    | Shall anchor the building to the ground with unique design elements, such as a change in materials, a change in the profile of the facade material, or pedestrian-scale architectural elements such as fenestration |
| Cap                     | Shall provide a visual change from the main body of the building and be visible from the public realm   |

**Foundations, Porches, and Stoops**

|                          |   |
|--------------------------|---|
| Finished Floor Elevation | Minimum 18 inches above grade at front facade   |
| Porch Depth              | Minimum 6 feet of clear space, exclusive of railings, pillars, columns, or other porch features |
| Stoop Depth              | 3 to 6 feet deep  |

**Roof Elements**

|                              |  |
|------------------------------|--|
| Rooftop Mechanical Equipment | See Subsection 13.3.2, Rooftop Mechanical Equipment              |
| Green Roofs                  | May be used to achieve stormwater treatment and LSA requirements |

**Materials**

|                               |  |
|-------------------------------|--|
| Primary Materials on a Facade | Up to two of the following: brick, natural stone, cultured stone, smooth wood siding, or fiber cement siding |
|-------------------------------|--|

|                  |   |
|------------------|---|
| Material Changes | <p>Primary materials on a front facade shall continue down side facades at least 20 feet and the entire length of side facade facing a frontage</p> <p>Excluding trim, any material changes shall coincide with form, structural, or massing changes and shall not occur at the outside corner of such change</p> |
|------------------|---|

|   |   |
|---|---|
| Accent Materials (Up to 25 Percent of Net Facade) | Architectural metal, authentic stucco, or any primary material not used as a primary material on the building |
|---|---|

|                      |   |
|----------------------|---|
| Prohibited Materials | Corrugated metal, EIFS, smooth-faced or split-faced concrete block, vinyl cladding, and similar facade finishes |
|----------------------|---|

|                       |                                 |
|-----------------------|---------------------------------|
| Materials in CC or SO | See applicable overlay district |
|-----------------------|---------------------------------|

**Material Changes**

|                  |   |
|------------------|---|
| Material Changes | <p>Primary materials on a front facade shall continue down side facades at least 20 feet and the entire length of side facade facing a frontage</p> <p>Excluding trim, any material changes shall coincide with form, structural, or massing changes and shall not occur at the outside corner of such change</p> |
|------------------|---|

**Colors**

|        |  |
|--------|--|
| Colors | Up to three colors, including material colors, but excluding trim colors |
|--------|--|

|               |  |
|---------------|--|
| Color Changes | Shall coincide with form, structural, or massing changes and shall occur at the inside corner of such change |
|---------------|--|

|                   |                              |
|-------------------|------------------------------|
| Prohibited Colors | Overly bright or neon colors |
|-------------------|------------------------------|

|             |  |
|-------------|--|
| Color in HP | See Section 4.3, HP District, or Section 17.1, Steep Slopes, if applicable |
|-------------|--|

**Garages**

|                          |   |
|--------------------------|---|
| Parking/ Garage Location | Shall be located to the rear of the buildings and accessed by an alley or drive aisle |
|--------------------------|---|

|                |   |
|----------------|---|
| Garage Setback | 5 feet or at least 22 feet from alley right-of-way or drive aisle, where no alley right-of-way exists |
|----------------|---|

**Transitional Features**

|              |                                      |
|--------------|--------------------------------------|
| Requirements | See Section 8, Transitional Features |
|--------------|--------------------------------------|



### 6.8 Commercial/Mixed-Use Building

A building that typically accommodates a single use or a vertical or horizontal mix of commercial uses. Multifamily residential may be on upper floors, depending on the district. This building type shall comply with all other applicable standards of this Ordinance.



**Permitted Districts**

PD NC LC CO GC IN

**Building Orientation and Entry**

|                 |  |
|-----------------|--|
| Main Entrance   | Prominently located on the front facade and highly visible   |
| Facade Location | The front facade shall face the public street, private street, or internal drive, in that priority order<br>The building shall parallel the frontage |

**Windows**

|                                    |  |
|------------------------------------|--|
| Window Orientation and Arrangement | Vertically proportioned and vertically aligned |
|------------------------------------|--|

|                 |   |
|-----------------|---|
| Window Openings | Shall be punched and recessed a minimum of 3 inches from the facade |
|-----------------|---|

|                               |  |
|-------------------------------|--|
| Glazing on Retail Storefronts | 50 to 85 percent of the ground floor, measured between two feet and ten feet from the ground<br>20 to 65 percent of upper floors |
|-------------------------------|--|

|   |                                |
|---|--------------------------------|
| Front Facades Other Than Retail Storefronts | 20 to 65 percent on each floor |
|---|--------------------------------|

|                                      |   |
|--------------------------------------|---|
| Glazing for Buildings Over 6 Stories | May exceed the maximum glazing above and may have tinted, reflective and other glass treatments and may be the primary material on a facade |
|--------------------------------------|---|

|                              |   |
|------------------------------|---|
| Prohibited Glazing Materials | Reflective, tinted, or other glass treatments that inhibit views into the building. This is not intended to preclude glass treatments as required by the Energy Code or LEED certification or the limited use of spandrel glass used to cover structural elements |
|------------------------------|---|

**Facade Standards**

Vertically orient materials, design elements, and architectural details to emphasize proportion of height to width

Facade Composition

---

Facade Width Maximum 600 feet

**Vertical Articulation**

A facade greater than 70 feet in width shall be differentiated so that it appears to be comprised of two or more adjacent buildings by dividing into 35- to 50-foot facade segments, each of which includes a separate entrance and differs from each of the other segments with respect to all of the following:

Facade Articulation for One-Story Buildings

- A. A change in shape, sill and header height, detail, size, spacing , rhythm, and muntin pattern of windows
- B. A change of building or cornice height
- C. A change in cornice details
- D. A change of wall material or wall color
- E. A change in trim courses and other horizontal elements
- F. A change in dormer or balcony design, if any
- G. Providing or changing pilasters, columns, or other facade elements

**Vertical Articulation (Continued)**

A facade greater than 200 feet in width shall be differentiated so that it appears to be comprised of two or more adjacent buildings, by dividing such facade into 18- to 200-foot segments, each of which includes a separate entrance and differs from each of the other segments with respect to all of the following:

Facade Articulation for Buildings with Two-Stories or More

- A. A change in shape, sill and header height, detail, size, spacing , rhythm, and muntin pattern of windows
- B. A change of building or cornice height
- C. A change in cornice details
- D. A change of wall material or wall color
- E. A change in trim courses and other horizontal elements
- F. A change in dormer or balcony design, if any
- G. Providing or changing pilasters, columns, or other Facade elements

---

Facade Design Proportions

Facades shall be vertically proportioned

---

Wall-Mounted Mechanical Units Related to Hotels

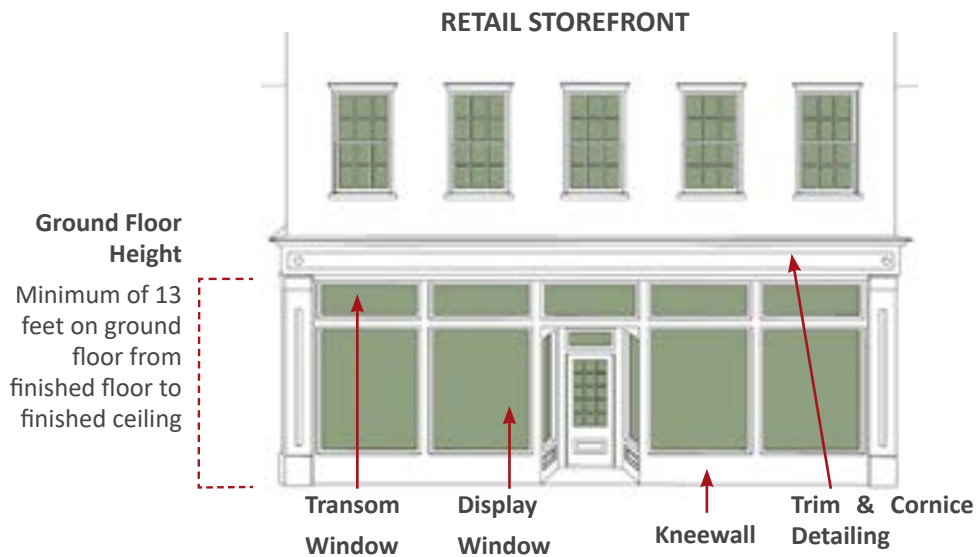
Shall be architecturally integrated into the window openings  
Mechanical louvers shall not project from the facade

---

Figure 6.8.1 Facade Articulation for Buildings with Two-Stories or More

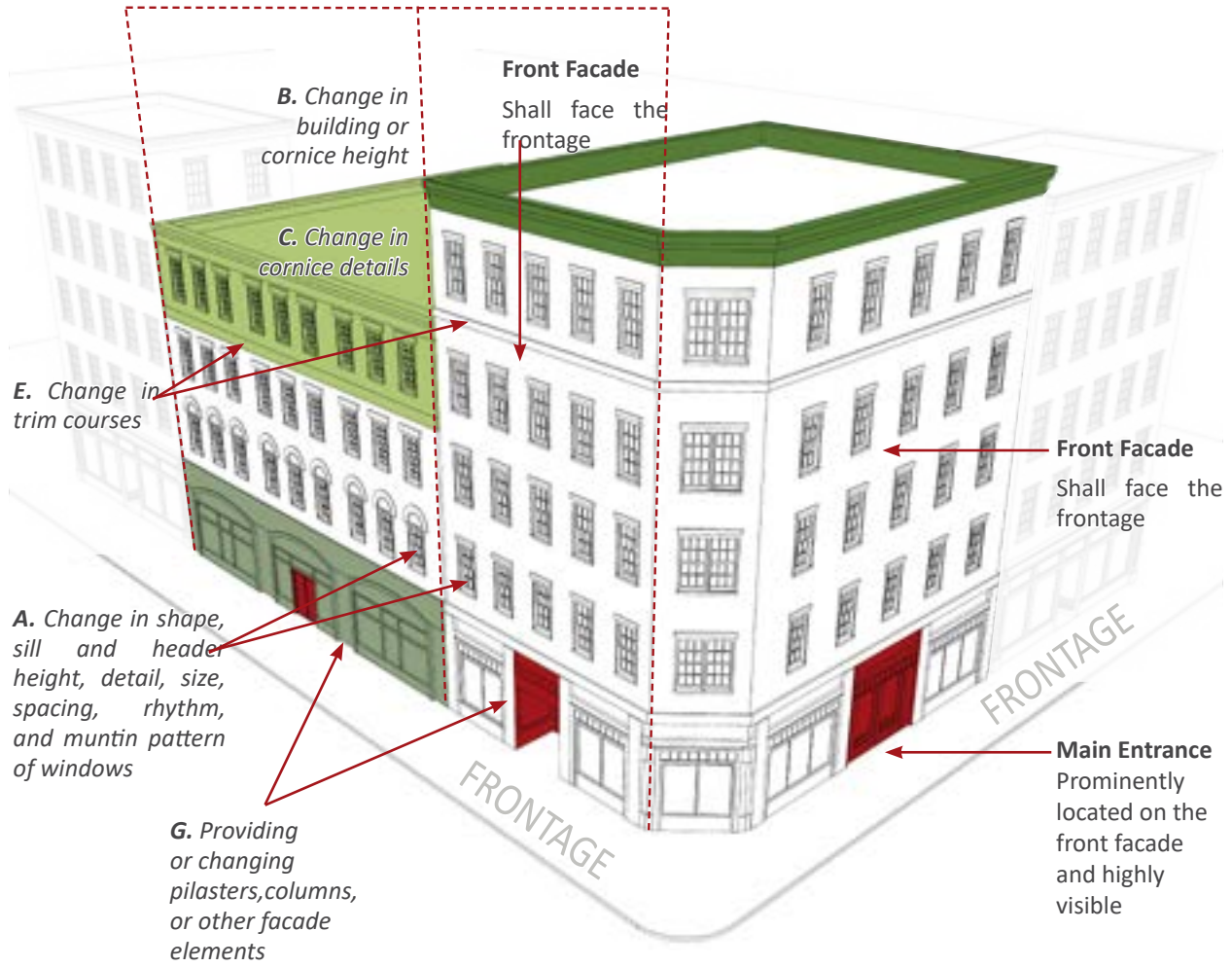


**Facade Composition** Vertically orient materials, design elements, and architectural details to emphasize proportion of height to width

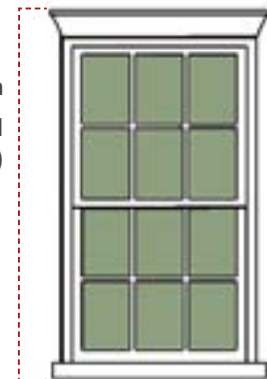


### Facade Articulation

A facade greater than 200 feet in width shall be differentiated so that it appears to be comprised of two or more adjacent buildings, by dividing such facade into 18- to 200-foot segments, each of which includes a separate entrance and differs from each of the following with respect to: [See notes A-C, E, G]



**Window Orientation**  
Vertically proportioned  
(height > width)



| Horizontal Articulation                     |   |
|---|---|
| Horizontal Articulation                     | Buildings shall have a base, middle, and cap, which are scaled relative to the height of the building   |
| Building Elements                           |   |
| Retail Storefronts                          | Any storefront shall have display windows, transom windows, knee walls of between 18 and 24 inches tall, and other architectural elements such as bulkheads, trim, and cornice detailing  |
| Front Facades Other Than Retail Storefronts | Front facades other than retail storefronts shall be articulated with architectural elements and pedestrian weather protection  |
| Ground Floor Height                         | Minimum of 13 feet on ground floor from finished floor to finished ceiling, unless a lower height is required in the HP through approval of a certificate of appropriateness  |
| Parapet                                     | If the appearance of the roof is intended to be flat (from street view or internal drive view), then a parapet wall shall be provided which contains a cornice that projects a minimum of four inches, such as molding, corbels, traditional brick coursing patterns, or other ornamental corning |
| Pitch                                       | If the appearance of the roof is intended to be pitched (from street view or internal drive view), then a parapet is not required   |

| Roof Elements                                     |   |
|---|---|
| Rooftop Mechanical Equipment                      | See Subsection 13.3.2, Rooftop Mechanical Equipment   |
| Green Roofs                                       | May be used to achieve stormwater and LSA requirements  |
| Materials   |   |
| Primary Materials on a Facade                     | Up to two of the following: brick, natural stone, cultured stone, smooth wood siding, or fiber cement siding                            |
| Material Changes                                  | Shall coincide with form, structural, or massing changes and shall occur at the inside corner of such change                            |
| Accent Materials (Up to 25 Percent of Net Facade) | Architectural metals, authentic stucco, scored precast concrete, or any primary material not used as a primary material on the building |
| Prohibited Materials                              | Corrugated metal, EIFS, smooth-faced or split-faced concrete block, vinyl cladding, and similar facade finishes                         |
| Materials in HP, CC or SO                         | See applicable overlay district   |

| Colors  |  |
|---|--|
| Colors  | Up to three colors, including material colors, but excluding trim colors                                     |
| Color Changes                                 | Shall coincide with form, structural, or massing changes and shall occur at the inside corner of such change |
| Prohibited Colors                             | Overly bright or neon colors   |
| Color Requirements in HP or Steep Slope Areas | See Section 4.3, HP District, or Section 17.1, Steep Slopes  |
| Transitional Features                         |  |
| Requirements                                  | See Section 8, Transitional Features   |

### 6.9 Large-Scale Retail Building

A building of 50,000 square feet or more that is most commonly associated with a large-format retailer. It has in-line retail or liner buildings along the front of the building. This building type shall comply with all other applicable standards of this Ordinance.



**Permitted Districts**

PD GC IN

**Building Standards**

|                    |  |
|--------------------|--|
| Building Footprint | Maximum ground floor of 50,000 gross square feet   |
| Building Height    | Minimum 2 stories if over 50,000 gross square feet |

**Building Orientation and Entry**

|                 |  |
|-----------------|--|
| Main Entrance   | Prominently located on front facade and highly visible   |
| Facade Location | The front facade shall face the public street, private street, or internal drive, in that priority order<br>The front facade shall parallel the frontage |

**Windows**

|  |  |
|--|--|
| Orientation                                  | Vertically proportioned and symmetrically aligned  |
| Window Alignment                             | Upper floor windows shall be aligned with those of ground floor  |
| Window Openings                              | Shall be punched and recessed a minimum of 3 inches from the facade  |
| Front Facade Glazing                         | 50 to 85 percent of the ground floor, measured between two feet and ten feet from the ground<br>20 to 65 percent of upper floors   |
| Glazing on All Other Frontage-Facing Facades | 20 to 65 percent on each floor   |
| Prohibited Glazing Materials                 | Reflective, tinted, or other glass treatments that inhibit views into the building. This is not intended to preclude glass treatments as required by the Energy Code or LEED certification |

**Facade Standards**

|                    |  |
|--------------------|--|
| Facade Composition | Vertically orient materials, design elements, and traditional architectural details to emphasize proportion of height to width |
| Facade Width       | Maximum 600 feet   |

**Vertical Articulation**

A facade greater than 200 feet in width shall be differentiated so that it appears to be comprised of three or more adjacent buildings, by dividing such facade into 35-100 foot segments, each of which includes a separate entrance and differs from each of the other segments with respect to all of the following:

Facade  
Articulation

- A. A change in shape, sill and header height, detail, size, spacing, rhythm, and muntin pattern of windows
- B. A change of building or cornice height
- C. A change in cornice details
- D. A change of wall material or wall color
- E. A change in trim courses and other horizontal elements
- F. A change in dormer or balcony design, if any
- G. Providing or changing pilasters, columns, or other Facade elements

**Vertical Articulation (Continued)**

Facade Design Proportions      Facades shall be vertically proportioned

**Horizontal Articulation**

Horizontal Articulation      Buildings shall have a base, middle, and cap

|                    |   |
|--------------------|---|
| Retail Storefronts | Retail storefronts shall have display windows, transom windows, knee walls of between 18 and 24 inches, and other architectural elements such as bulkheads, trim, and cornice detailing |
|--------------------|---|

|                     |  |
|---------------------|--|
| Ground Floor Height | Minimum of 13 feet on ground floor from finished floor to finished ceiling |
|---------------------|--|

|         |   |
|---------|---|
| Parapet | If the appearance of the roof is intended to be flat (from street view or internal drive view), then a parapet wall shall be provided which contains a cornice that projects a minimum of four inches, such as molding, corbels, traditional brick coursing patterns, or other ornamental corning |
|---------|---|

|       |   |
|-------|---|
| Pitch | If the appearance of the roof is intended to be pitched (from street view or internal drive view), then a parapet is not required |
|-------|---|



**Materials**

|                               |   |
|-------------------------------|---|
| Primary Materials on a Facade | Up to two of the following: brick, natural stone, or cultured stone |
|-------------------------------|---|

|                  |  |
|------------------|--|
| Material Changes | Shall coincide with form, structural, or massing changes and shall occur at the inside corner of such change |
|------------------|--|

|   |   |
|---|---|
| Accent Materials (Up to 25 Percent of Net Facade) | Architectural metals, scored precast concrete, authentic stucco, split-faced concrete block, or any primary material not used as a primary material on the building |
|---|---|

|                      |  |
|----------------------|--|
| Prohibited Materials | Corrugated metal, EIFS, smooth-faced concrete block, vinyl cladding, and similar facade finishes |
|----------------------|--|

**Colors**

|        |  |
|--------|--|
| Colors | Up to three colors, including material colors, but excluding trim colors |
|--------|--|

|               |  |
|---------------|--|
| Color Changes | Shall coincide with form, structural, or massing changes and shall occur at the inside corner of such change |
|---------------|--|

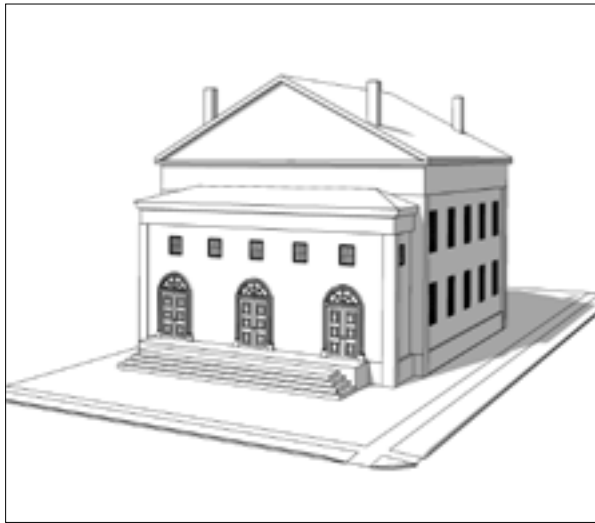
|                   |                              |
|-------------------|------------------------------|
| Prohibited Colors | Overly bright or neon colors |
|-------------------|------------------------------|

**Transitional Features**

|              |                                      |
|--------------|--------------------------------------|
| Requirements | See Section 8, Transitional Features |
|--------------|--------------------------------------|

**6.10 Civic Building**

A building erected to be used only for civic or institutional purposes. It may be designed to stand apart from its surroundings due to the special nature of its use as a public facility or it may blend in with surrounding residential or rural character. Civic or institutional uses may also be in other building types. This building type shall comply with all other applicable standards of this Ordinance.



**Permitted Districts**

PD CI NC LC GC CO IN

**Building Orientation and Entry**

|                 |  |
|-----------------|--|
| Main Entrance   | Prominently located on front facade and highly visible   |
| Facade Location | The front facade shall face the public street, private street, or internal drive, in that priority order<br>The front facade shall be parallel to the frontage |

**Windows**

|             |  |
|-------------|--|
| Orientation | Vertically proportioned  |
| Glazing     | Glazing requirements are determined by the Planning Commission during development plan or site plan approval |

**Facade Standards**

|                           |  |
|---------------------------|--|
| Facade Composition        | Vertically orient materials, design elements, and architectural details to emphasize proportion of height to width |
| Facade Design Proportions | Facades shall be vertically proportioned   |

Facade Width Maximum 600 feet

**Building Height Maximum**

|                    |  |
|--------------------|--|
| Principal Building | Maximum one story taller than the maximum building height permitted in the district (except CO district) |
|--------------------|--|

**Materials**

|   |   |
|---|---|
| Primary Materials on a Facade                     | Up to two of the following: brick, natural stone, cultured stone, smooth wood siding, or fiber cement siding                            |
| Material Changes                                  | Shall coincide with form, structural, or massing changes and shall occur at the inside corner of such change                            |
| Accent Materials (Up to 25 Percent of Net Facade) | Architectural metals, authentic stucco, scored precast concrete, or any primary material not used as a primary material on the building |
| Prohibited Materials                              | Corrugated metal, EIFS, smooth or split faced concrete block, vinyl cladding, and similar facade finishes                               |
| Materials in HP, CC or SO                         | See applicable overlay district   |

**Colors**

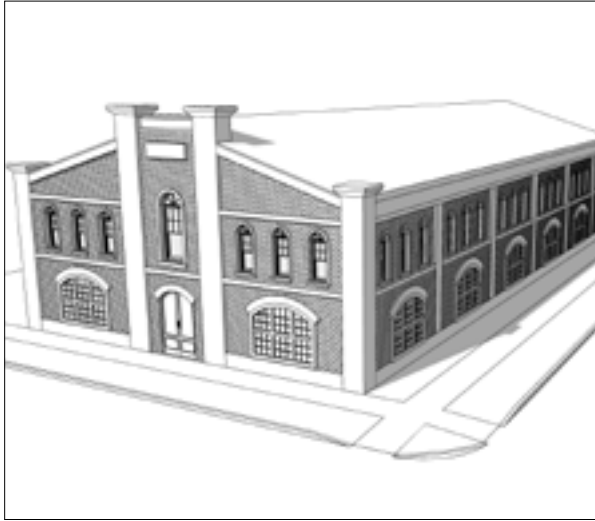
|                   |  |
|-------------------|--|
| Colors            | Up to three colors, including material colors, but excluding trim colors                                     |
| Color Changes     | Shall coincide with form, structural, or massing changes and shall occur at the inside corner of such change |
| Prohibited Colors | Overly bright or neon colors   |

**Transitional Features**

|              |                                      |
|--------------|--------------------------------------|
| Requirements | See Section 8, Transitional Features |
|--------------|--------------------------------------|

**6.11 Flex Building**

A building designed to accommodate industrial uses in the industrial districts. This building type shall comply with all other applicable standards of this Ordinance.



**Permitted Districts**

IN

**Building Orientation and Entry**

Main Entrance Prominently located on front facade and highly visible

Facade Location The front facade shall face the public street, private street, or internal drive, in that priority order  
The front facade shall be parallel to the frontage

**Windows**

Orientation Vertically proportioned and symmetrically aligned

Glazing 20 percent, but may be reduced for portions of a building containing active industrial use

**Building Height**

Height Building height shall comply with the district; however, buildings for general warehouse uses shall not exceed a height of 42 feet

**Facade Standards**

Facade Composition Vertically orient materials, design elements, and architectural details to emphasize proportion of height to width

**Roof Elements**

Rooftop Mechanical Equipment See Subsection 13.3.2, Rooftop Mechanical Equipment

Green Roofs May be used to achieve stormwater and LSA requirements

**Materials**

|                               |  |
|-------------------------------|--|
| Primary Materials on a Facade | Up to two of the following: brick, natural stone, cultured stone, authentic stucco, scored precast concrete, smooth wood siding, fiber cement siding, or integrally stained split-faced concrete block with differing mortar color |
|-------------------------------|--|

|                  |  |
|------------------|--|
| Material Changes | Shall coincide with form, structural, or massing changes and shall occur at the inside corner of such change |
|------------------|--|

|   |   |
|---|---|
| Accent Materials (Up to 25 Percent of Net Facade) | Architectural metals or any primary material not used as a primary material on the building |
|---|---|

|                      |  |
|----------------------|--|
| Prohibited Materials | Corrugated metal, EIFS, smooth-faced concrete block, vinyl cladding, and similar facade finishes |
|----------------------|--|

**Colors**

|        |  |
|--------|--|
| Colors | Up to three colors, including material colors, but excluding trim colors |
|--------|--|

|               |  |
|---------------|--|
| Color Changes | Shall coincide with form, structural, or massing changes and shall occur at the inside corner of such change |
|---------------|--|

|                   |                              |
|-------------------|------------------------------|
| Prohibited Colors | Overly bright or neon colors |
|-------------------|------------------------------|

**Transitional Features**

|              |                                      |
|--------------|--------------------------------------|
| Requirements | See Section 8, Transitional Features |
|--------------|--------------------------------------|

# SECTION 7

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## FRONTAGE TYPES

|                                |     |
|--------------------------------|-----|
| 7.1 General Provisions         | 131 |
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## 7.1 General Provisions

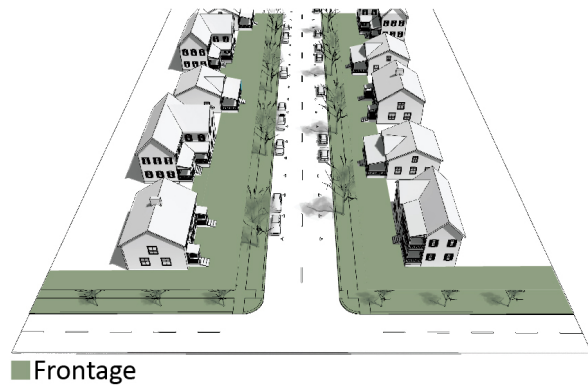
### 7.1.1 Applicability

- A. This Section shall apply to all development, with the following provisions:
1. When a building (which was lawfully in existence at the time of the adoption of this ordinance) is expanded or renovated at 50 percent or less of its previous square footage, then the frontage may be required to meet the requirements of this section, subject to review and approval of the Planning Director.
  2. When building expansion exceeds 50 percent of the building's existing square footage, then the frontage shall comply with this Section; and
  3. When a building is torn down and a new building is constructed, then the frontage shall comply with this Section.

### 7.1.2 Frontage Description

- A. The frontage is the area between the building facade and the front lot line along a street or internal drive, as applicable. It includes the full length of the lot as if the building facade line were extended to the side lot lines.
- B. If there is no building, the frontage is the area between the front yard setback line and the front lot line along a street or internal drive, as applicable.
- C. Corner lots and double frontage lots have two frontages.
- D. Frontage types specify the treatment of the frontage. The frontage type must be one of those permitted in the applicable zoning district per Section 7.2, Overview of Frontage Types.

Figure 7.1.1.A Frontage Example



### 7.1.3 Lot Frontage

- A. Residential lots shall have frontage on a public street; except that:
1. New lots along or within the SO corridor may front a natural area open space lot within the SO. These lots shall be served by a mews, subject to Subsection 9.4.3, Mews; and
  2. In a development of more than 50 residential dwelling units (excluding multifamily), up to ten percent of the dwelling units for houses, duplexes, multiplexes, and townhouses may be on lots that front a courtyard, pursuant to Section 11.7, Courtyard. These lots shall be served by a mews, subject to Subsection 9.4.3, Mews. If more than one courtyard is proposed, they shall be interspersed throughout the development rather than clustered in one area.
- B. Nonresidential, mixed-use, and multifamily lots shall have frontage on a public street, private street, or internal drive, in that priority order. An internal drive may be utilized only when the development contains two or more principal buildings in a nonresidential, mixed-use, or multifamily

development, subject to Planning Commission approval.

- C. New lots on the perimeter of a proposed development, where adjacent to an existing street, shall be oriented so that the front facades of buildings face the existing street, but the Planning Commission may approve an alternative due to topography or other environmental constraints; or
- D. New residential lots may have a side lot line that fronts an existing collector street or higher classification when the lot:
  - 1. Fronts a local street by the entrance to the subdivision; or
  - 2. Is designed around a close.
- E. Development or redevelopment shall not be configured or arranged so as to result in a flag lot or a double frontage lot for a house or duplex.

#### **7.1.4 Building Site Frontage**

Where two or more principal buildings are proposed on the same lot, building sites for each proposed building shall be identified that designate the frontage type and location in compliance with the intent of this Section.


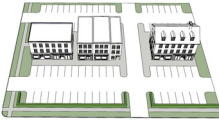


#### **7.1.5 Parking Placement**

- A. Parking placement shall comply with the frontage type requirements, but where parking is serving a principal use that does not have a principal building, parking shall be located behind the minimum front yard setback for the applicable district.
- B. Exceptions to this Section are made during times of emergencies due to acts of nature, residents moving into or out of the premises, occasional family celebrations, and routine maintenance.

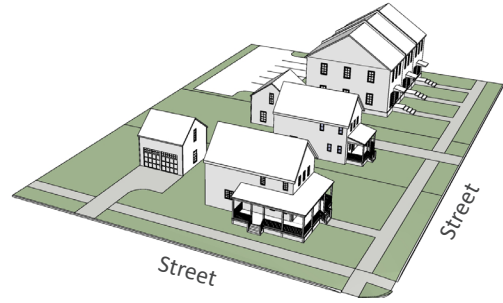
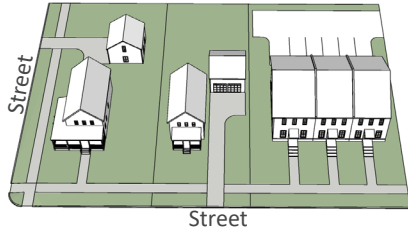


**7.2 Overview of Frontage Types**

Frontage types are used to organize certain standards that define the character between a building and the street or internal drive. Zoning districts regulate the permitted frontage types. Each frontage shall comply with all standards and tables of the corresponding frontage type.

| Frontage Type Description  | Illustration  | Permitted Building Types  | Permitted Districts                                  |
|--|---|---|--|
| <p><b>Yard Frontage:</b> Intended for residential areas with a moderate to deep setback where buildings have a landscaped yard located between the sidewalk and the front facade. It is also used for areas transitioning from residential to commercial where the frontage maintains the residential character of the street.</p>   |    | <p>House<br/>                     Duplex<br/>                     Multiplex<br/>                     Townhouse</p>  | <p>ER SR LR TR<br/>                     MR PD CI</p> |
| <p><b>Parking Frontage:</b> Intended for areas where front access to buildings by vehicles is desired but where some level of walkability is maintained. This frontage has a moderate setback and a low street screen, except at the driveway or internal drive. A parking area with a maximum of two bays of on-site parking and a drive aisle is provided between the building and the street or internal drive.</p> |   | <p>Commercial/<br/>                     Mixed-Use<br/>                     Flex</p>   | <p>IN</p>  |
| <p><b>Landscape Frontage:</b> Intended for nonresidential and mixed-use areas where buildings have a landscaped area between the sidewalk and the front facade. Parking is located behind or to the side of the building and screened from the street or internal drive by landscaping, unless it is parallel parking.</p>   |  | <p>Commercial/<br/>                     Mixed-Use<br/>                     Large-Scale Office<br/>                     Large-Scale Retail<br/>                     Civic Building<br/>                     Flex Building</p>                                  | <p>PD CI NC LC<br/>                     CO GC IN</p> |
| <p><b>Urban Frontage:</b> Intended for nonresidential, mixed-use, and certain residential areas where buildings have a shallow setback and may abut the sidewalk. Parking is located behind the building, unless it is parallel parking.</p>   |  | <p>Townhouse<br/>                     Multifamily<br/>                     Commercial/<br/>                     Mixed-Use<br/>                     Large-Scale Office<br/>                     Large-Scale Retail<br/>                     Civic Building</p> | <p>MR PD CI NC<br/>                     LC CO GC</p> |

**7.3 Yard Frontage**



**Description**

Yard Frontage: Intended for residential areas with a moderate to deep setback where buildings have a landscaped yard located between the sidewalk and the front facade. It is also used for areas transitioning from residential to commercial where the frontage maintains the residential character of the street.

**Permitted Districts**

ER SR LR TR MR PD CI

**Permitted Building Types**

|                   |                              |
|-------------------|------------------------------|
| Building<br>Types | House<br>Duplex<br>Multiplex |
|-------------------|------------------------------|

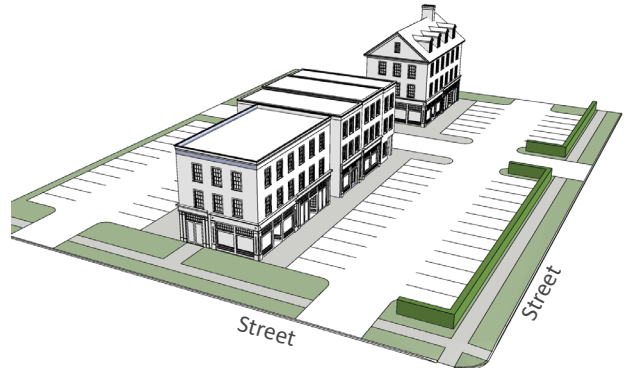
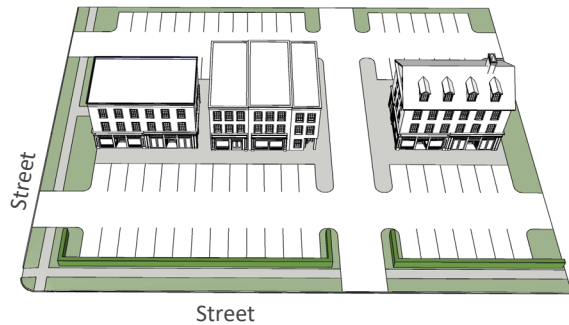
**Vehicular Access and Parking**

No parking is permitted between the principal building and the street, except on an approved driveway or parking pad pursuant to Subsections 10.1.16, Parking Pads on Residential Lots, and 10.1.17, Driveways on Residential Lots

Parking Placement/ Driveways

Certain residential building types may further limit parking placement. Parking for any nonresidential uses shall be located to the rear of the principal building

## 7.4 Parking Frontage



### Description

The parking frontage is intended for areas where front access to buildings by vehicles is desired but where some level of walkability is maintained. This frontage has a moderate setback and a low street screen, except at the driveway or internal drive. A parking area with a maximum of two bays of on-site parking and a drive aisle is provided between the building and the street or internal drive.

### Permitted Districts

IN

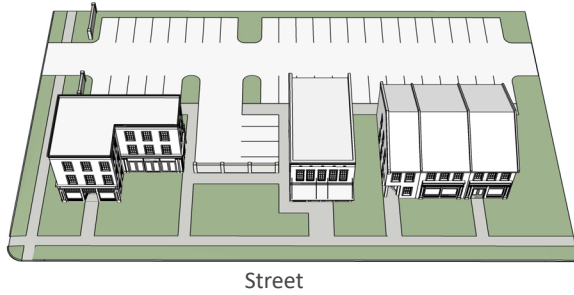
### Permitted Building Types

|                |  |
|----------------|--|
| Building Types | Commercial/Mixed-use<br>Flex Buildings |
|----------------|--|

### Vehicular Access and Parking

|                   |   |
|-------------------|---|
| Parking Placement | A maximum of 2 bays of parking with a single drive aisle shall be permitted between the building and the street |
|-------------------|---|

### 7.5 Landscape Frontage



**Description**

The landscape frontage is intended for nonresidential, and mixed-use areas where buildings have a landscaped area between the sidewalk and the front facade. Parking is located behind or to the side of the building and screened from the street or internal drive by landscaping, unless it is parallel parking

**Permitted Districts**

PD CI NC LC GC IN

**Permitted Building Types**

|                |   |
|----------------|---|
| Building Types | Commercial/Mixed-use<br>Large-scale Office Buildings<br>Large-scale Retail Buildings<br>Civic Buildings |
|----------------|---|

**Vehicular Access and Parking**

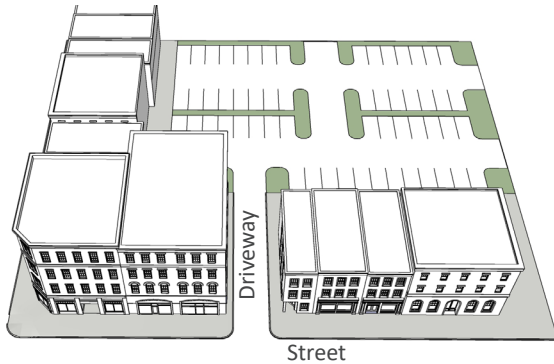
Parking shall be located behind or to the side of the principal building, but no closer to the street than the front facade, unless it is parallel parking

**Parking Placement**

Principal buildings shall anchor intersections and any side parking shall be located away from the intersection.

On lots with frontages on three streets or more, the Planning Department may approve an alternate configuration

## 7.6 Urban Frontage



### Description

The urban frontage is intended for nonresidential, mixed-use, and certain residential areas where buildings have a shallow setback and may abut the sidewalk

### Permitted Districts

MR PD CI NC LC CO GC

### Permitted Building Types

|          |                              |
|----------|------------------------------|
|          | Townhouse                    |
|          | Multifamily                  |
| Building | Commercial/Mixed-use         |
| Types    | Large-scale Office Buildings |
|          | Large-scale Retail Buildings |
|          | Civic Buildings              |

### Vehicular Access and Parking

Parking shall be located behind the building, unless it is parallel parking along the street or internal drive

|                   |  |
|-------------------|--|
| Parking Placement | On corner lots, surface parking areas may occupy up to 30 percent of the lot frontage on the secondary street and shall be no closer to the street than the building |
|-------------------|--|

# SECTION 8

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## TRANSITIONAL FEATURES

|  |     |
|--|-----|
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| 8.2 Transitional Features In the LR, HP, or CC         | 141 |

## 8.1 Transitional Features Outside of the LR, HP, or CC

### 8.2 Applicability

A. This Section shall apply to new development proposed outside of the LR, HP, or CC in order to achieve design compatibility between new and existing development, where the existing development is established and expected to remain, pursuant to the Laurens Comprehensive Plan.

#### 8.1.1 Transition Zones Abutting Residential Lots

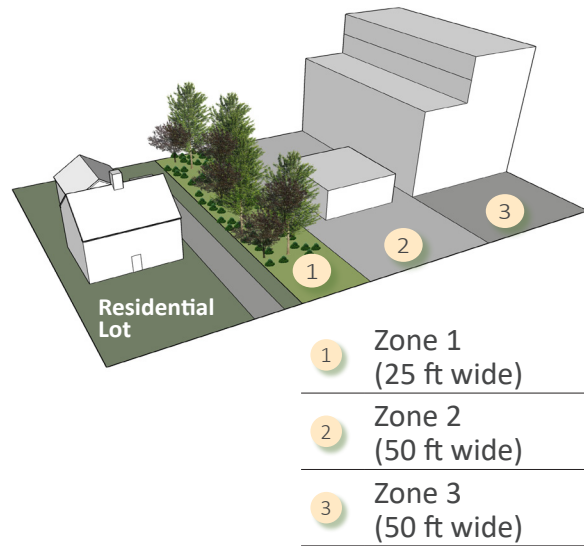
##### A. Transition Zone Descriptions

The transition zones below shall be required along the edge of:

1. A nonresidential, mixed-use, multifamily, or townhouse development site where it abuts an existing lot for a house, duplex, or multiplex; or
2. A townhouse development site where it abuts an existing lot for a house, duplex, or multiplex.

| Transition Area   | Minimum Width | Requirements             |
|-------------------|---------------|--------------------------|
| Transition Zone 1 | 25 feet       | buffer with plantings    |
| Transition Zone 2 | 50 feet       | restricted use           |
| Transition Zone 3 | 50 feet       | building height and form |

Figure 8.1.2 Transition Zones Abutting Residential Lots



##### B. Transition Zone 1: Buffer

1. Transition Zone 1 shall be a 25-foot wide area along the edge of the development site that serves as a buffer. The buffer shall comply with Section 12.7, Buffers, and shall contain the following plantings:

| Type of Material | Number per 100 Linear Feet | Minimum Evergreen |
|------------------|----------------------------|-------------------|
| Canopy Trees     | 5                          | 50%               |
| Understory Trees | 5                          | 50%               |
| Shrubs           | 60                         | 75%               |

2. Fences and walls may be used in the buffer. Fences and walls shall comply with the following:
  - a. The fence or wall shall have a minimum opacity of 75 percent;
  - b. The fence or wall shall be a minimum height of six feet,

- unless otherwise approved by the Planning Commission, and
- c. The fence or wall shall incorporate a masonry column at any end visible from a street or internal drive.
- 3. Berms may be used in the buffer. Berms shall comply with the following:
  - a. Berms shall be used only along a rear property line of a residential lot and not located between a lot and a street or internal drive;
  - b. Berms shall be a minimum of four feet in height, unless otherwise approved by the Planning Commission;
  - c. Berms shall be stabilized with a ground cover or other suitable vegetation;
  - d. Shrubs shall be planted on a berm to achieve a combined height of six feet within four years of planting; and
  - e. Berms shall in no case damage the roots or trunks of existing healthy vegetation designated to be preserved.

**C. Transition Zone 2: Restricted Use**

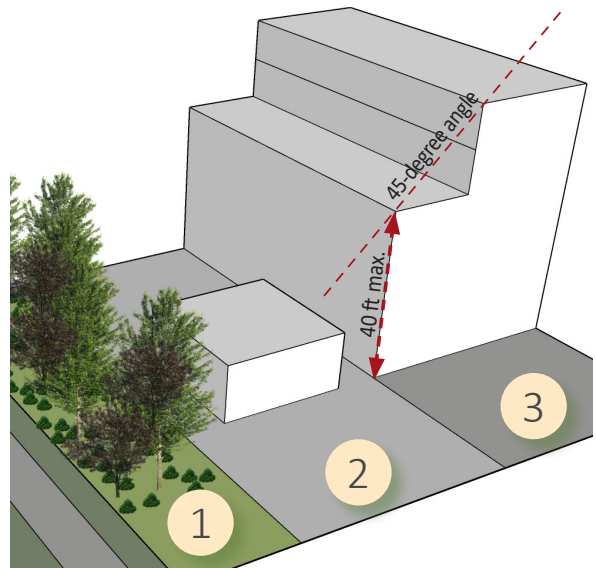
Transition Zone 2 shall be a 50-foot wide area that abuts Transition Zone 1 and regulates uses and encroachments. The following uses and encroachments are the only uses and encroachments permitted in Transition Zone 2:

1. Fences, walls, and plant materials;
2. Open space, playgrounds, and trails;
3. Stormwater management facilities;
4. Surface parking areas;
5. Dumpsters;
6. Alleys; and
7. Accessory structures up to 14 feet in height.

**D. Transition Zone 3: Building Height and Form**

- Transition Zone 3 shall be a 50-foot wide area that abuts Transition Zone 2 and regulates building height and form. All structures and uses allowed in the applicable zoning district are permitted in Transition Zone 3 subject to the following:
1. The maximum building height at the line where Transition Zone 3 and 2 meet is 40 feet; and
  2. Height can increase subject to a 45-degree height plane measured from a height of 40 feet at the Transition Zone 3 and 2 line, extending upward one foot for every additional foot stepped back.

Figure 8.1.2.D. Transition Building Height and Form



**8.1.3 Building Height at Major Intersections**

At major intersections of any combination of arterials and/or collectors, building height



shall be balanced across the intersection. A viewshed analysis is required as per Paragraph 20.8.8.C.

### 8.1.4 Perimeter Residential Development

#### A. Single-Family Residential Lots

New single-family residential lots on the perimeter of a proposed development, where abutting existing lots in a recorded residential subdivision, shall be no less than 75 percent of the average lot size of the abutting lots.

#### B. Duplexes or Multiplexes

Duplexes or multiplexes, where permitted along the perimeter of the proposed development, that are adjacent to single-family residential lots in a recorded subdivision shall have comparable building facade widths to the houses on the adjacent residential lots and shall not exceed one story in height above any adjacent house.

## 8.3 Transitional Features In the LR, HP, or CC

### 8.2.1 Applicability

- A. This Section shall apply to new development proposed in the LR, HP, or CC, to achieve design compatibility between new and existing development, where the existing development is established and expected to remain, pursuant to the Laurens Comprehensive Plan.
- B. The standards in this Section may be used, all or in part, to achieve design compatibility between land uses, subdivisions, sites, lots, or structures, subject to the approval of the applicable review body, with consideration given to The Laurens Comprehensive Plan and the Historic District Design Guidelines, where applicable.

### 8.2.2 Conflicting Provisions

- A. In cases where the standards of this Section and other Sections conflict, the more restrictive standard shall apply.
- B. Within the HP district, where Historic District Design Guidelines and this Section conflict, the Historic District Design Guidelines shall take precedence.

### 8.2.3 Building Setbacks

Where the existing development is established and expected to remain, pursuant to the Laurens Comprehensive Plan, the minimum front yard setback shall be the average setback of existing buildings on the same block face. No new building shall be located closer to the front lot line than the closest adjacent building.

### 8.2.4 Building Height, Scale, and Massing

- A. Residential development other than multifamily shall comply with the following:
  1. Facade widths of adjacent buildings and buildings on opposing sides of a street shall be consistent with each other such that neither facade exceeds the other's dimensions by more than 25 percent.
  2. Building height shall not exceed one-half story above the average height of existing residential buildings on the same block face, but in no case shall exceed the zoning district maximum height.
- B. At the edge of an underlying zoning district where the adjacent district has a lower maximum building height, buildings shall transition in height using methods outlined in Paragraph 8.2.4.C.
- C. Nonresidential, mixed-use, and multifamily development shall graduate the massing and scale of the new building using the

following methods:

1. Building stepbacks of at least 20 feet from the stories below;
  2. Dividing buildings into smaller parts, including detached buildings, to reduce effective visual bulk and to maintain the scale and rhythm of the existing pattern of development;
  3. Sight lines or angular planes to gauge the appropriate building height necessary to achieve a steady, incremental transition; or
  4. Other techniques that break up the scale of a building to complement existing development patterns, subject to approval by the applicable review body.
2. Massing that divides the building into smaller parts;
  3. Materials that do not accentuate verticality;
  4. A one-story front porch or entry element;
  5. Garages with traditional placement and orientation entirely behind the main structure and subordinate in height.

### 8.2.5 Building Character

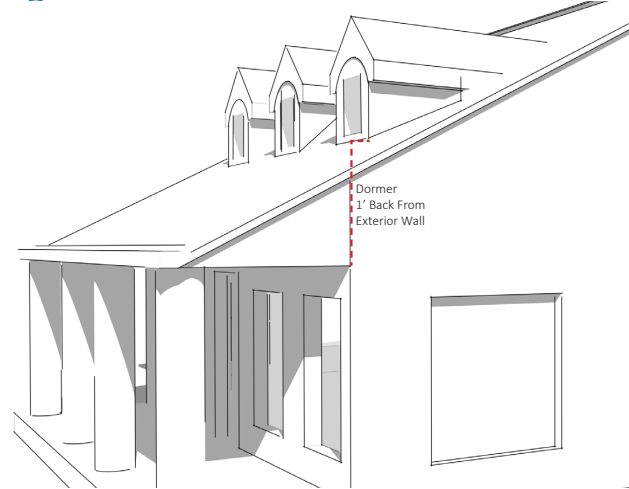
A. Where a clearly established building character and scale exist that is expected to remain, pursuant to the Laurens Comprehensive Plan, infill development shall blend with nearby buildings through use of:

1. Window and door openings with area ratios and proportions similar to those on nearby buildings;
2. Similarly sized and patterned architectural features such as windows, doors, awnings, arcades, pilasters, cornices, wall offsets, primary facade materials, and other building articulations of nearby buildings; and
3. Similar roof types, slopes, or arrangements.

B. Proposed residential development shall blend with existing buildings along the same block face through use of:

1. Dormers that are set back a minimum of one foot from the exterior wall of a front or side elevation;

**Figure 8.2.5.B** Dormers set back from exterior wall



### 8.2.6 Perimeter Residential Development

#### A. Single-Family Residential

New single-family residential lots on the perimeter of a proposed development, where abutting existing lots in a recorded residential subdivision, shall be no less than 75 percent of the average lot size of the abutting lots.

**B. Duplexes or Multiplexes**

New duplexes or multiplexes, where permitted along the perimeter of a proposed development, that are adjacent to single-family residential lots in a recorded subdivision, shall have comparable building facade widths to the houses on the adjacent residential lots and shall not exceed one story in height above any adjacent existing house.

**C. Multifamily**

Proposed multifamily buildings located within 100 feet of a single-family residential lot shall not exceed two stories.

# SECTION 9

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## STREETS AND CIRCULATION

|                            |     |
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## 9.1 Streetscape

### 9.1.1 Standards

- A. New public streets and private streets shall be designed pursuant to the Transportation and Street Technical Standards.
- B. Sidewalks that comply with Section 9.6, Pedestrian Circulation, and the Transportation and Street Technical Standards shall be provided along public and private streets and internal drives.
- C. Street trees that comply with Section 12.8, Street Trees, shall be provided along public and private streets and internal drives.
- D. Street lights that comply with Subsection 14.3.8, Street Lights, shall be provided along public and private streets and internal drives.
- E. Bridge or safety barriers shall be stacked stone, concrete with a decorative finish, or painted dark green or black.
- F. Traffic poles shall be painted dark green or black.

## 9.2 Streets

### 9.2.1 Standards

- A. Public and private streets shall have a functional classification as defined by the City of Laurens.
- B. New streets serving residential lots shall be public streets. Streets shall be required to have parallel parking when serving residential lots with lot widths of 45 feet or less.
- C. The Planning Department may require, at no cost to the City, a traffic impact study to be prepared in accordance with the Transportation and Street Technical Standards.
- D. Traffic control devices or traffic calming

- measures, such as roundabouts, chicanes, or other measures, as necessary to promote the safe and efficient movement of traffic, (including bicycles and pedestrians) shall comply with the South Carolina Department of Transportation regulations.
- E. To maintain excellence in the public realm, all streets owned, maintained, or improved upon by SCDOT shall follow the Complete Streets Policy found in SCDOT Directive Number 28 dated February 4, 2021, and shall also follow the provisions of the SCDOT Roadway Design Manual. This will ensure those streets allow for the inclusion of multimodal accommodations (walking, bicycling, and transit) in projects undertaken on the state-owned highway system.

## 9.3 Internal Drives

### 9.3.1 Applicability

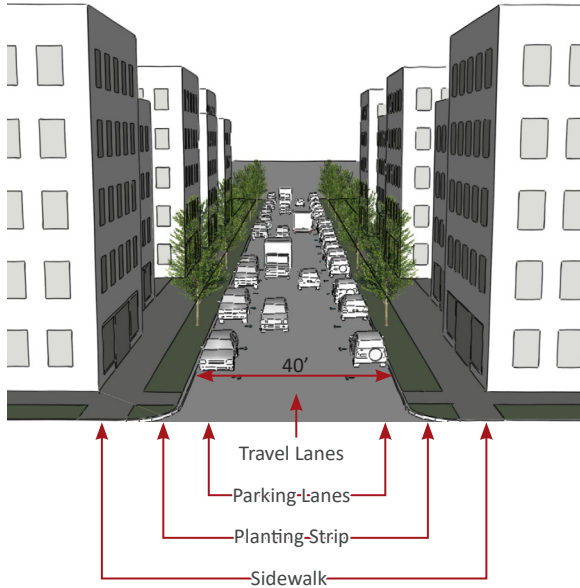
Internal drives may be provided as an alternative to a public or private street in accordance with Subsection 7.1.2, Frontage Description.

### 9.3.2 Standards

- A. Where permitted, internal drives shall be designed per the Transportation and Street Technical Standards as public or private streets having an equivalent street classification based on traffic volume capacity (vehicles per day), except that internal drives shall have :
  - 1. Two ten-foot travel lanes; and
  - 2. Parallel parking along the internal drive where a building facade faces it.
- B. Internal drives shall be designed as an extension of the street network and shall comply with:
  - 1. Section 9.1, Streetscape; and
  - 2. Section 9.5, Vehicular Circulation.

- C. Internal drives shall be placed in a public access easement and recorded as part of a final plat.

**Figure 9.3.2.A** Cross section of an internal drive showing travel lanes, parallel parking, sidewalks, and street trees with planting strip.



## 9.4 Alleys

### 9.4.1 Standards

- A. Alleys shall be designed and constructed pursuant to the Transportation and Street Technical Standards.
- B. Residential lots with a lot width of 45 feet or less must be served by a public alley.
- C. No vehicle, fence, structure, vegetation, or wall shall be erected, maintained, or planted within the alley right-of-way, easements, or within two feet of the edge of the alley pavement/curb, whichever is greater.

### 9.4.2 Alley Layout

Alley and lot layout shall be designed to screen the view into an alley from an intersecting street by meeting any one of the following:

- A. Providing evergreen planting material along the intersecting street to create an opaque screen;
- B. Requiring a build-to line for the garage at five feet from the alley right-of-way;
- C. Placing fencing with a height of six feet along the edge of the rear lot line and along the lot line abutting the intersecting street; or
- D. Creating a curve in the alley by the third lot from the intersecting street.

### 9.4.3 Mews

A public mews shall provide vehicular access to the rear of the residential lots. All provisions in this Ordinance regarding an alley shall also apply to a mews, in addition to the following:

- A. The maximum length of a mews shall be 800 feet, as measured along the centerline; and
- B. Additional site design standards are found in Section 11.7, Courtyard, and additional alley-loading garage standards are found in the applicable building type.

## 9.5 Vehicular Circulation

### 9.5.1 External Connectivity

- A. The arrangement of new streets and internal drives shall provide for the alignment and continuation of existing or proposed streets and internal drives into adjacent properties.
- B. Street connections, street stubs, or internal drive connections shall be provided in every direction (north, south, east, and west), including connections to all existing streets or internal drives adjacent to the development site.
- C. The Planning Commission may determine that a street stub or internal drive connection or alignment shall not be required due to the classification of a street or when adjacent to floodplain, wetlands, riparian buffers, tree save areas, naturally-occurring slopes exceeding 14 percent, or other unique site conditions preventing a street or internal drive connection.
- D. Street right-of-way and pavement shall be extended to the adjacent property lines. Internal drive pavement shall be extended to the adjacent property lines.
- E. Traffic calming measures shall implemented where needed and possible. Existing residential streets affected by external street connectivity requirements may be candidates for traffic calming treatments upon the recommendation of the Planning Department. If an applicant disagrees with the recommendation, the applicant may appeal to the Planning Commission or the Mayor and City Council, depending on the type of application.

- F. At each location where a street terminates where a future connection is planned or accommodated, a sign shall be installed with the words “STREET TO BE EXTENDED BY THE AUTHORITY OF THE CITY OF LAURENS” to inform property owners.
- G. The final plat and deeds for all residential lots shall identify street stubs and include a notation that all street stubs are intended for connection with future streets on adjoining undeveloped property.

### 9.5.2 Internal Connectivity

- A. Development shall provide a street network or internal drive network, wherever possible.
- B. Development shall provide for the alignment and continuation of internal street or internal drive connections to maximize the internal connectivity of the site wherever possible.
- C. Block length perimeter shall not exceed a maximum of 2,400 feet, except the Planning Department may approve a block length perimeter up to 3,200 feet in cases:
  - 1. Where environmental or topographic constraints exist;
  - 2. Where the street classification prevents a connection; or
  - 3. Where a proposal includes an internal parking structure.
- D. New blocks shall be consistent with the SCDOT ARMS Manual for distance between intersections.
- E. Cul-de-sacs are permitted only where existing development, floodplains, wetlands, naturally occurring slopes, riparian buffers, tree save areas, or other unique site conditions prevent a street connection.

### 9.5.3 Cross Access Between Adjacent Properties

- A. Internal vehicular circulation shall be designed to provide cross access to each adjacent property, unless the Planning Department waives the requirement due to topographical constraints, natural features, or other vehicular safety factors.
- B. Cross access to adjacent properties shall include connection to all existing streets or street stubs, access easements, internal drives, drive aisles, driveways, and parking areas.
- C. Cross access shall provide two-way travel lanes with pavement to the property line. Property shall not be subdivided to avoid this requirement.
- D. The applicant shall provide written notice to all adjoining property owners prior to the initial submittal of the applicable application. This notice shall provide a visual and narrative explanation of the proposed cross access connection points.
- E. The applicant is responsible for constructing and improving the cross access to the adjacent property line prior to issuance of the first temporary certificate of use and occupancy, or if there is no temporary certificate of use and occupancy, then prior to issuance of the first final certificate of use and occupancy. The applicant shall perpetually maintain the cross access to the adjacent property line.
- F. The cross access easement shall be recorded as part of a final plat.

## 9.6 Pedestrian Circulation

### 9.6.1 Placement and Connections

- A. Sidewalks and curb shall be required on both sides of public and private streets and

internal drives.

- B. A continuous internal pedestrian circulation system shall be provided throughout the development. Sidewalk connections shall be provided:
  1. Between each building main entrance and the nearest street or internal drive. These connections shall be placed in a straight and direct route;
  2. Between each dwelling unit entrance in a multiplex or multifamily building and the nearest street or internal drive;
  3. Between differing uses, such as neighborhood commercial centers or open spaces with residential uses;
  4. That connect to existing, planned, or potential future sidewalks or multi-use paths at adjacent property boundaries;
  5. That connect to existing or planned private trail systems in adjacent developments, where possible;
  6. Between open spaces within a development; and
  7. Building main entrances with associated parking areas.
- C. In cases where a block length exceeds 600 feet, a sidewalk in a public access easement or open space lot shall be provided mid-block internally to connect streets on opposite sides of the block.
- D. At the end of a close or cul-de-sac, a sidewalk and public access easement shall be provided that extends the pedestrian circulation system, to the maximum extent practicable, to the closest adjacent street, sidewalk, or multi-use path.

### 9.6.2 Sidewalks

- A. Sidewalks along streets and internal drives shall comply with the SCDOT ARMS Manual and placed in either a public right-of-way or a public access easement.



B. Sidewalk widths shall comply with the table below:

| Sidewalk Location                                       | Minimum Width  |
|---|--|
| Along Streets or Internal Drives                        | 5 feet   |
| Where Abutting Parking Spaces                           | 7 feet   |
| Where Abutting a Commercial/Mixed-Use or Civic Building | 8 feet   |
| In the CO and GC Districts                              | 12 feet, with at least 8 feet continuously unobstructed by street tree pits, light poles, or similar features. A reduced width may be permitted due to existing obstructions |

C. Sidewalk materials shall comply with the Transportation and Street Technical Standards.

D. Sidewalks shall be raised above adjacent driving surface and may be raised at vehicular crossings as a traffic-calming measure.

### 9.6.3 Multi-Use Paths

A. Multi-use paths shall be designed and constructed per the Transportation and Street Technical Standards.

B. Multi-use paths shall have a minimum width of 8 feet.

C. Multi-use paths shall be placed either in a public right-of-way or in a 24-foot wide public access easement.

### 9.6.4 Nature Trails

Nature trails may be constructed of natural materials, such as grass, gravel, dirt, or mulch.

# SECTION 10

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## PARKING

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## 10.1 Parking

### 10.1.1 Applicability

This Section shall apply to:

- A. New development;
- B. An existing structure or use that will be expanded or increased in capacity; or
- C. A change in use that will result in increased vehicle trips.

### 10.1.2 Exemptions

Within the CO district, there are no parking requirements. Within all other districts, legally established uses and buildings in existence on the effective date of this Ordinance shall comply with the following:

- A. When a commercial use is changed to another commercial use, additional parking spaces are not required;
- B. When a building is expanded, additional parking spaces are required for the new square footage only. After February 1, 2025, a one-time building expansion of up to 1,000 square feet shall not require additional parking spaces; however, the number of existing parking spaces on the lot shall not be reduced to accommodate the expansion; and
- C. When a building is torn down and a new building is constructed, parking spaces shall comply with the standards of this Section and required for the entire square footage of the new building.
- D. When a restaurant adds outdoor dining, no additional parking spaces shall be required.

### 10.1.3 Review for Compliance

Review for compliance with this Section shall occur with a development plan, site plan, building permit, or temporary or final certificate of use and occupancy, as applicable.

### 10.1.4 Parking Plan

- A. A parking plan shall be submitted with any development.
- B. The parking plan shall accurately designate the required parking spaces, landscape islands, drive aisles, driveways, internal drives, and circulation and mobility around the development.

### 10.1.5 Calculation of Minimum Parking

- A. Parking spaces shall be required per the table in Subsection 10.1.6, Minimum Parking.
- B. For combinations of uses, the minimum shall be the sum of the requirement for each use. No parking space for one use can be included in the calculation of a parking requirement for any other use, except as permitted by Paragraph, 10.1.10.A, Shared Parking.
- C. When the minimum is listed as variable or if a use is not covered under Subsection 10.1.6, Minimum Parking, then the applicable City department may:
  - 1. Determine the minimum based on the closest comparable use; or
  - 2. Approve an alternate standard based on a parking study that provides justification using:
    - a. A nationally-accepted standard parking resource or comparable uses and cities, as approved by the Department of Planning and Sustainability;
    - b. The size and type of the proposed development and the composition of uses;
    - c. Anticipated rate of parking turnover; and
    - d. Anticipated peak parking and traffic loads for all uses.

**10.1.6 Minimum Parking**

| Use  | Minimum Vehicle Parking Spaces  | Reduced Minimum Vehicle Parking Spaces in CO |
|--|---|--|
| <b>AGRICULTURAL USE</b>  |   |  |
| Agricultural Uses  | Variable <sup>1</sup>   | No reduction                                 |
| Community Gardens  | Variable <sup>1</sup>   | No reduction                                 |
| <b>RESIDENTIAL USE</b>   |   |  |
| Accessory Dwellings  | 1 space per unit  | No reduction                                 |
| Duplexes/Multiplexes/<br>Townhouses/Multifamily<br>Residential | 1.5 spaces for a studio<br>1.5 spaces for a 1 bedroom unit<br>2.5 spaces for a 2 bedroom unit<br>3 spaces for a 3+ bedroom unit | No reduction                                 |
| Multifamily, Age-Restricted                                    | 1.5 spaces per unit<br>+<br>1 per employee on the largest shift   | No reduction                                 |
| Single Family Residential                                      | 2 per unit  | No reduction                                 |
| <b>RECREATION USES</b>   |   |  |
| All Recreation Uses  | Variable <sup>1</sup>   | No reduction                                 |
| <b>CIVIC AND INSTITUTIONAL USES</b>                            |   |  |
| Clinics  | 4 spaces per 1,000 square feet <sup>2</sup>   | No reduction                                 |
| All Other Civic and Institutional Uses                         | Variable <sup>1</sup>   | No reduction                                 |
| <b>COMMERCIAL USES</b>   |   |  |
| Bed and Breakfasts   | 2 spaces + 1 space per rented room  | No reduction                                 |
| Day Care Centers   | 2 spaces per 1,000 square feet <sup>2</sup><br>+ 1 space per employee<br>+ 5 stacking spaces <sup>6</sup>                       | No reduction                                 |
| Event Venues   | Variable <sup>1</sup>   | No reduction                                 |
| Funeral Homes  | 0.25 space per person of maximum occupant load <sup>4</sup>   | No reduction                                 |
| Garden Centers   | 3.33 spaces per 1,000 square feet <sup>2</sup><br>+ 1 space per employee  | No reduction                                 |
| Gas Stations   | 3.33 spaces per 1,000 square feet <sup>2</sup><br>+ 1 space per gasoline pump   | No reduction                                 |

| Use   | Minimum Vehicle Parking Spaces   | Reduced Minimum Vehicle Parking Spaces in CO   |
|---|--|--|
| Hotels  | 1 space per guest room<br>+ 1 space per employee on largest shift<br>+ 0.25 space per person of maximum occupant load <sup>4</sup> in assembly areas   | 1 space per guest room<br>+ 0.75 per employee on largest shift   |
| Indoor or Indoor/Outdoor Animal Services          | 2 spaces per 1,000 square feet <sup>2</sup>  | No reduction   |
| Offices   | 4 spaces per 1,000 square feet <sup>2</sup>  | 2.85 spaces per 1,000 square feet <sup>2</sup>   |
| Offices, Bank                                     | 4 spaces per 1,000 square feet <sup>2</sup><br>+ 4 stacking spaces per drive-in lane <sup>6</sup>  | No reduction   |
| Personal Services                                 | 3.33 spaces per 1,000 square feet <sup>2</sup>   | 2.5 spaces per 1,000 square feet <sup>2</sup>  |
| Personal Services, Barber Shops and Salons        | 1 space per seat<br>+ 1 space per employee   | No reduction   |
| Restaurants, Inside and Outside Seating           | 10 spaces per 1,000 square feet of gross floor area of the building and any outdoor seating area + 1 space per employee on largest shift   | 7.5 spaces per 1,000 square feet of gross floor area of the building and any outdoor seating area + 0.75 space per employee on largest shift   |
| Restaurants, Drive-In/Drive-Through/Quick Service | 0.52 space per seat (indoor and outdoor) <sup>3</sup><br>+ 15 stacking spaces for first ordering station + 5 additional stacking spaces for each additional ordering station <sup>6</sup>                      | No Reduction   |
| Retail  | 3.33 spaces per 1,000 square feet <sup>2</sup> for structures up to 300,000 square feet <sup>2</sup><br>2.67 spaces per 1,000 square feet <sup>2</sup> for structures 300,001 or more square feet <sup>2</sup> | 2.5 spaces per 1,000 square feet <sup>2</sup> for structures up to 300,000 square feet <sup>2</sup><br>2 spaces per 1,000 square feet <sup>2</sup> for structures 300,001 or more square feet <sup>2</sup> |
| Short-Term Vacation Rentals                       | See dwelling unit type   | No reduction   |
| Showrooms   | 2 spaces per 1,000 square feet <sup>2</sup><br>+ 1 space per employee  | No reduction   |
| Theaters  | 0.33 space per seat <sup>3</sup>   | No reduction   |

| Use                        | Minimum Vehicle Parking Spaces  | Reduced Minimum Vehicle Parking Spaces in CO |
|----------------------------|---|--|
| Vehicle Sales and Rental   | 2 spaces per 1,000 square feet <sup>2</sup><br>+ 1 space per service bay<br>+ inventory parking spaces <sup>1</sup> | No reduction                                 |
| Vehicle Service Facilities | 3.33 spaces per 1,000 square feet <sup>2</sup><br>+ 1 space per service bay   | No reduction                                 |
| Vehicle Wash Facilities    | 1 space per drying space/bay<br>+ 2 stacking spaces per washing spaces/bay  | No reduction                                 |

**INDUSTRIAL USES**

|   |  |              |
|---|--|--------------|
| Adult-Oriented Establishments   | 0.33 space per person of maximum occupant load <sup>4</sup>  | No reduction |
| Area Dedicated to Indoor Retail Sales <sup>5</sup>                                | 1 space per 200 square feet <sup>2</sup>   | No reduction |
| Area Dedicated to Indoor Storage/Warehousing/ Assembly/Manufacturing <sup>5</sup> | 1-3,000 square feet <sup>2</sup> =<br>1 space per 250 square feet <sup>2</sup><br><br>3,001-5,000 square feet <sup>2</sup> =<br>1 space per 500 square feet <sup>2</sup><br><br>5,001-10,000 square feet <sup>2</sup> =<br>1 space per 750 square feet <sup>2</sup><br><br>10,001 + square feet <sup>2</sup> =<br>1 space per 1,250 square feet <sup>2</sup> | No reduction |
| Area Dedicated to Office or Administrative Use <sup>5</sup>                       | 1 space per 300 square feet <sup>2</sup>   | No reduction |
| Area Dedicated to Outdoor Storage <sup>5</sup>                                    | 1 space per 1,000 square feet <sup>2</sup>   | No reduction |
| Data Centers  | Variable <sup>1</sup>  | No reduction |
| Self-Storage Facilities   | 0.01 space per storage unit<br>+ 4 spaces  | No reduction |
| Vehicle Repair Facilities   | 3.33 spaces per 1,000 square feet <sup>2</sup><br>+ 1 space per service bay  | No reduction |

---

Notes:

1. Uses that reference this note have widely varying parking and loading demand characteristics, making it difficult to establish a uniform standard. See Clause 10.1.5.C in Calculation of Minimum Parking.
2. Square feet refers to the gross floor area of the building.
3. Seats refers to the occupant load for the area used as seating.
4. Maximum occupant load is determined by the International Building Code.
5. The total number of required spaces is cumulative based on the variety of different functions present in a single use.
6. Minimum number of stacking spaces unless otherwise demonstrated using peak stacking lengths for comparable businesses and locations.

### 10.1.7 Parking Spaces Available to Count Towards Minimum Parking Standards

Parking spaces available to count towards the minimum parking standards include the following:

- A. Parking spaces on the lot;
- B. Demarcated parallel parking spaces abutting a lot for a nonresidential, mixed-use, or multifamily residential use. Spaces may not be double counted; and
- C. Parking spaces per an approved alternative parking plan per Subsection 10.1.10, Alternative Parking Plan.

### 10.1.8 Parking Location

The location of parking shall be in accordance with the applicable frontage type per Section 7, Frontage Types.

### 10.1.9 Parking Structures

- A. In the GC and CO, parking structures shall have active ground-floor uses along all street frontages. Parking structures shall comply with the commercial/mixed-use building type. Openings shall be vertically oriented to appear as window openings that meet the intent of the building type standards.
- B. Outside of the GC and CO, where along an arterial or collector street, parking structures shall be screened by buildings at least as tall as the parking structures.
- C. Outside of the GC and CO, parking structures shall be visually similar in character to the principal building by:
  1. Matching the materials or being composed of brick; and
  2. Vertically orienting the openings to appear as windows of the same size and rhythm as the principal building.
- D. Parking structures are subject to the

maximum principal building height as permitted per the applicable zoning district.

- E. Vehicular entrances of parking structures shall be located so that potential conflicts with pedestrian circulation are minimized.
- F. Multiple pedestrian entrances shall be included for each parking structure.

### 10.1.10 Alternative Parking Plan

The alternative parking plan may use any combination of the following alternatives, subject to Planning Department approval:

#### A. Shared Parking

Shared parking by two or more uses with different operational characteristics and peak hours of demand may be a permitted alternative when it meets the following:

1. The applicant shall submit a shared parking study that justifies the feasibility of using shared parking with:
  - a. Information from a nationally-accepted standard parking resource using comparable uses and cities, as approved by the Department of Planning and Sustainability;
  - b. The size and type of the proposed development and the composition of uses;
  - c. Anticipated rate of parking turnover; and
  - d. Anticipated peak parking and traffic loads for all uses that will be sharing parking spaces.
2. A continuous sidewalk shall be provided to and from the shared parking area;
3. Shared parking spaces shall be located within 1,320 feet (five-minute walk) of a main entrance of each use served, as measured along the sidewalk connecting the main entrance to the



shared parking area;

4. A shared parking agreement shall be signed by all applicable property owners and recorded at the Register of Deeds prior to issuance of a building permit for any use to be served by the shared parking;
5. For phased development, a phased parking plan shall be provided that shows how each use will be provided with adequate parking spaces throughout the full buildout of the development; and
6. A shared parking agreement may be repealed only if all required parking spaces for each use will be provided without shared parking per Subsection 10.1.6, Minimum Parking.

#### **B. Remote Parking**

Remote parking on a separate site from the site on which the nonresidential use is located may be a permitted alternative when it meets the following:

1. There are practical difficulties in locating the parking area on-site or public safety or public convenience are better served by a remote location;
2. The remote parking area shall be placed in a recorded easement for the use of an off-site parking location in perpetuity;
3. A sidewalk shall connect the remote parking to the use being served;
4. The remote parking shall be located within 1,320 feet (five-minute walk) of a main entrance of each use served, as measured along the sidewalk connecting the main entrance to the remote parking.
5. The remote parking area shall be convenient to use without causing

unreasonable:

- a. Hazard to pedestrians or vehicular traffic;
- b. Traffic congestion;
- c. Interference with commercial activity or convenient access to other parking areas in the vicinity;
- d. Detriment to the appropriate use of businesses in the vicinity; or
- e. Detriment to any adjacent residential neighborhood.

#### **C. Deferred Parking**

Deferral of construction of up to 30 percent of the required number of parking spaces may be a permitted alternative when it meets the following:

1. The applicant shall submit a reserve parking plan that identifies:
  - a. The number of parking spaces being deferred; and
  - b. The equivalent area reserved for the deferred parking spaces, if needed in the future.
2. The applicant shall provide assurance illustrating the provided parking is sufficient after 24 months from the initial final certificate of use and occupancy or when at least 90 percent of the building is occupied, whichever is later. If additional parking is found to be needed, the applicant shall construct the deferred spaces; and
3. Reserved parking areas shall be brought to the finished grade and stabilized and shall not be counted towards other Ordinance requirements.

#### **D. Valet Parking**

Valet parking for a nonresidential use may be a permitted alternative when it meets the following:

1. Valet parking shall meet the Municipal

Code;

2. The applicant shall provide assurance illustrating that valet parking will be available on a long-term basis;
3. An attendant shall be provided to park vehicles during business operations that use valet services;
4. Valet spaces shall be located in a parking area or parking structure; and
5. Valet parking service in a public street shall meet the Municipal Code.

**10.1.11 Maximum Parking**

Except for single-family residential, parking that exceeds 120 percent of the minimum in Subsection 10.1.6, Minimum Parking, shall be constructed and maintained:

- A. With pervious surfacing; or
- B. Within a parking structure.

**10.1.12 Arrangement**

- A. Parking, stacking, and loading areas shall be arranged for convenient access and safety of pedestrians, bicyclists, and vehicles.
- B. The arrangement of parking shall be designed to accommodate vehicular circulation, maneuvering, parking, and associated parking movements without use of the public right-of-way, except for parallel parking
- C. The arrangement of parking shall prevent vehicle circulation from backing out directly onto a street, except on single family residential lots.
- D. Parking areas shall be configured so that a vehicle may be parked and un-parked without moving another vehicle. This shall not apply to single-family residential.
- E. The stacking arrangement shall not cause vehicles to queue within streets or internal drives or interfere with other customer vehicular circulation.

F. Stacking space lengths shall be based on a minimum of 20 feet per space.

G. Surface parking areas shall provide landscaping and landscape islands pursuant to Section 12.6, Parking Area Landscape.

**10.1.13 Maximum Slope**

Parking areas shall not exceed a slope of five percent. Drive aisles that connect parking areas shall not exceed ten percent.

**10.1.14 Standard Parking Spaces and Drive Aisles**

A. Standard parking spaces and drive aisles shall comply with the dimensions below:

| Parking Angle | Standard Parking Space Depth (Feet) | Standard Parking Space Width (Feet) | Drive Aisle Width (Feet)           |
|---------------|-------------------------------------|-------------------------------------|------------------------------------|
| Parallel      | 22                                  | 8                                   | 10-12 (one way)<br>20-24 (two way) |
| 90 Degrees    | 18                                  | 9                                   | 20-24                              |
| 60 Degrees    | 20                                  | 9                                   | 16-20                              |
| 45 Degrees    | 19                                  | 9                                   | 16-20                              |

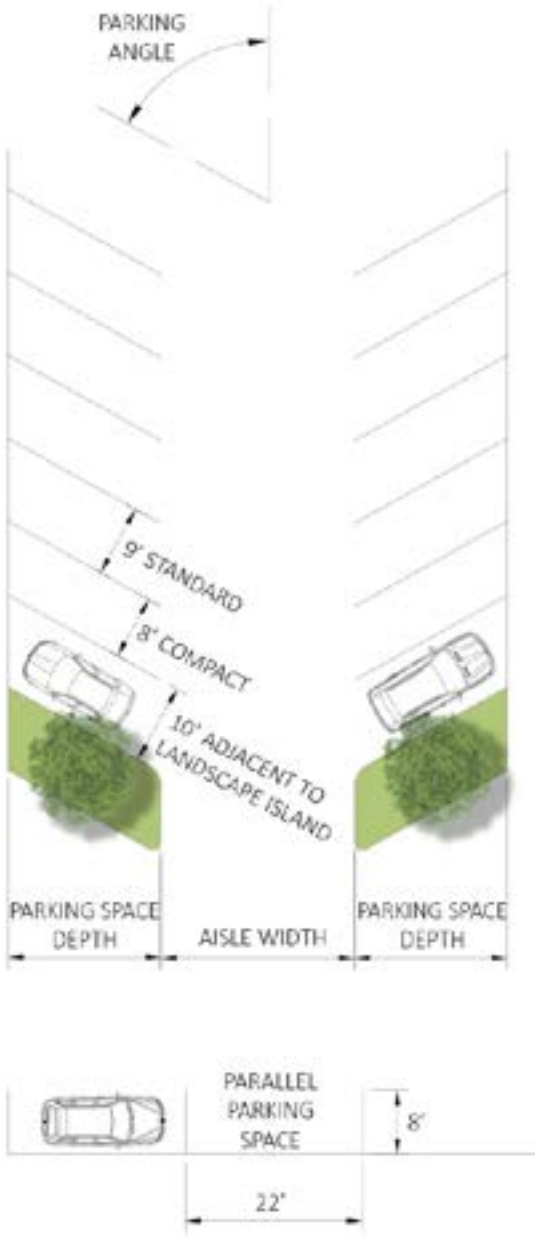
B. Handicap accessible spaces and signage shall be provided pursuant to all applicable building codes.

C. Parking structures may have dimensional adjustments based on utilization, but in no case shall the standard space width be less than eight feet, subject to approval by the Planning Department.

D. Where the side of a standard parking space is alongside a landscape island, the minimum width of the parking space shall be increased to ten feet.

E. When parking is associated with a residential lot, see Subsection 10.1.16, Parking Pads on Residential Lots.

**Figure 10.1.14** Parking Space Dimensions



**10.1.15 Compact Parking Spaces and Drive Aisles**

A. Compact parking spaces and drive aisles shall comply with the dimensions below:

| Parking Angle | Compact Parking Space Depth (Feet) | Compact Parking Space Width (Feet) | Drive Aisle Width (Feet) |
|---------------|------------------------------------|------------------------------------|--------------------------|
| Parallel      | N/A                                | N/A                                | N/A                      |
| 90 Degrees    | 16                                 | 8                                  | 20-24                    |
| 60 Degrees    | 18                                 | 8                                  | 16-20                    |
| 45 Degrees    | 17                                 | 8                                  | 16-20                    |

- B. Compact parking spaces shall be permitted in parking areas of at least 20 spaces. Compact spaces shall not exceed 15 percent of the minimum spaces in Subsection 10.1.6, Minimum Parking.
- C. Where the side of a compact parking space is alongside a landscape island, the minimum width of the parking space shall be increased to ten feet.
- D. No reduction in depth shall be permitted for compact parking spaces abutting landscape islands or sidewalks.
- E. Compact parking spaces shall not be permitted for use as handicap-accessible spaces.

**10.1.16 Parking Pads on Residential Lots**

A. Parking pads on residential lots shall comply with the requirements below:

| Parking Pads          | Requirements   |
|-----------------------|--|
| Parking Pad Placement | If any, a parking pad shall be adjacent to the driveway between the edge of driveway and the side or rear lot line, and shall not encroach into the sidewalk or the yard area located in front of the remaining part of the principal building |
| Easement Conditions   | Shall not be located within a recorded utility or drainage easement  |
| Additional Standards  | See applicable building type and frontage type standards   |

B. Parking pads on residential lots that were installed prior to the adoption of this ordinance or that were identified on a building plat and approved by the Planning Department in conjunction with the issuance of a building permit may continue. When a parking pad covers more than 40 percent of the front yard and a change in size, location, or material is contemplated, the parking pad shall comply with this Ordinance.

**10.1.17 Driveways on Residential Lots**

A. Driveways on residential lots shall comply with the requirements below:

| Driveways            | Requirements  |
|----------------------|---|
| Driveway Placement   | If any, a driveway shall be located primarily in front of the garage or to the side of the principal building and shall not encroach into the yard area located in front of the remaining part of the principal building<br>As alternatives to the requirements above:<br>A. A circular driveway may be permitted when the lot size is greater than 30,000 square feet<br>B. Secondary accesses may be approved, subject to the Transportation and Street Technical Standards |
| Driveway Dimensions  | A minimum width of 10 feet, unless it is a ribbon driveway, but no wider than the width of the garage<br>Where no garage exists or where the garage is less than 20 feet wide, the maximum width shall be 20 feet and configured to meet the width of the driveway apron at the lot line  |
| Driveway Apron       | Shall comply with the Transportation and Street Technical Standards   |
| Driveway Setback     | Shall be located a minimum of 5 feet from any abutting lot line, unless it is a shared driveway   |
| Easement Conditions  | Shall not be located within a recorded utility or drainage easement   |
| Additional Standards | See applicable building type and frontage type standards  |

B. Driveways on residential lots that were installed prior to the adoption of this ordinance or that were identified on a building plat and approved by the Planning Department in conjunction with the issuance of a building permit may continue. When a driveway covers more than 40 percent of the front yard and a change in size, location, or material is contemplated, the driveway shall comply with this Ordinance.

**10.1.18 Demarcation**

- A. Parking areas of three or more spaces and parallel parking spaces shall be demarcated by painted lines or other methods identifying individual parking spaces, except for single family residential.
- B. Compact spaces shall be labeled as such on the pavement.
- C. Loading areas shall be demarcated by signage, striping, and labeling on the pavement.

**10.1.19 Surfacing**

The surface material for parking and loading areas may be pervious materials (as listed below), asphalt, concrete, brick, stone, pavers, or an equivalent material. The following pervious materials are approved and encouraged:

- A. Pervious or semi-pervious surface materials such as:
  - 1. Reinforced grass parking systems; or
  - 2. Ring and grid systems used in conjunction with grass, pervious concrete, or permeable pavers.
- B. Recycled materials with a binder such as glass, rubber, used asphalt, brick, block, and concrete;
- C. Asphalt mixed with crushed pea gravel or limestone to achieve a particular character; or
- D. Gravel parking areas.

**10.1.20 Curbs and Wheel Stops**

- A. Parking and loading areas shall provide curbs or similar devices to prevent vehicle overhang into public right-of-way, sidewalks, adjacent property, or landscape areas.
- B. Vehicle wheel stops are permitted only for handicap-accessible spaces or spaces within parking structures.

**10.1.21 Timing of Construction**

- A. All required parking and loading areas shall be completed in accordance with approved plans prior to the issuance of a final certificate of use and occupancy for the use they serve.
- B. Phased development shall provide parking and loading areas for each portion of the development for which a development plan or site plan is approved.

**10.1.22 Maintenance**

- A. Parking and loading areas shall be maintained in good repair and in safe condition at all times so as not to constitute a hazard to public safety or a visual or aesthetic nuisance to surrounding property.
- B. Surfacing materials shall be maintained in a smooth, well-graded condition, except for approved pervious paving.
- C. Parking and loading areas shall be periodically painted or otherwise maintained to retain clear identification of individual spaces.

**10.1.23 Loading Areas**

- A. Uses with business operations that include unloading of goods, materials, items, or stock for delivery or shipping shall be required to provide one loading area either on-site or along the curb of the abutting street or internal drive, subject to Planning Commission approval.
- B. The size of the loading area shall be a minimum:
  - 1. Width of 12 feet;
  - 2. Depth of 25 feet; and
  - 3. Overhead clearance of 14 feet;
- C. An on-site loading area shall be:
  - 1. Located to the rear of the building adjacent to the loading doors; and
  - 2. Arranged to have safe and convenient

access to a street, but in no case shall the loading area extend into the required drive aisle of a parking area.

#### **10.1.24 Use**

- A. All surface parking, stacking, and loading areas required by this Section shall be used only for those purposes. Parking spaces in excess of the minimum required parking may be used for temporary uses and structures, pursuant to Section 5.3, Temporary Uses and Structures.
- B. Any other vehicular use, such as storage, sales, repair, service, or display of any kind shall constitute a separate business use of the space and shall not be counted towards minimum requirements.
- C. Required parking spaces shall be free and accessible to the public, unless otherwise determined by the Mayor and City Council.

## 10.2 Bicycle Parking

### 10.2.1 Minimum Bicycle Parking

Bicycle parking shall be provided in accordance with the following:

| Principal Use                     | Minimum Bicycle Parking Spaces                     |
|-----------------------------------|--|
| Multifamily                       | 0.05 space per unit                                |
| Office                            | 1 space per 20,000 square feet of gross floor area |
| Any Other Uses with Parking Areas | 1 space per 50 vehicle spaces                      |

### 10.2.2 Bicycle Parking Standards

- A. Bicycle parking shall be provided using bicycle racks, bicycle lockers, restricted-access bicycle enclosures, or similar secured facilities.
- B. Bicycle racks shall be securely anchored and easily usable with U-locks and cable locks.
- C. Four-foot wide aisles on all sides of bicycle parking spaces shall:
  - 1. Be provided for clear and maneuverable access; and
  - 2. Not encroach into sidewalk areas.
- D. Bicycle parking areas shall be separated from vehicle parking and circulation areas by:
  - 1. A physical barrier; or
  - 2. A distance sufficient to protect parked bicycles from damage by vehicles, including front and rear overhangs of parked or moving vehicles.
- E. Bicycle parking shall be located near the building main entrance. Where there is more than one building on a site or where a

building has more than one main entrance, the bicycle parking shall be distributed to serve each main entrance.

- F. If the bicycle parking is located outside, then the following shall apply:
  - 1. Bicycle parking areas shall be paved with materials per Subsection 10.1.19, Surfacing;
  - 2. The bicycle parking area shall be connected to the internal pedestrian circulation system per Section 9.6, Pedestrian Circulation; and
  - 3. A curb ramp shall be provided if located next to a street or internal drive.



# SECTION 11

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## OPEN SPACE

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**11.1 General Provisions**

**11.1.1 Applicability**

This Section shall apply to:

- A. Residential development that exceeds 25 dwelling units or exceeds 15 acres.
- B. Nonresidential or mixed-use development with:
  - 1. Two or more buildings;
  - 2. Two or more nonresidential tenants;
  - 3. A gross building area exceeding 10,000 square feet; or
  - 4. A site or lot exceeding three acres.

**11.1.2 Review for Compliance**

Review for compliance shall occur with the submittal of a development plan, site plan, or preliminary plat.

**11.1.3 Open Space Placement**

- A. Open space shall be located so as to be readily accessible and usable open space for all residents of the city and users of the development.
- B. Open spaces shall be placed within a residential or mixed-use development so that every house, duplex, townhouse, multiplex, and multifamily building has an open space within a walking distance of 1,320 feet (five-minute walk), as measured from the perimeter of each open space. Houses on individual lots of at least 30,000 square feet are exempt from this requirement.
- C. Open spaces shall be placed within the development to connect to other open spaces through an internal pedestrian circulation system per Section 9.6, Pedestrian Circulation.
- D. The placement of open space shall not result in a view of any rear facade from a street.

**11.1.4 Calculation of Minimum Open Space**

- A. Open space types and set asides shall be as required pursuant to Subsection 11.1.5, Minimum Open Space.
- B. The minimum open space set aside percentage shall be based on the acreage of the entire development site.
- C. The open space set aside shall not be required when the minimum open space set aside for:
  - 1. Residential development yields less than 5,000 square feet; or
  - 2. Nonresidential or mixed-use development yields less than 2,500 square feet.
- D. The acreage for individual single-family residential lots that are 30,000 square feet or larger may be excluded from the five percent open space set aside calculation.
- E. Parking areas, driveways, buildings, required sidewalks along streets, public right-of-way, and individual private yards shall not be counted as open space.

**11.1.5 Minimum Open Space**

| Zoning District                               | Minimum Open Space Set Aside | Required Open Space Type                                      |
|---|------------------------------|---|
| All Districts                                 | 5%                           | Any combination as permitted by district, except natural area |
| ER, SR, TR, and PD with residential uses only | Additional 10%               | Natural Area  |

## 11.2 Overview of Open Space Types

The following open space types are permitted in the districts indicated. Each open space shall comply with all standards and tables of the corresponding open space type.

| Open Space Description  | Illustration   | Districts Where Permitted |
|---|--|---------------------------|
| <p><b>Natural Area:</b> An open space that is maintained, but left in a natural state. Natural areas may contain hillsides, hill crests, slopes exceeding 14 percent, floodplain, streams, ponds, agricultural lands, forest, fields, meadows, tree save areas, scenic corridors and viewsheds, wildlife habitat, or vegetated stormwater management features. These areas may also contain historic or culturally significant areas, such as cemeteries, battlefields, or other archaeologically significant resources</p> |    | <p>All Districts</p>      |
| <p><b>Greenway:</b> Linear open space typically following the trajectories of natural corridors. Greenways are required to include multi-use paths along the length of the greenway</p>   |   | <p>All Districts</p>      |
| <p><b>Neighborhood Amenities:</b> Outdoor recreation areas, such as pools, sports fields, sports courts, playgrounds, and dog parks typically for use by residents of the development, if made available to all residents of the city.</p>  |  | <p>ER SR LR TR MR PD</p>  |
| <p><b>Pocket Park:</b> Small-scale, active or passive park within walking distance of residential uses that contain designed and regularly maintained open areas that typically include arranged plantings, playgrounds, gardens, dog parks, gazebos or similar structures, fountains, sculptures, and other forms of public art</p>  |  | <p>All Districts</p>      |

**OPEN SPACE**

Overview of Open Space Types

**Courtyard:** Open space located between houses, duplexes, multiplexes, or townhouses that face each other



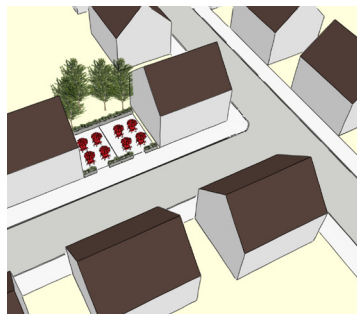
ER SR LR TR MR PD  
PD CI

**Square or Green:** Passive recreation area that is primarily landscaped and bound by streets or internal drives



All Districts

**Outdoor Dining Area:** Open space set aside associated with restaurants within nonresidential or mixed-use development. These may be patios, terraces, upper story decks, or rooftop dining areas. These areas are open to the general public only as part of a business



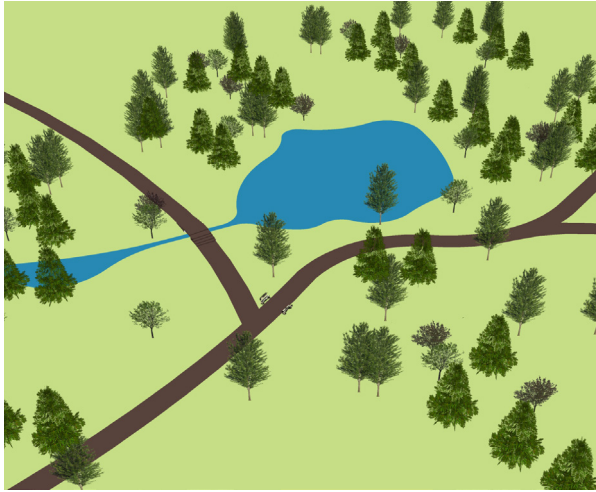
PD CI NC LC CO GC

**Plaza:** Formal gathering places typically adjacent to nonresidential and mixed-use buildings. These areas contain a greater amount of hardscape than other open space types and typically contain special features, such as public art or fountains



PD CI NC LC CO GC

### 11.3 Natural Area



#### Description

An open space that is maintained, but left in a natural state. Natural areas may contain hillsides, hill crests, slopes exceeding 14 percent, floodplain, streams, ponds, agricultural lands, forest, fields, meadows, tree save areas, scenic corridors and viewsheds, wildlife habitat, or vegetated stormwater management features. These areas may also contain historic or culturally significant areas, such as cemeteries, battlefields, or other archaeologically significant resources.

#### Standards

|                     |   |
|---------------------|---|
| Permitted Districts | All districts   |
| Dimensions          | Minimum size of 5,000 square feet   |
| Arrangement         | Shall have at least one direct access to a public right-of-way or private street with access easement |

#### Standards (Continued)

**Landscape** Minimum one large canopy tree and two understory trees per each 2,500 square feet and landscaped in an informal arrangement

**Features** Shall have sidewalks, multi-use paths, or nature trails, which shall be placed within a public access easement. If elected by the applicant, multi-use paths that meet ADA requirements may be counted as a greenway, subject to the standards in Section 11.4, Greenway

The following areas may be credited toward the natural area set aside:

- A. Required landscape areas and medians of at least 5,000 square feet
- B. Land within the boundary of a private lot or development site subject to a conservation easement that is accepted by the City and provides for permanent open space in perpetuity
- C. Landscaped stormwater management features, designed pursuant to Section 17.5, Stormwater Management Features

#### Additional Areas

**11.4 Greenway**



**Description**

Linear open space typically following the trajectories of natural corridors. Greenways are required to include multi-use paths along the length of the greenway and shall count as open space. To count towards open space requirements, the greenway must be available to all residents of the city from dawn to dusk.

**Standards**

|                     |   |
|---------------------|---|
| Permitted Districts | All districts   |
| Dimensions          | Minimum width of 24 feet that includes a multi-use path and six feet adjacent to the path on each side                      |
| Landscape           | Minimum one large canopy tree and two understory trees per each 2,500 square feet and landscaped in an informal arrangement |

|                              |  |
|------------------------------|--|
|                              | The following features are required:                                 |
| Features                     | A. Multi-use paths that meet ADA requirements<br>B. Seating elements |
| <b>Standards (Continued)</b> |  |
| Stormwater                   | 50% of Stormwater management features may be counted as open space   |

## 11.5 Neighborhood Amenities



### Description

Neighborhood amenities that count toward the open space are outdoor recreation areas, such as pools, sports fields, sports courts, playgrounds, and dog parks typically for use by residents of the development but made available to all residents of the city.

### Standards

|                     |  |
|---------------------|--|
| Permitted Districts | ER SR LR TR MR PD  |
| Dimensions          | Minimum size of 5,000 square feet  |
| Arrangement         | Shall provide a sidewalk connection to a sidewalk along any adjacent street  |
| Landscape           | Minimum one large canopy tree and two understory trees per each 2,500 square feet and landscaped in a formal arrangement |
| Lighting            | Pedestrian-scale lighting only   |
| Stormwater          | 50% of Stormwater management features may be counted as open space   |

**11.6 Pocket Park**



**Description**

Small-scale, active or passive parks within walking distance of residential uses that contain designed and regularly maintained open areas that typically include arranged plantings, playgrounds, gardens, dog parks, gazebos or similar structures, fountains, sculptures, and other forms of public art

**Standards**

|                     |  |
|---------------------|--|
| Permitted Districts | All districts  |
| Dimensions          | No minimum size  |
|                     | Shall provide a sidewalk connection to a sidewalk along any adjacent street                    |
| Arrangement         | Shall be a non-linear shape that creates a gathering place or destination within a development |

**Standards (Continued)**

|                         |  |
|-------------------------|--|
| Arrangement (Continued) | <p>Where a pocket park abuts a natural area, the pocket park open space set aside shall include the smallest area that encompasses the perimeter of the required features along the abutting side</p> <p>Internal sidewalks and pedestrian-scale lighting shall be provided</p> <p>The placement of buildings shall comply with Section 503 of the Fire Code</p>       |
| Landscape               | Minimum one large canopy tree and two understory trees per each 2,500 square feet, and landscaping provided in a formal arrangement  |
| Features                | <p>Four of the following features are required:</p> <ul style="list-style-type: none"> <li>A. Seating elements</li> <li>B. Canopies or gazebos to shield pedestrians</li> <li>C. Furnishings, such as planters, waste receptacles, bicycle racks, drinking fountains, or transit shelters</li> <li>D. Fountains, sculptures, or art</li> <li>E. Playgrounds</li> </ul> |
| Stormwater              | Stormwater management features may occupy up to 20 percent of the pocket park when treated as a site amenity and designed pursuant to Section 17.5, Stormwater Management Features   |



### 11.7 Courtyard



#### Description

An open space located between houses, duplexes, multiplexes, or townhouses that face each other

#### Standards

Permitted Districts ER SR LR TR MR PD PD CI

Dimensions No minimum size

#### Arrangement

One or two sides of the courtyard shall abut a street  
 Minimum width of 30 feet with at least 40 feet between opposing front facades. No more than six dwellings shall be located on any one side of the courtyard.

Where four or fewer dwellings face a courtyard, the minimum width may be reduced to 20 feet with at least 30 feet between opposing front facades

The placement of buildings shall comply with Section 503 of the Fire Code

#### Standards (Continued)

Landscape Minimum one large canopy tree and two understory trees per each 2,500 square feet, and landscaping provided in a formal arrangement

Hardscape May cover up to 33 percent and shall be concrete, crushed stone, brick paver, or other comparable material

The following features are required:

- A. Internal sidewalks that connect all main entrances to any adjacent street
- B. Pedestrian-scale lighting that illuminates all sidewalk connections

One of the additional features is required:

- A. Seating elements
- B. Specialized or decorative hardscape
- C. Arcades, canopies, awnings, or overhangs to shield pedestrians
- D. Furnishings, such as planters, waste receptacles, bicycle racks, drinking fountains, or transit shelters
- E. Fountains, sculptures, or art

Stormwater Stormwater management features may occupy up to 20 percent of a courtyard when treated as a site amenity and designed pursuant to Section 17.5, Stormwater Management Features

**11.8 Square or Green**



**Description**

Passive recreation areas that are primarily landscaped and are bound by streets or internal drives

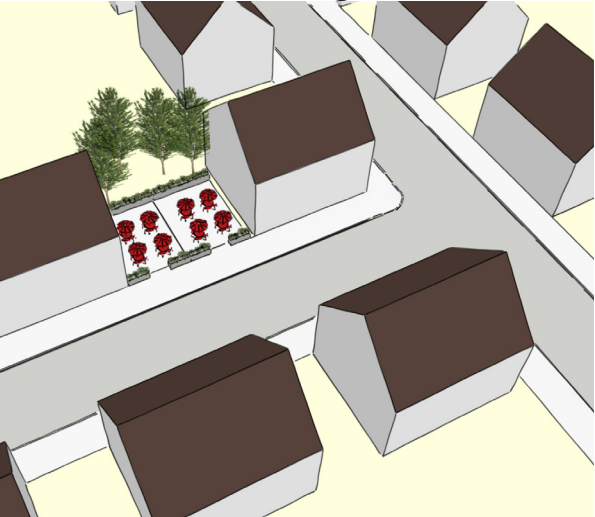
**Standards**

|                     |  |
|---------------------|--|
| Permitted Districts | All Districts  |
| Dimensions          | Minimum size of 5,000 square feet  |
| Arrangement         | Bounded by streets or internal drives on four sides<br>Prominently located within the development<br>Main entrances of adjacent buildings shall face the square or green |
| Landscape           | Minimum one large canopy tree and two understory trees per each 2,500 square feet and landscaped in a formal arrangement   |

**Standards (Continued)**

|            |  |
|------------|--|
| Hardscape  | May cover up to 33 percent and shall be concrete, crushed stone, brick paver, or other comparable material   |
| Features   | Four of the following features are required:<br>A. Seating elements<br>B. Internal sidewalks<br>C. Pedestrian-scale lighting beyond that required to illuminate public right-of-way<br>D. Canopies or gazebos to shield pedestrians<br>E. Furnishings, such as planters, waste receptacles, bicycle racks, drinking fountains, or transit shelters<br>F. Fountains, sculptures, or art<br>G. Playgrounds |
| Stormwater | tormwater management features shall not be counted as open space, unless they are integral to the overall design, such as a rain garden or bioswale.   |

**11.9 Outdoor Dining Area**



**Description**

Outdoor dining areas that count toward the open space set aside are associated with restaurants within nonresidential or mixed-use development. These may be patios, terraces, upper story decks, or rooftop dining areas. These areas are open to the general public only as part of a business.

**Standards**

|                     |  |
|---------------------|--|
| Permitted Districts | PD CI NC LC CO GC  |
| Arrangement         | Typically located next to the building, but may be placed within required setbacks   |
| Landscape           | A wall or raised planters<br>Where on-site parking is adjacent to an outdoor dining area, a planting strip shall be provided along the perimeter, in addition to a wall or raised planters |

**Standards (Continued)**

|            |   |
|------------|---|
| Features   | The following features are required:<br>A. Dining tables and chairs of at least two rows deep<br>B. Ground-oriented, pedestrian-scale lighting<br>C. Raised planters, planting strip, or similar vegetation |
| Stormwater | Stormwater management features shall not be counted as open space, unless they are integral to the overall design, such as a rain garden or bioswale.   |

**11.10 Plaza**



**Description**

Plazas are formal gathering places typically adjacent to nonresidential and mixed-use buildings. These areas contain a greater amount of hardscape than other open space types and typically contain special features, such as public art or fountains.

**Standards**

|                     |   |
|---------------------|---|
| Permitted Districts | PD CI NC LC CO GC   |
| Dimensions          | Minimum size of 2,500 square feet   |
| Arrangement         | Shall be generally level, stepped, or gently sloping with a three percent grade or less<br>Adjacent buildings shall have a main entrance face the plaza |
| Landscape           | Minimum one large canopy tree and two understory trees per each 2,500 square feet and landscaped in a formal arrangement                                |

**Standards (Continued)**

|            |  |
|------------|--|
| Hardscape  | Shall cover between 50 percent and 80 percent of the plaza and be concrete, brick, pavers, crushed stone, or other comparable material   |
| Features   | Four of the following features are required:<br>A. Seating elements<br>B. Specialized or decorative hardscape<br>C. Pedestrian-scale lighting beyond that required to illuminate public right-of-way<br>D. Arcades, canopies, awnings, or overhangs to shield pedestrians<br>E. Furnishings, such as planters, waste receptacles, bicycle racks, drinking fountains, or transit shelters<br>F. Fountains, sculptures, or art |
| Stormwater | Stormwater management features shall not be counted as open space, unless they are integral to the overall design, such as a rain garden or bioswale.  |

### 11.11 Ownership of Open Space

Open space areas shall be owned and maintained as permanent open space by a homeowners association, property owners association, private ownership with conservation easement, or public ownership when dedicated to the City or another appropriate public agency. Natural areas may also be held by a land trust or conservancy. Outdoor dining areas are exempt from this Section.

#### 11.11.1 Homeowners Association

If open space is to be deeded to a homeowners association, then the applicant shall place the open space in a public utility, drainage, and access easement and record a declaration of covenants and restrictions that shall:

- A. Govern the use of open space;
- B. Run with the land in perpetuity;
- C. The homeowners association shall not be dissolved, nor shall it dispose of any open space or facilities, by sale or otherwise, except to an organization conceived and established to own and maintain the open space and facilities, and the conditions of a transfer shall conform to the approved site plan;
- D. Association membership shall be mandatory for each property owner and successive owner; and
- E. Provide ability for a lien on residential properties to secure collections of assessments levied by the homeowners association.
- G. Public access to all residents of the city shall be granted in perpetuity with the same consideration, benefits, and regulations as residents of the development.

#### 11.11.2 Property Owners Association

If open space is to be deeded to a property owners association, then the applicant shall provide for and establish a property owners association that shall comply with the following:

- A. The association shall own and maintain the open space and facilities;
- B. The association shall not be dissolved, nor shall it dispose of any open space or facilities, by sale or otherwise, except to an organization conceived and established to own and maintain the open space and facilities, and the conditions of a transfer shall conform to the approved site plan. The association shall be established before property is sold;
- C. Association membership shall be mandatory for each property owner and successive owner;
- D. The association shall be responsible for liability insurance and local taxes for the open space and facilities;
- E. Property owners shall pay their pro rata share of the cost and assessments levied by the association shall be a lien on the owners' property; and
- F. The association shall be able to adjust assessments in order to meet changing needs.

**11.11.3 Private Ownership**

In unique circumstances, the Planning Department may approve a natural area to be held in private ownership. In these cases, a permanent conservation easement shall be placed on the open space area. The conservation easement shall:

- A. Require that open space be maintained and preserved as a natural area or as agricultural lands and shall not be used for buildings;
- B. Run with the land in perpetuity; and
- C. Indicate that the City and owners of land in the development have a right to enforce the conservation easement.

**11.12 Provision in Multi-Phase Developments**

- A. Development proposed in phases shall be considered as a single development for the purposes of calculating the open space set aside.
- B. Development shall not be phased to avoid the minimum open space set aside.
- C. In cases where less than 100 percent of the total amount of open space set aside is provided within the first phase of a multi-phase development, the remaining open space shall be apportioned into each of the remaining development phases.

**11.13 Maintenance**

Open spaces shall be maintained in reasonable order and condition in accordance with the approved site plan. The Planning Department may serve written notice of deficiencies upon the homeowners association, property owners association, or the owners of the open space. If the deficiencies have not been corrected within 30 days after written notice, then the City of Laurens shall have the authority to correct the deficiencies. The cost of the correction shall be assessed jointly and severally against the properties within the development. The entire cost of correction shall be a lien upon each of the properties from the date that the lien is filed in the Register's Office of Laurens County.

# SECTION 12

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## LANDSCAPE

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**12.1 General Provisions**

**12.1.1 Review for Compliance**

Review for compliance with this Section shall occur at the time of submittal of development plans, site plans, and preliminary plats.

**12.1.2 Landscape Plan**

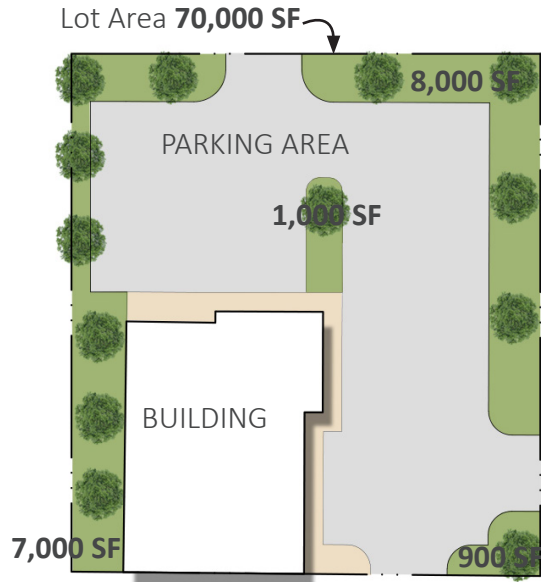
A landscape plan that demonstrates how landscape will be planted on a development site shall be submitted as a part of a site plan application in accordance with the requirements established by the Planning Department.

**12.2 Landscape Surface Area**

**12.2.1 Calculation of Landscape Surface Area**

- A. The minimum landscape surface area (LSA) requirement shall be calculated by multiplying the total development site acreage or square feet by the minimum LSA percentage for the applicable district.
- B. The existing or proposed landscape surface area on a lot shall be measured as follows:
  1. Calculate the total amount of area not covered by impervious surface and available for accommodating landscape material on the lot; then
  2. Divide by the total lot area.

**Figure 12.2.1** Example Calculation of Landscape Surface Area of an Existing Lot in Square Feet (SF)



|  |   |
|--|---|
| Lot Area   | 70,000 SF   |
| Minimum LSA per the Applicable Zoning District   | 15%   |
| Multiply the Lot Area by the Minimum LSA to Find the Required LSA in Square Feet                                   | 70,000 SF<br>x<br>0.15<br>= 10,500 SF                                 |
| Find the Sum of All the Pervious Areas Available for Landscape Material to Find the Total Pervious Area of the Lot | 8,000 SF<br>+<br>900 SF<br>+<br>7,000 SF<br>+<br>1,000<br>= 16,900 SF |
| Divide the Total Pervious Area by the Lot Area   | 16,900 SF /<br>70,000 SF<br>= 24%                                     |
| <b>LSA</b>   | <b>24%</b>  |



**12.2.2 Minimum Landscape Surface Area**

Development sites and lots shall have a minimum LSA acreage according to the table below:

| District | Minimum Landscape Surface Area (LSA) |
|----------|--------------------------------------|
| AG       | 70%                                  |
| ER       | 60%                                  |
| SR       | 50%                                  |
| LR       | 40%                                  |
| MR       | 30%                                  |
| PD TR    | 20%                                  |
| NC LC GC | 15%                                  |
| CO       | 0%                                   |
| IN       | 20%                                  |

**12.3 Overall Required Plantings**

**12.3.1 Calculation of Overall Required Plantings**

C. The overall required plantings shall be calculated by multiplying the minimum LSA acreage per Section 12.2, Landscape Surface Area, by the quantity per acre of LSA for each type of landscape material in Subsection 12.3.2, Minimum Overall Required Plantings:

$$(0.64 \text{ Acre Minimum LSA}) \times (82 \text{ ACI of Canopy Trees}) = (52 \text{ ACI of Canopy Trees})$$

D. Any required plantings for lots, open space set-asides, parking area landscape, buffers, street trees, and historic edge treatment may be counted toward the overall required plantings. In some cases, these plantings may exceed the minimum required by this Section; however, all plantings within this Section are required.

E. Tree canopy replacement cannot be used to achieve the overall required plantings; however, tree save areas may be excluded from the minimum LSA acreage per Section 12.2, Landscape Surface Area, used to calculate the overall required plantings in Subsection 12.3.2, Minimum Overall Required Plantings:

$$(0.64 \text{ Acre Minimum LSA}) - (0.2 \text{ Acre Tree Save Area}) = (0.44 \text{ Acre Adjusted LSA with Credit})$$

$$(0.44 \text{ Acre} \times 82 \text{ ACI of Canopy Trees}) = (36 \text{ ACI of Canopy Trees})$$

F. Portions of lots used for athletic fields, golf courses, cemeteries, agricultural uses, and other uses where new trees and shrubs are not appropriate may be excluded from the LSA acreage used to calculate the overall

required plantings if the Department of Planning and Sustainability determines that the application of the requirements would serve no meaningful purpose.

**12.3.2 Minimum Overall Required Plantings**

The landscape surface area shall have the following plantings:

| Type of Landscape Material | Quantity Per Acre of LSA | Minimum Evergreen |
|----------------------------|--------------------------|-------------------|
| Canopy Trees               | 82 ACI                   | 25%               |
| Understory Trees           | 21 ACI                   | 25%               |
| Number of Shrubs           | 96                       | 25%               |

**12.4 Lot Plantings for Single-Family, Duplex, or Multiplex Residential**

The landscape surface area for single-family, duplex, or multiplex residential lots shall have the following plantings:

| Lot  | Quantity of Trees   |
|--|---|
| Less than 20,000 square feet                         | 1 three-inch caliper canopy tree per every 5,000 square feet  |
| 20,000 square feet or larger                         | 4 three-inch caliper canopy trees for the first 20,000 square feet + 1 three-inch caliper canopy tree per each additional 10,000 square feet          |
| Alley-Loading with Garage Setback of 22 Feet or More | 1 three-inch caliper canopy tree per every 5,000 square feet + 1 one-inch caliper understory tree or 3 shrubs planted along the alley side of the lot |

**12.5 Required Plantings for Open Space Set-Asides**

Open space set-asides shall be planted according to the open space type requirements in Section 11, Open Space.

## 12.6 Parking Area Landscape

### 12.6.1 Internal Drives

See Section 9.3, Internal Drives.

### 12.6.2 Landscape Islands

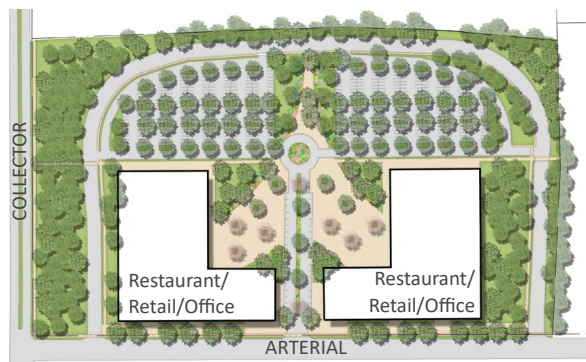
- A. Surface parking areas of 20 spaces or more shall provide landscape islands that:
  1. Are placed at maximum intervals of every ten parking spaces and at the end of each row of parking spaces;
  2. Provide a minimum width of at least eight feet and the same length as adjacent parking spaces;
  3. Contain one canopy tree within a landscape island that spans one parking space length; and
  4. Contain two canopy trees within a landscape island that spans two parking space lengths.
- B. Additionally, surface parking areas of 100 or more spaces shall be organized into a series of smaller modules, no more than four parking bays wide, separated by a landscape island that:
  1. Is a minimum of eight feet wide, or 17 feet wide if accommodating a sidewalk that connects a building main entrance with its associated parking area;
  2. Runs the length of the parking bay; and
  3. Contains a minimum of two canopy trees.

### 12.6.3 Perimeter Landscape

Perimeter landscape shall screen the view of surface parking areas from streets and adjacent properties with an opaque screen, excluding required sight clearances at driveways and ingress/egress locations.

- A. A perimeter planting strip shall:
  1. Be located along the perimeter of a surface parking area and maintain a minimum average width of six feet, as measured from the outer edge of the parking area;
  2. Contain a continuous hedge composed of a double staggered row of evergreen shrubs and deciduous shrubs with a minimum planting height of 30 inches and planted three feet on-center. Up to 25 percent may be deciduous; and
  3. Include three canopy trees per 100 linear feet of the perimeter of the total parking area. Clustering is permitted. In areas where overhead utilities prevent the use of canopy trees, understory trees may be substituted.
- B. A perimeter planting strip shall not be required when:
  1. A parking area is contiguous to a required buffer and the screening intent of this Section is met; or
  2. A parking area is contiguous to another parking area that is on an adjacent property.

Figure 12.6.2 Landscape Islands



### 12.6.4 Planting Location

Plant material shall be located at least 2.5 feet from the back edge of the curb.

### 12.6.5 Fences and Walls

The width of a perimeter planting strip may be reduced to three feet when a fence or wall is provided that meets one of the following:

- A. An opaque brick or stone wall of between three and six feet tall shall be located along the perimeter of the parking area adjacent to the right-of-way; or
- B. A decorative metal fence of between three and six feet tall shall be located within the planting strip, supplemented with evergreen shrubs planted between the fence and the property line. The shrubs shall be 30-inches high and planted three feet on-center, or as appropriate for the species..

## 12.7 Buffers

### 12.7.1 General Standards

- A. Plant materials shall be arranged in a manner that creates an opaque screen.
- B. Existing vegetation listed on the Tennessee Exotic Plant Council list shall be removed from the buffer.

### 12.7.2 Buffers in Transitional Areas

See Section 8.1.2, Transitional Zones Abutting Residential Lots.

### 12.7.3 Location of Buffers

Buffers shall be located along the periphery of the development site and shall extend to the abutting property line or right-of-way line.

### 12.7.4 Development Within Buffers

- A. Buffers shall not contain any:
  1. Development;
  2. Parking areas;
  3. Parking structures;
  4. Streets or alleys that run parallel to the property boundary;
  5. Impervious surfaces;

6. Dumpsters; or
  7. Site features that do not function to meet the standards of this Section or that require removal of existing vegetation, unless otherwise permitted in this Ordinance.
- B. The Planning Department may approve the following uses and structures within the buffer if the screening intent of this Section is met:
    1. Sidewalks, trails, and multi-use paths;
    2. Fences and walls;
    3. Landscape plantings;
    4. Stormwater retention or detention facilities, green infrastructure pursuant to the Stormwater Management Ordinance and best management practices, provided they do not interfere with the performance or maintenance of the buffer area and the required screening is still met; and
    5. Driveways or internal drives, provided they cross the buffer at a 90-degree angle and do not encroach into the buffer in a parallel fashion for more than 35 feet.
  - C. In the event that utilities are installed within a buffer in a manner that is parallel to the buffer, additional width shall be added to the buffer in an amount equivalent to the amount occupied by the utility lines and any associated easements. Any path cleared by utility installation shall be replaced with plant materials consistent with what was removed.

### 12.7.5 Credit for Existing Vegetation

- A. Existing vegetation within the buffer may be credited toward the buffer requirement if it meets the minimum size requirement. Existing vegetation listed on the Tennessee Exotic plant council list shall not be credited.
- B. The Planning Department may reduce or waive the buffer requirements if an existing buffer has been recorded on an adjacent property that achieves the intent of this Section.

## 12.8 Street Trees

### 12.8.1 Where Required

Street trees shall be required along both sides of all streets and internal drives, except undeveloped edges of natural areas and as required in Section 4.5, Scenic Overlay District. Street trees shall be planted within either tree pits or planting strips.

### 12.8.2 Tree Pits

- A. Tree pits shall comply with the following:

| Minimum Surface Area | Minimum Width on One Side | Additional Requirements                                 |
|----------------------|---------------------------|---|
| 25 square feet       | 4 feet                    | Underground tree structural support system not required |
| 9 square feet        | 3 feet                    | Underground tree structural support system is required  |

- B. Tree pits shall be placed adjacent to the back of the curb.
- C. Tree pits shall include irrigation systems and structural soils or screened backfill to ensure appropriate root growth and drainage.

Figure 12.8.2.A Tree Pits



### 12.8.3 Planting Strips

- A. Planting strips shall have a minimum width of five feet.
- B. Planting strips shall be located between the back of the curb and the edge of the sidewalk, unless otherwise approved by the Planning Department.
- C. The trunks of street trees shall be a minimum of 2.5 feet from the back edge of the street curb at time of planting.
- D. Where public utilities are located within the planting strip that prevent street trees from being planted in the planting strip, street trees shall be planted four feet from the back edge of sidewalk.

Figure 12.8.3.A Planting Strip



**12.8.4 Tree Types**

Street trees shall be large-maturing canopy trees. In areas where overhead utilities prevent the use of canopy trees, understory trees may be substituted.

**12.8.5 Spacing**

- A. Canopy trees shall be planted between 30 to 44 feet on-center. Columnar trees shall be planted between 20 to 25 feet on-center.
- B. Understory trees shall be planted between 18 to 22 feet on-center.
- C. Clustering of street trees is permitted when utility conflicts or required sight distances prevent the minimum spacing requirements.

**12.8.6 Sight Distance**

Street tree placement along streets shall allow for adequate site distance for traffic control signs. These signs include mid-block warnings, speed limits signs, and stop signs. The following standards shall apply:

| Street With Designated Speed Limit | Placement of First Street Tree in Front of Sign <sup>1 2</sup> |
|------------------------------------|--|
| 20 or 25 MPH                       | Minimum of 45 feet before the sign                             |
| 30 MPH                             | Minimum of 60 feet before the sign                             |
| 40 MPH or Higher                   | Minimum of 75 feet before the sign                             |

Notes:

- 1. Street trees may be placed closer than the minimum distances above if the vertical clearance between the grade and the lowest branches is at least ten feet, but in no case shall a street tree be closer than 25 feet to the sign.
- 2. Where signs are placed at the front end of curb extensions or bulb-outs, the above street tree placements shall not apply.

**12.8.7 Exception to Tree Installation**

The Planning Department may waive developer installation of street trees in the public right-of-way in special circumstances where timing of the installation would result in tree removal shortly thereafter due to street widenings, streetscape projects, or other capital improvement projects.

**12.8.8 Credit for Existing Vegetation**

Existing healthy, well-formed canopy trees or understory trees located along the street shall be credited toward the street tree requirements, provided the vegetation is:

- A. Surveyed, inventoried, and protected before and during development of the site in accordance with Subsection 17.2.8, Tree Protection During Construction; and
- B. Located in suitable locations to meet the standards of this Section.

## 12.9 Planting Standards

### 12.9.1 Minimum Quality and Size Standards

- A. Newly planted landscape plant materials shall conform to the latest version of the American Standard for Nursery Stock, ANSI Z60.1-2014.
- B. Type 1, 2, and 3 Trees, shall meet the planting and size requirements as defined in ANSI Z60.1.
  - 1. Canopy trees shall be a minimum of two inches in caliper at the time of planting, as determined in the American Standard for Nursery Stock, ANSI Z60.1-2004.
  - 2. Understory trees shall have a caliper of 1.5 inches at time of planting, as determined in the American Standard for Nursery Stock, ANSI Z60.1-2004. Multi-stem varieties shall be a minimum of ten feet in height above ground level at the time of planting.
  - 3. Evergreen trees shall be a minimum of six feet in height and a minimum of two inches in caliper at the time of planting.
  - 4. Except where required to be taller, shrubs shall be a minimum of 18 inches in height above ground level at the time of planting, and shall typically grow to a minimum height of five to six feet within four years.
- C. Plant materials used to meet the requirements of this Ordinance shall be selected, installed, and maintained from the City’s approved list, specifications, and details on the City website, unless otherwise approved by the Planning Department.
- D. Plants listed on the current edition of the Invasive Exotic Pest Plants, as published by the South Carolina Forestry Commission, shall be prohibited and shall not be credited towards the minimum requirements of this Ordinance.

### 12.9.2 Plant Diversity ■ Planting Strip

To maintain plant species diversity and health, new plantings shall meet the following:

| Number of Required Trees or Shrubs | Minimum Number of Different Genuses in Roughly Equal Proportions |
|------------------------------------|--|
| Less Than 20                       | 1 Genus  |
| 20 to 39                           | 2 Species  |
| 40 or More                         | 3 Species  |

### 12.9.3 Stabilization

Landscape planting areas shall be stabilized and maintained with seed, sod, ground covers, mulches, or other approved materials to prevent soil erosion and allow rainwater infiltration.

### 12.9.4 Planting in Easements

- A. Groundcover may be planted or installed within any utility or drainage easement. Trees and shrubs require approval by the easement holder.
- B. In areas that require canopy trees where overhead utilities prevent the use of canopy trees, understory trees may be substituted. Multi-stemmed understory trees may be used provided they meet the minimum size at time of planting.

### 12.9.5 Planting Near Light Poles

Trees shall be clustered or moved to a more appropriate location if light poles conflict with tree locations.

### 12.9.6 Planting Near Fire Hydrants

Tree locations near fire hydrants shall comply with the Fire Code, as applicable.

## 12.10 Compliance with Landscape Standards

### 12.10.1 Inspections

The Department of Planning and Sustainability shall inspect the site prior to the release of any applicable performance agreement and again, after release of the performance agreement, to determine if the landscape material is living, healthy, installed, and/or properly maintained in accordance with the approved landscape plan and the standards in this Section.

### 12.10.2 Time Limits

All landscape, including mulching and seeding, shall be completed in accordance with the approved development plan, site plan, preliminary plat, or building permit prior to issuance of a final certificate of use and occupancy, unless a performance agreement and surety is in place pursuant Section 21, Performance Agreements.

### 12.10.3 Extensions

The Planning Department may grant extensions related to the installation of the landscape improvements due to:

- A. Unusual environmental conditions, such as drought, ice, over-saturated soil (deep mud), or inappropriate planting season for the plant species;
- B. The substitution or unavailability of plant species or acceptable plant size as specified on the landscape plan in cases where such materials are not commercially available within a reasonable time;
- C. Circumstances beyond the developer's or landowner's control, such as incomplete construction or utility work to occur in a proposed landscape area within 30 days after expected site completion, provided the developer or property owner submits a

letter from the utility company stating the estimated installation date; or

- D. Other circumstance warranting extension in the opinion of the Department of Planning and Sustainability.

### 12.10.4 Maintenance

- A. The property owner shall be responsible for the maintenance of all required landscape areas on the lot.
- B. Street trees shall be maintained in accordance with this Section and the Municipal Code.
- C. Homeowners associations (HOAs) and property owner associations (POAs) are responsible for the maintenance of open space lots and medians associated with the development. Street trees associated with the development with a specified HOA or POA shall be maintained in accordance with this Section and the Municipal Code.
- D. Landscape areas shall be maintained in accordance with the approved landscape plan and shall present a healthy and orderly appearance free from refuse and debris.
- E. All plant life shown on an approved landscape plan used to meet a minimum standard of this Ordinance shall be maintained thereafter in a healthy growing condition and shall be replaced if it dies, is seriously damaged, or removed.
- F. Plants shall be maintained in a way that does not obstruct sight distances at intersections of streets or internal drives or driveways, obstruct traffic signs or devices, and/or interfere with the use of sidewalks or pedestrian trails.
- G. All required trees and shrubs used for screening purposes and buffering shall be maintained in their characteristic natural shape, and shall not be severely pruned, sheared or topped. Required trees shall



not be shaped as shrubs. Trees and shrubs required by this Ordinance that have been severely pruned, sheared, topped, or any trees shaped as shrubs that no longer meet their intended function shall be considered damaged vegetation in need of replacement and shall be replaced within one year.

- H. The Planning Department shall determine the extent and timing of all other replanting requirements.

# SECTION 13

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## FENCES, WALLS, AND SCREENING

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## 13.1 Fences and Walls

### 13.1.1 Location

- A. Fences and walls may encroach into required yards and setbacks, subject to this Section.
- B. Fences and walls may be installed within drainage easements where permitted by the easement holder, but shall not block or divert natural drainage flow onto or off of any other property. Fence design examples that allow adequate drainage flow include shadow boxes, flap gates, aluminum fencing, or gaps at the bottom of the fencing.
- C. Fences and walls within the SO are also subject to Section 4.5, SO | Scenic Overlay District.
- D. Fences and walls shall not:
  1. Be constructed within a public right-of-way or in areas to be dedicated for public right-of-way;
  2. Conflict with sight distance visibility of intersections or points of ingress/egress;
  3. Block access within an access easement;
  4. Encroach into a utility easement, unless the easement holder has provided written consent;
  5. Block access to fire hydrants, mechanical equipment, or utility equipment; and
  6. Be located within six feet of a fire hydrant.

### 13.1.2 Height

#### A. Exemptions

Public buildings or uses, public parks, sports courts, and sports fields are exempt from this Subsection.

#### B. Measurements

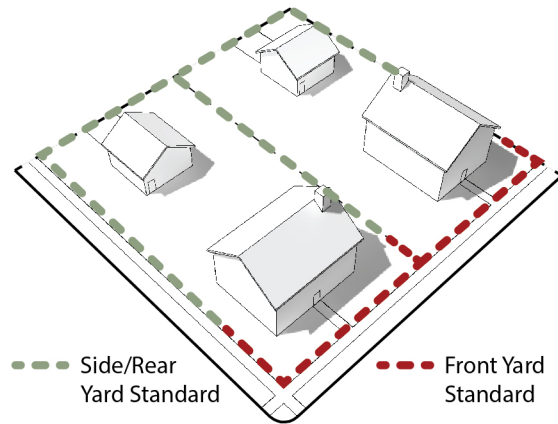
Fence and wall height shall be measured from the lowest adjacent grade to the top of the fence or wall. Fences and walls may need a building permit, depending on the height. The use of a berm to increase a fence or wall height is prohibited, unless used in accordance with Section 8.1.2 Transition Zones Abutting Residential Lots.

#### C. Maximum Height

Fence and wall height shall comply with the following table:

| Location   | Maximum Height  |
|--|---|
| Front Yard   | 4 feet  |
| Front Yard Facing a Side Street, at Least 20 Feet Behind the Front Facade (for Corner Lots Only) | 6 feet for residential uses.<br>8 feet for nonresidential and mixed-uses  |
|  | Where a driveway access is located on the side street, the fence or wall shall either be set back a min. 15 feet from the side street lot line or not exceed a height of 3 feet |
| Side or Rear Yard  | 6 feet for residential uses.<br>8 feet for nonresidential and mixed-uses  |
| Open Space<br>Lot Frontage<br>Treatment  | 4 feet  |

**Figure 13.1.2** Fence and wall locations and heights.



### 13.1.3 Fence Materials

- A. Public buildings or uses, public parks, sports courts, and sports fields are exempt from this Subsection.
- B. Fences shall be constructed of any combination of treated wood posts, pickets, rot-resistant wood (such as cypress or redwood), or metal.
- C. Posts or columns shall be constructed of wood, brick, natural stone, cultured stone, or other masonry materials.
- D. Fences shall be of a uniform architectural style and color palette compatible with the associated building.
- E. Fences shall be oriented such that the “finished” side of the fence faces outward toward adjoining lots, building sites, streets, or internal drives and the support framing faces the inside of the lot or building site.
- F. Fences in front yards shall be a maximum of 75 percent opaque.
- G. Fences serving nonresidential uses shall have masonry columns every 50 feet on-center or less.

### 13.1.4 Wall Materials

- A. Walls shall be constructed of any combination of brick, stone, or authentic stucco. Smooth-faced concrete block may be used only with a brick veneer, stone veneer, or authentic stucco finish. In rear yards, split-faced concrete block may be used; and
- B. Walls shall be of a uniform architectural style and color palette compatible with the associated building.

## 13.2 Retaining Walls

### 13.2.1 Exemptions

- A. Capital improvement projects for public streets are exempt from this Section.
- B. Retaining walls used for stormwater management features are exempt from Subsection 13.2.4, Retaining Walls for Residential Uses, and Subsection 13.2.5, Retaining Walls for Multifamily, Nonresidential, and Mixed Uses, but shall comply with the other Subsections within this Section.

### 13.2.2 Location

- A. Retaining walls shall be set back from a lot line a minimum of five feet or the distance equal to the height of the wall, whichever is greater.
- B. Retaining walls shall not:
  1. Be constructed within a public right-of-way or in areas to be dedicated for public right-of-way;
  2. Conflict with sight distance visibility of intersections or points of ingress/ egress;
  3. Block or divert a natural drainage flow onto or off of any other property;
  4. Encroach into a utility easement, unless the easement holder has provided written consent;
  5. Block access to mechanical or utility equipment; and
  6. Be located within six feet of a fire hydrant.

### 13.2.3 General

- A. Retaining wall height shall be measured from lowest finished grade or permanent pool elevation to the top of the wall.
- B. Retaining walls may need a building permit, depending on the height.

### 13.2.4 Retaining Walls for Residential Uses

Retaining walls for residential uses, other than multifamily, shall comply with the following:

| Residential Uses                         |  |
|--|--|
| Front Yard Retaining Wall Height         | Maximum 2 feet   |
| Side and Rear Yard Retaining Wall Height | Maximum 6 feet   |
| Number of Retaining Walls                | Maximum 3 per lot  |
| Distance Between Retaining Walls         | Minimum horizontal separation of three linear feet between the opposing wall faces to allow for the planting of vegetation |

### 13.2.5 Retaining Walls for Multifamily, Nonresidential, and Mixed Uses

Retaining walls for multifamily, nonresidential, and mixed uses shall comply with the following:

| Multifamily, Nonresidential, and Mixed Uses |   |
|---|---|
| Retaining Wall Height (Single Wall)         | 10 feet max   |
| Retaining Wall Height (Pair of Walls)       | 8 feet max per wall, with an overall max grade change of 16 feet<br>6-foot min horizontal separation between the walls to allow for plantings |

- A. Each retaining wall shall have a single row of evergreen shrubs, planted every five feet on center, at the base of the wall to soften its appearance. Shrubs shall be a minimum of 30 inches in height at the time of planting. Evergreen trees or groundcover

may be permitted as an alternative, subject to approval of the Department of Planning and Sustainability.

### **13.2.6 Materials**

Retaining walls shall be clad in brick, natural stone, or cultured stone. Where not visible from a public street, private street, internal drive, or open space, stained or stamped concrete and split-face block are also permitted.

### 13.3 Screening

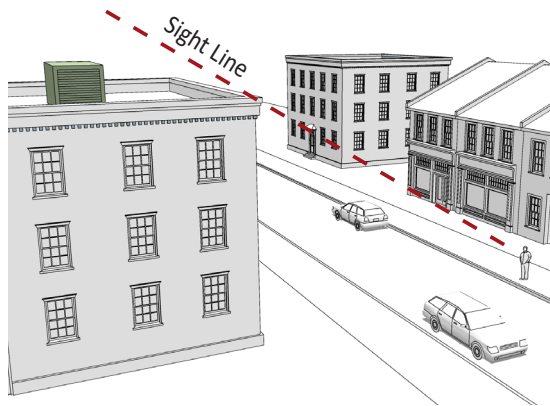
#### 13.3.1 Conflicting Provisions

Where there is a conflict between this Section and Section 13.1, Fences and Walls, this Section shall control.

#### 13.3.2 Rooftop Mechanical Equipment

- A. Rooftop mechanical equipment shall not be visible from any adjacent street or internal drive and shall be fully screened by either a parapet or a dark-toned screening element. A color other than dark-toned may be approved by the Planning Department if it is deemed a contextual color.
- B. As an alternative to Paragraph 13.3.2.A above, a sightline analysis verifying that equipment cannot be seen from any street and/or internal drive may be provided.

**Figure 13.3.2.A** Rooftop mechanical equipment visibility



#### 13.3.3 Ground- or Wall-Mounted Mechanical and Utility Equipment

- A. Mechanical equipment, such as air conditioning or similar HVAC equipment, transformers, backflow preventers, telephone risers or equipment cabinets, generators, or similar devices shall be sited away from the frontage, where possible, and fully screened from public view.

- B. Screening shall be as tall as the highest point of the equipment being screened.
- C. Screening shall consist of an opaque fence or wall compatible with the principal building in terms of material and color. As an alternative, landscaping may be used if a solid evergreen screen at least as tall as the equipment being screened is provided at the time of planting.
- D. Building design or other structural features, such as knee walls, alcoves, or wing walls may be used to fully or partially enclose site items required to be screened. In cases where only partial enclosure is achieved, the enclosure shall include an opaque gate or door designed to be compatible with the building colors and materials.
- E. Wall-mounted utility equipment, including water meters, gas meters, electrical meters, panels, or similar devices shall be sited away from any frontage and be required to be painted to match adjacent building wall surfaces.

#### 13.3.4 Refuse Areas

- A. Refuse areas, such as dumpsters, trash compaction, garbage or recycling collection, and other similar service areas shall be located away from frontages and to the side or rear of the building, and at least five feet from any lot line.
- B. Walls shall be provided to fully screen refuse areas from public view, and be no less than six feet in height. The walls shall be opaque and constructed of brick or stone materials that complement the main colors and materials of the associated building they serve.
- C. Gates shall be opaque and designed to complement the wall materials. To allow dumpster gates to remain closed as often as possible, either a pedestrian door, wall

offset for pedestrian access, or self-closing gates shall be provided.

- D. Building design or other structural features, such as knee walls, alcoves, or wing walls may also be used to fully or partially enclose site items required to be screened. In cases where only partial enclosure is achieved, the enclosure shall include an opaque gate or door designed to be compatible with the building colors and materials.

### 13.3.5 Service Areas

- A. Service areas, such as maintenance areas, equipment areas, loading docks, loading berths, or similar spaces shall be screened from public view and adjacent properties with an opaque fence or wall at least six feet in height. As an alternative, landscaping may be used if a four-foot tall solid evergreen screen is provided at the time of planting.
- B. Opaque gates shall be provided in cases where the items required to be screened are visible from streets or adjacent property due to drive aisles or parking areas.
- C. Building design or other structural features, such as knee walls, alcoves, or wing walls may also be used to fully or partially enclose site items required to be screened. In cases where only partial enclosure is achieved, the enclosure shall include an opaque gate or door designed to be compatible with the building colors and materials.
- D. Loading docks, berths, or similar spaces in the IN district that do not front collector or arterial streets are exempt from this Subsection.

### 13.3.6 Outdoor Storage Areas

- A. Where permitted by Section 5, Use Regulations, outdoor storage areas that contain materials, stock, tanks, equipment, or vehicles are not permitted in front yards, required setbacks, fire lanes, drive aisles, parking areas, or areas intended for pedestrian circulation.
- B. Outdoor storage shall be screened from public view and adjacent properties with an opaque fence or wall with a height of at least six feet. Landscaping may be used if a six-foot tall solid evergreen screen is provided at the time of planting.
- C. Opaque gates shall be provided in cases where the items required to be screened are visible from streets or adjacent property due to drive aisles or parking areas.
- D. Building design or other structural features, such as knee walls, alcoves, or wing walls may also be used to fully or partially enclose site items required to be screened. In cases where only partial enclosure is achieved, the enclosure shall include an opaque gate or door designed to be compatible with the building colors and materials.
- E. Where outdoor storage tanks are permitted, screening shall comply with the Fire Code and shall comply with the intent of the screening requirements of this Subsection.

### 13.3.7 Alternative Screening Methods

Alternative screening methods or materials that are not listed may be used if the Planning Department determines that they achieve the intent of the screening methods described in this Section.



### **13.4 Maintenance Requirements**

Fences, walls, and retaining walls shall be maintained in good repair and in a safe condition, such as replacement of missing, decayed, or broken structural and decorative elements. The property owner shall maintain the fence, wall, or retaining wall at all times, so as not to constitute a hazard to public safety or a visual or aesthetic nuisance to surrounding property or public right-of-way.

If a fence, wall, or retaining wall is not maintained in reasonable order and condition, then the Planning Department may serve written notice of the deficiencies upon the property owner. If the deficiencies cited by the Planning Department have not been corrected within 30 days after written notice, then the Department shall correct the deficiencies.

The cost of the correction shall be assessed jointly and severally against the properties within the development that have a right of enjoyment of the fence, wall, or retaining wall. The entire cost of correcting the deficiency shall be a lien upon each of the properties from the date that the lien is filed in the Register's Office of Laurens County.

# SECTION 14

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## LIGHTING

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**14.1 General Provisions**

**14.1.1 Exemptions**

Lighting and fixtures are exempt from this Section when approved as part of a certificate of appropriateness or identified as historic by the Planning Department.

**14.1.2 Photometric Plan**

A photometric plan shall be submitted as part of a site plan application and shall include the following information:

- A. Lighting layout and foot-candle measurements across the site;
- B. A description of proposed light fixtures and how they meet the standards in this Section.
- C. A revised photometric plan shall be required for any change to an existing or approved light fixture other than routine maintenance. Revised photometric plans shall be subject to review and approval by the Planning Department.

**14.2 Illumination**

**14.2.1 Site Lighting Illumination Values**

A. Site lighting shall be designed and located so that illumination complies with the following table:

| Light Level  | Foot-Candles |
|--|--------------|
| Minimum Light Level in Parking Areas   | 0.2          |
| Maximum Light Level  | 10           |
| Maximum Illumination along Property Line of a Lot Other Than a Residential Lot | 2            |
| Maximum Illumination Abutting a Property Line of a Residential Lot             | 0            |

- B. Foot-candle measurements shall take into account changes in finished grade, walls, buildings, and other existing or proposed site conditions.
- C. Lighting shall have the intensities and uniformity ratio consistent with the *Lighting Handbook of the Illuminations Engineering Society of North America* (IESNA).
- D. Public buildings or uses, public parks, school sports fields or sports courts, gas stations, automated teller machines/kiosks are exempt from the maximum light level.
- E. Single-family residential is exempt from the minimum light level in parking areas.

**14.2.2 Illumination Direction**

- A. Exterior lighting shall:
  - 1. Be arranged to minimize glare and reflection upon adjacent properties;
  - 2. Be aimed or directed to preclude light

- projection beyond immediate objects intended to be illuminated;
  - 3. Not distribute light onto surrounding property beyond an angle of 35 degrees from a vertical plane; and
  - 4. Use low-wattage architectural lighting for upwardly-directed lighting intended to illuminate structures or landscape elements.
  - 5. Be positioned, aimed, or configured so the light source is not visible from a residential lot.
- B. Ornamental style light fixtures that rely on prismatic glass, acrylic, or polycarbonate outer globes as their only lamp shielding method are prohibited.

**14.2.3 Consistency and Hue**

- A. No exterior lighting shall have any blinking, flashing or fluttering lights or other illuminating device that has a changing light intensity, brightness, or color.
- B. Light fixtures shall not be permitted to mix different types of light color or hues within a site.









**14.3 Specific Lighting Standards**

**14.3.1 Parking Area Light Fixtures for Residential or Mixed-Uses**

Light fixtures intended to light parking areas serving residential uses or and mixed-uses shall:

- A. Not exceed a pedestrian-scale height of 18 feet, measured from finished grade to highest part of fixture or pole assembly;
- B. Be ornamental fixtures. Shoebox, off-road head, and cobra-head style fixtures are prohibited; and
- C. Reduce glare and light spillage, including use of internal lamp shielding, such as metal louvers or glass reflectors.

**Figure 14.3.1.A** This graphic demonstrates examples of ornamental light fixtures.

| Head Types   | Pole Types   |
|--|--|
| Colonial Head<br>        | Fiberglass Pole<br>         |
| Coach Head<br>           | Aluminum Pole<br>           |
| Bell Head<br>            | Octagonal Concrete Pole<br> |
| Town & Country Head<br> | Fluted Concrete Pole<br>   |

**14.3.2 Parking Area Light Fixtures for Nonresidential Uses**

Light fixtures intended to light parking areas serving nonresidential uses:

- A. Shall not exceed 30 feet, measured from finished grade to highest part of fixture or pole assembly. Within 50 feet of a residential lot, light fixtures shall not exceed a height of 20 feet. If, due to topographical or other issues, the illumination is intrusive within 50 feet of a residential lot, additional shielding of the light fixtures shall be required; and
- B. May be located within landscaped areas or landscape islands, but in no case shall poles be located in a manner that conflicts with canopy trees or other required landscape.

### 14.3.3 Building-Mounted Lights

Building-mounted lights shall be ornamental sconces, cutoff fixtures, or other fixtures that are screened by the building's architectural features.

### 14.3.4 Floodlights and Spotlights

- A. Floodlights and spotlights shall be selected, located, aimed, and shielded so that direct illumination is focused exclusively on a portion of the building facade or other intended site feature.
- B. Pole-mounted floodlights and spotlights are prohibited.

### 14.3.5 Outdoor Sports Field, Sport Court, and Performance Area Lights

Lighting fixtures for outdoor sports fields, courts, and performance areas shall:

- A. Be equipped with a glare control package, such as louvers, shields, or similar devices;
- B. Be aimed so that their beams are directed and fall within the primary playing or performance area; and
- C. Be limited in hours of operation so that lighting does not continue more than one hour after the end of the game or event.

### 14.3.6 Canopy and Awning Lights

- A. Internally illuminated awnings and canopies are prohibited.
- B. Backlighting and downlighting for awnings are prohibited.
- C. Backlighting for canopies is prohibited.
- D. Canopies are permitted to have downlights on the ceiling of the canopy when the lenses of the light sources are flush with the canopy ceiling or recessed.

### 14.3.7 String Lights

- A. String lights in nonresidential, mixed-use, and multifamily development shall be permitted in the following locations:
  - 1. Open space lots;
  - 2. Neighborhood amenities;
  - 3. Private streets, internal drives, and activated private alleys, excluding fire lanes, provided that adequate clearance is maintained for emergency vehicles, subject to approval by the Fire Department;
  - 4. Outdoor dining areas; and
  - 5. Under porch ceilings or canopies attached to a building.
- B. String lights in nonresidential, mixed-use, and multifamily development shall not be permitted to:
  - 1. Outline buildings, except as a part of temporary holiday lighting;
  - 2. Be located in the public right-of-way; and
  - 3. Be part of or attached to a sign.
- C. String lights are not regulated on residential lots.

### 14.3.8 Street Lights

Street lighting shall be designed in accordance with the SCDOT Standards. Street lights and standards shall be of a type approved by the City of Laurens. Street lights in residential and mixed-use development shall:

- A. Not exceed a pedestrian-scale height of 18 feet, measured from finished grade to highest part of fixture or pole assembly;
- B. Be an ornamental fixture. Shoebox and cobra-head style fixtures are prohibited.

# SECTION 15

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## SIGNS

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## 15.1 General Provisions

### 15.1.1 Conflicting Provisions

- A. In the HP, in cases where there is a conflict between the standards in the Historic District Design Guidelines and this Section, then the standards in the Historic District Design Guidelines shall take precedence.
- B. In cases where there is a conflict within this Section, the standards for the specific sign type shall control.

### 15.1.2 Placement

- A. Signs shall be placed according to the applicable sign type requirements.
- B. Signs shall not be placed within the public right-of-way, except:
  - 1. Those placed by or on behalf of a governmental entity;
  - 2. Sandwich board signs in the HP as permitted by the Municipal Code; and
  - 3. Those sign types that project from a building over a sidewalk.
- C. All other signs placed in the right-of-way shall be forfeited to the public and shall be immediately confiscated by the Planning Department.
- D. Signs shall not interfere or block the sight of directional, instructional, or warning signs placed by or on behalf of a governmental entity.
- E. Signs, along with their supports, braces, guys, or anchors shall be placed or constructed so as not to obstruct or interfere with any door, window, fire escape or other means of egress, light, or ventilation. Signs shall be located so that they do not obscure the view of pedestrian or vehicular traffic that would endanger safe movement. Signs shall not be placed to obscure prominent architectural features on a building.

### 15.1.3 Proportion and Shape

Signs shall not be irregularly shaped.

### 15.1.4 Materials

- A. Building materials for sign backgrounds, frames, supports, and ornamentation shall:
  - 1. Be durable and low-maintenance;
  - 2. Be of the same or higher quality materials as the principal building; and
  - 3. Have compatible design for all parts of the sign.
- B. The following materials are prohibited for sign backgrounds, frames, supports, and ornamentation:
  - 1. Exposed metal poles; and
  - 2. Smooth- or split-faced concrete blocks, whether painted or unpainted.

### 15.1.5 External Illumination

- A. External illumination of signs shall:
  - 1. Be achieved by a white, steady, stationary light of reasonable intensity;
  - 2. Be aimed and shielded so that direct illumination is focused exclusively on the sign area; and
  - 3. Be shielded from adjacent buildings, streets, and internal drives and shall not be so bright as to cause glare on or other nuisances to adjacent properties.
- B. The sign or light source shall not produce glare or illumination that could distract or interfere with the vision of drivers, cyclists, pedestrians, or adjacent property owners. Illumination shall be shielded in such a manner that no direct glare can be seen from any angle.
- C. Any electrical lights or fixtures shall be installed in accordance with Article 600 of the National Electrical Code.

**15.1.6 Internal Illumination**

- A. Internal illumination of signs shall be limited to light emanating only through the letters, numbers, logos, and accent lines. The remainder of the sign area shall not be illuminated and shall be opaque to prohibit light penetration. The lighting source shall not flash, move, change color, be overly bright, or create a nuisance.
- B. In the CI and CO districts, internally illuminated signs are prohibited.
- C. The sign or light source shall not produce glare or illumination that could distract or interfere with the vision of drivers, cyclists, pedestrians, or adjacent property owners. Illumination shall be shielded in such a manner that no direct glare can be seen from any angle.
- D. Exposed neon and LED that is visible are prohibited and shall not be incorporated into the design of a principal building or accessory structure. Window signs may have neon as per Section 15.16, Window Sign.
- E. Any electrical lights or fixtures shall be installed in accordance with Article 600 of the National Electrical Code.

**15.1.7 Maintenance**

- A. Signs and the premises surrounding them shall be maintained in a clean, sanitary, and inoffensive condition, free and clear of obnoxious substances, rubbish, and weeds.
- B. Signs, together with their supports, braces, guys, and anchors, shall be maintained in good and safe condition, including the periodic application of paint or other weatherproofing materials to prevent rust or other decay. Signs shall not be allowed to deteriorate to a broken, torn, peeling, flaking, or otherwise decayed condition.
- C. Temporary signs and flags shall not be

allowed to deteriorate to a tattered, torn, or faded condition. Any banner shall be hung flat and secured at all corners and sides.

**15.1.8 Removal of Landscape Materials**

Trees, shrubs, or other vegetation shall not be trimmed, damaged, destroyed, or removed to increase or enhance the visibility of signs in the following circumstances:

- A. Within public right-of-way, unless the work is done pursuant to the express written authorization of the City or State, whichever is appropriate;
- B. On property that is not under the ownership or control of the person conducting or responsible for the work, unless the work is done pursuant to the express authorization of the person owning the property on which the trees or shrubs are located; or
- C. In any area where trees or shrubs are required to remain pursuant to this Ordinance.

**15.1.9 Prohibited Signs**

The following signs are prohibited:

- A. Bench signs;
- B. Freestanding canopy signs, except as permitted in Paragraph 5.1.4.I, Gas Stations;
- C. Home occupation signs;
- D. Commercial signs for residentially-occupied dwellings, except temporary signs as permitted by Section 15.18, Temporary Sign, and temporary construction site signs as permitted by Section 15.17, Temporary Construction Site Sign;
- E. Government imitation signs;
- F. Inflatable or similar balloon-type devices larger than 18 inches in diameter that require tethering;
- G. Moving signs;



- H. Noisy mechanical devices;
- I. Parked vehicle signs;
- J. Roof signs, including signs painted on roofs or that extend above the highest point of a roof;
- K. Searchlights;
- L. Signs on natural features such as trees, other living vegetation, and rocks;
- M. Trailer signs;
- N. Signs projected onto surfaces using light;
- O. LED electronic message center signs;
- P. LED display screens;
- Q. Strings lights attached to or part of a sign; and
- R. Any other sign not expressly permitted by this Ordinance, the Municipal Code, all applicable building codes, or the Historic District Design Guidelines, as applicable.

#### **15.1.10 Sign Area Computation**

- A. The sign area shall be the computed area of the background upon which lettering, insignia, or other devices are placed.
- B. Where the sign area is on the face of a building, the area of the sign shall be determined by the smallest geometric shape that encloses all borders, graphics, and letters as a complete sign.
- C. The supporting structures shall not be included in the area computation unless utilized as part of the total display area.





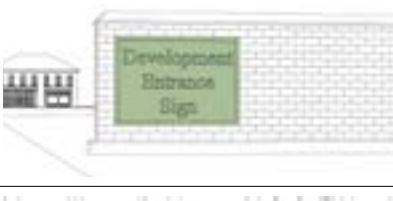


#### **15.1.11 Nonconforming Signs**

The following shall apply to legally permitted signs or sign structures that met all applicable regulations in effect at the time of installation, but were made nonconforming prior to or as of the effective date of this Ordinance:

- A. Minor repairs and maintenance may be performed on a nonconforming sign or sign structure, such as printing, painting, re-facing, or refinishing the surface so as to maintain the condition of the sign;
- B. Nonconforming billboards may be continued.
- C. Signs shall be brought into compliance with this Ordinance when:
  - 1. A sign is structurally altered;
  - 2. A sign is changed so as to increase the extent of the nonconformity, except as permitted in Paragraph 15.1.11.B;
  - 3. The use of a business or property changes;
  - 4. The sign is abandoned for a period of 90 days following the discontinuation of the business; or
  - 5. The sign is destroyed or damaged to the extent that repairing the sign would cost 50 percent or more of the current cost to replace the sign, including labor and materials.

### 15.2 Overview of Sign Types

The following sign types are permitted in the following districts. Each sign shall comply with all standards and tables in the corresponding sign type.

| Sign Type Description   | Illustration   | Permitted Districts        |
|---|--|----------------------------|
| <b>Awning Sign:</b> A sign that is part of or attached to the front face of an awning attached to a building  |    | PD CI NC LC GC CO<br>IN    |
| <b>Band Sign:</b> A sign that is flat against the facade and placed directly above a ground floor main entrance of a retail storefront/tenant space and runs horizontally |    | PD CI NC LC GC CO<br>IN    |
| <b>Canopy Sign:</b> A sign that is attached to the front face of a canopy attached to a building  |   | PD CI NC LC GC CO<br>IN    |
| <b>Convenience Sign:</b> A small, ground-mounted sign for pedestrian and vehicular circulation within a site  |  | MR PD CI NC LC GC<br>CO IN |
| <b>Development Entrance Sign:</b> A ground-mounted sign located at the entrance to a development, typically associated with subdivisions                                  |  | PD                         |
| <b>Directory Sign:</b> A small sign that is flat against the building facade and mounted or applied directly to the building  |  | All Districts              |
| <b>Flag:</b> A piece of cloth, typically rectangular, attached by one edge to a pole  |  | All districts              |

**Monument Sign:** A ground-mounted sign that is placed upon or supported by the ground and independent of any other structure



PD MR CI LC GC IN

**Sandwich Board Sign:** A pair of advertisement boards connected at the top by straps or hinge designed to be placed on the sidewalk in front of the retail storefront/tenant space



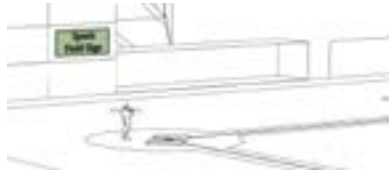
PD CI NC LC GC CO  
IN

**Small Hanging/Projecting Sign:** A small sign that either hangs from beams, brackets, or poles or that projects from poles or brackets from the building



PD CI NC LC GC CO  
IN

**Sports Field/Sports Court Sign:** A sign that is attached to a sports field or sports court fence



All districts

**Vertical Blade Sign:** A vertically-oriented sign that projects from a commercial/mixed-use building that is two or more stories and fronts a street intersection



PD MR CI NC LC GC  
CO IN

**Wall Sign:** A sign that is flat against the building facade and mounted or applied directly to the building



PD MR CI NC LC GC  
CO IN

**Window Sign:** A sign placed within, affixed to, in contact with, or located within 12 inches of a window and intended to be seen from the exterior

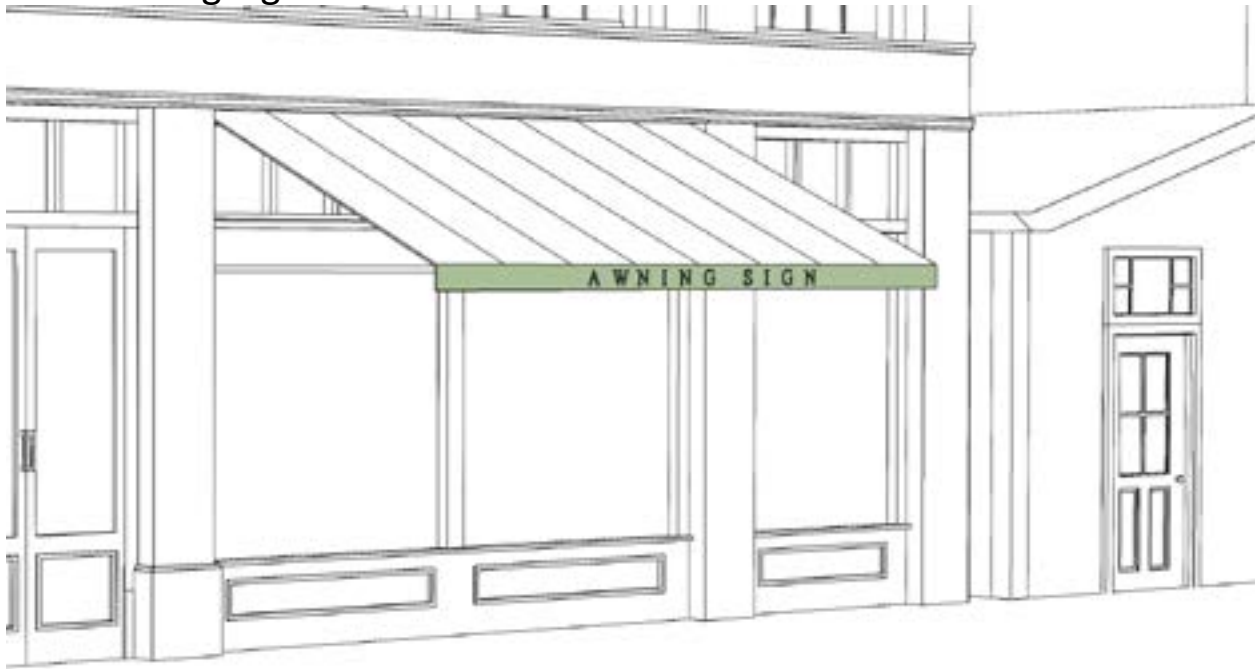


PD MR CI NC LC GC  
CO IN

**Temporary Construction Site Sign:** A sign on an active construction site intended for temporary use during the construction period. Permitted in all districts

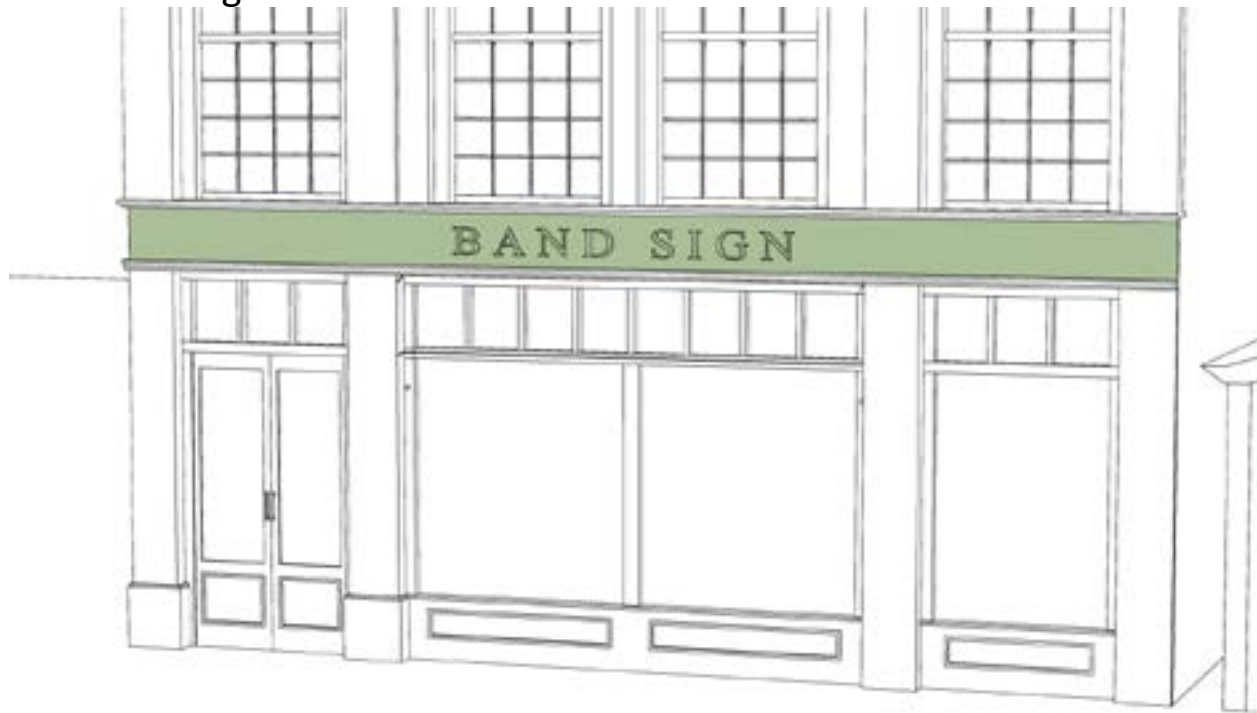
**Temporary Sign:** A sign intended for temporary use other than temporary construction site signs and campaign signs. Permitted in all districts

**15.3 Awning Sign**



| Description  |  | Standards (Continued) |   |
|--|--|-----------------------|---|
| A sign that is part of or attached to the valance or face of an awning attached to a ground floor retail storefront/tenant space |  | Materials             | Opaque canvas, cotton duck, or similar natural materials with lettering painted, screen printed, or applied |
| Standards  |  | Lighting              | External illumination only, subject to Subsection 15.1.5, External Illumination                             |
| Permitted Districts  | PD CI NC LC GC CO IN   |                       |   |
| Quantity   | Maximum of one per main entrance per storefront on the ground floor  |                       |   |
| Sign Area  | Either a maximum of 60 percent of the awning valance or 25 percent of the awning face, in addition to the allowable wall signage |                       |   |
| Placement  | Either on the awning valance or on the awning face   |                       |   |
| Height   | Maximum height of 16 feet  |                       |   |

### 15.4 Band Sign



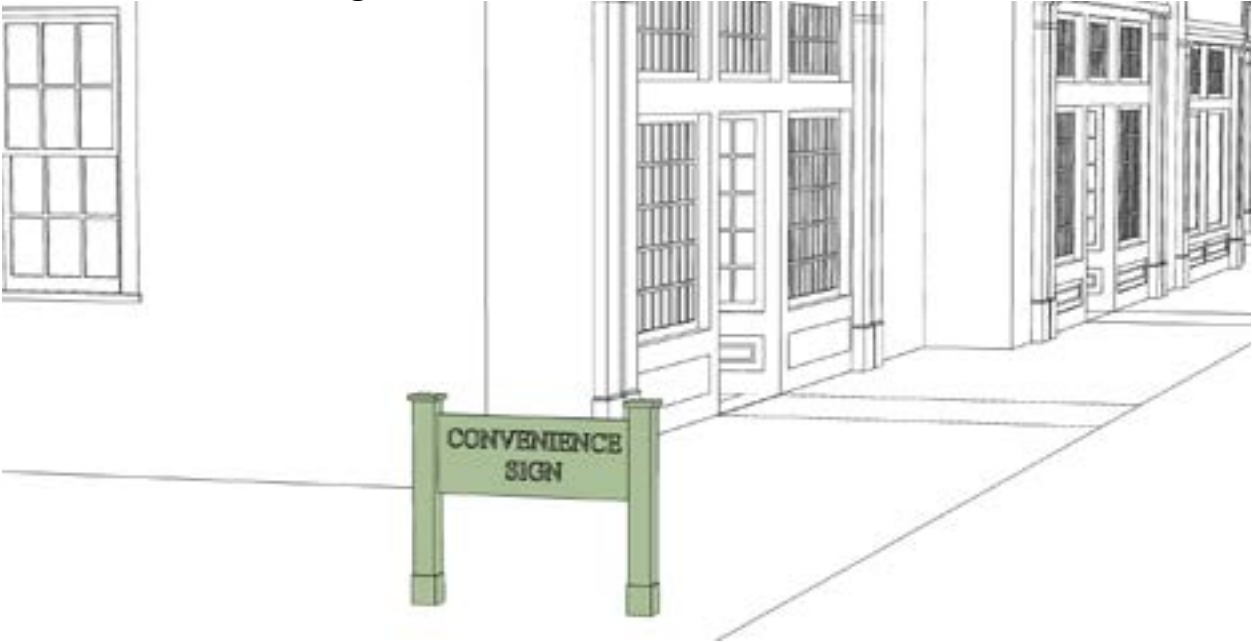
| Description  |  | Standards (Continued) |  |
|--|--|-----------------------|--|
| <p>A sign that is flat against the facade and placed directly above a ground floor main entrance of a retail storefront/tenant space and runs horizontally</p> |  | Sign Area             | Maximum of 1.5 square feet per linear foot of retail storefront/tenant space facade  |
| <p><b>Standards</b></p> <p>Permitted Districts PD CI NC LC GC CO IN</p>  |  | Placement             | Applied to the ground floor facade and not project above the roof line<br>Vertically aligned with the center of an architectural element such as a retail storefront/tenant space window or entrance, above an awning, or centered over the overall space occupied by the business |
| Quantity   | <p>Maximum of one per main entrance per retail storefront/tenant space on the ground floor, if no wall sign is present on the building</p> <p>Buildings five stories or more may have band signs as described above, in addition to permitted wall signs</p> | Projection            | Maximum of one foot from the building facade   |
|  |  | Materials             | Brick, stone, wood, metal, or a composite material that has the same properties  |
|  |  | Lighting              | External or internal illumination  |

**15.5 Canopy Sign**



| Description  |  | Standards (Continued) |   |
|--|--|-----------------------|---|
| A sign that is attached to the front face of a canopy attached to a building |  | Placement             | Shall not project above or below the canopy or be located above the building roofline |
| <b>Standards</b>   |  | Projection            | Maximum of one foot from the canopy face  |
| Permitted Districts  | PD CI NC LC GC CO IN   | Materials             | Metal   |
| Quantity   | Maximum of one sign per canopy per building facade and may be used only if no wall, band, or awning sign exists on the building facade | Lighting              | External illumination only , subject to Subsection 15.1.5, External Illumination      |
| Sign Area  | Maximum of 90 percent of the canopy face or 120 square feet, whichever is smaller  |                       |   |

**15.6 Convenience Sign**



| Description   |  |
|---|--|
| A small, ground-mounted sign for pedestrian and vehicular circulation within a site |  |
| Standards   |  |
| Permitted Districts   | MR PD CI NC LC GC CO IN  |
| Quantity  | Maximum of one per entrance and one per exit   |
|   | Limited additional signs may be approved when they are not visible from the right-of-way   |
| Quantity  | Additional convenience signs that designate parking spaces may be used in parking areas and are not further regulated by this Ordinance. Parking signs for accessible parking spaces shall comply with the building codes. |

| Standards (Continued) |  |
|-----------------------|--|
| Quantity (Continued)  | Parking signs in the HP are subject to the Historic District Design Guidelines. Sandwich board signs qualify as convenience signs when located in convenience sign locations |
| Sign Area             | May have up to two sides, with a maximum of 4.5 square feet per side   |
| Placement             | Minimum setback at the property line   |
| Height                | Maximum mounting height of six feet  |
| Materials             | Brick, stone, wood, metal, or a composite material that has the same properties  |
| Lighting              | External illumination only, subject to Subsection 15.1.5, External Illumination  |

15.7 Development Entrance Sign



| Description  |   | Standards (Continued) |  |
|--|---|-----------------------|--|
| A ground-mounted sign located at the entrance to a development, typically associated with subdivisions |   | Projection            | Maximum of six feet at the top of the sign area, measured from the centerline of the adjacent right-of-way |
| <b>Standards</b>   |   | Materials             | Brick, stone, wood, and metal and may include signs constructed within entrance walls                      |
| Permitted Districts  | PD  | Lighting              | External illumination only, subject to Subsection 15.1.5, External Illumination                            |
| Quantity   | Maximum of two per entrance to the development  |                       |  |
| Sign Area  | May have up to two sides, with a maximum of 32 square feet per side   |                       |  |
| Placement  | Minimum setback at the property line at the entrance to the development<br>May be constructed within entrance walls |                       |  |



## 15.8 Directory Sign



### Description

A small sign that is flat against the building facade and mounted or applied directly to the building

### Standards

|                     |  |
|---------------------|--|
| Permitted Districts | All Districts  |
| Sign Area           | Maximum of 4.5 square feet per building facade, in addition to the other permitted signage on the building |
| Projection          | Maximum of one foot from the building facade   |
| Height              | Maximum of six feet at the top of the sign area  |

### Standards (Continued)

|           |   |
|-----------|---|
| Materials | Brick, stone, wood, metal, or a composite material that has the same properties |
| Lighting  | External illumination only, subject to Subsection 15.1.5, External Illumination |

15.9 Flag



**Description**

A piece of cloth, typically rectangular, attached by one edge to a pole

**Standards**

|                     |   |
|---------------------|---|
| Permitted Districts | All districts   |
| Quantity            | Maximum of three per lot  |
| Sign Area           | Maximum width of the flag shall not exceed one-fourth the height of the pole (e.g. 40-foot pole = maximum width of 10 feet) |
| Placement           | Minimum setback at the property line  |
| Pole Height         | Maximum of 40 feet or 20 feet for rooftop poles   |

**Standards (Continued)**

|           |   |
|-----------|---|
| Materials | Bunting or fabric   |
| Lighting  | External illumination only, subject to Subsection 15.1.5, External Illumination |

### 15.10 Monument Sign



| Description   |  | Standards (Continued) |   |
|---|--|-----------------------|---|
| A ground-mounted sign that is placed upon or supported by the ground and independent of any other structure |  | Materials             | Brick, stone, stained split-face block, metal, or a composite material that has the same properties |
|   |  |                       | The sign area shall be surrounded by a brick, natural stone, cultured stone, or concrete frame      |
| Standards   |  | Lighting              | External or internal illumination   |
| Permitted Districts   | PD MR CI LC GC IN  |                       | Additional Standards  |
| Quantity  | Maximum of one per lot per street frontage   | Height                |   |
| Sign Area   | May have up to two sides, with a maximum of 32 square feet per side  |                       |   |
| Placement   | Minimum setback at the property line   |                       |   |
|   | Maximum of six feet at the top of the sign area, measured from the height of the centerline of the adjacent right-of-way |                       |   |

**15.11 Sandwich Board Sign**



**Description**

A pair of advertisement boards connected at the top by straps or hinge designed to be placed on the sidewalk in front of the retail storefront/tenant space

**Standards**

|                     |  |
|---------------------|--|
| Permitted Districts | PD CI NC LC GC CO IN   |
| Quantity            | Maximum of one per ground floor retail storefront/tenant space   |
| Sign Area           | May have up to two sides, with a maximum of 6 square feet per side   |
| Placement           | On the sidewalk in front of the retail storefront/tenant space and shall maintain 48 inches of sidewalk clearance for pedestrian circulation |

**Standards (Continued)**

|                       |   |
|-----------------------|---|
| Placement (Continued) | Placement in the public right-of-way is subject to the Municipal Code<br>Sandwich board signs qualify as convenience signs when located in convenience sign locations |
| Height                | Maximum of four feet at the top of the sign area  |
| Materials             | Wood, metal, or a composite material that has the same properties. Plastic, plywood, and unfinished wood are prohibited   |
| Lighting              | No external or internal illumination  |

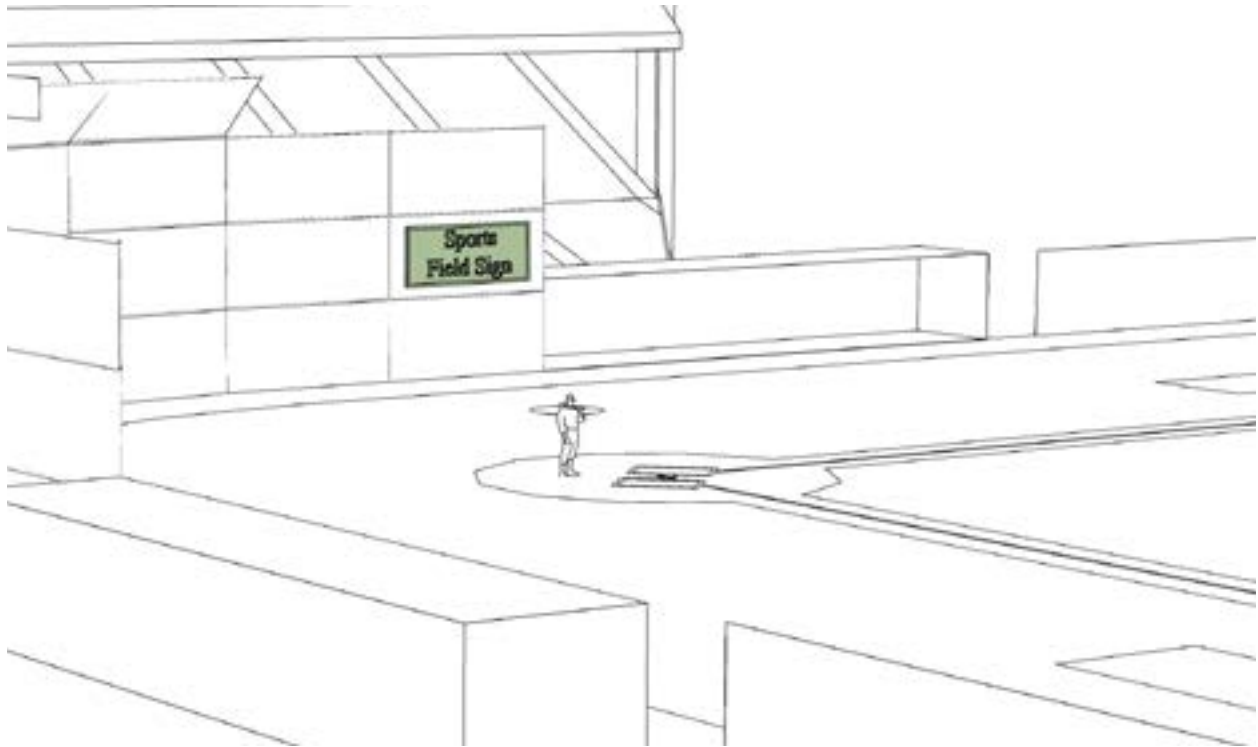
15.12 Small Hanging/Projecting Sign



| Description  |   |
|--|---|
| A small sign that either hangs from beams, brackets, or poles or that projects from poles or brackets from the building. |   |
| Standards  |   |
| Permitted Districts  | PD CI NC LC GC CO IN  |
| Quantity   | Maximum of one per building main entrance, in addition to other building signage  |
| Sign Area  | May have up to two sides, with a maximum of 4.5 square feet per side  |
| Projection   | Projects from the building facade at a 90-degree angle or at a 45-degree angle when placed at a corner of a building. Maximum of four feet from the building facade, inclusive of bracket depth |

| Standards (Continued) |   |
|-----------------------|---|
| Placement             | Minimum clearance of 8 feet from the grade surface (generally defined as the sidewalk or porch floor) |
| Height                | Maximum height shall be the roofline or window sill of the second story, whichever is less            |
| Materials             | Wood, metal, or a composite material that has the same properties                                     |
| Lighting              | External illumination only, subject to Subsection 15.1.5, External Illumination                       |

15.13 Sports Field/Sports Court Sign



| Description   |   | Standards (Continued) |   |
|---|---|-----------------------|---|
| A sign that is attached to a sports field or sports court fence |   | Color                 | The backs of all signs shall be the same color  |
| <b>Standards</b>  |   | Lighting              | External illumination only, subject to Subsection 15.1.5, External Illumination   |
| Permitted Districts   | All districts   | Additional Standards  | Scoreboards are exempt from this Section, but shall have evergreen screening at the base of the support structure when visible from an arterial or collector street |
| Quantity  | N/A   |                       |   |
| Placement   | Shall face into the sports field or sports court                  |                       |   |
| Height  | No higher than the top of the fence to which it is attached       |                       |   |
| Materials   | Wood, metal, or a composite material that has the same properties |                       |   |

**15.14 Vertical Blade Sign**



**Description**

A vertically-oriented sign that projects from a commercial/mixed-use building that is two or more stories and fronts a street intersection

**Standards**

|                     |   |
|---------------------|---|
| Permitted Districts | PD MR CI NC LC GC CO IN   |
| Quantity            | Maximum of one per building frontage on a street intersection and may be used only if no other hanging signs exist on the ground floor retail storefront/tenant space below |
| Sign Area           | Maximum of 30 square feet or one square foot per linear foot of building facade, whichever is less  |
| Placement           | At the corner of the building or at a change in massing near the corner of the building<br>Shall not project below the window header of the first floor                     |

**Standards (Continued)**

|                       |  |
|-----------------------|--|
| Placement (Continued) | Shall not project above the cornice of a two-story building or above the window sills of the third story of a building with more than two stories  |
| Projection            | Projects from the building facade at a 90-degree angle or at a 45-degree angle when placed at a corner of a building<br>Maximum of 3.5 feet from the building facade, inclusive of bracket depth<br>Brackets connecting the sign to the building facade shall be a minimum depth of one foot and maximum of 1.5 feet |
| Materials             | Metal with a minimum thickness of one-half inch and maximum thickness of one foot  |
| Lighting              | External illumination, subject to 15.1.5, External Illumination or internal illumination, subject to Subsection 15.1.6, Internal Illumination  |

15.15 Wall Sign



| Description   |  | Standards (Continued) |  |
|---|--|-----------------------|--|
| A sign that is flat against the building facade and mounted or applied directly to the building |  | Placement             | Maximum height shall be the main roofline of the uppermost full story; maximum height of 16 feet when located within 200 feet of a residential lot |
| Standards   |  | Projection            | Maximum of one foot from the building facade   |
| Permitted Districts   | PD MR CI NC LC GC CO IN  | Materials             | Brick, stone, wood, metal, or a composite material that has the same properties  |
| Quantity  | Maximum of one per building facade only if no band sign exists on the building<br><br>Buildings five stories or more may have wall signs as described above, in addition to permitted band signs | Lighting              | External illumination, subject to 15.1.5, External Illumination or internal illumination, subject to Subsection 15.1.6, Internal Illumination      |
| Sign Area   | Maximum of one square foot per linear foot of building facade  |                       |  |



### 15.16 Window Sign



| Description  |   | Standards (Continued) |  |
|--|---|-----------------------|--|
| <p>A sign placed within, affixed to, in contact with, or located within 12 inches of glazing and visible from the exterior</p> |   | Materials             | <p>Metal, wood, or easily removable paint, paper, cloth, or other like material, or neon tubing as permitted below</p>   |
| Standards  |   | Lighting              | <p>Retail businesses may have one interior neon sign, by permit only, and shall comply with all other standards in this Section. The computation for the sign area shall include the outermost limits of any neon tubing</p> |
| Permitted Districts  | PD MR CI NC LC GC CO IN   |                       | <p>All other illumination is prohibited</p>  |
| Sign Area  | <p>Maximum of 15 percent of an individual window area, but shall not exceed 5 window signs</p> <p>In cases where windows are grouped, the sign area shall not exceed 15 percent of the window grouping area</p> |                       |  |
| Placement  | <p>Fully within the interior of the building and attached directly to or mounted within 12 inches of the inside of the business</p>   |                       |  |

**15.17 Temporary Construction Site Sign**

| Description   |  |
|---|--|
| A sign on an active construction site intended for temporary use during the construction period |  |
| Standards   |  |
| Permitted Districts   | All districts  |
| Quantity  | Maximum of five signs per construction site. As an alternative, construction fencing with an opaque screening material may have additional signs printed onto the screening material |
| Sign Area   | May have up to two sides, with a maximum of 32 square feet per side  |
| Placement   | Minimum setback at the property line   |
| Materials   | Fabric, canvas, or other comparable material that has the same properties  |
| Height  | Maximum of six feet  |
| Lighting  | Illumination is prohibited   |
| Duration  | Signs associated with nonresidential and mixed-use development shall be removed upon issuance of a final certificate of use and occupancy  |
|   | Signs associated with residential development shall be removed after 80 percent build-out, or three years, whichever occurs first  |

**15.18 Temporary Sign**

| Description  |  |
|--|--|
| A sign intended for temporary use other than temporary construction site signs and campaign signs. |  |
| Standards  |  |
| Permitted Districts  | All districts  |
| Quantity   | Maximum of two signs per lot, or one per ground floor retail storefront/tenant space when affixed to the building facade                                       |
| Sign Area  | May have up to two sides, with a maximum of 32 square feet per side. On residential lots, the size is further limited to a maximum of six square feet per side |
| Placement  | Minimum setback at the property line   |
| Materials  | Fabric, canvas, vinyl, plastic, metal, or other material that has the same properties  |
| Height   | Freestanding temporary signs shall be a maximum of six feet<br>Temporary signs on a building shall not exceed the top of the building                          |
| Lighting   | Illumination is prohibited   |
| Duration   | Not to exceed three months out of every 12-month period  |

# SECTION 16

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## UTILITIES

16.1 General Provisions

224

## 16.1 General Provisions

### 16.1.1 Applicability

This Section shall apply to the installation of utilities within a development site and off-site construction required as a result of, or to provide service to, a development.

### 16.1.2 Utility Placement

- A. The placement and construction of utilities shall be subject to the Municipal Code of the City of Laurens, SC.
- B. Utilities shall be placed to allow for future infill of new buildings on development sites that have infill potential, as determined by the Planning Department.
- C. Sewer and water mains shall be extended to property lines designated by Public Works as deemed necessary for future system expansion.

### 16.1.3 Underground Requirements

To provide safe, reliable delivery of utility services and avoid the visual clutter of overhead utility lines, the following shall apply:

- A. All new telephone, gas, sewer, water, fiber optic, and cable lines shall be placed underground. Where not associated with development, the provider of telephone, fiber optic, and cable lines may complete system upgrades in existing service areas using overhead poles that were in place prior to the adoption of this ordinance. Existing poles may be replaced with poles of the same or smaller dimensions; however, no new pole locations may be added.
- B. All new electrical distribution lines associated with development shall be placed underground, with the following exceptions:
  1. The Planning Department may grant an exception when the replacement,

relocation, or upgrade of an existing overhead service with underground service would result in the introduction of additional poles, guywires, and ancillary equipment into an existing built environment; and

2. The Planning Commission may recommend and the Mayor and City Council may grant an exception for placing distribution lines underground within an existing public right-of-way when the Mayor and City Council determines there are special circumstances that warrant overhead distribution lines. As an alternative, the Mayor and City Council may consider the execution of a development agreement that allows for the recapture of up-front costs of placing utilities underground.
- C. Where not associated with development, the provider of electrical distribution lines may complete system upgrades in existing service areas on overhead poles that were in place prior to the adoption of this Ordinance. Existing poles may be replaced with poles of the same or smaller dimensions; however, no new pole locations may be added.
- D. Transmission lines and feeder lines for system needs and not needed for a specific development may be situated on poles aboveground.
- E. Pad-mounted transformers, switch cabinets, sector boxes, communication support boxes, terminal boxes, meter cabinets, and concealed ducts may be situated aboveground if they are used solely to provide service within the development and are used solely with underground distribution lines.

# SECTION 17

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## NATURAL RESOURCES

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## 17.1 Steep Slopes

### 17.1.1 Applicability

- A. This Section shall apply to development or redevelopment when any portion of a lot contains naturally occurring slopes of 14 percent or greater.
- B. Lots shall not be graded to avoid the applicability or the requirements of this Section.

### 17.1.2 Prohibited Development

Other than public infrastructure and passive parks, development shall be prohibited on naturally occurring slopes having at least 20 feet of rise over 100 feet of run. Such slopes shall:

- A. Be placed in an open space lot and noted on the final plat as non-buildable; or
- B. Be placed in a conservation easement within a larger buildable lot. Individual single-family residential lots with a conservation easement shall be identified on the site plan as a critical lots, subject to Subsection 20.15.4, Critical Lots.

### 17.1.3 Grading Standards

- A. The maximum permitted grades for streets, internal drives, and driveway approaches shall comply with the Transportation and Street Technical Standards.
- B. The maximum permitted grades for driveways for single-family residential development shall be 14 percent. Driveways with lengths of longer than 100 feet may require a reduced slope, subject to approval by the Fire Department. The maximum permitted grades for all other development shall be ten percent.
- C. All driveways shall have landings at the top and bottom to prevent vehicles from scraping pavement.

- D. The maximum permitted grade for cut and fill areas shall be three units horizontal to one unit vertical.
- E. Retaining wall height shall comply with Section 13.2, Retaining Walls, and shall not be modified.

## 17.2 Tree Protection

### 17.2.1 Importance of Urban Trees

The City of Laurens places great pride in our trees and sees their value for aesthetic, economic, and environmental reasons. The City desires to have a healthy, robust canopy of trees throughout Laurens, with an emphasis on trees that are native, well-formed, healthy, and do not pose any hazard or hardship. Therefore, this Section of the Ordinance describes the process for protecting, possibly removing, and mitigating for trees impacted by development.

### 17.2.2 Tree Removals

- A. Existing trees on a lot or development site shall not be removed or disturbed unless:
  - 1. Trees are removed in accordance with an approved development plan, site plan, preliminary plat, building permit, or grading permit that meets Subsections 17.2.4, Protected and Grand Trees, and 17.2.2.A.3.a. to i.
  - 2. Trees are removed in accordance with an approved tree removal permit that meets Subsection 17.2.9, Tree Removal Permits.
  - 3. The following tree removal activities are exempt from this Section:
    - a. Trees that are determined to be dead, dying, or structurally unsound by the Planning Department or with written verification of the tree's condition as prepared by a licensed landscape architect or certified arborist;
    - b. Trees that are determined by the Planning Department to be

- c. nuisance trees or a threat to an existing structure, underground utility, or public safety;
- c. Trees within agricultural areas;
- d. The tree encroaches into established utility easements;
- e. Damage will result to utilities or structures from tree roots;
- f. Trees listed as Invasive Exotic Pest Plants by the South Carolina Forestry Department;
- g. Trees on City-owned land or within public right-of-way by the City or its authorized agent;
- h. Trees blocking necessary access to a site where no alternative exists for relocating such access, as determined by the Planning Department;
- i. The Planning Department makes an exception in extraordinary circumstances, such as weather-related emergencies, natural disasters, or similar occurrences. The Planning Department may impose conditions as it determines are necessary to ensure compliance with this Section.

### 17.2.3 Tree Preservation Plan

As part of the application required for a development plan, site plan, or preliminary plat, the applicant shall submit a Tree Preservation Plan with the following information:

- A. The lot lines associated with the proposed development;
- B. The exact location, grade, DBH, and Protected Zone of all Grand Trees; however, in the instances of large established tree stands, the Planning Department may accept an approximation of the location and size of Grand Trees if the trees are

located within a designated open space or tree save area. Actual canopies (drip lines), surveyed in the field, may be used instead of Protected Zone circles, for all or a portion of the trees, at the discretion of the applicant.

- C. A recent aerial photograph with date photograph was taken;

#### **17.2.4 Protected and Grand Trees**

- A. Grand Trees are trees of 24" and greater, DBH (Diameter at Breast Height)
- B. Protected Trees are trees of 12" to 24" DBH
- C. The removal, relocation, destruction, encroachment, or abuse of any Grand Tree (24" or greater D.B.H.) without a permit is prohibited except as exempted.
- D. The area within the critical root zone, known as the tree protection zone, of any Grand Tree shall not be subject to any disturbance unless the disturbance is based on an ISA Certified Arborist report stating that the proposed construction shall cause no harm to the tree and is approved by the Planning Department.
- E. Protected Trees Prior to Development: Where a building permit or subdivision approval has not been issued, the removal, relocation, destruction, or abuse in any manner of Protected Trees (12" or greater D.B.H.) shall be prohibited, except for removals based on health, safety, and welfare resulting from damage, disease, or other factors.
- F. Protected Trees During or After Development: A minimum of five (5) Protected Trees per acre shall be retained. If there are less than five (5) Protected Trees per acre, prior to development, the total number of Protected Trees required to be retained shall equal the total number of existing Protected Trees. Approval to retain

less than five Protected Trees per acre may be granted by the City Planner, on a case-by-case basis. Mitigation is not required for the removal of non-grand Protected Trees.

#### **17.2.5 Evaluation of Trees**

- A. All Grand Trees (24" or greater) shall be evaluated by a licensed Landscape Architect or certified Arborist and graded as follows: A – excellent; B - good; C – average; D – below average; or F – poor.
- B. Tree grades shall be reflected on the site plan as follows: A = green; B = blue; C = yellow; D = orange; and F = red with circles corresponding to the Protected Area.
- C. Grand Trees in Protected Open Space or Tree Save Areas do not need to be evaluated. Evaluations are valid for a period of one (1) year from time of completion.
- D. Grading of trees may consider their genus, species, health, age, structure, and location.

#### **17.2.6 Designation of Tree Save Areas**

- A. The minimum tree canopy to be retained within the development site shall be placed in tree save areas, which shall include the areas occupied by the critical root zones of all healthy trees being retained in accordance with this Subsection.
- B. The location of tree save areas shall be based on the presence of any one or more of the following:
  - 4. Woodland forest;
  - 5. Established tree stands;
  - 6. Tree rows; or
  - 7. Grand Trees.
- C. Tree save areas shall be depicted as an open space lot or conservation easement on the development plan, site plan, or preliminary plat, and recorded on the final



plat.

- D. Individual single-family residential lots with tree save areas in conservation easements shall be identified on the site plan as critical lots, pursuant to Subsection 20.15.4, Critical Lots, and shall be platted on the final plat with denotation on an individual lot.

E. Tree Save Area Priorities

Consideration shall be given to the following when determining tree save locations:

1. Woodland forests greater than five acres;
2. Riparian buffers or natural drainage courses;
3. Land within naturally occurring slopes of 20 percent or greater;
4. Habitat used by endangered or threatened species;
5. Scenic corridors and viewsheds;
6. Areas that could serve to extend existing greenways, trails, parks, or recreation areas; and
7. Areas needed for buffers or historic resource edge treatments.

### 17.2.7 Removal of Trees in Tree Save Areas

- A. The removal, damage, or destruction of trees within a tree save area shall be a violation of this Ordinance and require mitigation in accordance with the following standards:
- B. Any tree that is damaged or removed from the tree save area shall be replaced at a rate of two caliper inches per one caliper inch removed, with each replacement tree having a minimum diameter of two caliper inches. If the total caliper inches removed cannot be determined, the area subject to tree removal shall be replanted at the rate of 80 trees per acre for each acre disturbed, or portion thereof. Replacement trees shall

not be used to meet any other landscape requirements.

- C. Replacement trees for trees removed from the tree save area shall be planted in the tree save area or, in cases where adequate room is not available, planted elsewhere on the lot or development site. In cases when adequate room on the lot or development site is not available as determined by the Planning Department, mitigation may take the form of payment to the City Tree Bank, pursuant to Subsection 17.2.12, Tree Bank.
- D. Following notice of violation related to this Section by the Planning Department, no review body shall review or approve any applications for the site from the date of the violation until:
- E. A replacement plan has been approved by the Planning Department and a guarantee for the associated replacement has been established in accordance with Section 21, Performance Agreements; or
- F. Payment has been made to the City's Tree Bank in-lieu of providing some or all of the required replacement trees.
- G. Designation of Critical Lots
  1. Individual single-family residential lots with Grand Trees shall be identified on the site plan as critical lots, pursuant to Subsection 20.15.4, Critical Lots.
  2. Critical lots shall be denoted on the final plat on each individual lot with a Grand Tree, which shall be preserved and cannot be removed.

### 17.2.8 Tree Protection During Construction

A. Tree Protection Fencing

All Grand Trees in a tree protection zone and the perimeter of tree save areas shall be fenced in accordance with this Subsection before any land-disturbing activity begins.

1. Fencing shall extend at least one foot in distance from the edge of the tree for each inch of diameter at breast height (DBH), so that, at a minimum, each tree's critical root zone is protected, but no case shall the tree fence be less than ten feet from the trunk.
  2. The Planning Department shall consider existing site conditions in determining the exact location of any tree protection fencing.
  3. All fencing required by this Subsection shall be chain link fencing at least four feet in height and secured using appropriate posts spaced not more than ten feet apart. Such chain link fencing is not required to be vinyl coated.
  4. Signs that are visible on all sides of the fenced-in area shall be installed on the tree protection fence at a rate of at least one sign for every 150 linear feet. The size of each sign must be a minimum of two feet by two feet and shall contain the following language in English and Spanish: "TREE PROTECTION ZONE: KEEP OUT. ZONA DE LA PROTECCION DEL ARBOL. NO SE PERMITE ENTRAR".
- B. All tree protection measures shall be inspected by and approved by the Planning Department prior to start of any land disturbing activities. Failure to install tree protection measures prior to the commencement of construction is a violation of this Ordinance.
- C. The tree protection fencing shall be clearly shown on the site plan. No construction, grading, equipment or material storage, or any other activity shall be allowed within the fenced area except in accordance with the standards in Paragraph 17.2.6.B, Encroachments into Root Zones. Fencing shall be maintained until the land disturbance activities are complete.
- D. Encroachments into Critical Root Zones
1. Encroachments within the root zones of trees protected in accordance with this Subsection shall occur only in rare instances where no alternatives exist, such as may be required for the installation of streets, internal drives, sidewalks, or utilities.
  2. If unauthorized encroachments occur, leading to trees being damaged during construction activities, the trees shall be replaced at a one caliper inch to one caliper inch ratio.
- E. Owner's Responsibility
- During development, the owner, or if the owner is different from the developer, the developer, shall be responsible for the erection of all barriers necessary to protect any existing or installed trees from damage both during and after construction in accordance with the standards of this Subsection.
- F. Monitoring and Maintenance of Trees Post-Construction
- Owners of land shall be responsible for the preservation and maintenance of all trees required to be saved and protected under this Section.

### 17.2.9 Tree Removal Permits

#### A. Applications

1. Applications to remove or impact Grand Trees or to fall below five (5) Protected Trees per Net Acre shall be submitted to the Planning Department and must include a site plan prepared by a licensed surveyor, professional engineer, or a licensed landscape architect.
2. The plans must identify the trees to be

removed and the trees to be retained. Grand Trees should be color coded on plans according to their Grade as follows: A=Green, B=Blue, C=Yellow, D=Orange, and F= Red with circles coinciding with their Protected Zone.

3. The plan shall be accompanied by a general statement of hardship addressing each tree to be removed or impacted individually.

#### B. Staff Review

The Planning Department shall review the application and approve, approve with conditions, or disapprove the tree removal permit.

#### C. Approval Criteria

The Planning Department may approve a tree removal permit only when the tree proposed for removal is not:

1. Located in an open space lot or conservation easement;
2. Part of required landscape material or contributes to the screening function of a required landscape area; and
3. The subject of a condition of approval requiring their retention.

#### D. Issuance of a Building Permit or Grading Permit

No building permit or grading permit shall be issued unless the City department issuing the permit receives a written decision from the Planning Department that the proposed development has received a tree removal permit or is exempt from the requirement to obtain a tree removal permit.

- E. Findings shall be provided to the applicant in writing, including required mitigation, and such determinations are valid for a period of one (1) year.
- F. If permission for any application is denied, the applicant may appeal the decision

to the City of Laurens’s Board of Zoning Appeals.

- G. Examples of hardships that will allow for removal, trimming, encroachment, and other remedies include but are not limited to:

1. Trees are damaged, diseased, or dying (Grades D or F);
2. Trees pose a safety hazard to nearby buildings, utility lines, or pedestrian or vehicular traffic;
3. Trees prevent essential grade changes during construction or reasonable utility installations;
4. Trees located in, or within ten (10) feet of, the footprint of a proposed building, road or drive which cannot be reasonably relocated;
5. Trees prevent all reasonable site configurations including the locations of buildings, utilities, roads, or drives;
6. Removal of trees is the only reasonable means by which building, zoning, subdivision, health, public safety, or other City requirements can be met; and
7. The area of the Site is of such density of existing trees that the removal of certain Protected Trees is considered beneficial to the remaining trees.

### 17.2.10 Mitigation

- A. Grand Trees permitted for removal are subject to the following mitigation guidelines:

1. Grade A trees shall be mitigated at one hundred percent (100%) of DBH inches removed.
2. Grade B trees shall be mitigated at seventy-five percent (75%) of DBH inches removed.
3. Grade C trees shall be mitigated at fifty

- percent (50%) of DBH inches removed.
4. Grade D shall be mitigated at twenty-five percent (25%) of DBH inches removed.
  5. Grade F trees do not require mitigation.
- B. Mitigation plantings may occur in any Buffers, POA/HOA Areas, amenity areas, any Open Areas; and Street Trees. Fractions of inches are rounded up. Mitigation shall occur on-site unless off-site mitigation is agreed to by both the Owner and the City Planner. The applicant may also make a payment to the City's Tree Bank. The Planning Department has the flexibility to reduce or waive mitigation on a case-by-case basis where strict application of the regulations causes undue hardship or does not serve the public good.
- C. Trees must be a minimum of 2.5" caliper at planting.
- D. Trees being removed for required infrastructure (roads, utilities, stormwater, etc.) where there is not flexibility in location, are not required to be mitigated.
- E. All mitigation trees must be planted in conjunction with that phase of construction and shall be warranted for twelve (12) months from planting.
- F. Trees removed without permission shall be mitigated at one hundred fifty percent (150%) of the DBH inches removed, regardless of species or grade.
- G. Mitigation can be reduced or waived, at the discretion of the Planning Department.
- H. If mitigation cannot be accomplished on-site the applicant may make a payment to the City's Tree Bank. The Planning Department will calculate the amount of the contribution based on the final decision of the Planning Department.
- I. Tree Bank mitigation rates shall be available upon request. Mitigation may

also be accomplished off-site if agreed to by both the applicant and the Planning Department.

#### **17.2.11 Removal of Trees Without a Permit**

- A. The removal, damage, or destruction of Grand Trees without a permit shall be a violation of this Ordinance and require mitigation in accordance with the following standards:
1. Two caliper inches of replacement trees shall be provided for each caliper inch of Grand Tree removed. Each replacement tree shall be a minimum of two caliper inches and shall either be replanted within 12 months of the removal of the Grand Tree, or within a timeframe approved by the Planning Department. Performance agreements for the associated replacement, if warranted in the opinion of the Planning Department, shall be established in accordance with Section 21, Performance Agreements. Replacement trees shall not be used to meet any other landscape requirements.
  2. Replacement trees shall be either planted on the lot or site where the Grand Tree was removed; however, in cases where space on the lot or site is insufficient, Planning Department may determine if mitigation may take the form of payment to the City's Tree Bank, pursuant to Section 17.2.12, Tree Bank.
  3. Any tree, regardless of size, that is damaged or removed from a tree save area, conservation easement, or open space shall be replaced at a one caliper inch to one caliper inch ratio with

- replacement trees having a diameter of at least two inches in caliper;
4. Damage or destruction of trees due to excessive pruning or tree topping shall constitute a violation of this Ordinance and result in the prescribed replacement and/or mitigation of the damaged trees; and
  5. A surety and maintenance agreement shall be established for replacement trees.

- proposal to change the amount of the cash contribution shall be submitted to the Planning Department for approval.
4. The applicant shall provide the cash contribution payment in the form of a cashier's check payable to City of Laurens prior to recording of the final plat and/or issuance of a permit.

### 17.2.12 Tree Bank

- A. The Tree Bank shall be a fund to receive:
  1. Cash contributions for removal or damage to trees pursuant to Section 17.2, Tree Protection;
  2. Charitable contributions given to the City for planting trees; and
  3. Civil penalties received for the illegal cutting or damage of trees.

#### B. Use of Funds

Tree Bank funds shall be used solely for purchasing, installing, and replacing trees, or maintenance of trees during their first five years after planting, on public lands such as parks, public open spaces, at community and civic facilities, and within public right-of-way.

#### C. Procedure for Tree Bank Requests

1. An applicant shall submit a written request to use the Tree Bank for removal of trees.
2. The Planning Department shall determine the eligibility and extent of contributions during the site plan review and shall forward the recommendation to the applicable review body.
3. If, after the site plan is approved, the applicant wishes to reevaluate a decision to contribute to the Tree Bank, a revised landscape plan and a

### 17.3 Riparian Setbacks

Development and land-disturbing activities shall comply with the Stormwater Management Ordinance.

### 17.4 Erosion and Sedimentation Control

Development and land-disturbing activities shall comply with the Stormwater Management Ordinance.

### 17.5 Stormwater Management Features

#### 17.5.1 Design

- A. The design and lot configuration for all stormwater management features, such as bioretention, detention ponds, and retention ponds, shall comply with the Stormwater Management Ordinance and Stormwater BMP Manual design specifications.
- B. Stormwater management features shall be designed to be an integral and aesthetic part of the site landscape.
- C. Stormwater management features shall be located and designed to avoid tree removal.
- D. Walls and retaining walls for stormwater management features shall comply with Section 13.2, Retaining Walls.

#### 17.5.2 Retention Ponds

- A. Measures for aeration, such as fountain features, shall be used to reduce stagnation in retention (wet) ponds.
- B. Retention (wet) ponds shall be planted with moisture tolerant plant material, trees, and native grasses to enhance their presence within the built environment.

## 17.6 Floodplain Protection

### 17.6.1 Statutory Authorization, Findings of Fact, Purpose, and Objectives

#### A. Statutory Authorization

The Comprehensive Planning Enabling Act (SC Code Section 6-29-510) was amended by the Disaster Relief and Resilience Act to add a required resilience element that considers the impacts of flooding, high water, and natural hazards on individuals, communities, institutions, businesses, economic development, public infrastructure and facilities, and public health, safety and welfare. The State Planning and Zoning Enabling Act of 1994 (S.C. Code Ann. § 6-29-310 et seq.) provides the authority for local government regulation of land development, including the subdivision of land. When a local government has adopted the community facilities element, the housing element, and the priority investment elements of the comprehensive plan, it may adopt land development regulations that govern subdivision and development of land, including infrastructure standards. Generally, these regulations are intended to “provide for the harmonious development” of the community to support the “health, safety, convenience, appearance, prosperity, or the general welfare.” S.C. Code Ann. § 6-29-1130(A).

Land development regulations are explicitly intended to limit the risk of flooding and other natural hazards to people and property: “the regulations shall prescribe that no land development plan, including subdivision plats, will be approved unless all land intended for use as building sites

can be used safely for building purposes, without danger from flood or other inundation or from other menaces to health, safety, or public welfare.” S.C. Code Ann. § 6-29 1130(A). Therefore, the City of Laurens Mayor and City Council ordains as follows:

#### B. Findings of Fact

1. The City wishes to maintain eligibility in the National Flood Insurance Program (NFIP) and in order to do so must meet the NFIP regulations found in Title 44 of the Code of Federal Regulations (CFR), Section 1, Section 60.3.
2. Areas of the City are subject to periodic inundation, which could result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.
3. Flood losses are caused by the cumulative effect of obstructions in floodplains, causing increases in flood heights and velocities; by uses in flood hazard areas which are vulnerable to floods; or construction which is inadequately elevated, floodproofed, or otherwise unprotected from flood damages.

**C. Statement of Purpose**

The purpose of this Section is to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas. This Section is designed to:

1. Restrict or prohibit uses which are vulnerable to flooding or erosion hazards, or which result in damaging increases in erosion, flood heights, or velocities;
2. Require that uses vulnerable to floods, including community facilities, be protected against flood damage at the time of initial construction;
3. Control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of floodwaters;
4. Control filling, grading, dredging and other development which may increase flood damage or erosion; and
5. Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands.

**D. Objectives**

The objectives of this Section are:

1. To protect human life, health, safety and property;
2. To minimize expenditure of public funds for costly flood control projects;
3. To minimize the need for rescue and relief efforts associated with flooding, which are generally undertaken at the expense of the general public;
4. To minimize prolonged business interruptions;
5. To minimize damage to public facilities and utilities such as water and gas

mains, electric, telephone and sewer lines, streets and bridges located in flood prone areas;

6. To help maintain a stable tax base by providing for the sound use and development of flood prone areas to minimize blight in flood areas;
7. To ensure that potential homebuyers are notified that property is in a flood prone area; and
8. To maintain eligibility for participation in the NFIP.

**17.6.2 General Provisions****A. Basis for Establishing the Areas of Special Flood Hazard**

1. The areas of special flood hazard in the City are identified by FEMA in its Flood Insurance Study (FIS) dated December 22, 2016, and on the Flood Insurance Rate Map (FIRM), as follows:
  - a. Panel Numbers: 45059C0191C, 45059C0192C, 45059C0193C, 45059C0194C, 45059C0213C, 45059C0330C, 45059C0331C, 45059C0332C, 45059C0351C dated 8/16/2012.
2. The FIS and FIRMs, along with all supporting technical data, are hereby adopted by reference and declared to be a part of this Ordinance.



**B. Requirement for Floodplain Development Permit**

A floodplain development permit shall be required prior to the commencement of any development or redevelopment activities.

**C. Compliance**

No land, structure or use shall hereafter be located, extended, converted or structurally altered without full compliance with the terms of this Section and other applicable regulations.

**D. Abrogation and Greater Restrictions**

This Section is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this Section conflicts or overlaps with another regulatory instrument, whichever imposes the more stringent restrictions shall prevail.

**E. Interpretation**

In the interpretation and application of this Section, all provisions shall be:

1. Considered as minimum requirements;
2. Liberally construed in favor of the governing body; and
3. Deemed neither to limit nor repeal any other powers granted under South Carolina statutes.

**F. Warning and Disclaimer of Liability**

The degree of flood protection required by this Section is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This Section does not imply that land outside the areas of special flood hazard or uses

permitted within such areas will be free from flooding or flood damages. This Section shall not create liability on the part of the City or by any officer or employee thereof for any flood damages that result from reliance on this Section or any administrative decision lawfully made hereunder.

**G. Penalties for Violation**

Penalties for violation of the provisions of this Section or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance shall constitute a misdemeanor punishable as other misdemeanors as provided by law. Any person who violated this Section or fails to comply with any of its requirements shall, upon adjudication therefore, be fined as prescribed by South Carolina statutes, and in addition, shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the City from taking such other lawful actions to prevent or remedy any violation.

**17.6.3 Administration**

**A. Designation of Floodplain Administrator**

A floodplain administrator is hereby appointed to implement the provisions of this Section.

**B. Permit Procedures**

An application for a floodplain development permit shall be made to the floodplain administrator on forms available on the City website prior to any development activities. The floodplain development permit may include, but is not limited to

the following: plans in duplicate drawn to scale and showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, earthen fill placement, storage of materials or equipment, and drainage facilities. Specifically, the following information is required:

1. Application Stage
  - a. An elevation certificate is required at the application stage in accordance with Subsection 17.6.3.B.2.a, b, c, d, or e as applicable.
  - b. Elevation in relation to mean-sea-level of the proposed lowest floor, including basement, of all buildings where base flood elevations are available, or to certain height above the highest adjacent grade when applicable under this Section.
  - c. Elevation in relation to mean-sea-level to which any nonresidential structure will be floodproofed where base flood elevations are available, or to certain height above the highest adjacent grade when applicable under this Section.
  - d. A FEMA floodproofing certificate from a South Carolina registered professional engineer or architect that the proposed nonresidential floodproofed building will meet the floodproofing criteria in Subsection 17.6.4, Provisions for Flood Hazard Reduction.
  - e. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.
  - f. In order to determine if improvements or damage meet the Substantial Improvement or

Substantial Damage criteria, the applicant shall provide to the Floodplain Administrator a detailed cost to repair all damages and/or cost of improvements which includes the complete costs associated with all types of work necessary to completely repair or improve a building. These include the costs of all materials, labor, and other items necessary to perform the proposed work. These must be in the form of:

- i. An itemized costs of materials, and labor, or estimates of materials and labor that are prepared by licensed contractors or professional construction cost estimators
- ii. Building valuation tables published by building code organizations and cost-estimating manuals and tools available from professional building cost-estimating services.
- iii. A qualified estimate of costs that is prepared by the local official using professional judgement and knowledge of local and regional construction costs.
- iv. A detailed cost estimate provided and prepared by the building owner. This must include as much supporting documentation as possible (such as pricing information from lumber companies, plumbing and electrical suppliers, etc). In addition, the estimate must include the value of labor,

- including the value of the owner's labor.
2. Construction Stage
    - a. A second elevation certificate is required with the foundation inspection in accordance with Subsection 17.6.3.B.2.c, d, or e, as applicable.
    - b. Within AE Zones, where base flood elevation data is available, any lowest floor certification made relative to mean-sea-level shall be prepared by or under the direct supervision of a South Carolina registered, certified floodplain land surveyor and certified by same. The floodplain administrator shall record the elevation of the lowest floor on the development permit. When floodproofing is utilized for a nonresidential building, said certification shall be prepared by, or under the direct supervision of, a South Carolina registered professional engineer or architect and certified by same.
    - c. Within approximate A Zones, where base flood elevation data is not available, the elevation of the lowest floor shall be determined as the measurement of the lowest floor of the building relative to the highest adjacent grade. The floodplain administrator shall record the elevation of the lowest floor on the development permit. When floodproofing is utilized for a nonresidential building, said certification shall be prepared by, or under the direct supervision of, a South Carolina registered professional engineer or architect and certified by same.
    - d. For all new construction and substantial improvements, the permit holder shall provide to the floodplain administrator an as-built certification of the lowest floor elevation or floodproofing level upon the completion of the lowest floor or floodproofing.
    - e. Any work undertaken prior to submission of the certification shall be at the permit holder's risk. The floodplain administrator shall review the above-referenced certification data. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further work being allowed to proceed. Failure to submit the certification or failure to make said corrections required hereby, shall be cause to issue a stop-work order for the project.
  3. Finished Construction Stage  
A final Finished Construction Elevation Certificate is required after construction is completed and prior to issuance of a Temporary Certificate of Use and Occupancy, or if there is no Temporary Certificate of Use and Occupancy, then prior to issuance of the first Final Certificate of Use and Occupancy in accordance with Subsection 17.6.3.B.2.c, d, or e. It shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of final as-built construction of the elevation of the reference level and all attendant utilities. The Administrator will keep the certificate on file in perpetuity.

**C. Duties and Responsibilities of the Floodplain Administrator**

Duties of the floodplain administrator shall include, but not be limited to, the following:

1. Review all floodplain development permits to assure that the permit requirements of this Section have been satisfied, and that proposed building sites will be reasonably safe from flooding;
2. Review proposed development or redevelopment to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law, including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334;
3. Notify adjacent communities and the South Carolina Department of Environmental Services prior to any alteration or relocation of a watercourse and submit evidence of such notification to FEMA;
4. For any altered or relocated watercourse, submit engineering data/analysis within six months to FEMA to ensure accuracy of community FIRMs through the Letter of Map Revision process;
5. Assure that the flood-carrying capacity within an altered or relocated portion of any watercourse is maintained;
6. Record the elevation, in relation to mean-sea-level or the highest adjacent grade, where applicable, of the lowest floor (including basement) of all new and substantially improved buildings, in accordance with this Section;
7. Record the actual elevation, in relation to mean-sea-level or the highest adjacent grade, where applicable to which the new and substantially improved buildings have been floodproofed, in accordance with Paragraph 17.6.3.B, Permit Procedures;
8. When floodproofing is utilized for a nonresidential structure, obtain certification of design criteria from a South Carolina registered professional engineer or architect, in accordance with Paragraph 17.6.3.B, Permit Procedures;
9. Where interpretation is needed as to the exact location of boundaries of the areas of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions), make the necessary interpretation. Any person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this Ordinance;
10. When base flood elevation data and floodway data have not been provided by FEMA, obtain, review, and reasonably utilize any base flood elevation and floodway data available from a Federal, State, or other sources, including data developed as a result of these regulations, as criteria for requiring that new construction, substantial improvements, or other development in Zone A, on the City FIRM meet the requirements of this Section; and
11. Maintain all records pertaining to the provisions of this Section in the office of the floodplain administrator, which records shall be open for public inspection. Permits issued under

the provisions of this Section shall be maintained in a separate file or marked for expedited retrieval within combined files.

12. A final Finished Construction Elevation Certificate (FEMA Form 086-0-33) is required after construction is completed and prior to issuance of a Temporary Certificate of Use and Occupancy, or if there is no Temporary Certificate of Use and Occupancy, then prior to issuance of the first Final Certificate of Use and Occupancy. It shall be the duty of the permit holder to submit to the Floodplain Administrator a certification of final as-built construction of the elevation of the reference level and all attendant utilities. The Floodplain Administrator shall review the certificate data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to issuance of either a Temporary or Final Certificate of Use and Occupancy. In some instances, another certification may be required to certify corrected as-built construction. Failure to submit the certification or failure to make required corrections shall be cause to withhold the issuance of either a Temporary or Final Certificate of Use and Occupancy. The Finished Construction Elevation Certificate certifier shall provide at least two photographs showing the front and rear of the building taken within 90 days from the date of certification. The photographs must be taken with views confirming the building description and diagram number provided in Section A. To the extent possible, these photographs should show the entire

building including foundation. If the building has split-level or multi-level areas, provide at least two additional photographs showing side views of the building. In addition, when applicable, provide a photograph of the foundation showing a representative example of the flood openings or vents. All photographs must be in color and measure at least 3" x 3". Digital photographs are acceptable.

### 17.6.4 Provisions For Flood Hazard Reduction

#### A. General Standards

In all areas of special flood hazard, the following provisions are required:

1. New construction and substantial improvements shall be anchored to prevent flotation, collapse and lateral movement of the structure;
2. Manufactured homes shall be installed using methods and practices that minimize flood damage. They must be elevated and anchored to prevent flotation, collapse and lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable State of South Carolina and local anchoring requirements for resisting wind forces;
3. New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage;
4. New construction and substantial improvements shall be constructed by methods and practices that minimize flood damage;
5. All electrical, heating, ventilation,

- plumbing, air conditioning equipment, and other service facilities shall be designed and/or located at required freeboard level so as to prevent water from entering or accumulating within the components during conditions of flooding;
6. New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
  7. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters;
  8. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding;
  9. Any alteration, repair, reconstruction or improvements to a building that is in compliance with the provisions of this Section shall meet the requirements of “new construction” as contained in this Section;
  10. Any alteration, repair, reconstruction or improvements to a building that is not in compliance with the provisions in this Section shall be undertaken only if said non-conformity is not further extended or replaced;
  11. Copies of all new construction and substantial improvement proposals shall be provided for all necessary Federal and State permits, including Section 404 of the Federal Water Pollution Control Act amendments of 1972, 33 U.S.C. 1334;
  12. All subdivision proposals and other new development proposals shall meet the standards of this Subsection;
  13. When proposed new construction and substantial improvements are partially located in special flood hazard area, the entire structure shall meet the standards for new construction; and
  14. When proposed new construction and substantial improvements are located in multiple flood hazard risk zones or in a flood hazard risk zone with multiple base flood elevations, the entire structure shall comply with the standards for the most hazardous flood hazard risk zone and the highest base flood elevation.
- B. Specific Standards**
- In addition to the standards set forth in Subsection 17.6.4, Provisions for Flood Hazard Reduction, all areas of special flood hazard shall comply with the following:
1. Residential Structures  
In AE Zones, where base flood elevation data is available, new construction and substantial improvement of any residential building (or manufactured home) shall have the lowest floor, including basement, elevated to no lower than three feet above the base flood elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of Subsection 17.6.4.B.3, Enclosures, Within approximate A Zones where base flood elevations have not been established and where alternative data is not available, the floodplain administrator shall require the lowest

floor of a building to be elevated to a level of at least three feet above the highest adjacent grade. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of Subsection 17.6.4.B.3, Enclosures.

2. Nonresidential Structures

- a. In AE Zones, where base flood elevation data is available, new construction and substantial improvement of any nonresidential building shall have the lowest floor, including basement, elevated or floodproofed to no lower than one foot above the level of the base flood elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of Subsection 17.6.4.B.3, Enclosures.
- b. In approximate A Zones, where base flood elevations have not been established and where alternative data is not available, new construction and substantial improvement of any nonresidential building shall have the lowest floor, including basement, elevated or floodproofed to no lower than three feet above the highest adjacent grade. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate equalization of flood

hydrostatic forces on both sides of exterior walls shall be provided in accordance with the standards of Subsection 17.6.4.B.3, Enclosures.

- c. Nonresidential buildings located in all A Zones may be floodproofed, in lieu of being elevated, provided that all areas of the building below the required elevation are watertight, with walls substantially impermeable to the passage of water, and are built with structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. A South Carolina registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions above, and shall provide such certification to the floodplain administrator as set forth in Subsection 17.6.3, Administration.

3. Enclosures

- a. All new construction and substantial improvements that include fully enclosed areas formed by foundation and other exterior walls below the lowest floor that are subject to flooding, shall be designed to preclude finished living space and designed to allow for the entry and exit of flood waters to automatically equalize hydrostatic flood forces on exterior walls.
- b. Designs for complying with this requirement must either be certified by a South Carolina professional engineer or architect

- or meet or exceed the following minimum criteria:
- i. Provide a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
  - ii. The bottom of all openings shall be no higher than one foot above the finished grade; and
  - iii. Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwaters in both directions.
- c. The enclosed area shall be the minimum necessary to allow for parking of vehicles, storage or building access; and
  - d. The interior portion of such enclosed area shall not be finished or partitioned into separate rooms in such a way as to impede the movement of floodwaters and all such partitions shall comply with the provisions of Subsection 17.6.4, Provisions for Flood Hazard Reduction.
4. Standards for Manufactured Homes and Recreational Vehicles
- a. All manufactured homes placed or substantially improved must meet all the requirements of new construction when:
    - i. On individual lots or parcels;
    - ii. In expansions to existing manufactured home parks or subdivisions; or
    - iii. In new or substantially improved manufactured home parks or subdivisions.
  - b. All manufactured homes placed or substantially improved in an existing manufactured home park or subdivision must be elevated so that either:
    - i. In AE Zones, with base flood elevations, the lowest floor of the manufactured home is elevated on a permanent foundation to no lower than one foot above the level of the base flood elevation or
    - ii. In approximate A Zones, where base flood elevations have not been established, the manufactured home chassis is elevated and supported by reinforced piers (or other foundation elements of at least equivalent strength) that are at least three feet in height above the highest adjacent grade.
  - c. Any manufactured home, which has incurred “substantial damage” as the result of a flood, must meet the standards of Subsection 17.6.4, Provisions for Flood Hazard Reduction.
  - d. All manufactured homes must be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.
  - e. All recreational vehicles placed in an identified special flood hazard area must either:
    - i. Be on the site for fewer than 180 consecutive days; and
    - ii. Be fully licensed and ready for highway use (a recreational vehicle is ready for highway use if it is licensed, on its wheels or



jacking system, attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached structures or additions); or  
iii. The recreational vehicle must meet all the requirements for new construction.

5. Standards for Subdivisions and Other New Development Proposals
  - a. Subdivisions and other new development proposals, including manufactured home parks, shall be reviewed to determine whether such proposals will be reasonably safe from flooding.
  - b. All subdivision and other new development proposals shall be consistent with the need to minimize flood damage.
  - c. All subdivision and other new development proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.
  - d. All subdivision and other new development proposals shall have adequate drainage provided to reduce exposure to flood hazards.
  - e. In all approximate A Zones, all new subdivision and other development proposals (including proposals for manufactured home parks and subdivisions) greater than 50 lots or five acres, whichever is the lesser, shall include within such proposals base flood elevation data in accordance with this Section.

**C. Standards for Special Flood Hazard Areas with Established Base Flood Elevations**

**and with Floodways Designated**

Located within the special flood hazard areas established in Subsection 17.6.2, General Provisions, are areas designated as floodways. A floodway may be an extremely hazardous area due to the velocity of floodwaters, debris, or erosion potential. In addition, the area must remain free of encroachment in order to allow for the discharge of the base flood without increased flood heights and velocities. Therefore, the following provisions shall apply:

1. Encroachments are prohibited, including fill, new construction, substantial improvements or other development within the adopted regulatory floodway. Development may be permitted, however, provided it is demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the encroachment shall not result in any increase in flood levels or floodway widths during a base flood discharge. A registered professional engineer must provide supporting technical data and certification, thereof;
2. A community may permit encroachments within the adopted regulatory floodway that would result in an increase in base flood elevations, provided that the applicant first applies for a conditional letter of map revision (CLOMR) and floodway revision, fulfills the requirements for such revisions, and receives the approval of FEMA;
3. ONLY if Subsections 17.6.4.C.1 and 2 above are satisfied, then any new construction or substantial improvement shall comply with all

other applicable flood hazard reduction provisions of Paragraphs 17.6.4.A, General Standards, and 17.6.4.B, Specific Standards.

**D. Standards for Areas of Special Flood Hazard Zones AE with Established Base Flood Elevations but Without Floodways Designated**

Located within the special flood hazard areas established in Subsection 17.6.2, General Provisions, where streams exist with base flood data provided but where no floodways have been designated (Zones AE), the following provisions shall apply:

1. Require until a regulatory floodway is designated, that no new construction, substantial, or other development, including fill shall be permitted within Zone AE on the community's FIRM, unless it is demonstrated through hydrologic and hydraulic analyses performed that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.
2. A community may permit encroachments within Zones AE on the community's FIRM, that would result in an increase in the water surface elevation of the base flood, provided that the applicant first applies for a conditional letter of map revision (CLOMR) and floodway revision, fulfills the requirements for such revisions as established under the provisions of South Carolina state law, and receives the approval of FEMA;

3. ONLY if Subsections 17.6.4.D.1 and 2 above are satisfied, then any new construction or substantial improvement shall comply with all other applicable flood hazard reduction provisions of Paragraphs 17.6.4.A, General Standards, and 17.6.4.B, Specific Standards.

**E. Standards for Streams Without Established Base Flood Elevations and Floodways (A Zones)**

Located within the special flood hazard areas established in Subsection 17.6.2, General Provisions, where streams exist, but no base flood data has been provided and where a floodway has not been delineated, the following provisions shall apply:

1. The floodplain administrator shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from any Federal, State, or other sources, including data developed as a result of these regulations (see 2, below), as criteria for requiring that new construction, substantial improvements, or other development in approximate A Zones meet the requirements of Subsection 17.6.4, Provisions for Flood Hazard Reduction;
2. All new subdivision proposals and other proposed developments (including proposals for manufactured home parks and subdivisions) greater than 50 lots or five acres, whichever is the lesser, shall include within such proposals base flood elevation data;
3. Within approximate A Zones, where base flood elevations have not been established and where such data is not

available from other sources, require the lowest floor of a building to be elevated or floodproofed to a level of at least three feet above the highest adjacent grade. All applicable data including elevations or floodproofing certifications shall be recorded as set forth in Paragraph 17.6.3.B, Permit Procedures. Openings sufficient to facilitate automatic equalization of hydrostatic flood forces on exterior walls shall be provided in accordance with the standards of Subsection 17.6.4, Provisions for Flood Hazard Reduction;

4. Within approximate A Zones, where base flood elevations have not been established and where such data is not available from other sources, no encroachments, including structures or fill material, shall be located within an area equal to the width of the stream or 20 feet, whichever is greater, measured from the top of the stream bank, unless certification by a South Carolina registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the City. The engineering certification should be supported by technical data that conforms to standard hydraulic engineering principles; and
5. New construction and substantial improvements of buildings, where permitted, shall comply with all applicable flood hazard reduction provisions of Subsection 17.6.4,

Provisions for Flood Hazard Reduction. Within approximate A Zones, those subsections of Subsection 17.6.4, dealing with the alteration or relocation of a watercourse, shall assure watercourse carrying capacities are maintained and manufactured home provisions are complied with as required.

#### F. Standards For Areas of Shallow Flooding (Zone AO)

Located within the Special Flood Hazard Areas established in Subsection 17.6.2, General Provisions, are areas designated as shallow flooding areas. These areas have special flood hazards associated with base flood depths of one to three feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate. In addition to Paragraphs 17.6.4.A, General Standards, and 17.6.4.B, Specific Standards, all new construction and substantial improvements shall meet the following requirements:

1. The lowest floor (including basement) shall be elevated at least as high as the depth number specified on the Flood Insurance Rate Map (FIRM), in feet, plus a freeboard of one foot above the highest adjacent grade; or at least three feet above the highest adjacent grade, if no depth number is specified.
2. Non-residential structures may, in lieu of elevation, be floodproofed to the same level as required in Subsection 17.6.4.F.1 above so that the structure, together with attendant utility and sanitary facilities, below that level shall be watertight with walls substantially impermeable to the passage of water and with structural components having

the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. Certification is required in accordance with Subsections 17.6.3.B.1.d and 17.6.4.B.2.

3. Adequate drainage paths shall be provided around structures on slopes, to guide floodwaters around and away from proposed structures.

#### **G. Standards For Areas of Shallow Flooding (Zone AH)**

Located within the Special Flood Hazard Areas established in Subsection 17.6.2, General Provisions, are areas designated as shallow flooding areas. These areas are subject to inundation by 1-percent-annual-chance shallow flooding (usually areas of ponding) where average depths are one to three feet. Base Flood Elevations are derived from detailed hydraulic analyses are shown in this zone. In addition to meeting the requirements of Paragraphs 17.6.4.A, General Standards, and 17.6.4.B, Specific Standards, all new construction and substantial improvements shall meet the following requirements:

1. Adequate drainage paths shall be provided around structures on slopes, to guide floodwaters around and away from proposed structures.

#### **H. Standards for Areas Protected by Flood Protection System (A-99 Zones)**

Located within the areas of special flood hazard established in Subsection 17.6.2, General Provisions, are areas of the 100-year floodplain protected by a flood protection system but where base flood elevations have not been determined. Within these areas (A-99 Zones) all provisions of Subsections 17.6.3 and 17.6.4, shall apply.

#### **I. Standards for Unmapped Streams**

Located within the City are unmapped streams where areas of special flood hazard are neither indicated nor identified. Adjacent to such streams, the following provisions shall apply:

1. No encroachments including fill material or other development including structures shall be located within an area of at least equal to twice the width of the stream, measured from the top of each stream bank, unless certification by a South Carolina registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the locality.
2. When a new flood hazard risk zone, and base flood elevation and floodway data is available, new construction and substantial improvements shall meet the standards established in accordance with Subsections 17.6.3, Administration, and 17.6.4, Provisions for Flood Hazard Reduction.
3. ONLY if Subsections 17.6.4.I.1 and 2 above are satisfied, then any new construction or substantial improvement shall comply with all other applicable flood hazard reduction provisions of Paragraphs 17.6.4.A, General Standards, and 17.6.4.B, Specific Standards

### 17.6.5 Appeals to the Board of Zoning Appeals

#### A. Variance Procedures

In the case of a request for a variance to a provision within this Section, the following shall apply:

1. The Board of Zoning Appeals (BZA) shall hear and decide appeals and requests for variances from the requirements of Section 17.6, Floodplain Protection, as specified in this Subsection;
  2. Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary deviation from the requirements of this Section to preserve the historic character and design of the structure;
  3. In passing upon variance applications, the BZA shall consider all technical evaluations, all relevant factors, this Section, and:
    - a. The danger that materials may be swept onto other property to the injury of others;
    - b. The danger to life and property due to flooding or erosion;
    - c. The susceptibility of the proposed facility and its contents to flood damage;
    - d. The importance of the services provided by the proposed facility to the community;
    - e. The necessity of the facility to a waterfront location, in the case of a functionally dependent use;
    - f. The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
  - g. The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
  - h. The safety of access to the property in times of flood for ordinary and emergency vehicles;
  - i. The expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and
  - j. The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, water systems, and streets and bridges.
4. Upon consideration of the factors listed above, and the purposes of this Section, the BZA may attach such conditions to the granting of variances, as it deems necessary to effectuate the purposes of this Section.
  5. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

**B. Conditions for Variances**

1. Variances shall be issued only upon a determination that the variance is the minimum relief necessary, considering the flood hazard and the factors listed in Paragraph 17.6.5.A.
2. Variances shall only be issued upon:
  - a. A showing of good and sufficient cause;
  - b. A determination that failure to grant the variance would result in exceptional hardship; or
  - c. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or Ordinances.
3. Any applicant to whom a variance is granted shall be given written notice that the issuance of a variance to construct a structure below the base flood elevation will result in increased premium rates for flood insurance (as high as \$25 for \$100) coverage, and that such construction below the base flood elevation increases risks to life and property.
4. The floodplain administrator shall maintain the records of all appeal actions and report any variances to FEMA upon request.

# SECTION 18

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## HISTORIC RESOURCES

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## 18.1 General Provisions

### 18.1.1 Applicability

This Section shall apply to development or redevelopment on, adjacent to, or across the street from lands or sites:

- A. Listed on the National Register of Historic Places; or
- B. Eligible for designation on the National Register of Historic Places, as determined by the South Carolina Historical Commission.

### 18.1.2 Review for Compliance



Review of the proposed development or redevelopment to ensure compliance with this Section shall occur with the review of development plans, site plans, preliminary plats, final plats that create new lots, or building permits, as applicable.

### 18.1.3 Determination of Historic Resource Edge Treatment

- A. In order to protect freestanding historic lands and structures from negative visual impacts associated with new development occurring in their proximity, new development and redevelopment shall be subject to one or more of the applicable historic resource edge treatments in this Section.
- B. The edge treatments provide a context-based treatment to either screen the new development from the historic resource or integrate it into the new development.
- C. The applicable historic resource edge treatment and location shall be determined by the Planning Department based on:
  1. The context, setting, and location of the historic resource;
  2. The descriptions of the edge treatments as described in this Section;
  3. The location of the new development or redevelopment in relation to the historic resource;
  4. Which edge treatment will most enhance and protect the prominence of the historic resource; and
  5. The Laurens Comprehensive Plan.
- D. If the applicant disagrees with the determination, the applicant may appeal the decision to the Laurens Planning Commission following a recommendation by the Historic Preservation Commission.



## 18.2 Overview of Types of Historic Resource Edge Treatments

| Historic Resource Edge Treatment   | Illustration  |
|--|---|
| <p><b>Naturalistic Screening:</b> Naturalistic screening creates a year-round visual obstruction and significant spatial separation between the historic resource setting and the new development or redevelopment. The historic resource, its setting, and surrounding site features are preserved. The naturalistic screening edge treatment provides an opaque screen of evergreen trees mixed with existing vegetation along the common boundaries of the historic resource site and the site of the new development or redevelopment.</p> |  |
| <p><b>Corridor Context:</b> This edge treatment preserves the setting of the historic resource along a scenic corridor in the SO where development is proposed across a street from and within view of a historic building.</p>  |  |

## 18.3 Naturalistic Screening



### 18.3.1 Description

- A. Naturalistic screening creates a year-round visual obstruction and significant spatial separation between the historic resource setting and the new development or redevelopment. The historic resource, its setting, and surrounding site features are preserved.
- B. The naturalistic screening edge treatment provides an opaque screen of evergreen trees mixed with existing vegetation along the common boundaries of the historic resource site and the site of the new development or redevelopment.
- C. This approach is typically appropriate for a site that already has an abundance of mature vegetation, as opposed to open farm fields.

### 18.3.2 Location

- A. In cases where the developing property is adjacent to the property containing the historic resource, the naturalistic screening shall be located along the periphery of the developing property, unless an alternate location provides a superior amount of buffering.

### 18.3.3 Standards

- A. Site features that emphasize the prominence of a historic resource shall be preserved within the spatial setting of the historic resource. Such features include topography, mature vegetation, streams, and historic walls and fences.
- B. Naturalistic screening shall have a minimum width of 75 feet. Development on lots containing or adjacent to a National Historic Landmark shall have a minimum width of 100 feet. This area shall be placed in a conservation easement.
- C. Planting materials shall:
  1. Be predominately evergreen trees;
  2. Be staggered in an informal manner, which, upon maturity, creates an opaque screen;
  3. Be of a sufficient height upon maturity that new development is visually screened, regardless of building heights or topography; and
  4. Include at least two or more different indigenous tree species.
- D. Trees shall be required at a rate of one tree per every 400 square feet. Credit for existing vegetation may reduce the planting requirements, so long as the existing materials and new planting materials achieve an opaque screen.
- E. Pruning of trees or shrubs near ground level shall be prohibited.
- F. Berms, fences, or walls shall not be used.

### 18.3.4 Grading

The natural, existing topography shall be preserved. Grading is prohibited.

## 18.4 Corridor Context



### 18.4.1 Description

- A. The corridor context edge treatment preserves the setting of the historic resource along a scenic corridor in the SO where development is proposed across a street from and within view of a historic building;
- B. New buildings within view of the historic resource are designed to be similar in scale and architectural character with the historic building.

# SECTION 19

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## REVIEW BODIES

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## 19.1 General Authority

The following review bodies may exercise any and all powers and duties prescribed by State law, Charter, Municipal Code, and as described in this Ordinance.

## 19.2 Mayor and City Council

### 19.2.1 Specific Approval Authority

The Mayor and City Council is responsible for final approval of:

- A. Text amendments;
- B. Rezoning;
- C. Development plans;
- D. Preliminary Plats
- E. Final Plats
- F. Public improvements; and
- G. Annexations and accompanying plans of services.

### 19.2.2 Additional Authority

The Mayor and City Council may initiate text amendments and rezonings.

## 19.3 Laurens Planning Commission

### 19.3.1 Specific Review Authority

The Laurens Planning Commission is responsible for review and recommendation to the Mayor and City Council of:

- A. Text amendments;
- B. Rezoning;
- C. Development plans;
- D. Public improvements; and
- E. Annexations; and
- F. Plans of services.

### 19.3.2 Membership

The Planning Commission shall consist of five members and shall be appointed by the Mayor and confirmed by a majority vote of the Mayor and City Council. The terms shall be arranged so that the term of one member shall expire each year. Vacancies shall be filled for an unexpired term in the same manner as the original appointment.

### 19.3.3 Specific Approval Authority

The Laurens Planning Commission is responsible for review and final approval or recommendations for approval to the City Council of:

- A. Site plans;
- B. Preliminary plats;
- C. Final plats;
- D. General plans and plan amendments; and
- E. Performance agreements.

### 19.3.4 Additional Authority

The Laurens Planning Commission may initiate text amendments, rezonings, and plan amendments. The Planning Commission may also review projects of other governmental agencies, pursuant to Subsection 1.1.11, Review of Public Improvements.

### 19.3.5 Bylaws

The Laurens Planning Commission shall, by a majority vote of its entire membership, adopt bylaws governing its procedures on such matters as officers, agendas, voting, order of business, and related matters as it may consider necessary or advisable, in accordance with State law.

## 19.4 Board of Zoning Appeals

### 19.4.1 Specific Approval Authority

The Board of Zoning Appeals (BZA) is responsible for review and final approval of:

- A. Variances and Special Exceptions; and
- B. Appeals of administrative decisions.

### 19.4.2 Membership

The BZA shall consist of five members and shall be appointed by the Mayor and confirmed by a majority vote of the Mayor and City Council. The Terms shall be arranged so that the term of one member shall expire each year. Vacancies shall be filled for an unexpired term in the same manner as the original appointment.

### 19.4.3 Bylaws

The BZA may, by a majority vote of its entire membership, adopt bylaws governing its procedures on such matters as officers, agendas, voting, order of business, and related matters as it may consider necessary or advisable, in accordance with SC State law.

## 19.5 Historic Preservation Commission

### 19.5.1 Specific Review Authority

Within the HP, the Historic Preservation Commission is responsible for the review and recommendation to the Laurens Planning Commission and the Mayor and City Council, as applicable, of:

- A. Development plans;
- B. Preliminary plats; and
- C. Final plats that create new lots, where a preliminary plat is not required.

### 19.5.2 Specific Approval Authority

The Historic Preservation Commission is responsible for review and final approval of certificates of appropriateness within the HP.

### 19.5.3 Additional Authority

The following shall also be the duty of the Historic Preservation Commission:

- A. To regularly maintain and update the following documents:
  1. Historic Preservation Plan, and
  2. Historic District Design Guidelines.
- B. To nominate properties for inclusion in the HP;
- C. To review nominations for the National Register of Historic Places; and
- D. To comment on projects that may have a potential adverse impact on historic properties.

### 19.5.4 Membership

The HPC shall consist of five members and shall be appointed by the Mayor and confirmed by a majority vote of the Mayor and City Council. The terms shall be arranged so that the term of one member shall expire each year. Vacancies shall be filled for an unexpired term in the same manner as the original appointment.

### 19.5.5 Bylaws

The Historic Preservation Commission shall, by a majority vote of its entire membership, adopt bylaws governing its procedures on such matters as officers, agendas, voting, order of business, and related matters as it may consider necessary or advisable, in accordance with SC State law.

## 19.6 Planning Department

### 19.6.1 General Authority

The Planning Department is authorized by the Mayor and City Council to administer the provisions of this Ordinance. The Planning Department shall have the following authority and duties:

#### A. Coordination of Development Review

1. To coordinate the review of development applications; and
2. To present recommendations to the Mayor and City Council, Board of Zoning Appeals, and Historic Preservation Commission on applications for development approval considered by these review bodies.

#### B. Administration of this Ordinance

1. To establish application requirements and schedules for review of development applications;
2. To initiate and draft text amendments and rezoning ordinances;
3. To administratively update the history table for text amendments adopted by the Mayor and City Council;
4. To post adopted text amendments on the City website until they are incorporated into the text of this Ordinance; and
5. To take any other actions necessary to administer the provisions of this Ordinance.

#### C. Performance Agreements

To review and make decisions on performance agreements, sureties, and maintenance agreements.

#### D. Tree Removal Permits

To review, where appropriate, and provide recommendations to the Planning Depart-

ment on applications for a tree removal permit.

#### E. Technical Assistance

To provide expertise and technical assistance to the Mayor and City Council, Board of Zoning Appeals, and Historic Preservation Commission, and other entities.

#### F. Long Range Planning

To conduct studies and make recommendations regarding long-range planning policies and the general plan.

#### G. Historic Preservation

1. To administer Section 18, Historic Resources, and advise the Historic Preservation Commission on matters submitted to the Historic Preservation Commission;
2. To coordinate the City's historic preservation activities with those of state and federal agencies and with local, state, and national nonprofit preservation organizations; and
3. To assist the Historic Preservation Commission in maintaining and periodically updating the Historic Resources Survey.

### 19.6.2 Additional Authority

The Planning Department shall perform other duties as set forth by other provisions of this Ordinance.

# SECTION 20

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## PROCEDURES

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## 20.1 Overview of Applications

The table below outlines the types of applications, their scope, and the review bodies who make recommendations and take final action.

| Type of Application                               | Scope  | Recommendation      | Approval                         |
|---|--|---------------------|----------------------------------|
| Plan Amendment                                    | Amend Comprehensive Plan   | Planning Commission | Mayor and City Council           |
| Annexation  | Annex property into the City limits  | Planning Commission | Mayor and City Council           |
| Text Amendment                                    | Change the wording or substance of the Zoning Ordinance  | Planning Commission | Mayor and City Council           |
| Preliminary HP Recommendation                     | Provide preliminary recommendations for development in the HP  | Planning Department | Historic Preservation Commission |
| Rezoning (Map Amendment)                          | Change in the district boundaries or classifications   | Planning Commission | Mayor and City Council           |
| Sketch Plan                                       | Conceptual Plan  | NA                  | Planning Director                |
| Development Plan (PD)                             | Entitle development in the PD district   | Planning Commission | Mayor and City Council           |
| Preliminary Plat                                  | Propose layout for subdividing land into more than two lots, pursuant to the Subdivision Regulations | Planning Commission | Mayor and City Council           |
| Variance  | Grant relief from certain zoning requirements  | Planning Department | Board of Zoning Appeals          |
| Certificate of Appropriateness                    | Propose development or alterations in the HP   | Planning Department | Historic Preservation Commission |
| Site Plan Subject to Planning Commission Approval | Finalize site construction drawings  | Planning Director   | Planning Commission              |
| Site Plan Subject to Administrative Approval      | Finalize site construction drawings  | NA                  | Planning Director                |

| Type of Application               | Scope   | Recommendation      | Approval                |
|-----------------------------------|---|---------------------|-------------------------|
| Final Plat                        | Finalize layout for subdividing land into two or more lots suitable for recording with the Register of Deeds, pursuant to the Subdivision Regulations | Planning Commission | Mayor and City Council  |
| Performance Agreement             | Ensure the completion of required improvements as part of site plan or final plat approval  | See Section 21      | See Section 21          |
| Sign Permit                       | Review signs for compliance with this Ordinance   | Planning Department | Planning Director       |
| Tree Removal Permit               | Removal of a Grand Tree   | NA                  | Planning Director       |
| Appeal of Administrative Decision | Appeal a decision by an administrative official   | n/a                 | Board of Zoning Appeals |

Additional duties and responsibilities of the review bodies are set forth in subsequent Sections of this Section. In addition, the Mayor and City Council, Planning Commission, or Planning Department may ask other boards, commissions, government agencies, or non-government agencies to review applications.

## 20.2 Common Review Procedures

### 20.2.1 Applicability

The following requirements apply to all applications submitted under this Ordinance. Additional requirements may be included for specific applications. If there is a conflict between the common review procedures and the specific review procedures, the specific review procedures shall apply.

### 20.2.2 Authority to File Applications

- A. Applications shall be initiated by:
  1. The owner of the property that is the subject of the application;
  2. The owner’s authorized agent; or
  3. The Mayor and City Council, The Planning Commission, the Historic Preservation Commission or the Planning Department.
- B. When the owner’s authorized agent files an application on behalf of the property owner, the agent shall provide a property owner affidavit, which shall bind the owner with respect to all decisions and conditions of approval related to the property.

### 20.2.3 Initial Application Submittal

Applications shall be submitted in accordance with the requirements and checklists established by the Planning Department as posted on the City website.

### 20.2.4 Fee Schedule

- A. Fees shall be required to help defray the costs of processing applications. The fee schedule shall be posted on the City website and may be adjusted periodically by the Mayor and City Council, pursuant to the Municipal Code.
- B. Applicable fees shall be paid in full prior to processing an application for review.
- C. No fee shall be required if the application is made by the City or any agency created or appointed by the Mayor and City Council to perform government functions.
- D. No refund of the fee or any part of the fee shall be made, unless the Planning Department determines that an application was accepted in error or the fee paid exceeds the amount due. In these cases, the amount of the overpayment will be refunded to the applicant.

### 20.2.5 Submittal Deadline

Applications shall be submitted according to the submittal deadlines for the scheduled meetings of the applicable review bodies as posted on the City website.

### 20.2.6 Completeness Determination

The Planning Department shall only initiate the review and processing of an application submitted under this Ordinance if the application is determined to be complete as outlined in the applicable review body bylaws.

### 20.2.7 Sequence of Applications

- A. Where two or more applications are required for development approval, final action by the applicable review body shall occur in the following sequence:
  - 1. Plan amendment;
  - 2. Annexation;
  - 3. Text amendment;
  - 4. Preliminary HPC recommendation;
  - 5. Rezoning;
  - 6. Development Plan
  - 7. Preliminary plat;
  - 8. Variance and/or certificate of appropriateness;
  - 9. Site plan and/or final plat;
  - 10. Grading permit;
  - 11. Performance agreement; then
  - 12. Building permit and/or sign permit.
- B. When two or more applications are required for development approval, the applicant may request to expedite the review process by overlapping the processing of sequential applications. The costs for preparing plans shall be incurred at the applicant's risk and does not guarantee entitlements. When such a request is made, final action shall adhere to the order set forth in Paragraph 20.2.7.A above. This request is subject to the approval of the Planning Director based on the following criteria:
  - 1. The application shall have a low level of complexity;
  - 2. The timing of final action shall adhere to the order set forth in this Section;
  - 3. Any off-site improvements or development agreements shall be approved by the Mayor and City Council prior to or in conjunction with approval of a development plan;
  - 4. An application for a plan amendment shall not be reviewed simultaneously with a rezoning or development plan application and shall be reviewed after

an initiation of annexation by the Mayor and City Council;

5. A development plan, or its subsequent revision, shall be approved prior to acceptance of a site plan for review, unless revisions are considered minor. In these cases, a revised development plan may be submitted simultaneously with a site plan; and
6. For single-family residential site plans, an applicant may request a preliminary Historic Preservation Commission recommendation prior to final action on a site plan, as applicable, and then request the certificate of appropriateness prior to the issuance of a building permit.

#### **20.2.8 Waiver of Required Meetings**

Applications have various required meetings described in each type of application. If the Planning Department finds the application has minimal impacts on the surrounding properties, environment, or infrastructure, then it may waive any or all of the following meetings:

- A. Pre-application meeting;
- B. On-site meeting;
- C. Neighborhood meeting; or
- D. Joint conceptual workshop.

**20.2.9 Public Notice Requirements**

Applications shall comply with public notice requirements pursuant to the table below, State law, and the applicable review body bylaws. Public notice that exceeds State law requirements is considered a courtesy, and any defect or failure to provide the additional notice is not a basis for declaring any decision invalid.

| Application   | Published Notice | Mailed Notice | Posted Notice | Timing  |
|---|------------------|---------------|---------------|---|
| <p>● Required Notice<br/>                     ● Additional Notice Recommended<br/>                     ○ Required Notice for Neighborhood Meeting</p> |                  |               |               |   |
| Plan Amendment  | ●                | ○             | ● ○           | Published notice of the public hearing shall be published at least 30 days before the Planning Commission meeting<br>Mailed notice shall be postmarked at least 7 days prior to the neighborhood meeting  |
| Annexation  | ●                | ●             | ●             | Various published, mailed, and posted notices in accordance with State law  |
| Text Amendment  |                  |               |               | Published notice shall be included on the published agenda for the applicable review body   |
| Preliminary Historic Preservation Commission Recommendation   | ●                |               | ●             | Published notice shall be included on the published Historic Preservation Commission agenda   |
| Development Plan and Revisions  | ●                | ● ○           | ● ○           | Published notice shall be included on the published agenda for the applicable review body<br>Mailed notice shall be postmarked at least 7 days prior to the neighborhood meeting                          |
| Rezoning  | ●                | ●             | ●             | Published notice of the public hearing shall be published at least 15 days before the City Council meeting<br>Mailed notice shall be postmarked at least 15 days prior to the Planning Commission meeting |
| Preliminary Plat  | ●                | ●             |               | See the Subdivision Regulations   |

| Application   | Published Notice | Mailed Notice | Posted Notice | Timing  |
|---|------------------|---------------|---------------|---|
| <p>● Required Notice<br/>                     ● Additional Notice Recommended<br/>                     ○ Required Notice for Neighborhood Meeting</p> |                  |               |               |   |
| Variance  | ●                | ●             |               | Published notice shall be included on the published Board of Zoning Appeals agenda. Mailed notice shall be postmarked at least 15 days prior to the BZA meeting |
| Certificate of Appropriateness  | ●                |               | ●             | Published notice shall be included on the published Historic Preservation Commission agenda   |
| Site Plan Subject to Planning Commission Approval   | ●                |               |               | Published notice shall be included on the published Planning Commission agenda  |
| Site Plan Subject to Administrative Approval  | ●                |               |               | The administrative agenda shall be published on the City website  |
| Final Plat  | ●                |               |               | See the Subdivision Regulations   |
| Appeal of Administrative Decision   | ●                | ●             |               | Published notice shall be included on the published BZA agenda<br>Mailed notice shall be postmarked at least 15 days prior to the BZA meeting                   |

**A. Published Notice**

1. The Planning Department shall prepare the content and publish the notice in a newspaper of general circulation.
2. The timing of the published notice shall adhere to State law and the adopted bylaws of the applicable review body.
3. Published notice shall include the following content:
  - a. The application type;
  - b. The address and/or general location of the property that is the subject of the application, and may include a location map; and
  - c. A description of the nature, scope, and purpose of the application; and
  - d. The date, time, and place of the public meeting.
4. Published notice for the City Council public hearings for annexation, text amendments, rezonings, and development plans shall be published at least 15 days before the City Council meeting.

**B. Mailed Notice**

1. The applicant shall be responsible for preparing and mailing the notice.
2. The mailed notice to surrounding property owners shall be required only for:
  - a. The neighborhood meeting, as applicable; and
  - b. The initial presentation of the proposed development to the applicable review body.
3. The mailed notice shall be sent to property owners within 500 feet of the subject property and affected property owners within the application boundaries. Historic Preservation Commission rezoning mailed notice shall be prepared by the Planning Department and mailed only to the affected property owners.
4. The mailed notice shall be postmarked in accordance with Subsection 20.2.9, Public Notice Requirements.
5. A notarized affidavit from the applicant showing the names and addresses of each adjacent property owner who has been notified shall be submitted to the Planning Department prior to the meeting at which the item will be presented.
6. If the application is withdrawn or deferred after the notices have been mailed, then the applicant shall re-notify adjacent property owners of the future meeting at which the application will be considered.
7. Mailed notice shall include the following content:
  - a. The application type;
  - b. The address and general location of the property that is the subject of the application;
  - c. A description of the nature, scope, and purpose of the application;
  - d. The date, time, and place of the public meeting;
  - e. The location where the public may view the application and related documents; and
  - f. Contact information for the applicant or authorized agent, including name, address, telephone, and e-mail address.
8. In addition to Clause 20.2.9.B.7 above, mailed notice for HP rezoning shall include the following content:
  - a. A description of the structure or site proposed for nomination;
  - b. A description of the benefits, restrictions, and other terms of the proposed designation; and
  - c. A statement of the stay of actions after nomination provided for in Subsection 20.7.10, HP District Rezoning.

**C. Posted Notice**

1. Posted notice for annexation applications shall comply with State law.
2. All other recommended posted notice should be posted on the property prior to the neighborhood meeting or public meeting by the Planning Department.

**20.2.10 Opportunities for Public Hearings and Public Comment**

The table below lists the types of applications that require a public hearing or public comment at a public meeting.

| Application   | BZA | HPC | PLANNING<br>COMM | MAYOR/<br>COUNCIL |
|---|-----|-----|------------------|-------------------|
| ● = Public Hearing   ● = Opportunities for Public Comment   |     |     |                  |                   |
| Public hearings shall be conducted pursuant to all applicable requirements of State law and review body bylaws. |     |     |                  |                   |
| Plan Amendment  |     |     | ●                |                   |
| Annexation  |     |     | ●                | ●                 |
| Text Amendment  |     |     | ●                | ●                 |
| Preliminary Historic Preservation Commission Recommendation   |     | ●   |                  |                   |
| Development Plan  |     |     | ●                | ●                 |
| Rezoning  |     |     | ●                | ●                 |
| Preliminary Plat  |     |     | ●                |                   |
| Variance  | ●   |     |                  |                   |
| Certificate of Appropriateness  |     | ●   |                  |                   |
| Site Plan Subject to Planning Commission Approval   |     |     | ●                |                   |
| Site Plan Subject to Administrative Approval  |     |     |                  |                   |
| Final Plat  |     |     | ●                |                   |
| Performance Agreement and Surety  |     |     | ●                |                   |
| Appeal of Administrative Decision   | ●   |     |                  |                   |

**20.2.11 Continuation of Public Hearings**

A public hearing for which proper notice was given may be continued to a later date without again complying with the mailed notice requirements, provided that:

- A. The continuance is set for a date within 60 days of the original public hearing date; and
- B. The date and time of the continued

hearing are announced at the time of the continuance.

**20.2.12 Withdrawal of an Application**

A request for withdrawal of an application shall be submitted in writing to the Planning Department. The request shall be approved only if it has been submitted prior to the published notice of the public meeting, pursuant to the applicable review body bylaws.



## 20.3 Plan Amendment

### 20.3.1 Purpose

The purpose of a plan amendment is to amend the adopted general plan, Laurens Comprehensive Plan, due to changed conditions, changes in public policy, or changes necessary to advance the health, safety, and welfare of the City.

### 20.3.2 Applicability

- A. Plan amendments shall comply with the specific review procedures in this Section.
- B. Rezoning and development plans should be consistent with the adopted plan. When these applications are not consistent with the adopted plan, they may be processed without a plan amendment; however, the staff shall recommend disapproval if the application is not in substantial conformity with the adopted plan.

### 20.3.3 Preliminary Meeting

The applicant shall meet with the Planning Department to discuss the initial concepts of the plan amendment, Laurens Comprehensive Plan, and review procedures. The applicant shall supply any preliminary information to the Planning Department prior to the meeting.

### 20.3.4 Pre-Application Requirements

- A. The Planning Department may require a pre-application meeting with the applicant to review the draft plan amendment.
- A. The applicant shall submit pre-application documents to the Planning Department at least 14 days prior to the initial submittal.

### 20.3.5 On-Site Meeting

The applicant shall meet with the Planning Department and other departments, as applicable, on the property that is the subject of the application.

### 20.3.6 Neighborhood Meeting

The applicant shall hold at least one formal neighborhood meeting, typically held prior to the plan amendment application submittal. The applicant shall:

- A. Coordinate the neighborhood meeting date, time, and location with the Planning Department;
- B. Mail the public notice for the neighborhood meeting in accordance with Subsection 20.2.9, Public Notice Requirements; and
- C. Conduct the neighborhood meeting and provide a written summary of the meeting, noting concerns of surrounding property owners, with the application resubmittal. The meeting shall be attended by a City staff member to meet the neighborhood meeting requirement.

### 20.3.7 Application Submittal

The applicant shall submit a plan amendment application in accordance with Section 20.2, Common Review Procedures.

### 20.3.8 Staff Review

In accordance with the submittal schedule posted on the City website:

- A. The Planning Director shall review the application;
- B. The Planning Department shall send comments from the Planning Director to the applicant; then
- C. The applicant shall address the comments and submit a revised application.
- D. Upon submittal of a revised application, the Planning Department shall prepare a final review and make a recommendation to the Planning Commission.

### 20.3.9 Planning Commission Final Action

The Planning Commission shall review the plan amendment at a public hearing and vote on a resolution for:

- A. Approval;
- B. Approval with conditions;
- C. Disapproval; or
- D. Deferral for continued review of the application.

### 20.3.10 Approval Criteria

Recommendations and final action on a plan amendment shall be based on consideration of the following criteria:

- A. Significant changes have occurred since the adoption of the plan that necessitate the proposed amendment;
- B. The proposal is consistent with the overall intent of the Laurens Comprehensive Plan;
- C. The proposal is compatible with the design concepts of the surrounding area and does not cause an abrupt change in massing, form, or architecture;
- D. The proposal does not adversely affect the health, safety, and welfare of the public; and
- E. Substantial improvements in the quality of life for Laurens citizens will be achieved.

## 20.4 Annexation

### 20.4.1 Purpose

The purpose of an annexation is to expand City boundaries into unincorporated land that wallows for orderly growth, efficient delivery of municipal services, and proactive planning for future development.

### 20.4.2 Applicability

Annexation by resolution shall comply with the specific review procedures in this Section and State law. Annexation by referendum shall comply with State law.

### 20.4.3 Preliminary Meeting

The applicant shall meet with the Planning Director to discuss the request for annexation, the Laurens Comprehensive Plan, the plan of services, and review procedures.

### 20.4.4 Application Submittal

- A. The applicant shall submit an annexation application in accordance with Section 20.2, Common Review Procedures; however, annexation by resolution may only be initiated by the owner of the property or the owner's authorized agent.
- B. The applicant shall submit a rezoning application concurrently with an annexation application pursuant to Subsection 20.7.9, Establishment of a Zoning District.

### 20.4.5 Staff Review

The Planning Department shall coordinate a draft plan of services for the annexation application, which outlines how the property would be served by City services upon annexation.

### 20.4.6 Initiation of Annexation

The Mayor and City Council shall review the draft plan of services and may initiate an annexation and direct staff to continue to study the request. This initiation shall not commit or bind the Mayor and City Council to any proposal or element thereof.

### 20.4.7 Staff Review

In accordance with the submittal schedule posted on the City website, the Planning Department shall coordinate the preparation of the plan of services and annexation resolution and make a recommendation to the Planning Commission.

### 20.4.8 Planning Commission Recommendation

The Planning Commission shall review the plan of services and annexation resolutions at a public meeting and make a recommendation to the Mayor and City Council.

### 20.4.9 Mayor and City Council Final Action

- A. Except for annexations that require a referendum per State law, the the Mayor and City Council shall hold one reading on the plan of services resolution, with a public hearing and vote on the resolution concurrent with the second reading of the annexation resolution, and vote for:
  1. Approval;
  2. Disapproval; or
  3. Deferral for continued review of the application.
- B. Except for annexations that require a referendum per State law, the the Mayor and City Council shall hold three readings on the annexation resolution, with a public hearing during the second reading, and vote for:

1. Approval;
2. Disapproval; or
3. Deferral for continued review of the application.

#### **20.4.10 Approval Criteria**

Recommendations and final action on an annexation shall be based on consideration of the following criteria:

- A. Whether the proposed annexation can be served in an efficient and cost-effective manner by municipal services, such as fire, police, and public works;
- B. Whether the proposed annexation will result in orderly and efficient growth of the City;
- C. Whether existing or planned infrastructure, including water, sewer, roadways, specific types of open space, sidewalks and trails, and public facilities can adequately serve the property;
- D. Whether the proposed annexation is located in an area where substantial infrastructure investments have already been made;
- E. Whether the proposed annexation is consistent with the guiding principles set forth in the Laurens Comprehensive Plan and the purpose of this Ordinance; and
- F. Whether the proposed annexation would benefit the health, safety and welfare of the public.

## 20.5 Text Amendment

### 20.5.1 Purpose

The purpose of a text amendment is to modify the provisions of this Ordinance to address changed conditions, changes in public policy, or changes necessary to advance the health, safety, and welfare of the City.

### 20.5.2 Applicability

Text amendments shall comply with the specific review procedures in this Section.

### 20.5.3 Application Submittal

A text amendment application shall be initiated by the Mayor and City Council, Planning Commission, or Planning Department.

### 20.5.4 Joint Conceptual Workshop

The Planning Department shall draft the text amendment and present it at a joint conceptual workshop.

### 20.5.5 Planning Commission Recommendation

The Planning Commission shall review the text amendment at a public meeting and make a recommendation to the Mayor and City Council.

### 20.5.6 Mayor and City Council Final Action

- A. The Mayor and City Council shall hold three readings on the text amendment, with a public hearing during the second reading, and vote for:
  1. Approval;
  2. Approval with conditions;
  3. Disapproval; or
  4. Deferral for continued review of the application.
- B. A majority vote of the full membership

of the Mayor and City Council shall be required for passage of the text amendment ordinance on third and final reading.

### 20.5.7 Approval Criteria

Recommendations and final action on a text amendment shall be based on consideration of the following criteria:

- A. Whether the proposed text amendment is consistent with the Laurens Comprehensive Plan and the purpose of this Ordinance;
- B. Whether the proposed text amendment will protect the health, safety, and welfare of the public; and
- C. Whether the proposed text amendment corrects an error or meets the challenge of some changing condition, trend, or fact since the time that the original text was established.

## 20.6 Preliminary Historic Preservation Commission Recommendation

### 20.6.1 Purpose

The purpose of a preliminary Historic Preservation Commission recommendation is to provide other review bodies with recommendations related to the Historic District Design Guidelines on development applications in the HP early in the approval process where certain contextually-sensitive design features become entitled prior to the certificate of appropriateness review.

### 20.6.2 Applicability

- A. Preliminary Historic Preservation Commission recommendations shall comply with the specific review procedures in this Section.
- B. This Section shall apply to development in the HP that is subject to:
  1. Development plans;
  2. Preliminary plats; and
  3. Final plats that create new lots.
- C. This Section shall apply to rezoning applications that amend the SO on, adjacent to, or across the street from lands or sites:
  1. Listed on the National Register of Historic Places; or
  2. Eligible for designation on the National Register of Historic Places, as determined by the SC State Historic Preservation Office.
- D. Development plan applications shall be reviewed for consistency with the Historic District Design Guidelines regarding conceptual elevations, height, massing, scale, setbacks, type of historic resource edge treatment, and lot or building site sizes.

- E. Preliminary plat and final plat applications shall be reviewed for consistency with the Historic District Design Guidelines regarding types of edge treatment, setbacks, and lot or building site sizes.

### 20.6.3 Application Submittal

An application for a preliminary Historic Preservation Commission recommendation shall be submitted in accordance with Section 20.2, Common Review Procedures.

### 20.6.4 Staff Review

The Planning Department shall review the application and make a recommendation to the Historic Preservation Commission .

### 20.6.5 Historic Preservation Commission Recommendation

The Historic Preservation Commission shall review the application at a public meeting and provide a recommendation to the Planning Commission and the Mayor and City Council, as applicable, for:

- A. Approval;
- B. Approval with conditions;
- C. Denial; or
- D. Deferral for continued review of the application.

### 20.6.6 Approval Criteria

Preliminary Historic Preservation Commission recommendations shall be based on consideration of the following criteria:

- A. Whether the proposed development is consistent with the intent of the HP;
- B. Whether the proposed development would complement other structures or exterior arrangements within the HP; and
- C. Whether the proposed development complies with the Historic District Design Guidelines.

## 20.7 Rezoning

### 20.7.1 Purpose

The purpose of a rezoning is to amend the official zoning map to address annexation, changed conditions, changes in public policy, or changes necessary to advance the health, safety, and welfare of the City.

### 20.7.2 Applicability

Rezoning shall comply with the specific review procedures in this Section.

### 20.7.3 Preliminary Meeting

The applicant shall meet with the Planning Department to discuss the initial concepts of the rezoning, its compliance with the Laurens Comprehensive Plan, and review procedures. The applicant shall supply preliminary information to the Planning Department at least three business days prior to the meeting.

### 20.7.4 Application Submittal

- A. The applicant shall submit a rezoning application pursuant to Section 20.2, Common Review Procedures.
- B. An application for HP rezoning shall not require a property survey, but instead indicate the map, group, and parcel numbers of the proposed properties. Where applicable, the application shall be signed by owners of the affected properties.

### 20.7.5 Staff Review

In accordance with the submittal schedule posted on the City website:

- A. The Planning Director shall review the application;
- B. The Planning Department shall send comments from the Planning Director to the applicant;
- C. The applicant shall address the comments

and submit a revised application; and

- D. Upon submittal of a revised application, the Planning Department shall prepare a final review and make a recommendation to the Planning Commission.

### 20.7.6 Planning Commission Recommendation

The Planning Commission shall review the rezoning at a public meeting and make a recommendation to the Mayor and City Council.

### 20.7.7 Mayor and City Council Final Action

- A. The Mayor and City Council shall hold three readings on the rezoning ordinance, with a public hearing during the second reading, and vote for:
  1. Approval;
  2. Disapproval; or
  3. Deferral for the continued review of the application.
- B. A majority vote of the full membership of the Mayor and City Council shall be required for passage on third and final reading.

### 20.7.8 Approval Criteria

Recommendations and final action on a rezoning shall be based on consideration of the following criteria:

- A. Whether the proposed rezoning is consistent with the Laurens Comprehensive Plan and the purpose of this Ordinance;
- B. Whether the proposed rezoning will protect the health, safety, and welfare of the public; and
- C. Whether the proposed rezoning corrects an error or meets the challenge of changed conditions, changes in public policy, or changes necessary to advance the health, safety, and welfare of the City.

### 20.7.9 Establishment of a Zoning District

A. When a property is annexed, a zoning district shall be established per one of the following:

1. The property shall be zoned CN or ER, depending on the acreage;
2. Any property subject to a recorded subdivision shall be zoned to the district that most closely resembles the existing development in terms of uses and lot sizes. If such district is PD, final plats on record in the Laurens County Register's office shall serve as the development plan; or
3. If the applicant wishes to establish a different zoning district, a rezoning application must be submitted concurrently with the annexation application.

B. When a property is zoned or rezoned, the new zoning district lines shall follow parcel lines.

C. In addition to the zoning district, parcels annexed into the City shall be zoned to the applicable zoning overlay districts in accordance with the Laurens Comprehensive Plan.

### 20.7.10 HP District Rezoning

A rezoning to the HP shall vary from the process in Section 20.7, Rezoning, to meet the following requirements:

A. Properties may be nominated for the HP by any of the following applicants:

1. An individual property owner of a property;
2. One person, acting as a representative for more than one property owner; or
3. The Mayor and City Council or Historic Preservation Commission.

B. The nomination shall serve as an application

to rezone the affected properties into the HP. The rezoning shall vary from the process in Section 20.7, Rezoning, to meet the following requirements:

1. The application fee shall be waived;
2. The nomination shall indicate the map, group, and parcel numbers of the properties. A survey of the affected properties shall not be required; and
3. An owner affidavit shall not be required.

C. Upon receipt of a nomination, the Planning Department shall place the item for consideration on an upcoming Historic Preservation Commission meeting agenda to evaluate the affected properties in light of the HP designation criteria. The Historic Preservation Commission shall make a recommendation to the Planning Commission.

D. The Planning Department shall:

1. Prepare and mail the required mailed notice to property owners within 500 feet of the subject property; and
2. Prepare a notice of nomination and mail it to the owners of the affected properties at least 15 days prior to the Planning Commission meeting.

E. The notice of nomination shall include the following information:

1. A description of the structure or site proposed for nomination;
2. A description of the benefits, restrictions, and other terms of the proposed designation;
3. Notice of the Planning Commission meeting;
4. A statement of the stay of actions after nomination provided for in Clause 20.7.10.F below; and
5. A form on which the owner may explain the reasons why the nomination should be approved or denied.



- F. The Planning Commission shall make a recommendation to the Mayor and City Council.
- G. After a first reading vote by the Mayor and City Council on the HP rezoning, all permits for construction, major repairs, alterations, additions, restoration, rehabilitation, demolition or relocation of any building, object or structure on the property shall be subject to the certificate of appropriateness procedures, unless the rezoning is denied by the Mayor and City Council.

### 20.7.11 Community Character District Rezoning

A rezoning to the Community Character (CC) shall vary from the process in Section 20.7, Rezoning, to meet the following requirements:

- A. Properties may be nominated for the CC by a representative of the property owners;
- B. The nomination shall serve as an application to rezone the affected properties into the CC. The rezoning shall vary from the process in Section 20.7, Rezoning, to meet the following requirements:
  - 1. The application fee shall be waived;
  - 2. The nomination shall indicate the map, group, and parcel numbers of the properties proposed for rezoning. A survey of the affected properties shall not be required; and
  - 3. A petition shall be submitted, signed by at least 51 percent of the total number of property owners of the total number of parcels or lots within the proposed district. An owner affidavit shall not be required.
  - 4. Following the nomination of the CC, the the Planning Department shall hold a neighborhood meeting with the affected property owners.
  - 5. Following the neighborhood meeting,

the the Planning Department shall develop maps, descriptive materials, and development standards for the proposed district that include:

- a. Maps indicating the boundaries, age of structures, and existing land use;
- b. Maps and other graphic and written materials identifying and describing the distinctive neighborhood and building characteristics of the proposed district; and
- c. Development standards for new construction, additions, or alterations to the street facades of existing buildings or structures within the proposed district.

6. The development standards shall be established by a text amendment and rezoning creating the CC.

C. Separate ordinances are required to designate each district. Ordinances designating each CC shall identify the designated district boundaries and specify the individual purposes and development standards for that individual district.

D. Each CC shall have the overlay district symbol (CC) as a suffix and be numbered sequentially to distinguish among different districts e.g. (CC1, CC2, etc.).

## 20.8 Development Plan

### 20.8.1 Purpose

The purpose of a development plan is to:

- A. Allow for the review and approval of entitlements for development in the PD district and any associated modification of standards requests;
- B. Implement Laurens Comprehensive Plan guiding principles and design concepts; and
- C. Utilize the planned unit development process in accordance with State law.

### 20.8.2 Applicability

- A. Development plans are specific to the PD district. Development plans shall comply with the specific review procedures in this Section.
- B. Rezoning of property to a PD district and the subsequent development plan shall not be proposed or used to avoid, or have the effect of avoiding compliance with the standards and requirements of this Ordinance or for the other zoning districts, and instead, shall be used sparingly in the following situations:
  1. Rezoning of property to a PD district and the corresponding development plan shall be limited to situations where this district is needed in order to implement the Laurens Comprehensive Plan guiding principles and design concepts; or
  2. Rezoning of property to a PD district and the corresponding development plan shall be limited to situations where a property, due to unique site conditions or the necessary intrinsic size, use, building placement, building elements, building configuration, building type, or other building and

development characteristics, cannot conform to one or more of the other zoning districts or standards specified in this Ordinance.

- C. Development plans shall provide for innovative planning and design that respects the surrounding established land use, character, and natural or man-made features of the property, such as trees, historic features, streams, hillsides, and floodplains, and promotes quality design and environmentally sensitive development by allowing development to take advantage of special site characteristics, locations, and land uses, which could not be achieved in accordance with the standards for any other zoning district.

### 20.8.3 Establishment of Standards

Development plans establish entitlements for a property in the PD district, including a customized combination of permitted uses, building types, frontage types, setbacks, and any modifications of standards in accordance with Subsection 20.8.4, Modifications of Standards.

### 20.8.4 Modifications of Standards

- A. The purpose of a modification of standards is to allow the consideration of a request to modify a development standard of this Ordinance where:
  1. The modification will enhance the design of the development more than if the standards were strictly adhered to;
  2. The conditions upon which the request is based are unique to the design intent for the development and are not applicable generally to other property; and

3. The modification is consistent with the intent of the Laurens Comprehensive Plan.
- B. The applicant shall provide the standard requested for modification, an alternate standard to be considered, and written documentation and justification for the request.
- C. A modification shall not be used to achieve the effect of changing one type of building, open space, sign, or historic resource edge treatment to another type.
- D. The following standards are not available for modification:
  1. Section 3.10, Planned District;
  2. Section 4, Overlay Districts;
  3. Section 5, Use Regulations;
  4. Section 7, Frontage Types;
  5. Section 12.2, Landscape Surface Area;
  6. Section 17.1, Steep Slopes; and
  7. Section 17.6, Floodplain Protection.

### 20.8.5 Preliminary Meeting

The applicant shall meet with the Planning Department to discuss the initial concepts for the development plan, Laurens Comprehensive Plan, and procedures.

### 20.8.6 Pre-Application Requirements

The applicant shall hold a pre-application meeting with the Planning Director to review the draft development plan and discuss Ordinance requirements. The applicant shall submit pre-application documents to the Planning Department as defined by the calendar published on the City website.

### 20.8.7 Neighborhood Meeting

The applicant shall hold at least one formal neighborhood meeting, typically held prior to the development plan application submittal. The applicant shall:

- A. Coordinate the neighborhood meeting date, time, and location with the Planning Department;
- B. Mail the public notice for the neighborhood meeting in accordance with Subsection 20.2.9, Public Notice; and
- C. Conduct the neighborhood meeting and provide a written summary of the meeting, noting concerns of surrounding property owners, with the application resubmittal. The meeting shall be attended by a City staff member to meet the neighborhood meeting requirement.

### 20.8.8 Application Submittal

- A. The applicant shall submit a development plan application in accordance with Section 20.2, Common Review Procedures.
- B. If an applicant wishes to request a modification of standards, the request shall be made as part of the initial application submittal. A modification of standards is not needed for a standard that allows the Planning Director to approve an alternative.
- C. Applications for buildings over four stories or 50 feet shall include a viewshed analysis that includes three-dimensional imagery of the proposal and the surrounding buildings and properties to better understand how the proposed building will impact the nearby built and natural environment.

### 20.8.9 Joint Conceptual Workshop

- A. Prior to the joint conceptual workshop, the applicant shall submit the following to the Planning Department:
  1. A brief overview of the project size and scope;
  2. A summary of the existing site conditions;
  3. A summary of any modification of standards requests; and

4. A summary of the pre-application meeting in a format suitable for display during the workshop and posting on the City website.
  - B. The applicant shall present the project at a joint conceptual workshop.
  - C. The Mayor and City Council and Planning Commission may offer the applicant an initial informal reaction to the project plans, but comments are advisory only and shall in no manner commit or bind the Mayor and City Council or Planning Commission to any proposal or element thereof.
2. Approval with conditions;
  3. Disapproval; or
  4. Deferral for the continued review of the application.
- B. If the development plan is associated with a rezoning ordinance, then the one reading of the development plan shall coincide with the second reading and public hearing of the rezoning ordinance.
  - C. If the Mayor and City Council approves the development plan (with or without conditions), then the development plan shall be considered approved on the effective date of the associated rezoning ordinance. If there is not an associated rezoning, the development plan shall be considered approved on the effective date of the resolution.

#### **20.8.10 Staff Review**

In accordance with the submittal schedule posted on the City website:

- A. The Planning Director shall review the application;
- B. The Planning Department shall send comments from the Planning Director to the applicant;
- C. The applicant shall address the comments and submit a revised application; and
- D. The Planning Department shall prepare the final review and make a recommendation to the Planning Commission.

#### **20.8.11 Planning Commission Recommendation**

The Planning Commission shall review the development plan at a public meeting and make a recommendation to the Mayor and City Council.

#### **20.8.12 Mayor and City Council Final Action**

- A. The Mayor and City Council shall hold one reading on the development plan by resolution with a public hearing and vote on the development plan and any associated modifications of standards for:
  1. Approval;

#### **20.8.13 Approval Criteria**

- A. Recommendations and final action for a development plan shall be based on consideration of the following criteria:
  1. Whether the proposed development plan is consistent with Laurens Comprehensive Plan, the purpose of this Ordinance, and other applicable City plans;
  2. Whether the proposed development plan is being used to avoid compliance with the standards and requirements of this Ordinance or for the other zoning districts that implement the Laurens Comprehensive Plan;
  3. Whether the proposed development will be adequately served by existing or planned public facilities and infrastructure and that proposed improvements needed to serve the site comply with relevant City requirements;
  4. Whether the proposed development

plan will provide community amenities to support the public health, safety, and welfare of the public; and

5. If development is proposed to occur in phases, whether legal assurance are provided, in a format suitable to the City attorney, that project improvements, such as parking structures, multi-use paths, street connections, and neighborhood amenities that are necessary and desirable for residents of the project or that are of benefit to the City are constructed as early in the project phasing as is technically feasible.
- B. Recommendations and final action for a modification of standards shall be based on consideration of the following criteria:
1. The modification will enhance the design of the development more than if the standards were strictly adhered to;
  2. The conditions upon which the request is based are unique to the design intent for the development and are not applicable generally to other property; and
  3. The modification is consistent with the intent of the Laurens Comprehensive Plan.
- C. Conditions of approval may be imposed to:
1. Secure the purposes of this Ordinance and protect the public health, safety, and general welfare; and
  2. Ensure compatibility of development with surrounding land uses and buildings.

#### **20.8.14 Effect of Approval on Project Entitlements and Design**

The project entitlements approved in the development plan shall be subject to the

application of the development standards of this Ordinance and any conditions of approval. If, upon the application of the development standards, as may be modified, and the conditions of approval, the applicant cannot achieve the maximum approved entitlements, the applicant shall be confined to the entitlements achieved from the application of the standards in this Ordinance and any conditions of approval. The applicant may not apply for a variance to achieve the maximum allowable entitlements after approval of the development plan.

#### **20.8.15 Expiration of a Development Plan**

- A. Development plans will expire three years after their approval date, corresponding to the expiration of their vesting. The approval date is the effective date of the resolution as voted on by the Mayor and City Council.
- B. To keep a development plan valid, an applicant must:
  1. Secure the approval of a site plan;
  2. Obtain necessary permits to start site preparation; and
  3. Begin site preparation work, which includes any of the following activities: excavating, grading, demolition, removing excess debris to allow for proper grading, or providing a surface for a proper foundation, drainage, and settling for a development project, and physical improvements, such as water and sanitary sewer lines, footings, or foundations installed on the site for which construction permits are required.
- C. If all three requirements are met, a development plan will be valid for an additional two years.
- D. A development plan will then expire within

five years (three years plus the additional two years granted) of the original approval date, unless the applicant commences construction. Construction, for purposes of this Subsection, means that any foundation of a building are installed and the building has begun to be erected vertically.

- E. If construction commences within one year of the original approval date, the development plan will remain valid for:
1. Five years from the original approval date for single-phase development plan; or
  2. 10 years from the original approval date for a multi-phase development plan.
- F. If a project is not complete by the end of this time period, the applicant/developer may request an extension of the vesting period and extension of the development plan expiration date, pursuant to Section 20.19, Vesting.

### **20.8.16 Revisions to an Approved Development Plan**

Revisions to an approved development plan are still subject to the expiration date of the original approval of the development plan in Subsection 20.8.15, Expiration of a Development Plan. As such, revisions to development plans approved after a project has commenced construction will also not “restart” the clock on expiration timelines.

Revisions to an approved development plan that are denied by the applicable review body may affect the vesting property rights, per Section 20.19, Vesting.

Review of requests for revisions to an approved development plan are subject to one of the three processes described in Paragraphs 20.8.16.A through C below:

#### **A. Revision by Mayor and City Council Resolution**

The following revisions trigger the entire review procedures and public notification, including neighborhood meeting and joint conceptual workshop, as required for the original development plan approval, with final action by Mayor and City Council resolution:

1. Any increase in entitlements, including the number of dwelling units or nonresidential square footage;
2. Changes or increase from single family residential to any other residential use;
3. Changes in nonresidential square footage related to institutional or industrial use;
4. Adding a use that is not otherwise identified on the approved development plan;
5. A change in the number or location of external access points or streets classified as collector or arterial street;
6. Revisions to the widths or lengths of provided buffers, historic resource edge treatments, stormwater, etc.;
7. Any revision to a condition of approval required by the Mayor and City Council; or
8. Any revision that requires a modification to the standards or that requires a change to a previously-approved modification to the standards.

#### **B. Revision by Planning Commission Approval**

The following revisions trigger the entire review procedures and public notification, including neighborhood meeting and joint conceptual workshop, as required for the original development plan approval, with final action by the Planning Commission:

1. Changes to setbacks or frontage types approved as part of the development plan that change the character of the project;
2. Major changes to typical lots or building sites in either dimension or number of lots or building sites in a section or throughout the development;
3. Reduction in approved open space within any section of the development plan, which impacts the plan;
4. Changes in building types, building heights, or number of stories, which impact the visual character or transitional features of the section or plan;
5. Significant changes to the internal street network, block layout, or intersection configuration, such as the elimination of streets or connection points;
6. Any impact to existing historic sites or structures, other than impacts previously approved;
7. Major changes to parking layout, which adversely alter parking convenience or changes the character of the plan; or
8. Substantial revision to drainage, streets, stormwater quality or quantity, or other engineering design changes that alter those items as approved in the development plan, including significant changes in traffic circulation.

or Planning Commission for review, pursuant to the applicable application requirements.

## 20.9 Preliminary Plat

See the Subdivision Regulations.

### C. Minor Revisions

1. Revisions not meeting the criteria of either Paragraphs 20.8.16.A or B are considered minor revisions that have minimal impact upon the project. Minor revisions may be approved by the Planning Department.
2. The Planning Department may choose to forward any revised development plan to the Mayor and City Council

## 20.10 Variance

### 20.10.1 Purpose

- A. The purpose of a variance is to:
  - 1. Provide limited relief from the requirements of this Ordinance in cases where strict application of a particular requirement would create an unnecessary hardship prohibiting the use of land in a manner otherwise allowed under this Ordinance; and
  - 2. Address extraordinary, exceptional, or unique situations that were not caused by the applicant's act or omission.
- B. Variances are not intended merely to remove inconveniences or financial burdens that the requirements of this Ordinance may impose of property owners in general.

### 20.10.2 Applicability

Variances shall comply with the specific review procedures in this Section.

### 20.10.3 Pre-Application Requirements

The applicant shall meet with the Planning Department prior to submittal of the application to review the variance request and the zoning requirements.

### 20.10.4 Application Submittal

A variance application shall be submitted in accordance with Section 20.2, Common Review Procedures.

### 20.10.5 Staff Review

In accordance with the submittal schedule posted on the City website, the Planning Department shall:

- A. Review the application and coordinate with any other affected departments; and

- B. Prepare the final review and make a recommendation to the Board of Zoning Appeals (BZA).

### 20.10.6 BZA Final Action

The BZA shall review the variance application at a public meeting, hold a public hearing, and vote for:

- A. Approval;
- B. Approval with conditions;
- C. Disapproval; or
- D. Deferral for continued review of the application.

### 20.10.7 Approval Criteria

- A. The BZA may authorize a variance only in accordance with the following criteria:
  - 1. There are extraordinary and exceptional conditions pertaining to the particular piece of property;
  - 2. These conditions do not generally apply to other property in the vicinity;
  - 3. Because of these conditions, the application of the ordinance to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property; and
  - 4. The authorization of a variance will not be of substantial detriment to adjacent property or to the public good, and the character of the district will not be harmed by the granting of the variance.
- B. Variance requests for property subject to Section 17.6, Floodplain Protection, shall comply with Subsection 17.6.5, Appeals to the Board of Zoning Appeals.
- C. Conditions of approval may be imposed if the intent of the conditions is to uphold the general purpose and intent of this Ordinance.
- D. Nonconforming uses or structures shall not



be grounds for a variance.

- E. Self-imposed hardships, or actions taken by the applicant, rather than conditions unique to the lot in question, shall not be grounds for a variance.

### **20.10.8 Effect of a Variance**

- A. The issuance of a variance shall authorize only the particular variation that is approved in the variance.
- B. A variance, including any conditions of approval, shall run with the land and shall not be affected by a change in ownership.
- C. The issuance of a variance shall not result in an action that has the effect of allowing a use or the use regulations not otherwise permitted in the applicable zoning district or overlay district. Any action that has in effect changed the district shall be deemed to be a violation of this Section and shall be of no force and effect.

### **20.10.9 Subsequent Development**

Development authorized by the variance shall only be carried out when the applicant has secured all other approvals required by this Ordinance or any other applicable ordinances or regulations.

### **20.10.10 Time Limit**

- A. Unless otherwise specified in the variance, an application for a building permit shall be applied for and issued within one year of the date of variance approval; otherwise, the variance shall become invalid.
- B. Upon written request, one extension of six months may be granted by the Planning Department if the applicant can show good cause.
- C. The decision of the Planning Department as to what constitutes substantial compliance with the time limit or applicable conditions

for a variance shall be final.

### **20.10.11 Amendment to an Approved Variance**

A variance may be amended, extended, or modified only in accordance with the procedures and standards established for its original approval. A request for a change in the conditions of approval of a variance shall be considered an amendment and subject to the full review procedure set forth in this Section.

## 20.11 Certificate of Appropriateness

### 20.11.1 Purpose

The purpose of a certificate of appropriateness is to ensure that development, construction, alteration, or demolition of structures in the HP district meets the intent of the Historic Design Guidelines regarding the appropriateness of the:

- A. Exterior architectural features of new structures to be constructed;
- B. Exterior design, modification, alteration, or extension of existing structures;
- C. Setbacks, parking, sidewalks, driveways, fencing, signage, or other features that might affect the character of a historic resource; and
- D. General compatibility of design, arrangement, texture, and materials of the exterior of the structures in relation to similar features of structures in the immediate surroundings.

### 20.11.2 Applicability

- A. Certificates of appropriateness shall comply with the specific review procedures in this Section.
- B. Within the HP district, the issuance of a certificate of appropriateness shall be required prior to:
  1. The issuance of a building permit or demolition permit;
  2. The installation, construction, alteration, relocation, or demolition of a sign, fence, or wall;
  3. Exterior work in accordance with the Historic District Design Guidelines; and
  4. Approval of a site plan.
- C. For single-family residential site plans, an applicant may request a preliminary Historic Preservation Commission

recommendation prior to final action on a site plan. In these cases, a preliminary Historic Preservation Commission recommendation shall be issued prior to issuance of a building permit.

### 20.11.3 Exemptions

Building permits for work on the interior of a structure, such as electrical, interior structural, etc., are exempt from this Section, provided that the work will not alter the external appearance or the gross floor area of the structure.

### 20.11.4 Application Submittal

- A. A certificate of appropriateness application shall be submitted in accordance with Section 20.2, Common Review Procedures.
- B. Applications within the HP shall provide a three-dimensional model of the proposed development and all buildings on any adjacent lots or building sites when development consists of the following:
  1. A building with a height of three stories or more; or
  2. A building with a facade width of 100 feet or more.

### 20.11.5 Administrative Final Action

- A. The Planning Department may review and approve minor alterations and installations not substantially affecting the exterior appearance of the property in accordance with the Historic District Design Guidelines.
- B. The Planning Department may approve such installations administratively or refer the proposed project to the Historic Preservation Commission for final action.

**20.11.6 Historic Preservation Commission Final Action**

- A. The Planning Department shall review the application and make a recommendation to the Historic Preservation Commission.
- B. The Historic Preservation Commission shall review the application within 30 days following the availability of sufficient information; however, the timeframe may be extended by mutual agreement.
- C. The Historic Preservation Commission (HPC) shall review the certificate of appropriateness application at a public meeting and vote for:
  - 1. Approval;
  - 2. Approval with conditions;
  - 3. Denial with grounds stated in writing; or
  - 4. Deferral for continued review of the application.
- D. Following the Historic Preservation Commission approval of a certificate of appropriateness, the Planning Department shall issue a written certificate of appropriateness. A building permit or other required application then may be processed in accordance with this Ordinance.
- E. Following the HPC disapproval of a certificate of appropriateness, the applicant shall be notified in writing by the Planning Department.

**20.11.7 Approval Criteria**

- A. For new construction or alterations to an existing structure, recommendations and final action on a certificate of appropriateness shall be based on consideration of the following criteria:
  - 1. Whether the proposed action is consistent with the intent of the HP district;

- 2. Whether the proposed action would complement other structures or exterior arrangements within the HP district; and
- 3. Whether the proposed action complies with the Historic District Design Guidelines.
- B. For removal, relocation, or demolition, final action on a certificate of appropriateness shall be based on consideration of the following criteria:
  - 1. Whether the proposed action is consistent with the intent of the HP district; and
  - 2. Whether the proposed action complies with the Historic District Design Guidelines.

**20.11.8 Expiration of a Certificate of Appropriateness**

- A. Certificate of Appropriateness shall expire two years from the date of issuance, except as outlined below. One six-month extension may be granted by the Planning Department for the approved scope of work. Requests must be made in writing prior to the Certificate of Appropriateness expiration date.
- B. For Certificate of Appropriateness associated with the approval of a plan considered vested by Subsection 20.19.1, Initiation of Vesting, a Certificate of Appropriateness expiration shall coincide with the duration of that vesting period, in accordance with Section 20.19, Vesting.

**20.11.9 Appeals**

The Historic Preservation Commission shall have jurisdiction relating to historic zoning matters. Anyone who may be aggrieved by the final order or judgment of the HPC may have the order or judgment reviewed by the courts as provided under South Carolina law.

## 20.12 Site Plan

### 20.12.1 Purpose

The purpose of a site plan is to ensure site development compliance with all applicable standards in this Ordinance and to develop a site construction plan set.

### 20.12.2 Applicability

- A. Site plans shall comply with the specific review procedures in this Section.
- B. Site plan approval shall be required for development prior to the issuance of a grading permit or building permit, unless exempted by Subsection 20.12.4, Exemptions.
- C. Site plans shall be submitted for approval by the Planning Commission if the application includes:
  1. A buffer per Section 12.7, Buffers;
  2. A new structure exceeding four stories or 50 feet;
  3. Property within the HP, CC, or SO;
  4. A telecommunication tower;
  5. A unified site plan;
  6. An event venue;
  7. A gas station;
  8. A bed and breakfast; or
  9. A use classified as civic and institutional per Subsection 5.1.3, Permitted Principal Uses by Zoning District.
10. All other site plans shall be subject to administrative review and approval by the Planning Director..
- D. All other site plans shall be subject to administrative review and approval by the Planning Department.

### 20.12.3 Unified Site Plan

- A. Nonresidential uses with two or more lots may be submitted as a unified site plan.
- B. Multifamily residential, where permitted as

part of the overall building square footage of a development, shall be submitted as a unified site plan that includes the entire development site.

- C. Requirements for unified site plans shall be determined based on the perimeter lot lines of the overall site, regardless of the location, ownership, size, or quantity of the interior lots.
- D. Unified site plans shall comply with the following:
  1. Bulk requirements to be considered in aggregate shall include buffers, building setbacks, open space, landscape surface area, tree protection, parking, and stormwater requirements;
  2. Site development for all lots shall be depicted on the unified site plan;
  3. The unified site plan shall serve as the preliminary plat in the platting process; and
  4. The final plat shall be required to contain perpetual maintenance agreements for shared responsibility of site improvements.

### 20.12.4 Exemptions

The following development shall be exempt from site plan review, but shall comply with all standards of this Ordinance and any other City requirements prior to issuance of a building permit:

- A. Plans for nonresidential additions that do not exceed ten percent of the square footage of the building and do not require a stormwater permit or grading permit;
- B. Plans for parking areas, open spaces, or accessory structures that do not require a stormwater permit or grading permit;
- C. The internal construction or change in floor area of a development that does not increase gross floor area, increase

the intensity of use, or affect parking requirements on a site that meets all development and site design standards of this Ordinance; and

- D. Temporary uses, pursuant to Section 5.3, Temporary Uses and Structures, that do not require a stormwater permit or grading permit.

### 20.12.5 Pre-Application Requirements

- A. The Planning Director may require a pre-application meeting with the applicant to review the draft site plan and identify any initial conflicts with this Ordinance.
- B. The applicant shall submit pre-application documents to the Planning Department at least 14 days prior to the initial submittal..

### 20.12.6 Application Submittal

- A. The applicant shall submit a site plan application in accordance with Section 20.2, Common Review Procedures. The submittal shall be within 120 days of the pre-application meeting, if applicable.
- B. Applications for buildings that exceed four stories, or 50 feet shall include a viewshed analysis that includes three-dimensional imagery of the proposal and the surrounding buildings and properties to better understand how the proposed building will impact the nearby built and natural environment.

### 20.12.7 Staff Review

In accordance with the submittal schedule posted on the City website:

- A. The Planning Director shall review the application;
- B. The Planning Department shall send comments from the Planning Director to the applicant; and
- C. The applicant shall address the comments

and submit a revised application within three resubmittal dates in accordance with the Planning Commission bylaws.

### 20.12.8 Final Action

#### A. Administrative Final Action

1. Upon submittal of a revised application, the Planning Director shall make a decision to:
  - a. Approve;
  - b. Approve with conditions; or
  - c. Disapprove with the option for the applicant to re-submit.
2. The Planning Director decision shall be placed on an administrative agenda.
3. The applicant may appeal any Planning Director decision or conditions of approval to the Planning Commission. This appeal shall be filed with the Planning Department within 14 days of the administrative agenda and shall be placed on the next available the Planning Commission agenda.

#### B. Planning Commission Final Action

1. Upon submittal of a revised application, the Planning Department shall prepare a final review and make a recommendation to the Planning Commission.
2. The Planning Commission shall review the site plan at a public meeting and vote for:
  - a. Approval;
  - b. Approval with conditions;
  - c. Disapproval; or
  - d. Deferral for continued review of the application.

### 20.12.9 Approval Criteria

Recommendations and final action on a site plan shall be based on consideration of the following criteria:

- A. Whether the proposed development complies with the applicable zoning district and overlay districts;
- B. Whether the proposed development is consistent with all standards of this Ordinance and other related codes and ordinances enforced by the City; and
- C. Whether the proposed development meets all the requirements or conditions of any other applicable development approvals, such as a development plan or associated modification of standards.

### 20.12.10 Site Plans and Time Limits

- A. Unless otherwise specified in the site plan approval, an application for a building permit shall be applied for and the permit issued within one year of the date of the site plan approval, otherwise the site plan shall become invalid. Permitted timeframes do not change with successive owners.
- B. Site plans for residential development that do not have an approved building permit within one year of the date of the site plan approval, a grading and stormwater permit shall be approved and construction of streets, water, sewer, sidewalk, utilities, and any other infrastructure shall have commenced within one year of the date of the residential site plan approval.
- C. Upon written request, the applicant may request a one-year extension of the site plan approval from the review body responsible for the original approval. The extension shall be requested prior to the expiration date. All dates are calculated from the date of site plan approval by the applicable review body, not the date that

plans are stamped for permitting.

### 20.12.11 Expiration of a Site Plan

- A. Site plans will expire after one (1) year of their approval date or upon the expiration of its vesting, whichever occurs first. The approval date of a site plan is the date upon which the item is approved, or approved with conditions, on an administrative or Planning Commission agenda.
- B. A site plan expiration date may be extended if the applicant:
  1. Obtains necessary permits to start site preparation; and
  2. Begins site preparation work, which includes any of the following activities: excavating, grading, demolition, removing excess debris to allow for proper grading, or providing a surface for a proper foundation, drainage, and settling for a development project, and physical improvements, such as water and sanitary sewer lines, footings, or foundations installed on the site for which construction permits are required.
- C. If both requirements in Paragraph 20.12.11.A above are met, a site plan will then expire one (1) year after the original approval date (without a request for an extension), or upon the expiration of its vesting, whichever comes first.
- D. If construction commences within one (1) year of the original approval date, the site plan will remain valid for:
  1. Three (3) years for a single-phase development plan; or
  2. Ten (10) years for a multi-phase development plan or until the vesting of any associated development plan or preliminary plat expires.
- E. Construction, for purposes of this

Subsection, means that any foundations for a building are installed and the building has begun to be erected vertically.

- F. If a site plan is not associated with a development plan or preliminary plat and is not complete by the end of this time period, the applicant/developer can request an extension of the vesting period and extension of the site plan expiration date, see Section 20.19, Vesting.

### 20.12.12 Changes to an Approved Site Plan

Changes to a site plan are still subject to the expiration date of the original approval of a site plan, pursuant to Subsection 20.12.11, Expiration of a Site Plan. As such, changes to site plans approved after a project has commenced construction will also not “restart” the clock on expiration timelines.

Revisions to an approved site plan that are denied by the applicable review body may affect the vesting property rights, per Section 20.19, Vesting.

When an applicant requests changes to an approved site plan, the applicable review body may need to reapprove the change depending on the significance of the changes requested and whether the site plan is considered a vested plan in accordance with Section 20.19, Vesting. The Planning Director shall make these determinations based on the following criteria:

#### A. Site Plan Revision

Significant changes that would substantially affect the terms of the original approval or result in significant adverse impacts on the surrounding properties or the City at-large shall be considered a site plan revision and require a new site plan application.

Such site plan revisions shall be subject to review and approval by the original review body. The criteria for site plan revisions include the following:

1. The density of the development is to be increased;
2. The gross floor area of nonresidential buildings is to be increased or the number of stories is to be reduced or increased;
3. Required landscaping materials are to be deleted;
4. Required open space is to be deleted;
5. There is any change in plans for historic structures or sites;
6. Drainage, streets, or other engineering design changes will materially alter items approved in the site plan; or
7. There are any major changes that could potentially create an adverse impact on stormwater quality, stormwater quantity, or other Stormwater Management Ordinance requirements.

#### B. Site Plan Amendment

Minor changes that do not meet the criteria in Paragraph 20.12.12.A above may be requested through a site plan amendment. Site plan amendments do not require a new application and shall be subject to review and approval by the Planning Director

- C. Changes to vested site plans may result in the review body denying their vesting, as outlined in Section 20.19, Vesting.

### 20.13 Final Plat

See the Subdivision Regulations.

### 20.14 Grading Permit

See the Stormwater Management Ordinance. All proposed development shall be shown on an approved development plan or site plan prior to grading.

### 20.15 Building Permit

#### 20.15.1 Purpose

The purpose of a building permit is to ensure that construction adheres to all applicable building codes, ordinances, and regulations.

#### 20.15.2 Applicability

- A. Applications for building permits shall comply with all applicable building codes, ordinances, and regulations.
- B. In addition to all other proposals that require a building permit, a building permit is required to construct a new parking pad or modify an existing driveway or parking. New residential driveways are subject to the requirements of the Department of Building and Neighborhood Services.

#### 20.15.3 Application Submittal

In applying to the Planning Department for a building permit, the applicant shall:

- A. Submit a dimensioned sketch or scale plan indicating the shape, size, and location of the lot to be built upon, and the shape, size, height, and location of existing buildings and buildings proposed to be constructed or altered;
- B. State the existing and proposed uses of buildings or structures on the permit application;
- C. Submit a geotechnical report where grading is proposed on a lot containing naturally occurring slopes of 20 percent or greater to ensure proper slope stability;

and

- D. Supply any other information required by the Planning Department for determining compliance with this Ordinance.

#### 20.15.4 Critical Lots

- A. A critical lot plan must be submitted prior to issuance of a building permit for single family residential lots deemed to be critical lots. Critical lots are:
  1. Lots that are difficult to stabilize due to exposed subsoil, steep slopes, extent of exposure, and are subject to erosion or sedimentation as a result of cutting, filling, grading, or other disturbance of the soil;
  2. Lots with areas prone to flooding due to aging or undersized stormwater infrastructure;
  3. Lots where the build-out has the potential to impact or disrupt public utilities crossing the lot;
  4. Lots with other site conditions that warrant additional administrative review; or
  5. Lots with tree save areas or specimen trees to be preserved as part of a site plan approval.
- B. Critical lots shall be reviewed by the Planning Department, as applicable, prior to issuance of a building permit.

#### 20.15.5 Administrative Final Action

If the proposed construction is in conformity with this Ordinance and other applicable ordinances, then the Planning Department shall issue a building permit. If the building permit is denied, then the Planning Department shall state the cause of denial in writing.

### 20.16 Performance Agreement

See Section 21, Performance Agreements.



## 20.17 Sign Permit

### 20.17.1 Purpose

The purpose of a sign permit is to ensure that the design, type, installation, construction, alteration, or relocation of a sign complies with this Ordinance.

### 20.17.2 Applicability

- A. Sign permits shall comply with the specific review procedures of this Section.
- B. Installation, construction, alteration, or relocation of a sign shall be subject to issuance of a sign permit by the Planning Department, unless exempted in Subsection 20.17.3, Exemptions.
- C. Within the HP overlay, a certificate of appropriateness shall be obtained prior to issuance of a sign permit. If a sign permit is not required, a certificate of appropriateness shall be required prior to installation, construction, alteration, relocation, or demolition of a sign.
- D. In cases where an electrical permit is required, it shall be obtained at the same time as the sign permit.

### 20.17.3 Exemptions

- A. The following signs may be installed, constructed, altered, relocated, or demolished without a sign permit, but shall be subject to all applicable standards in Section 15, Signs:
  1. Ballfield fence signs;
  2. Convenience signs;
  3. Flags;
  4. Public signs;
  5. Signs required for Americans with Disabilities Act compliance;
  6. Integral signs;
  7. Sandwich board signs (which require a permit in the HP);

8. Temporary construction site signs; and
  9. Temporary signs.
- B. The following activities may be conducted without obtaining a sign permit:
    1. Cleaning and other normal maintenance and repair of a sign, unless a structural or design change is made.
    2. Painting or repainting of a sign; however, alterations in the paint color of a sign within the HP shall require a certificate of appropriateness.
    3. Changing the contents of sign area, provided the size, shape, and location remains unchanged, pursuant to Section 15, Signs, unless in the HP.

### 20.17.4 Application Submittal

A sign permit application shall be submitted in accordance with the requirements established by the Planning Department.

### 20.17.5 Administrative Final Action

The Planning Department shall review the sign permit application and take final action to approve or disapprove the application.

### 20.17.6 Approval Criteria

Final action shall be based on whether the application meets Section 15, Signs, any other applicable provision of this Ordinance, and all applicable building codes.

### 20.17.7 Time Limit

- A. Installation, construction, alteration, relocation, or demolition of a sign authorized by a sign permit shall be completed within 180 days of the date of the sign permit approval.
- B. Upon written request, one six-month extension may be granted by the Planning Department if the applicant can show good cause.

## 20.18 Appeal of Administrative Decision

### 20.18.1 Purpose

The purpose of an appeal of administrative decision is to provide a process:

- A. Where it is alleged by the applicant that there is error in any order, requirement, permit, decision, or refusal made by any administrative official in carrying out or enforcing any provision of this Ordinance; and
- B. For interpretations of the zoning map when there are disputed questions of lot lines or district boundary lines as they arise in the administration of the zoning regulations.

This Section establishes the specific review procedures for appeals of administrative decision.

### 20.18.2 Applicability

- A. For certain standards in this Ordinance, the Planning Director has the expressed authority to make a determination of whether and to what extent to apply a standard. If an applicant disagrees with the Planning Director decision, the applicant may appeal the decision to the Planning Commission.
- B. All other appeals of administrative decisions shall comply with the specific procedures in this Section.

### 20.18.3 Application Submittal

An appeal shall be made in accordance with Section 20.2, Common Review Requirements, except as varied below:

- A. Appeals shall be initiated by the person aggrieved or affected by the order, decision, determination, or interpretation made by the administrative official.
- B. A written appeal shall be filed with the

Planning Department within 30 days of the date of the order, decision, determination, or interpretation.

### 20.18.4 Forwarding of the Record to the BZA

Upon receiving the written appeal, the Planning Department shall gather and transmit to the BZA the record of the appeal, which includes the written appeal and all papers, documents, and other materials relating to the order, decision, determination, or interpretation.

### 20.18.5 BZA Final Action

The BZA shall review the application at a public meeting, hold a public hearing, and vote:

- A. To uphold or reverse the administrative decision for an appeal where it is alleged by the applicant that there is error in an administrative decision;
- B. To make a final interpretation on a boundary of the zoning map.

### 20.18.6 Review Criteria

- A. For administrative decisions other than map interpretations, the order, decision, determination, or interpretation shall not be reversed or modified, unless there is competent, material, and substantial evidence in the record that it fails to comply with either the procedural or substantive requirements of this Ordinance and State law.
- B. For map interpretations, the BZA shall use the best available data to make a final interpretation of the zoning map boundary.

## 20.19 Vesting

### 20.19.1 Initiation of Vesting

- A. Vesting shall be initiated by the approval of a plan listed below on or after January 1, 2025, by the applicable review body:
  - 1. Development plan;
  - 2. Preliminary plat;
  - 3. Site plan that is not associated with an approved development plan or preliminary plat; or
  - 4. A revision to a development plan, site plan, or preliminary plat that was originally approved prior to January 1, 2025 and receives approval by the original review body.
- B. For the remainder of this Section, these approved applications shall be referred to as “vested plans”.

### 20.19.2 Vesting Periods

- A. The approval of a plan in accordance with Subsection 20.19.1, Initiation of Vesting, will initiate a vesting period, during which the development standards adopted by the City and in effect on the date of approval shall remain the applicable standards to the vested plan during its vesting period.
- B. The vesting period applicable to a vested plan shall be a period of two years and begins on the date of approval by the applicable review body, which is either:
  - 1. The effective date of the Mayor and City Council resolution approving the development plan;
  - 2. The meeting date of the Planning Commission meeting approving the preliminary plat or site plan (not associated with an approved development plan or preliminary plat); or
  - 3. The date of the administrative agenda approving the preliminary plat or site plan (not associated with an approved development plan or preliminary plat).
- C. To keep a vested plan vested, an applicant must:
  - 1. Secure the approval of a site plan (only applicable when a development plan or preliminary plat is the vested plan);
  - 2. Obtain necessary permits to start site preparation; and
  - 3. Begin site preparation work, which includes any of the following activities: excavating, grading, demolition, removing excess debris to allow for proper grading, or providing a surface for a proper foundation, drainage, and settling for a development project, and physical improvements such as water and sanitary sewer lines, footings, or foundations installed on the site for which construction permits are required.
- D. Should the applicant meet the three requirements of Paragraph 20.19.2.C, the vesting period shall be extended an additional one (1) year from the date of the expiration of the two-year period. During this additional time granted, the applicant shall commence construction and maintain any necessary permits in order to remain vested. Construction, for purposes of this Section, means that any foundations for a building are installed and the building has begun to be erected vertically.
- E. If construction commences, the vesting period shall be extended for a total of seven years from the date of approval of the vested plan, provided that the applicant maintains any necessary permits during the seven-year period.
- F. If the vested plan is identified with two or more sections/phases, then the vesting

period shall be extended for total of five (5) years from the date of approval of the vested plan, provided that the applicant maintains any necessary permits during the five-year period.

- G. In the case of developments which proceed in two or more sections or phases as described on the vested plan, there shall be a separate vesting period applicable to each section or phase. The development standards which are in effect on the date of approval of the vested plan for the first section or phase shall remain the development standards applicable to all subsequent sections or phases of the development; provided, that the total vesting period for all phases shall not exceed ten (10) years from the date of approval of the vested plan for the first section or phase, provided that the applicant maintains any necessary permits during the 5-year period.

### 20.19.3 Extension of Vested Rights

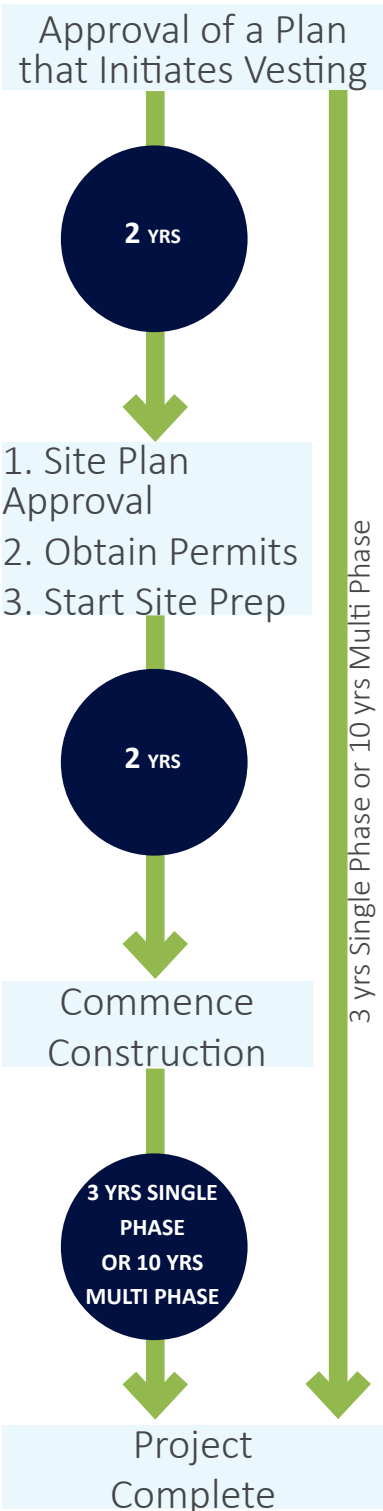
- A. An applicant may request an extension of their vesting period, which is subject to review and approval by the original review body; however, if the Planning Director was the original review body, the Planning Commission shall serve as the review body for the requested extension.
- B. The extension request shall be made prior to end of the vesting period.
- C. The extension request shall be provided in writing to the Planning Department. The request shall provide rationale as to why the extension shall be granted, and how the extension of the vesting period is in the best interest of the community to allow the development to proceed under the existing plan while extending the vested property right.

- D. The extension request shall specify a new expiration of the vesting period.
- E. If the extension is not granted, the vested rights will terminate at the end of the original vesting period.

### 20.19.4 Revision of Vested Plans and Retention of Vested Rights

- A. Recommendations and final action on a revision to a vested plan shall be based on consideration of the following criteria:
1. Whether the proposed revision is consistent with all standards of the Ordinance and other applicable development standards in effect on the original approval date of the vested plan; and
  2. Whether the proposed development meets all the requirements or conditions of any other applicable development approvals, such as a development plan or associated modification of standards.
- B. If a governing review body approves a revision to a vested plan, the vesting right is retained.
- C. A revision to a vested plan may be denied based on the following as it is deemed to affect vesting:
1. Alters the proposed use;
  2. Increases the overall area of development;
  3. Alters the size of any nonresidential structures included in the development plan;
  4. Increases the density of the development so as to affect traffic, noise or other environmental impacts; or
  5. Increases any local government expenditure necessary to implement or sustain the proposed use.

Figure 20.19.2.A Vesting Flowchart



This occurs when the applicable review body approves a development plan, a preliminary plat, or a site plan that is not associated with a development plan or preliminary plat.

Site plan approval is only applicable when a development plan or preliminary plat is the vested plan.

In most cases, a final plat will be required before a building permit is issued to commence construction.

**Expiration Dates**

- DEVELOPMENT PLAN & PRELIMINARY PLAT = 2 Years**  
At two years, an applicant may request an extension of the vesting period. Otherwise, the project must re-submit from the beginning to re-establish any entitlement.
- SITE PLANS = Site plan is approved for 1 year without site prep, or 3 years without commencing construction, or whenever vesting is lost, whichever happens first**
- FINAL PLATS = 1 Year**  
If a final plat is not recorded within 1 year of its approval date, the plat is invalid and must be re-submitted with the City.

D. If a revision to a vested plan is denied based on written finding of any of the items listed in Clause 20.19.4.C.1 through 5 above, the applicant has the following two options:

1. Proceed under the prior approved plan with the associated vested rights; or
2. Allow the vested property rights to terminate and submit a new application under this Section.

E. Notwithstanding this Subsection, a vested property right shall not terminate if the Mayor and City Council determines, in writing, that it is in the best interest of the community to allow the development to proceed under the plan without terminating the vested property right.

### 20.19.5 Violation of Conditions of Approval

The approval of a vested plan shall be subject to any conditions established at the time of approval. Pursuant to South Carolina state law, if the established conditions of approval for a vested plan are not met, the applicant shall be allowed 90 days to cure the violation of any condition of approval; provided further, that the governing review body responsible for the vested plan approval may grant additional time to cure the violation, upon a written determination that it is in the best interest of the community. Thereafter, the violation of any such conditions shall cause the vested rights applicable to the vested plan to terminate. However, the governing review body may allow a property right to remain vested despite the occurrence of the violation when a written determination is made that such continuation is in the best interest of the community.

### 20.19.6 When Vesting Does Not Apply

A. A vested development standard shall not

preclude local government enforcement of any development standard when:

1. The City obtains written consent by the owner/applicant;
  2. The City determines in writing that compelling evidence exists that the development plan seriously threatens the public health, safety, or welfare of the community and the threat cannot be mitigated within a reasonable period of time by the applicant using the vested property rights;
  3. The City determines in writing the existence of a natural or man-made hazard on or in the immediate vicinity of the subject property, not identified on the development plan, and which if uncorrected would pose a serious threat to the public health, safety, or welfare and the threat cannot be mitigated within a reasonable time period by the applicant using the vested rights; or
  4. A development standard is required by federal or state law, rule, regulation, policy, corrective action, order or other type of governance that is required to be enforced by local governments, such as stormwater or FEMA requirements; or
  5. A local government is undertaking an action initiated or measure instituted in order to comply with a newly enacted federal or state law, rule, regulation, policy, corrective action, order or other type of governance.
- B. A vested property right does not preclude, alter, or impair the authority of a local government to exercise its eminent domain powers provided by law.

# SECTION 21

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## PERFORMANCE AGREEMENTS

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## 21.1 General Provisions

### 21.1.1 Applicability

- A. Following approval of a site plan or final plat, the applicant shall either:
1. Complete and dedicate all public improvements, complete all private improvements, install all landscape improvements, and complete all off-site improvements, as applicable, prior to receiving a building permit; or
  2. Enter into a performance agreement with the City and provide sufficient surety to ensure the completion, construction, installation, and dedication of all required improvements.
- B. All applicants of site plans or final plats shall be required to enter into a maintenance agreement following the release of the performance agreement, as applicable. See Section 21.6, Maintenance Agreements.

### 21.1.2 Exemptions

The provisions of this Section relating to the posting of performance agreements and maintenance agreements shall not apply to any development project by the federal or state government or any political subdivision thereof which has the power to assess taxes on real or personal property; provided, however, that this Section shall apply to any nontaxing public or quasi-public entity and to all nonprofit entities.

## 21.2 Establishment of a Performance Agreement

When a performance agreement is required pursuant to Clause 21.1.1.A.2, the Planning Department shall prepare a performance agreement that individually lists each required improvement. The applicant shall fully execute the performance agreement with the City and provide sufficient surety in accordance with this Section.

### 21.2.1 Calculation of Performance Agreement Amounts

- A. The performance agreement shall be in the amount of 125 percent of the actual estimated cost of the listed improvements. The performance agreement shall secure satisfactory completion of each required improvement per Subsection 21.2.2, Surety Requirements.
- B. Infrastructure improvement unit prices are established by the Mayor and City Council and the Planning Commission and are posted on the City website.
- C. The infrastructure improvements surety amounts shall be calculated by the applicant's engineer or design professional, subject to approval by the Planning Director. As an alternative, the Planning Director may establish performance agreements for infrastructure.
- D. Notwithstanding Paragraph 21.2.1.C above, performance agreements for infrastructure shall be subject to approval by the Planning Commission when an agreement amount deviates from the posted calculations or when an applicant wishes to appeal the amount.
- E. Landscape improvement amounts shall be calculated by the Planning Department and approved pursuant to the site plan review and approval process.



**21.2.2 Surety Requirements**

- A. A performance agreement shall be secured by one of the following:
  - 1. An irrevocable standby letter of credit with an automatically renewable feature, often called an “evergreen” letter of credit;
  - 2. A cashier’s check, payable to City of Laurens; or
  - 3. Other method of surety deemed adequate by the Planning Department.
- B. The beneficiary of the surety shall be the City of Laurens.
- C. Letters of credit shall be issued by a financial institution located within the United States of America, organized and operating under the laws of the State of South Carolina or the United States of America, and whose deposits are insured by either the Federal Deposit Insurance Corporation or National Credit Union Administration.
- D. The financial institution shall permit the letter of credit to be presented for collection at a place physically located within Laurens County, South Carolina. Alternatively, the financial institution may choose to provide a means for facsimile presentation, under the following conditions:
  - 1. The financial institution must operate a minimum of one branch or office open to the public, located in Laurens County, South Carolina;
  - 2. Presentation of draw documents by the beneficiary shall also be permitted via overnight courier service to the financial institution’s department where issuance of letters of credit transpires;
  - 3. Facsimile numbers for presentation shall be printed in the letter of credit, with a statement that modifications to, or discontinuation of, facsimile numbers

shall be provided the beneficiary via amendment; and

- 4. A means of backup shall be provided in the letter of credit, for an occasion when the facsimile number is inoperable for any reason. Backup information in the letter of credit shall include either:
  - a. A physical location address in Laurens County, South Carolina, to be accessed only if the facsimile number is inoperable for any reason; or
  - b. The financial institution shall print in the letter of credit that if for any reason the facsimile number noted in the letter of credit is inoperable at a time when the beneficiary is attempting to present draw documents, then draw documents shall be considered timely when the financial institution is presented with a facsimile machine transmittal showing an attempted presentation by the beneficiary, along with satisfactory draw documents.

**21.2.3 Monitoring Improvements**

The applicant shall have a registered professional engineer or landscape architect, depending on the type of improvements, involved in the installation or construction phase of the project, to monitor construction and determine conformity with approved plans and specifications.

### 21.3 Performance Agreement Period

- A. The performance agreement shall remain in force in its original amount until improvements are completed and accepted by the Planning Department or appropriate City departments, whichever is applicable.
- B. The period within which each required improvement shall be completed shall not exceed one year from the date of the fully executed performance agreement; however, extensions and reductions may be approved by the Planning Department or the Planning Commission, as applicable.

### 21.4 Extension, Reduction, or Release of Improvements

#### 21.4.1 Extension Period

- A. The timeframe for the completion of each improvement within the performance agreement may be extended for a minimum of one month to a maximum of 12 months. The end date shall coincide with the applicable agenda date within the designated month.
- B. The duration of the extension period shall be based on:
  1. The minimum, reasonable timeframe for which the required improvement can be fully completed; and
  2. The necessary timeframe for staff to efficiently inspect and confirm that the improvements have been installed in accordance with approved plans and in an acceptable, workmanlike manner.

#### 21.4.2 One Time Performance Reduction

The amount of each improvement in performance may be reduced only one time when at least 75 percent of the applicable public improvements, private improvements, landscape improvements, or off-site improvements have been completed.

#### 21.4.3 Maximum Reductions for Public Improvements or Applicable Private Infrastructure

- A. The one-time reduction of the amount for public improvements, private improvements, or off-site improvements (excluding landscape improvements as per Subsection 21.4.4, Maximum Reductions for Landscape Improvements):
  1. Shall not be reduced to less than the actual amount needed to complete the remaining improvements plus estimated inflation increases and/or repairs;
  2. Shall not be reduced to less than 50 percent of the performance agreement amount calculated per Paragraph 21.2.1.A, irrespective of the estimated cost of completing the improvements; and
  3. Shall not be reduced to an amount less than the required maintenance agreement.
- B. Costs incurred by the applicant associated with a request for the extension, reduction of the surety, or release of the performance agreement and surety (inclusive of landscape architect or engineering inspections fees, legal fees, and so forth) shall be borne by the applicant, regardless of whether the request is ultimately granted.

#### 21.4.4 Maximum Reductions for Landscape Improvements

- A. The reduction of the amount for landscape improvements shall not be reduced to less than 75 percent of its original amount, rounded up to the nearest thousand, irrespective of the estimated cost of completing the improvements.
- B. Costs incurred by the applicant associated with a request for the extension, reduction of the surety, or release of the performance agreement and surety (inclusive of landscape architect or engineering inspections fees, legal fees, and so forth) shall be borne by the applicant, regardless of whether the request is ultimately granted.

#### 21.4.5 Release of Performance

Each improvement may be released from performance:

- A. When a one-year maintenance agreement is established and surety is reduced accordingly;
- B. When each public improvement, private improvement, landscape improvement, or off-site improvement (as applicable) have been completed; and
- C. When the applicant has submitted all information necessary to adequately review the request.

#### 21.4.6 Acceptance

- A. The release of performance shall constitute the acceptance of the improvements by the City, pursuant to Subsection 21.4.5, Release of Performance.
- B. Approval of a site plan or final plat shall not constitute acceptance. The Planning Department may require the site plan or final plat to be endorsed with appropriate notes to this effect.

#### 21.5 Procedure for Reduction or Release of Improvements

##### 21.5.1 Submittal Requirements

Any request for reduction or release of an improvement in performance shall be submitted in writing to the Planning Department . The request shall include:

- A. A completed action request form, found on the City website;
- B. The percentage amount of completion of each required improvement; and
- C. A written statement from the engineer or landscape architect employed by the applicant, stating that the improvements have been installed in accordance with the approved plans and specifications.
- D. All stormwater infrastructure with a storm sewer size of 12 inches and larger shall be video-inspected to verify proper installation with the video recording and any associated inspection report submitted as part of a drainage as-built record. The professional preparing the video shall be certified by the NASSCO Pipeline Assessment Certification Program (PACP®). Video documentation shall be prepared in conjunction with preparation of drainage as-builts, shall be no more than 90 calendar days prior to a performance release request submittal and shall be submitted with the drainage as-builts. Additional testing may be required if warranted by video inspection.
- E. Sanitary sewer infrastructure considered accepted City assets shall be video-inspected to verify proper installation and maintenance, with the video recording and any associated inspection report prepared and submitted between 60 and 90 calendar days prior to the end of the one-year maintenance period, to be utilized in conjunction with maintenance release

inspection. The professional preparing the inspection reports, including but not limited to, video recordings and segment sheets, shall be certified by the NASSCO PACP®. Each segment shall be inspected for verification of proper installation, ovality, lack of deficiencies and absence of foreign materials, such as gravel, construction debris, etc. All deficiencies shall be subject to repair, and if warranted, additional testing and/or video recording may be required. Illegible information contained in the submittal shall be subject to additional video inspection requirements, based on PACP® guidelines.

- F. Any other information necessary to adequately review the request.

### **21.5.2 Staff Review**

- A. Following a complete submittal, the Planning Department shall request the appropriate City departments to inspect the public improvements, private improvements, landscape improvements, and off-site improvements (as applicable) to determine compliance with approved plans. Inspection periods shall be posted on the City website.
- B. A fee shall be charged to the applicant for each improvement and each inspection. The fee shall be specified by the City of Laurens, and shall cover the administrative costs of on-site inspections performed by the City.
- C. Each appropriate City department shall submit a statement to the Planning Department indicating whether the required improvements have been inspected and satisfactorily completed in accordance with approved plans.
- D. The reduction recommended or approved by the applicable City department may

differ from the requested reduction based on Subsection 21.4.3, Maximum Reductions for Public Improvements or Applicable Private Infrastructure.

### **21.5.3 Final Action**

- A. If the applicant's request is within eight years from the date of receipt of a fully executed performance agreement, the Planning Department shall be the administrative review body and:
1. Review the request based on the recommendation from the inspecting department;
  2. Make a decision within 60 days whether to approve or disapprove a reduction or release, or forward the request to the Planning Commission for review with a recommendation; and
  3. Provide public notification of the decision on the City website at least seven days prior to taking action on the request.
- B. If the request is after eight years from the date of receipt of a fully executed performance agreement, the Planning Commission shall be the review body.
- C. When the Planning Commission or the Planning Department reviews the request for a release, reduction, or extension of the performance agreement, the applicable review body shall decide to:
1. Release the performance agreement and establish a maintenance agreement;
  2. Reduce the performance agreement and extend the improvements per Subsection 21.4.1, Extension Period; or
  3. Extend the improvements per Subsection 21.4.1, Extension Period.

### **21.5.4 Specific Procedures for Final**

**Topping of a Street**

A. Final topping (lift) of a street may be permitted when at least 90 percent of the lots in the subdivision, or the section or sections thereof for which the performance agreement was established, have received final certificates of use and occupancy for buildings located on the lots in question. The performance agreement for street improvements may be released when final topping is completed and accepted, provided that a maintenance agreement is established. Final topping of a street surface may be installed prior to issuance of 90 percent of final certificates of use and occupancy under the following conditions:

1. The segment or sections of street have been in place for a period of not less than four years, unless otherwise determined by the Planning Department that installation of the final topping will preserve the structural integrity of the binder and base;
2. The base, binder, curb, gutter, and structures within the segment or sections of the street to be topped have been inspected and approved by the Planning Department;
3. Upon satisfactory installation and acceptance by the Planning Department of the final topping, the performance agreements for said street improvements may be released provided a maintenance agreement is established for a period that extends one year beyond the point in time 90 percent of the lots in the subdivision or the segment or sections thereof for which the performance agreement was established, have received final certificates of use and occupancy for buildings located on the lots in

question; and

4. Except as provided, the lots adjacent to the segment or sections of street accepted shall be subject to contractor’s security deposits.
- B. In developer and / or builder-controlled subdivisions, where the developer and builder are the same legal entity, contractors’ security deposits shall not be required until the maintenance agreement is no longer in effect as described above.
- C. Once such a written statement from the engineer or landscape architect has been received stating that the public improvements, applicable private infrastructure, or landscape have been installed in accordance with the plans and specifications approved by the appropriate City departments, an inspection by the relevant department shall be performed at no cost to the applicant.

**21.5.5 Appeals Regarding Performance Agreements**

The applicant may, upon administrative disapproval of a request for extension, reduction, or release of a performance agreement, appeal the administrative decision to the Planning Commission. Appeals shall be filed within ten days of the adverse decision and shall be set for hearing on the next available Planning Commission agenda.

## 21.6 Maintenance Agreement

### 21.6.1 Establishment of a Maintenance Agreement

- A. Upon release of the performance agreement, the applicant shall be required to enter into a maintenance agreement for the completed improvements and required landscape covered by the performance agreement to ensure against defects in workmanship and materials.
- B. The Planning Department shall prepare a maintenance agreement and the applicant shall fully execute the maintenance agreement with the City. The maintenance agreement shall comply with the following:
  1. The maintenance agreement shall remain in effect for a period of one year or until final release of the maintenance agreement by the Planning Department or other appropriate City departments, whichever period is longer; and
  2. Street maintenance agreements shall meet Subsection 21.5.4, Specific Procedures for Final Topping of a Street.

### 21.6.2 Calculation of Maintenance Agreement Amounts

The maintenance agreement shall be in an amount satisfactory to the appropriate City departments; however:

- A. Landscape improvements shall be no less than 25 percent of the original amount, rounded up to the nearest thousand, or \$3,000.00, whichever is greater;
- B. All other improvements shall be no less than ten percent of the original amount or \$2,500.00, whichever is greater.

### 21.6.3 Procedures

- A. Upon the request of the applicant, or automatically after a period of one year from the release of performance, whichever is greater, the Planning Department shall consider the release of the maintenance agreement.
- B. The Mayor and City Council, upon the recommendation of the Planning Department, may release or extend a maintenance agreement.
- C. Extensions of maintenance agreements shall be as determined by the appropriate City departments per Subsection 21.4.1, Extension Period.
- D. Prior to taking action on a request to release a maintenance agreement, the Planning Department shall provide public notification of the decision on the City's website at least seven days prior to taking action on the request.

## 21.7 Failure to Complete Improvements

Where a performance agreement and/or maintenance agreement have been entered into and required improvements have not been installed and/or maintained within the terms of the agreement and the timeframe pursuant to Section 21.3, Performance Agreement Period, then the Mayor and City Council may declare the agreement to be in default and authorize the calling of the agreement and surety and the completion of the improvements under the supervision of City Departments.

# SECTION 22

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## ENFORCEMENT

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### 22.1 Enforcement Authority

For the purposes of administering and enforcing the provisions of this Ordinance, the Planning Department shall be authorized to:

- A. Make inspections of structures or premises necessary to carry out its enforcement duties; and
- B. Designate State inspection officials as authorized representatives to provide review services for institutional and educational occupancies;
- C. Acceptance and examination of all applications for construction, land use or reuse, and issuance of permits where such applications are found to be in accord with the provisions of this ordinance and applicable building codes;
- D. Directing parties in conflict with this ordinance, cause to be kept records and files of any and all matters referred to him and to execute any and all reports as the planning commission, board of zoning appeals, city administrator and city council may require;
- E. Interpretation of terms and provisions of this ordinance;
- F. Processing applications for appeals to the board of appeals;;
- G. Preparation of the record for appeal to circuit court;
- H. Maintenance of a current zoning map, amendments to this ordinance, and all public records related to zoning and planning;
- I. Enforcement of this ordinance, investigation, and resolution of zoning complaints. If the administrator finds that any one of the provisions of this ordinance is being violated, he shall notify 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; or shall take any other action authorized by this ordinance to ensure compliance with or to prevent violation of its provisions;

- J. Provision of administrative assistance to the Planning Commission and the Board of Zoning Appeals; and
- K. Such other duties as may be authorized.

### 22.2 Building Permits

It shall be unlawful to commence the construction or alteration of a principal building, an accessory building, or other structure that requires a building permit, until the Planning Department has issued a building permit.

### 22.3 Sign Permits

It shall be unlawful to commence the construction or alteration of a sign that requires a sign permit, until the Planning Department has issued a sign permit.

### 22.4 Certificates of Use and Occupancy

No lot, building, or structure hereafter erected or altered in its use or otherwise shall be used until a temporary or final certificate of use and occupancy has been granted.



## 22.5 Penalties

Any person violating any provision of this Ordinance shall be guilty of a misdemeanor and, upon conviction, shall be fined under the provisions of the Laurens Municipal Code. Each day each violation continues shall constitute a separate offense. Penalties shall be pursuant to South Carolina State law.

## 22.6 Remedies

In case a building or structure is erected, constructed, reconstructed, repaired, converted, or maintained, or any building, structure, or land is used in violation of this Ordinance, then the City attorney, or other appropriate authority, or adjacent or neighboring property owner who would be damaged by the violation, in addition to other remedies, may institute injunction, mandamus, or other appropriate action or proceeding to effectuate the requirements of this Ordinance.

Where it appears that the owner or person in charge of an improvement on a property containing a historic resource threatens to start, or has started, work in violation of this Ordinance, then the City attorney shall apply to an appropriate court for an injunction against a violation of this Ordinance.

If an order of the court enjoining or restraining the violation does not receive immediate compliance, then the City attorney shall apply to an appropriate court to punish the violation pursuant to law.

# SECTION 23

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## DEFINITIONS AND INTERPRETATIONS

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## 23.1 Rules of Interpretation

### 23.1.1 General Meaning of Words and Terms

- A. All words and terms used have their commonly accepted and ordinary meaning unless they are specifically defined in this Ordinance or the context in which they are used clearly indicates otherwise. Technical words and phrases that may have acquired a specialized and appropriate meaning in law shall be construed and understood according to such meaning.
- B. When a specific Section of this Ordinance gives a different meaning than the general definition provided in this Section, the meaning and application of the term in the specific Section shall control.

### 23.1.2 Graphics, Illustrations, Photographs, and Flowcharts

The graphics, illustrations, photographs, and flowcharts used to visually explain certain provisions of this Ordinance are for illustrative purposes only. Where there is a conflict between a graphic, illustration, photograph, or flowchart and the text of this Ordinance, the text of this Ordinance controls.

### 23.1.3 List and Examples

Unless otherwise specifically indicated, lists of items or examples that use terms such as “for example,” “including,” and “such as,” or similar language are intended to provide examples and are not exhaustive lists of all possibilities.

### 23.1.4 Computation of Time

The time in which an act is to be done shall be computed by excluding the first day and including the last day. If a deadline or required date of action falls on a Saturday, Sunday, or holiday observed by the City, the deadline or required date of action shall be the next

business day observed by the City. References to days are calendar days unless otherwise stated.

### 23.1.5 References to Other Regulations and Publications

Whenever a reference is made to a State or Federal statute, it shall be construed as a reference to its most recently amended version, unless otherwise specifically stated.

Whenever a reference is made to another ordinance, code, regulation, plan, or document, it shall be construed as a reference to the latest adopted version; however, where the City has adopted a specific version, the specific version shall be applicable.

### 23.1.6 Delegation of Authority

Any act authorized by this Ordinance to be carried out by a specific official of the City may be carried out by a professional-level designee of such official.

### 23.1.7 Public Officials, Departments, Review Bodies, and Agencies

All public officials, departments, review bodies, and agencies to which references are made are those of the City of Laurens, unless otherwise indicated.

### 23.1.8 Mandatory and Discretionary Terms

The words “shall,” “must,” “comply,” and “will” are mandatory in nature, establishing an obligation or duty to comply with a particular requirement or provision. The words “may” and “should” are permissive in nature.

### 23.1.9 Conjunctions

Unless the context clearly suggests the contrary, conjunctions shall be interpreted as follows:

- A. "And" indicates that all connected items, conditions, provisions or events apply; and
- B. "Or" indicates that one or more of the connected items, conditions, provisions or events apply.

### 23.1.10 Tenses and Plurals

Words used in the present tense include the future tense. Words used in the singular number include the plural number and vice versa, unless the context of the particular usage clearly indicates otherwise.

### 23.1.11 Hierarchical Outline

This Ordinance is organized into the hierarchical levels as shown below. All references within this Ordinance that reference a different part of this Ordinance shall apply as follows:

Section 1

Subsection 1.1

Paragraph 1.1.1

Clause 1.1.1.A

Clause 1.1.1.A.1

Clause 1.1.1.A.1.a

Clause 1.1.1.A.1.a.i

## 23.2 Measurements, Calculations, and Interpretation of Dimensional Standards

### 23.2.1 Calculations

When the calculation of a required standard results in a fractional number, it shall be rounded up to the nearest whole number, unless otherwise expressly stated.

### 23.2.2 Distance Measurements

Distances specified in this Ordinance are to be measured as the length of an imaginary straight line joining those points, unless otherwise expressly stated.

### 23.2.3 Lot Standards

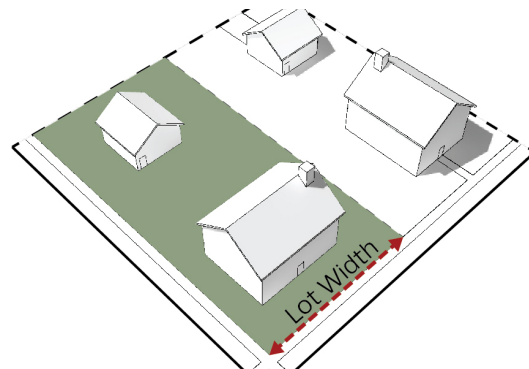
#### A. Lot Size

1. The lot size shall be that area, measured in gross square feet or acres, contained within a lot.
2. The minimum lot size is the smallest size of a lot established by this Ordinance on which a use or structure may be located in a particular district.

#### B. Lot Width

1. Lot width is the distance between the side lot lines measured at the point of the front yard setback line.
2. For corner lots, the lot width is the distance between the side lot line and the side street-facing lot line, measured at the point of the front yard setback line.

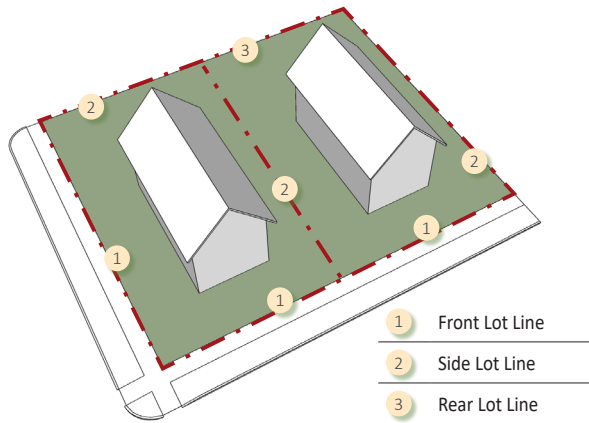
Figure 23.2.3.B Lot Width



#### C. Front Lot Line

The front lot line is the length of the front lot line and is maintained to the front yard setback line, at which point the lot width applies.

Figure 23.2.3.C Lot Lines



23.2.4 Setbacks and Yards

A. Front Yard

1. Front yard setbacks are measured perpendicular from the edge of the existing or proposed right-of-way, whichever is greater.
2. For corner lots, front yard setbacks are measured along all lot lines facing streets or internal drives, not including alleys. The remaining yards are measured as side yards.
3. Front yard setback measurements for lots on a cul-de-sac or curved street or internal drive follow the curve of the front property line.

B. Side Yard

The side yard setback extends from the required front yard setback line to the required rear yard setback line. If no front or rear yard setback is required, the setback extends the full depth of the lot. Side setbacks are measured perpendicular from the side lot line.

C. Rear Yard

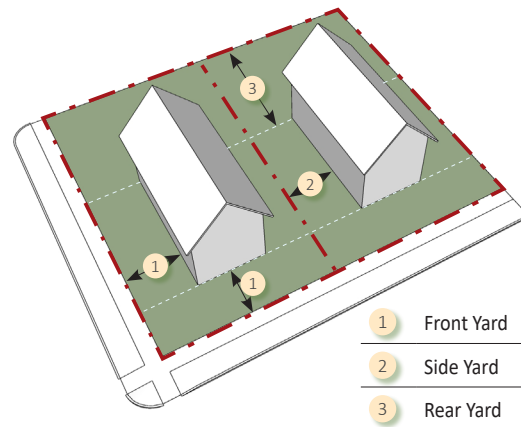
The rear yard setback extends the full width of the lot. Rear setbacks are measured perpendicular from the rear property line or

the edge of the existing or proposed alley, whichever is greater, as applicable.

D. Yards Required for Buildings

A yard or other open area required about a building may not be included in the measurement of a required yard or other open space for another building.

Figure 23.2.4 Lot Setbacks and Yards



**DEFINITIONS AND INTERPRETATIONS**

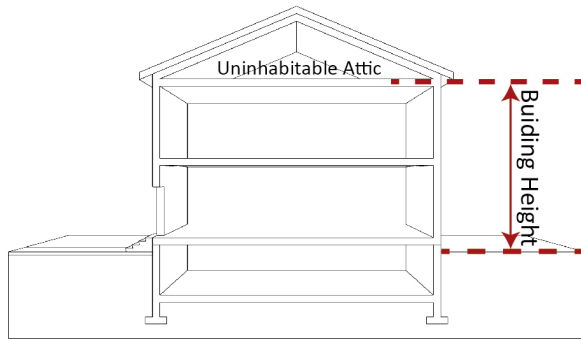
**Measurements, Calculations, and Interpretation of Dimensional Standards**

**23.2.5 Building Height**

A. Building height shall be measured in the number of complete stories above the finished grade for any building or at-grade or above-grade parking structure, but excludes:

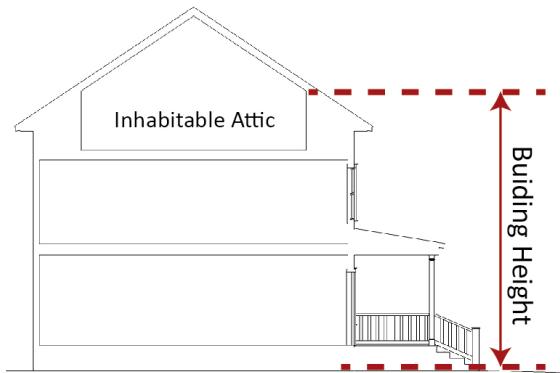
1. Habitable attics, half-stories, and mezzanines; and
2. Spaces completely below grade, such as basements, cellars, crawl spaces, sub-basements, and below-grade parking structures.

**Figure 23.2.5.A** Building height with uninhabitable attic



B. Half-story height shall be measured for habitable attics, half-stories, and mezzanines.

**Figure 23.2.5.B** Building height with inhabitable attic



C. In the LR and TR districts and for transitional features, the building height for ‘one-half story above the average height of existing buildings on the same block face’ is calculated as follows:

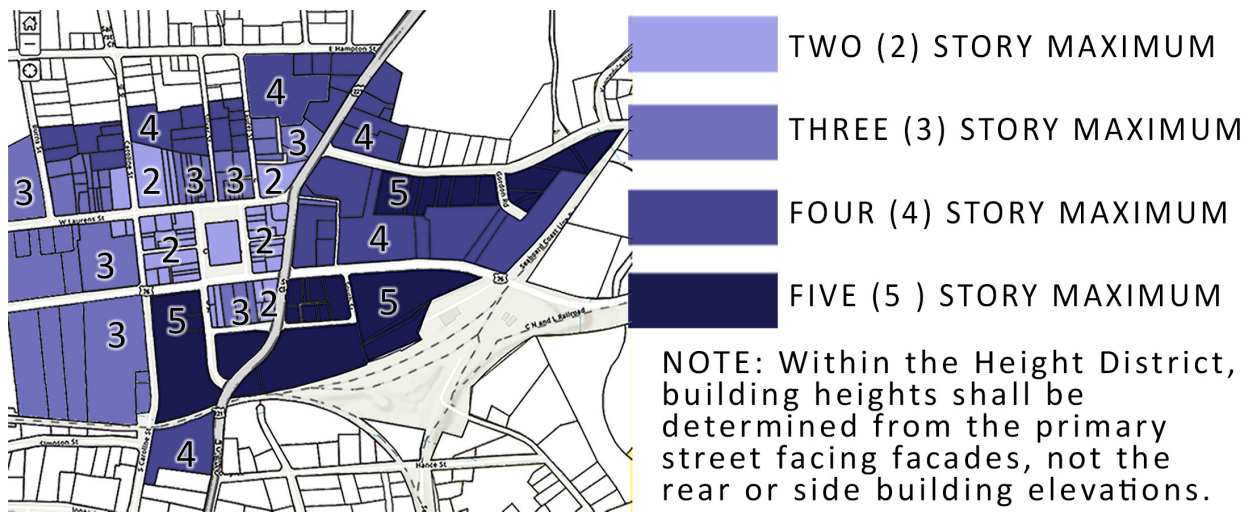
1. Divide the sum of the stories on the block face by the total number of principal buildings on the block face to find the average height;
2. Add 0.5 story to the average height of the block face, then
3. Round the height to the nearest half or whole story.
4. See the example scenario below:

**Figure 23.2.5.C** Calculating Height

| Principle Buildings On the Block Face                                    | Stories     |
|--|-------------|
| 102 Street A   | 1.5         |
| 104 Street A   | 1.0         |
| 106 Street A   | 1.0         |
| 108 Street A   | 1.5         |
| 110 Street A   | 1.5         |
| 112 Street A   | 1.0         |
| 114 Street A   | 1.0         |
| 116 Street A   | 1.0         |
| 118 Street A   | 1.5         |
| 120 Street A   | 1.0         |
| <b>Sum of Stories</b>  | <b>12.0</b> |
| Number of Principle Buildings  | 10          |
| Average Height (Sum of Stories Divided by Number of Principal Buildings) | 1.2         |
| Add 0.5 to Average Height  | 1.7         |
| Round to Nearest Half or Whole Story                                     | 1.5         |
| <b>Maximum Permitted Height</b>  | <b>1.5</b>  |

- D. Building height maximums do not apply to belfries, chimneys, roof structures not intended for human occupancy, spires, cupolas, domes, monuments, water towers, or similar structures, provided:
  - a. The appurtenance does not interfere with Federal Aviation Regulations, Part 77, Objects Affecting Navigable Airspace;
  - b. The appurtenance does not extend more than 25 feet above the maximum permitted building height, except as allowed herein;
  - c. The appurtenance does not exceed a maximum height of 200 feet above grade; and
  - d. The appurtenance is not constructed for the purpose of providing additional floor area in the building.

E. Building Heights in Core Commercial and General Commercial, near the Public Square, shall follow Height District Map below:



### 23.3 Abbreviations

|       |   |     |                                  |
|-------|---|-----|----------------------------------|
| ANSI  | American National Standards Institute         | LSA | Landscape Surface Area           |
| BFE   | Base Flood Elevation                          | MAX | Maximum                          |
| BZA   | Board of Zoning Appeals                       | MIN | Minimum                          |
| CC    | Community Character Overlay District          | MR  | Mixed Residential District       |
| CI    | Civic Institutional District                  | NC  | Neighborhood Commercial District |
| CN    | Conservation District                         | PD  | Planned Development District     |
| COA   | Certificate of Appropriateness                | ROW | Right-of-Way                     |
| CO    | Core Commercial District                      | SO  | Scenic Overlay District          |
| DBH   | Diameter at Breast Height                     | SR  | Sub-Urban Residential District   |
| EIFS  | Exterior Insulation Finish Systems            | TR  | Traditional Residential District |
| ER    | Estate Residential District                   |     |                                  |
| FAA   | Federal Aviation Administration               |     |                                  |
| FC    | Foot-candle                                   |     |                                  |
| FCC   | Federal Communications Commission             |     |                                  |
| FEMA  | Federal Emergency Management Agency           |     |                                  |
| FH    | Flood Hazard Overlay District                 |     |                                  |
| FIRM  | Flood Insurance Rate Map                      |     |                                  |
| GC    | General Commercial District                   |     |                                  |
| HP    | Historic Preservation Overlay District        |     |                                  |
| HVAC  | Heating Ventilation Air Conditioning          |     |                                  |
| HPC   | Historic Preservation Commission              |     |                                  |
| IESNA | Illuminations Engineering Society of America  |     |                                  |
| IN    | Industrial District                           |     |                                  |
| ISA   | International Society of Arboriculture        |     |                                  |
| ITE   | Institute of Traffic Engineers                |     |                                  |
| LC    | Limited Commercial District                   |     |                                  |
| LEED  | Leadership in Energy and Environmental Design |     |                                  |
| LR    | Legacy Residential District                   |     |                                  |



## 23.4 Defined Terms

### Abut

The condition of two adjoining parcels having a common property line or boundary, including cases where two or more parcels adjoin a corner, but not including cases where adjoining lots are separated by a street or alley. Where not describing land, property, lot lines, or parcel lines, abut describes touching or sharing a common boundary with.

### Accent Materials

The exterior building materials used as an accent to the primary materials on a building facade, including trim around doors and windows. Accent materials do not exceed 25 percent of the building facade.

### Access

A private driveway or other point of vehicle access, such as a street, that intersects or connects to the general street system.

### Accessible Parking Space

A space designated for the parking or temporary storage of one vehicle in addition to the space necessary for the ingress and egress from the vehicle by a disabled person and any equipment needed for that purpose.

### Accessory Building

A type of accessory structure that is fully-enclosed with a roof and walls.

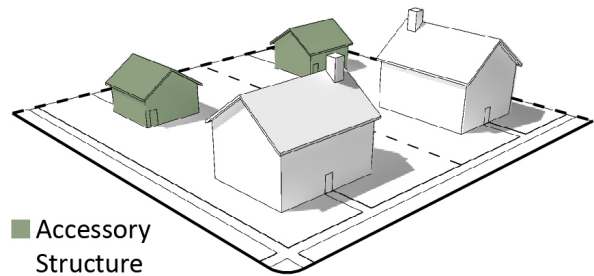
### Accessory Dwelling

A detached, self-contained, small dwelling that may be a stand-alone structure or part of a detached garage and located on the same lot as a larger, principal dwelling. An accessory dwelling is incidental to the principal dwelling

and is considered to be an accessory building.

### Accessory Structure

A structure that is on the same lot as a principal building and is incidental to the principal building or permitted use. The accessory structure is less significant than the principal building in square footage, building height, and economic importance. An accessory structure is typically detached from the principal building, but may be connected to the principal building by a breezeway.



For the purposes of Section 17.6, Floodplain Regulations, accessory structures in the floodplain must be permitted only for the purposes of storage and vehicle parking; be designed to have low flood damage potential; be constructed and placed on the site to achieve the minimum resistance to the flow of floodwaters; be firmly anchored to prevent flotation, collapse, and lateral movement, which otherwise may result in damage to other structures; and have utilities and service facilities, such as electrical and heating equipment, elevated or otherwise protected from intrusion of flood waters.

### Accessory Structure Serving a Dwelling

An accessory structure used for a purpose customarily incidental and subordinate to a dwelling, such as a detached garage, carport, home office, bonus room, home workshop, pool house, tool house, greenhouse, shed, garden shelter, or any combination thereof. An accessory structure is typically detached from

the principal building, but may be connected to the principal building by a breezeway. This definition does not include an accessory dwelling.

**Accessory Use**

A use that is customarily incidental, appropriate, and subordinate to the principal use of land or buildings and is located upon the same lot.

**Active Construction Site**

Any site that is under active construction and has a current and valid building permit.

**Active Recreation**

Land used for specific recreational activities that are generally facility oriented, such as swimming pools, sports courts, sports arenas, sports fields, skate parks, playgrounds, and other facilities that address sports or physical activity.

**Adjacent**

The condition where two or more parcels share common property lines or where two parcels are separated only by an alley, easement, street, or internal drive. Where not describing land, property, lots, or parcels, adjacent describes being next to or nearby one another.

**Administrative Decision**

A decision in an order, requirement, permit, interpretation, or refusal made by any administrative official in carrying out or enforcing any provision of this Ordinance.

**Adult-Oriented Establishments**

A use type with the same meaning as the term “adult-oriented establishment,” as defined in South Carolina state law, and in construing this term, the definitions contained in South

Carolina state law are likewise incorporated by reference into and made a part of this Ordinance.

**Age-Restricted Multifamily**

A type of multifamily residential that limits the residency to individuals who are at least 55 years of age or older.

**Aggregate Caliper Inch (ACI)**

The number of caliper inches of proposed trees used to meet a planting requirement. Caliper inch sizes for individual proposed trees are measured as indicated in the American Standard for Nursery Stock (ANSI 260.1-2004).

**Agricultural Lands**

Lands actively engaged in direct production of agricultural goods or products.

**Agricultural Structure**

A structure used in agricultural operations.

**Agricultural Uses, Accessory**

Agricultural activities, including raising agricultural products (fruits and vegetables) for personal use, excluding livestock as defined in 27CFR 780.328 “Meaning of Livestock”, with the exception of chickens.

**Agricultural Uses, Primary**

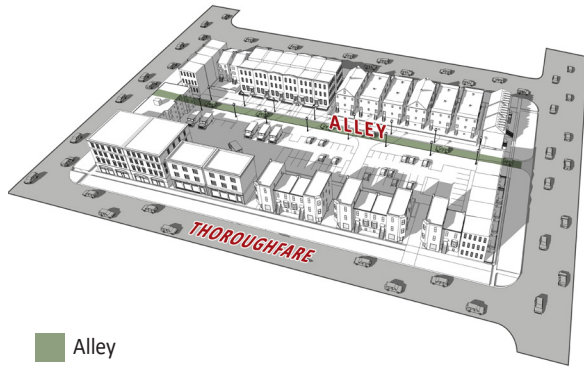
Agricultural and farming activities, including nurseries and facilities for raising, processing, and selling agricultural products grown on the premises, including livestock as defined in 27CFR 780.328 “Meaning of Livestock”.

**Alcove**

A recess in a wall, or partly enclosed extension connected to or forming part of a room, often curved and often used to house sculpture, a seat, or a fountain.

**Alley**

A minor public or private way intended to be used primarily for vehicular service access to the rear or side of properties.

**Alteration**

A change, addition, or modification in construction, structure, or occupancy of a structure.

**American Standard for Nursery Stock**

A publication prepared by the American Nursery and Landscape Association that provides standards related to size and planting for newly planted landscaping material.

**Antenna**

An exterior transmitting or receiving device mounted on a building, structure, or tower that radiates or captures analog or digital signals, electromagnetic waves, radio frequencies (excluding radar signals), wireless telecommunications signals, or other communication signals.

**Appeal**

For the purposes of Section 17.6, Floodplain Protection, a request for a review of the local enforcement officer's interpretation of any provision of this Ordinance or a request for a variance.

**Appeal of Administrative Decision**

A type of process to appeal a decision by an administrative official.

**Applicant**

The owner of property or the authorized representative of the owner who is applying for development approval.

**Appurtenance**

The visible, functional, or ornamental objects accessory to, and part of a building, such as chimneys, porches, decks, stoops, bay windows, roof overhangs, awnings, steps, and similar features.

**Arcade**

A covered passageway, typically found at street level, often comprised of a series of arches supported by columns.

**Architectural Lighting**

Exterior lighting that is designed to highlight structures, plantings, or significant architectural features in a direct or indirect fashion.

**Area of Shallow Flooding**

An area designated as a AO or AH Zone on the Flood Insurance Rate Map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

**Area of Special Flood-Related Erosion Hazard**

The land within a community that is most likely to be subject to severe flood-related erosion losses. The area may be designated as Zone E on

the Flood Hazard Boundary Map (FHBM). After the detailed evaluation of the special flood-related erosion hazard area in preparation for publication of the Flood Insurance Rate Map, Zone E may be further refined.

**Arterial Street**

A type of street defined by Connect Laurens that is designed and intended for use by large volumes of through traffic, receives traffic flow from collector and local streets, allows for major movement between areas of the City, and usually has heavy traffic moving at relatively high speeds. This includes both major and minor arterial streets.

**Assessed Value**

The monetary price that a parcel of land, portion of land, improvement on land, or other commodity is assigned by the Williamson County Property Appraiser's office for the purposes of taxation.

**Attendant**

A person employed to park vehicles.

**Automated Teller Machine (ATM)**

An automated mechanized consumer banking device.

**Awning**

A sheet of canvas or other material stretched on a frame and affixed to a building directly above a doorway or windows. Awnings are used for protection from the elements.

**Awning Face**

That portion of an awning that attaches to the building and has angles other than 90 degrees to grade.

**Awning Sign**

A type of sign described as such in Section 15.3, Awning Sign

**Awning Valance**

The narrow vertical hanging flap at the front edge of an awning which is 90 degrees to grade.

**Balcony**

A porch or other enclosed outdoor use area associated with the upper floors of a building.

**Balloon**

A stationary or mobile inflated device used to attract attention.

**Band Sign**

A type of sign described as such in Section 15.4, Band Sign.

**Bank**

A type of use classified as an office.

**Banner**

A temporary sign made of flexible material.

**Barber Shops and Salons**

A type of use classified as personal services.

**Base**

The structural elements, design features, and materials associated with a part of the building that meets the ground to differentiate it from the middle and anchors the building to the ground.

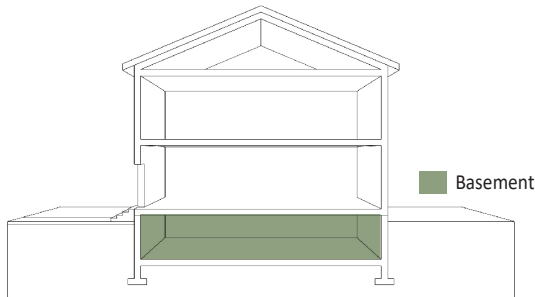


**Base Flood**

The flood having a one percent chance of being equaled or exceeded in any given year. This term is also referred to as the 100-year flood or the one percent annual chance flood.

**Basement**

Any portion of a building located below ground level on all sides.



**Bay Window**

A large window or series of windows projecting from the outer wall of a building and forming a recess within.

**Bed and Breakfast Establishment**

An owner-occupied single-family dwelling in which the owner rents rooms to overnight guests and may offer meals only to those guests.

**Bench Sign**

A sign affixed to or painted on a bench.

**Berm**

An elongated earthen mound typically designed or constructed on a site to separate, screen, or buffer adjacent uses.

**Bicycle Locker**

A fully enclosed space for one bicycle, accessible only to the owner or operator of the bicycle. It protects the entire bicycle, its components and accessories from theft and inclement weather. Bicycle lockers may be pre-manufactured or may be designed for individual sites.

**Bicycle Rack**

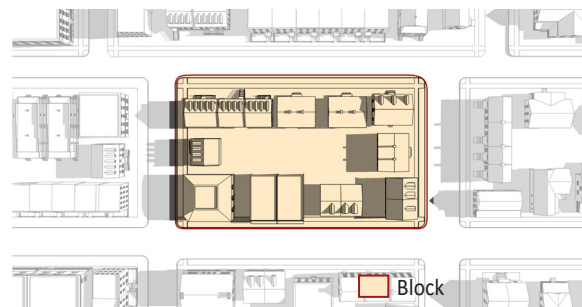
A stationary object to which the bicycle user can lock the frame and one or both wheels of a bicycle with a user-provided U-shaped lock or cable, and which is either anchored to an immovable surface or is heavy enough that it cannot be easily moved.

**Bioretention**

A stormwater management feature that uses soil and plants to remove pollutants from stormwater runoff.

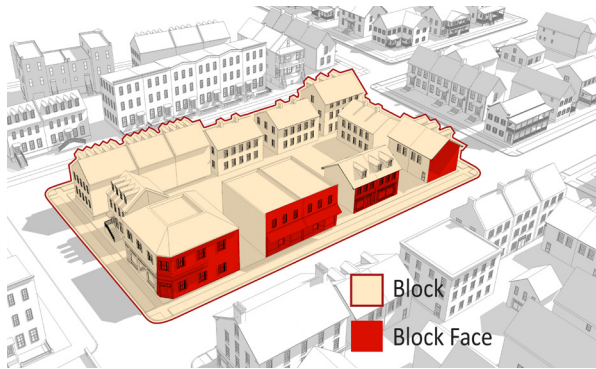
**Block**

A parcel of land composed of one or more individual lots or building sites entirely surrounded by streets or by any combination of streets, internal drives, open space, watercourses, or railroad right-of-way.



**Block Face**

The lots or building sites along one side of a block.



**Block Length Perimeter**

For the purposes of vehicular connectivity, the distance around outer edges of a block enclosed by streets.

**Box Window**

A window or windows located within a wall projection.

**Breakaway Wall**

A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces typically associated with flooding, without causing damage to the elevated portion of the building or supporting foundation system.

**Breezeway**

A roofed outdoor passage, as between a house and a garage.

**Buffer**

Vegetative material, walls, fences, berms, or any combination of these elements located on land that is used for screening.

**Building**

A fully-enclosed structure with a roof and walls.

**Building Addition**

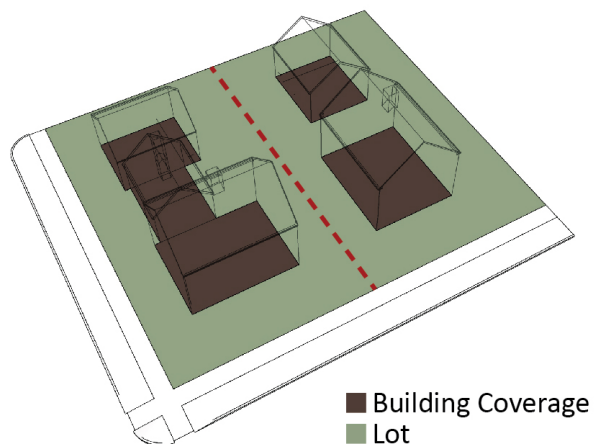
Any walled and roofed expansion to or extension of the perimeter of a building that is connected by a common load-bearing wall other than a firewall. Any walled and roofed addition that is connected by a firewall or is separated by an independent perimeter load-bearing wall shall be considered “new construction”.

**Building Codes**

A collection of regulations adopted by the City of Laurens to govern the design, construction, and modification of buildings and other structures.

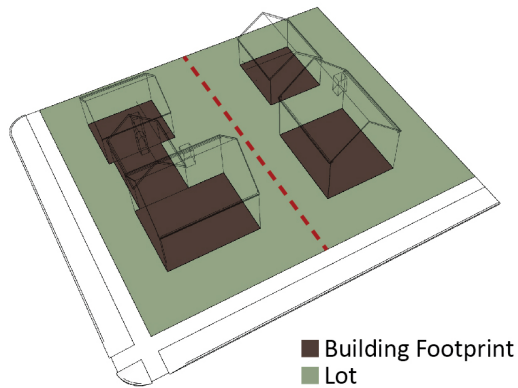
**Building Coverage**

The gross area of a lot, parcel of land, or building site occupied by all of the ground floor of a building or structure that is under roof. As a percentage, it is the relationship between the ground floor area of a building or structure under roof and the net area of the site.



**Building Footprint**

The area of a lot, parcel of land, or building site included within the exterior walls or outermost projection of the roof of a building or portion of a building, exclusive of courtyards.

**Building Permit**

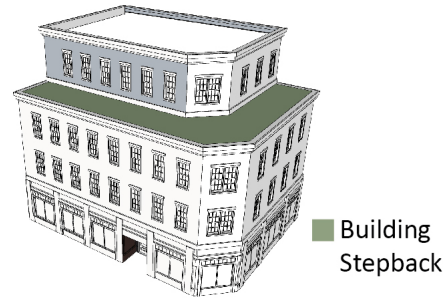
A permit required by this Ordinance prior to commencement of certain types of construction or development activities.

**Building Site**

A parcel of land that has not been subdivided as a separate lot, which is designated by an applicant as a building site in a development plan, site plan, or permit application, and which accommodates, or is available to accommodate, a principal building.

**Building Stepback**

The linear organization of building form within a single building that establishes portions of a building with a higher or lower height in a deliberate progression. Buildings may be “stepped-back” from the street edge, from a lot line, or from adjacent buildings.

**Building Type**

A classification of a building. Building types are described in Section 6.2, Overview of Building Types.

**Building Wall**

The entire surface area, including windows and doors, of an exterior wall of a building.

**Caliper**

A method of measuring the diameter of the trunk of a tree for the purpose of determining size. The caliper of a mature, established tree is measured at diameter at breast height (DBH). The caliper of an young, nursery-grown tree is taken at six inches above the soil. If the caliper of the nursery-grown tree exceeds four inches, then the tree is measured at 12 inches above the soil.

**Canopy**

A permanent, but not completely enclosed structure, which may be attached to or near a building for the purpose of providing shelter. For the purposes of this Ordinance, carports and awnings are defined separately and not regulated as canopies.

**Canopy Sign**

A type of sign described as such in Section 15.5, Canopy Sign.

**Canopy Tree**

A tree that has an expected height at maturity greater than 40 feet and which produces significant shade because it has a crown that is oval, round, vase-shaped, or umbrella-shaped.

**Cap**

The structural elements, design features, and materials associated with the top floor or top edge of the building to differentiate it from the middle and create a visual end to the building.

**Carport**

A type of accessory structure. A roofed structure not more than 75 percent enclosed by walls and attached to or near the principal building that is provided for the purpose of sheltering one or more vehicles.

**Carnival**

A type of temporary use that typically consists of amusement rides and games.

**Cemeteries**

Land used or intended to be used for burying the remains of human dead and dedicated for cemetery purposes, including mausoleums and mortuaries when operated in conjunction with and within the boundaries of the cemetery.

**Certificate of Appropriateness (COA)**

A document approving work on local landmarks

or properties in Laurens' Historic Preservation Overlay District based on the Laurens Historic District Design Guidelines.

**Certified Arborist**

A certified arborist shall mean any International Society of Arboriculture (ISA) Certified Arborist, ISA Board Certified Master Arborist, or current member of the American Society of Consulting Arborists.

**Change of Use**

The act of replacing a use in favor of another use.

**Charitable, Fraternal, or Social Organizations**

A facility for administrative, meeting, or social purposes for a private or nonprofit organization, primarily for use by administrative personnel, members, and guests.

**City Website**

The City of Laurens official website, <https://www.cityoflaurensnc.com/>

**Civic and Institutional Uses**

The classification of those principal uses as listed under that heading in Subsection 5.1.3, Permitted Principal Uses by Zoning District.

**Civic Building**

The principal building type described as such in Section 6.10, Civic Building.

**Clinic**

An establishment providing therapeutic, preventative, or corrective medical treatment or health care services. Activities include health care appointments, medical procedures, surgical procedures, emergency treatment, diagnostic services, walk-in medical services,



and other health-related care. Services are provided on an outpatient basis, generally requiring a stay of less than 24 hours.

**Close**

A square or rectangular open space with a street or internal drive surrounding it that provides access to lots or other building sites, which performs the same function as a cul-de-sac.

**Cobra-Head Style Fixture**

Light fixture consisting of an oval-shaped head and curved arm mounted to a pole. This type of light is typically used to light parking areas or other outdoor areas.

**Collector Street**

A type of street that carries traffic from local streets to the arterial system, consists of principal entrance streets for residential, nonresidential and mixed-use developments, and provides for major circulation within the developments. This includes both major and minor collector streets.

**Commercial/Mixed-Use Building Type**

The principal building type described as such in Section 6.8, Commercial/Mixed-Use Building.

**Commercial Recreation**

An establishment primarily engaged in providing participatory athletic, recreational, or physical fitness services to the public for a fee, such as fitness and recreational sports centers, health and fitness studios, bowling centers, miniature golf courses, paintball or lasertag arenas, recreational day camps, and other recreational activities.

**Commercial Sign**

Any sign, display, or device designed, intended or used to encourage or promote purchase or use of goods or services.

**Commercial Uses**

The classification of those principal uses as listed under that heading in Subsection 5.1.3, Permitted Principal Uses by Zoning District.

**Commercial Vehicles and Trailers**

An accessory use as defined by the Municipal Code.

**Community Gardens**

Land gardened by a group of people for the purposes of growing and harvesting food crops or ornamental crops. Community gardens may be divided into separate plots or may be farmed collectively by the group, and may include common areas maintained and used by group members.

**Compact Spaces**

Parking spaces with a minimum square footage of approximately 128 square feet intended for small or compact cars.

**Companion Animal**

Any dog, cat, or other domesticated animal normally maintained in or near the household of the owner or person who cares for such other domesticated animal.

**Construction**

The erection of construction materials in a permanent position and fastened in a permanent manner. Where excavation, demolition or removal of an existing building has been substantially begun prior to rebuilding, such excavation, demolition or removal shall

be deemed to be construction; provided, that work shall be carried on diligently and complies with all applicable requirements.

**Construction Dumpster**

Temporary trash receptacles used to hold waste from construction projects.

**Construction Trailer**

Mobile structures used to accommodate temporary offices, dining facilities, and storage of building materials during construction projects.

**Continuum of Care Facilities**

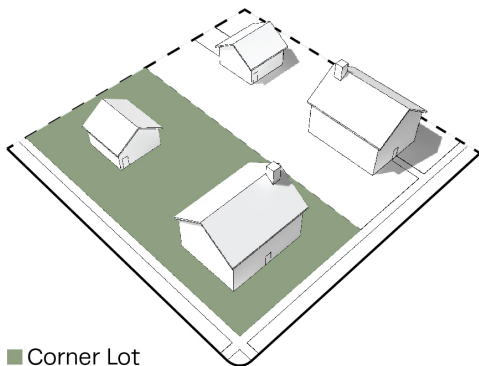
A facility providing one or any combination of assisted living, nursing home, or skilled nursing for the elderly or for other individuals incapacitated in some manner for medical reasons.

**Convenience Sign**

A type of sign described as such in Section 15.6, Convenience Sign.

**Corner Lot**

A lot located at the intersection of two streets that has frontage on each street. Each street frontage is considered a front lot line.

**Cornice**

A horizontal member, structural or nonstructural, of any building, projecting outward from the top of exterior walls, including eaves and other roof overhang.

**Correctional Facilities**

A facility for the detention, confinement, treatment or rehabilitation of persons arrested or convicted for the violation of criminal law. Such facilities include an adult detention center, juvenile delinquency center, jail, and prison. These facilities house prisoners who are in the custody of City or county law enforcement and are typically government-owned.

**Courtyard**

The type of open space described as such in Section 11.7, Courtyard.

**Critical Lot**

An individual lot in a recorded subdivision that requires a more detailed review prior to the issuance of a building permit due to topography, steep slopes, soils, potential land disturbance, stormwater, floodplain, public infrastructure, specimen trees, or other site conditions that warrant additional administrative review.

**Critical Lot Plan**

An administratively reviewed plan submitted prior to issuance of a building permit for a critical lot.

**Critical Root Zone (CRZ)**

A circular area measured outward from a tree trunk, representing the essential area of the roots that must be maintained for the tree's survival. The CRZ is measured one foot of radial distance for every inch of tree at diameter at breast height, with a minimum of ten feet.

**Cross Access**

Vehicular and pedestrian access provided between parking areas of two or more development sites or parcels of land intended to allow movement between the sites without the use of a public street.

**Cross Access Easement**

An easement or other development right offered to one party by another party that allows ingress and egress across private lands. Cross access easements are typically granted over or across surface parking areas.

**Cross Section**

A conceptual vertical plane cut through a space or building illustrating widths and heights of the diagrammed elements.

**Cul-de-Sac**

A street having one end open to traffic and the other terminated by circular vehicular turn around.

**Cultured Stone**

A refined architectural concrete building unit manufactured to simulate natural cut stone.

**Cupola**

A structure on top of a roof or dome, often used as a lookout or to admit light and air.

**Cut**

A portion of land surface or area from which earth has been removed or will be removed by excavation; or, the depth below original ground surface to the excavated surface.

**Data Centers**

An establishment primarily engaged in providing infrastructure for hosting and data processing services that businesses and other organizations use to organize, process, store, and disseminate large amounts of data.

**Day Care Centers**

An establishment designed to provide daytime care and instruction for children or adults.

**Deciduous Tree**

A tree that drops its foliage annually before becoming dormant.

**Deck**

An unroofed, raised platform extending from a building, typically located to the rear of the building.

**Deferred Parking**

A portion of the required parking associated with a use that is not installed at the time of construction, but delayed or deferred as described in Paragraph 10.1.10.C, Deferred Parking.

**Detention (Dry) Pond**

A stormwater management feature using a dry basin to temporarily detain stormwater runoff then gradually release it into a watercourse or other storm water feature. A detention pond is designed to be dry except after storm events.

**Developable**

The portion of a lot or development site that is available for development that is not within a resource and open space area (e.g., tree save areas, riparian buffers, floodplain, and open space set-aside).

**Developer**

Any individual, firm, corporation, association, partnership, or trust involved in commencing proceedings to effect development of land.

**Development**

The construction, reconstruction, infill development, redevelopment, remodeling, conversion, structural alteration, relocation, enlargement, or demolition of any structure, portion of a structure, or sign; any change in use in land, building, or structure, or material change in the appearance of any structure; any increase in the number of dwelling units, businesses, manufacturing establishments, or offices; any mining, excavation, filling, grading, paving, or land disturbance; and any act of subdivision of land.

**Development**

For the purposes of Section 17.6, Floodplain Protection, any human-made change to improved or unimproved real estate, such as buildings or other structures, mining, dredging, filling, grading, paving, excavating, drilling operations, or storage of equipment or materials.

**Development Entrance Sign**

A type of sign described as such in Section 15.7, Development Entrance Sign.

**Development Plan**

A type of application to entitle development in the Planned District.

**Development Site**

The total area of land contained within a development project.

**Development Standards**

All locally adopted or enforced standards, regulations or guidelines applicable to the development of property, such as the following: planning; local storm water requirements, layout, design; local construction standards for buildings, streets, alleys, curbs, sidewalks; zoning; lot size; lot configuration; yard dimensions; and all other development standards under this Ordinance, and off-site improvements, including public or private infrastructure. Development standards do not include standards required by Federal or State law; or building construction safety standards.

**Diameter at Breast Height (DBH)**

The measurement of the diameter of a tree trunk taken at a height of 4.5 feet above the ground. For trees with multiple trunks the DBH for each trunk added to aggregate diameter measurement.

**Directory Sign**

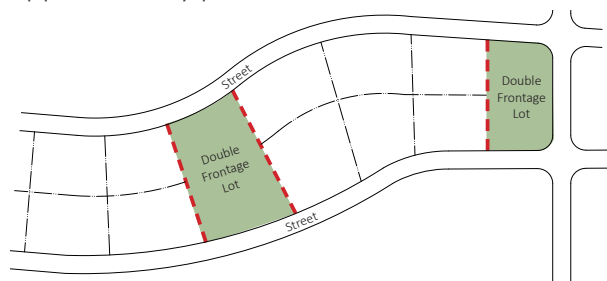
A type of sign described as such in Section 15.8, Directory Sign.

**Dormer**

A roofed structure that contains a window and projects vertically from the plane of a sloping roof.

**Double Frontage Lot**

A lot having frontage on two parallel streets or approximately parallel streets.



**Drive Aisle (of a Parking Area)**

A vehicular accessway located within a parking area that serves individual parking spaces and driveways.

**Drive-In/Drive-Through Facilities**

A facility where a type of service is provided by a business that allows customers to purchase products without leaving their vehicles.

**Drive-In/Drive-Through Restaurants**

An establishment engaged in the retail sale of ready-to-consume food and drinks in disposable containers, for consumption on or off the premises, which has drive-in or drive-through facilities so that patrons may be served while remaining in their vehicles.

**Driveway**

A vehicular access-way within a lot, building site, or development site from a street or internal drive to provide access to a parking area, garage, parking structure, or building entrance.

**Driveway Apron**

The portion of the driveway extending from the edge of the pavement of the street to the back of sidewalk section, or the right-of-way line if no sidewalk exists.

**Dry-Stack**

A building method by which structures are constructed from stones without any mortar to bind them together.

**Duplex (Building Type)**

The principal building type described as such in Section 6.4, Duplex.

**Duplex (Use Type)**

A type of residential use in a building containing two dwelling units, each of which has direct access to the outside or a common hallway leading outside.

**Dwelling**

See Dwelling Unit.

**Dwelling Unit**

An area within a structure designed and constructed to be occupied for human habitation by a one family, as defined in this Section. A structure may consist of one detached dwelling unit (house); or more than one attached dwelling unit in the case of duplexes, townhouses, multiplexes, and multifamily. Dwelling units do not include hotels, motels, boarding houses, group homes, correctional facilities, continuum of care facilities, rehabilitation centers, or other structures designed for transient occupation.

**Easement**

A grant by a landowner to another person, entity, or to the public for the right to occupy or use designated land for specific purposes such as access, drainage, utilities, conservation, the location of public improvements, or other specified purpose. An easement does not constitute fee simple ownership of the land.

**Eave**

The projecting lower edges of a roof that overhang the wall of a building.

**Educational Facilities**

A public, parochial, private, charitable, or nonprofit school, college, or university, including related instructional and recreational uses, with or without living quarters, dining

rooms, restaurants, heating plants, and other incidental facilities for students, teachers and employees.

**Effluent**

A discharge of liquid waste.

**Elevated Building**

A building built to have the lowest floor of the lowest enclosed area elevated above the ground level by means of solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of floodwater, pilings, columns, piers, or shear walls adequately anchored so as not to impair the structural integrity of the building during a base flood event.

**Elevation Certificate**

For the purposes of Section 17.6, Floodplain Regulations, a certificate as defined and regulated by the Federal Emergency Management Agency.

**Emergency Flood Insurance Program**

The program as implemented on an emergency basis in accordance with Section 1336 of the Emergency Flood Insurance Act. It is intended as a program to provide a first layer amount of insurance on all insurable structures before the effective date of the initial Floodplain Insurance Rate Map.

**Encroachment**

The portion of a structure or improvement that intrudes into a required setback, right-of-way, or easement; the placement of vehicles or equipment into a tree protection zone; or the access location.

**Entitlement**

Legal rights granted by approvals from the City to develop and use property.

**Entrepreneurship/Innovation Center**

A center that promotes innovation, entrepreneurship, and education that is centered around office uses. These centers are run by educational facilities or charitable, fraternal, or social organizations.

**Environmentally Sensitive Areas**

Lands containing specimen trees, steep slopes, wetlands, watercourses, floodplains, habitat of endangered or threatened species, hill crests, and similar features.

**Erosion**

The process of the gradual wearing away of land.

**Essential Services**

Public buildings, government facilities, or public or private utilities.

**Establishment**

A place of business with its furnishings and staff.

**Event Tent**

Collapsible tents and membrane structures used as temporary shelter for events and parties.

**Event Venue**

A commercial establishment for private rental for events, such as weddings, wedding receptions, bridal receptions, rehearsal luncheons and dinners, anniversary celebrations, galas, birthday parties, family

reunions, retirement parties, corporate meetings, conferences, trade shows, speaker luncheon series, auctions, and similar events.

**Evergreen Tree**

A tree with foliage that is not dropped annually or that remains green throughout the year.

**Existing Grade**

The slope or elevation of existing ground surface prior to cutting, grading, or filling.

**Existing Structure**

Any structure for which the “start of construction” commenced before the effective date of this Ordinance.

**Existing Tree Canopy**

The existing vegetative canopy or tree cover composed of crowns of healthy, self-supporting, woody vegetation.

**Exterior Insulated Finish System (EIFS)**

Acrylic, rubber-based material applied over a fiberglass mesh attached to a foam backing used as a facade material.

**Facade**

An exterior side of a building.

**Fair Market Value**

The monetary price that a parcel of land, portion of land, improvement on land, or other commodity will bring in a competitive and open market under all conditions of a fair sale, the buyer and seller each prudently knowledgeable, and assuming the price is not affected by undue stimulus.

**Farm Animal**

An animal kept for agricultural purposes, including animals raised for home use or for profit, such as cattle, horses, goats, or other domestic livestock.

**Feather Banner**

A type of sign that has the general shape of a feather. Also called feather sign or feather flag.

**Fence**

A structure used to delineate a boundary or act as a barrier or means of protection, confinement, or screening.

**Fill**

A portion of land surface or area to which soil, rock, or other materials have been or will be added; the height above original ground surface after the material has been or will be added; or the material used for the purposes of filling.

**Final Certificate of Use and Occupancy**

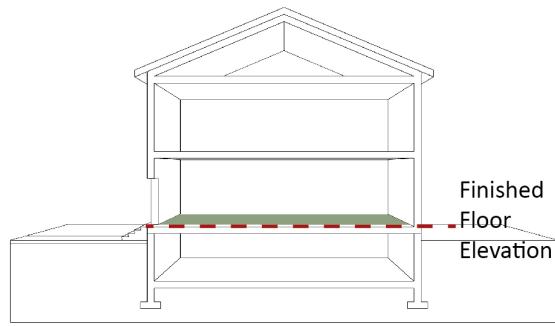
The final permit or authorization issued by the City allowing occupancy or use of a building, certifying that the building has been constructed in accordance with all applicable requirements.

**Final Plat**

A type of application to finalize a layout for subdividing land into two or more lots suitable for recording at the Register of Deeds.

**Finished Floor Elevation**

The height of the finished flooring of the lowest floor serving habitable space within a structure or building.

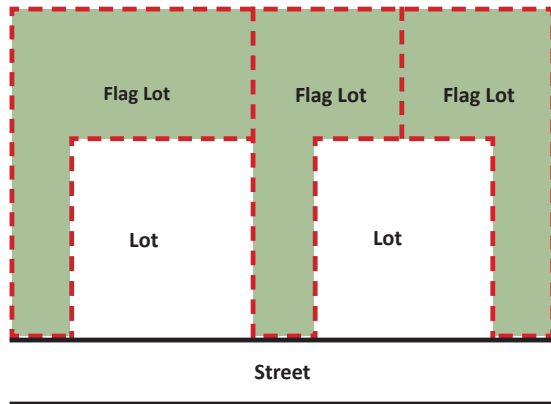


**Flag**

A type of sign described as such in Section 15.9, Flag.

**Flag Lot**

A lot configured so that access to the street is provided by a linear strip of land and the bulk of the buildable portion of the lot is located behind one or more other lots.



**Flex Building Type**

The principal building type described as such in Section 6.11, Flex Building.

**Flood or Flooding**

- A. A general and temporary condition of partial or complete inundation of normally dry land areas from:
  1. The overflow of inland or tidal waters.
  2. The unusual and rapid accumulation or runoff of surface waters from any source.

3. Mudslides (i.e., mudflows) which are proximately caused by flooding as defined in Paragraph A.2 of this definition and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.

- B. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in Paragraph A.1 of this definition.

**Flood Elevation Determination**

A determination by the floodplain administrator of the water surface elevations of the base flood; that is, the flood level that has a one percent or greater chance of occurrence in any given year.

**Flood Elevation Study**

An examination, evaluation, and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation, and determination of mudslide (i.e., mudflow) or flood-related erosion hazards.

**Flood Hazard Boundary Map (FHBM)**

An official map of a community, issued by the Federal Emergency Management Agency, where the boundaries of areas of special flood



hazard have been designated as Zone A.

**Flood Insurance Rate Map (FIRM)**

An official map of a community, issued by the Federal Emergency Management Agency, delineating the areas of special flood hazard or the risk premium zones applicable to the community.

**Flood Insurance Studies (FIS)**

The official report provided by the Federal Emergency Management Agency, evaluating flood hazards and containing flood profiles and water surface elevation of the base flood.

**Flood Protection System**

Those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the area within a community subject to a “special flood hazard” and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees, or dikes. These specialized flood-modifying works are those constructed in conformance with sound engineering standards.

**Flood-Related Erosion**

The collapse or subsidence of land along the shore of a lake or other body of water as a result of undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high-water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as a flash flood, or by some similarly unusual and unforeseeable event which results in flooding.

**Flood-Related Erosion Area or Flood-Related Erosion Prone Area**

A land area adjoining the shore of a lake or other body of water, which due to the composition of the shoreline or bank and high-water levels or wind-driven currents, is likely to suffer flood-related erosion damage.

**Flood-Related Erosion Area Management**

The operation of an overall program of corrective and preventive measures for reducing flood-related erosion damage, including but not limited to emergency preparedness plans, flood-related erosion control works, and flood plain management regulations.

**Floodplain or Flood-Prone Area**

Any land area susceptible to being inundated by water from any source.

**Floodplain Management**

The operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works, and floodplain management regulations.

**Floodproofing**

Any combination of structural and nonstructural additions, changes, or adjustments to structures that reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents.

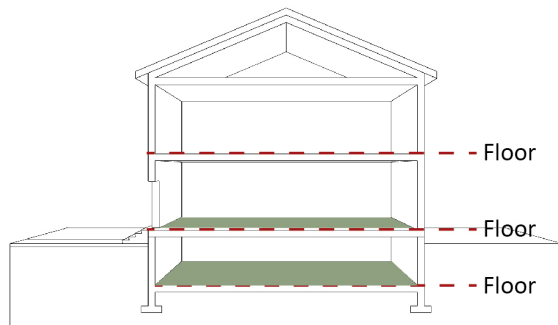
**Floodway**

The channel of a river or other watercourse and the adjacent land areas that must be reserved

in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

**Floor**

For the purposes of Section 17.6, Floodplain Protection, the top surface of an enclosed area in a building, including the basement (i.e., top of slab in concrete slab construction or top of wood flooring in wood frame construction). The term does not include the floor of a garage used solely for parking vehicles.



**Floor Area**

The area located within the inside perimeter of the exterior walls of a structure and including the area occupied by closets, corridors, stairs and other features protected by enclosed surfaces. The floor area is considered to be exclusive of those areas that are open and unobstructed to the sky. The floor area includes the area of all floors, including the attic and the basement.

**Food Sales (as an Accessory use)**

The sale of prepared or processed food, snacks, baked goods, or other products intended for human consumption either for or not for profit, whether prepared on or off site as an accessory or subordinate activity to the principal use.

**Foot-Candle**

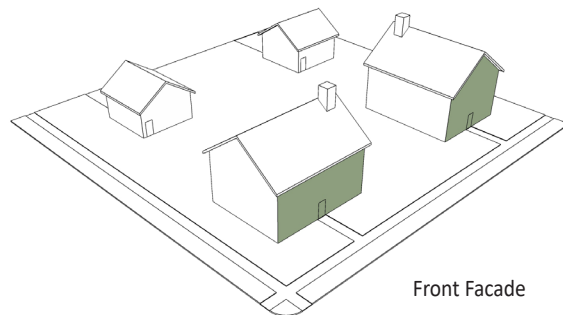
A unit of measurement referring to illumination incident to a single point at finished grade. One foot-candle is equal to one lumen uniformly distributed over an area of one square foot.

**Freeboard**

A factor of safety usually expressed in feet above a flood level for purposes of floodplain management. “Freeboard” tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.

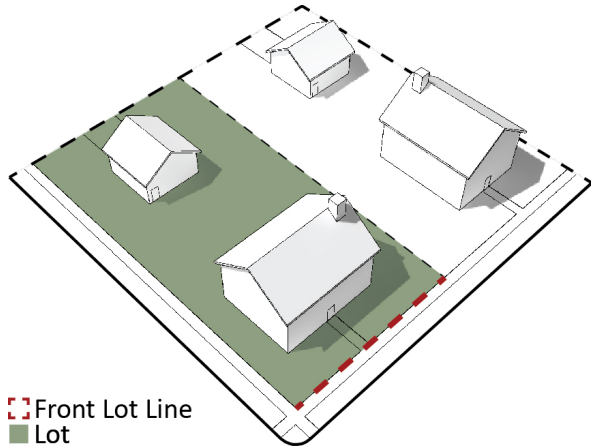
**Front Facade**

The side of the building that faces the street or internal drive and has a main entrance.



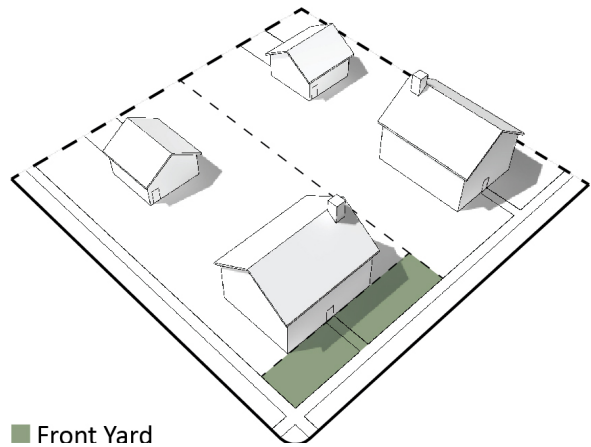
**Front Lot Line**

The boundary line of a lot, which typically abuts an existing or proposed street or internal drive.



**Front Yard**

The open area located between the facade of a building or structure and the front lot line. The front yard extends the entire width of the lot.

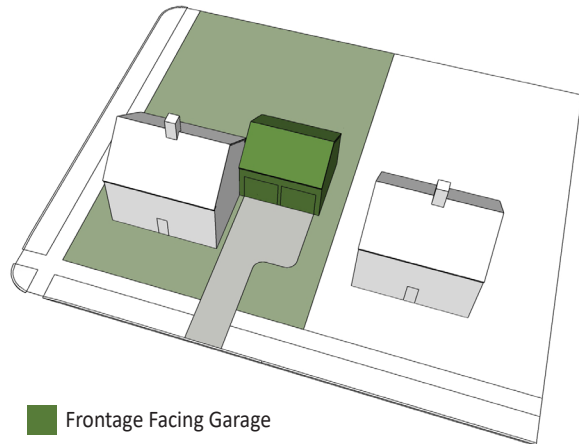


**Frontage**

As defined in Subsection 7.1.2, Frontage Description.

**Frontage-Facing Garage**

A garage whose vehicular entrance faces a frontage.



**Frontage Type**

A classification of frontage. Frontage types are described in Section 7.2, Overview of Frontage Types.

**Functionally Dependent Use**

A use the intended purpose of which cannot be utilized unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

**Funeral Homes**

An establishment engaged in undertaking services, such as preparing the human dead for burial or cremation, and arranging and managing funeral services.

**Garage** A detached accessory structure or part of a dwelling unit used for the parking or storage of vehicles as an accessory use.

**Garage/Yard Sale**

The occasional sale of miscellaneous household goods in the garage or yard of a resident's dwelling.

**Garden Center**

A retail operation that sells plants and related products for the domestic garden as its primary business. Their plant stock is typically propagated elsewhere, such as by specialist nurseries or wholesalers.

**Gas Station**

An establishment where fuel is sold for automotive vehicles, often with a small convenience store carrying a limited selection of groceries and household items.

**Gazebo**

A freestanding, roofed, usually open-sided structure providing seating or an area for gathering.

**General Warehousing**

Structures used for the storage or distribution of goods where there is no sale of items to retailers or the general public unless permitted as an accessory use to the warehouse.

**Genus**

A taxonomic category ranking of types of organisms below a family and above a species and generally consisting of a group of species exhibiting similar characteristics.

**Geotechnical Report**

A comprehensive assessment of geological conditions of a particular area where construction is proposed.

**Glare**

The reflection or harsh, bright light and the physical effect resulting from high luminance or insufficiently shielded light sources to cause annoyance, discomfort, or loss in visual performance and visibility.

**Glazing**

The portion of an exterior building surface occupied by glass.

**Golf Course**

Land laid out for golf with a series of nine or 18 holes each including tee, fairway, and putting green and often one or more natural or artificial hazards. Golf courses typically include a clubhouse with ancillary restaurant and driving range.

**Grading**

An operation or occurrence by which existing site elevations are changed, or where ground cover, natural or man-made is removed, or a watercourse or body of water, either natural or man-made, is relocated on a site. This includes stripping, cutting, filling, stockpiling, or any combination thereof and shall apply to the land in its cut or filled condition.

**Green**

The type of open space described as such in Section 11.8, Square or Green.

**Greenway**

The type of open space described as such in Section 11.4, Greenway.

**Gross Floor Area**

The sum of the gross area of every story of a building measured from the exterior limits of the faces of the structure. Gross floor

area does not include basements, garages, or parking structures, or parking areas.

### **Ground Cover**

Any natural vegetative growth or other material that renders the soil surface stable against accelerated erosion.

### **Group Home**

A facility for social rehabilitation, substance abuse, or mental health problems that provides custodial care but does not provide medical care. This definition does not include a group home as defined under the single-family residential definition. See all applicable building codes for further definitions of words within this definition.

### **Guyed Tower**

A structure composed of three or four support legs, that is “guyed” by wires to anchors in the ground placed at distances radially from the tower and is used to support telecommunications equipment and antennas.

### **Hanging/Projecting Sign**

A type of sign described as such in Section 15.12, Small Hanging/Projecting Sign.

### **Hedge**

A group of shrubs planted in a continuous line or in groups that forms a continuous living wall.

### **Highest Adjacent Grade**

The highest natural elevation of the ground surface, prior to construction, adjacent to the proposed walls of a structure.

### **Historic Resource Edge Treatment**

A context-based treatment along the edge of a historic resource to screen a new development

from the historic resource or integrate it into a new development.

### **Historic Structure or Resource**

Any building, structure, site, district, area, or land of architectural, historical, archaeological, or cultural importance or value, which the City protects, enhances, and preserves in the interest of the culture, prosperity, education, and general welfare of the citizens. It may be inclusive of, but not limited to, any of the following:

- A. Any that are listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- B. Any that are certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- C. Any that are individually listed on the South Carolina inventory of historic places and determined as eligible by states with historic preservation programs which have been approved by the Secretary of the Interior; or
- D. Any that are individually listed on the City of Laurens, South Carolina inventory of historic places and determined as eligible by communities with historic preservation programs that have been certified either:
  1. By the approved South Carolina program as determined by the Secretary of the Interior; or
  2. Directly by the Secretary of the Interior.

**Home Occupation**

Any commercial or business use associated with a residential dwelling unit that is conducted as an accessory use as described by Paragraph 5.2.7.G, Home Occupations.

**Homeowner Association**

An incorporated nonprofit organization operating under recorded agreements through which each owner in the development is automatically a member, and each lot is subject to a proportionate share of the expenses of the organization's activities or responsibilities.

**Hospital**

A facility providing medical, psychiatric, or surgical services for sick or injured persons primarily on an inpatient basis, including ancillary facilities for outpatient and emergency treatment, diagnostic services, training, research, and administration, and services to patients, employees, or visitors.

**Hotel**

A building or a group of buildings in which sleeping accommodations are offered to the public and intended primarily for rental for temporary occupancy by persons on an overnight basis, not including bed and breakfast establishments or rooming houses. Hotels include a high level of guest services and on-site amenities such as pools, restaurants, fitness centers, and similar features. Guest rooms are only accessible from an indoor corridor.

**House (Building Type)**

The principal building type described as such in Section 6.3, House.

**Hue**

The visible color emitted from an artificial source of exterior lighting.

**Illumination**

Brightening or shining with light or a luminous substance.

**Impervious Surface**

Buildings, parking areas, driveways, streets, sidewalks, areas of concrete, asphalt, gravel, or other compacted aggregate, and areas covered by the outdoor storage of goods or materials that do not absorb water.

**Improvement**

Any human-made alteration of land, a lot, a building, or structure.

**Indoor Animal Services**

A facility that regularly offers to the public indoor pet care services for companion animals, such as veterinary services, day care, overnight boarding, grooming, or training for a fee. There are no dedicated outdoor facilities.

**Indoor/Outdoor Animal Services**

A facility that regularly offers to the public pet care services which include both indoor and outdoor facilities. Services include veterinary services for companion animals or farm animals, overnight animal boarding, day care, grooming, or training for a fee.

**Industrial Sales**

Retail or wholesale sales of bulk materials used for manufacturing, construction, machinery and equipment, or landscape materials, such as mulch or stone.

**Industrial Services**

An establishment engaged in the repair, servicing, or contracting of industrial, business, or consumer machinery, equipment, products, or by-products. These establishments may service consumer goods by providing centralized services for other businesses. Examples include building maintenance services, construction contractors, landscape services, and similar establishments engaged in performance of services off-site.

**Industrial Uses**

The classification of those principal uses as listed under that heading in Subsection 5.1.3, Permitted Principal Uses by Zoning District.

**Infill development**

Development or redevelopment of buildings and structures on vacant or underused lots within areas containing existing structures.

**Integral Sign**

A sign or plaque carved into stone, concrete, or similar material, or made of bronze, aluminum or other permanent type metal materials, and made an integral part of the structure.

**Intensity**

The amount of nonresidential square feet of gross floor area.

**Internal Drive**

A curbed pedestrian and vehicular access way and parallel parking accommodation within a lot or development site that connects to a street or another internal drive, and provides access and circulation to or through such lot or development site and the building(s) and parking accommodations thereon.

**Invasive Exotic Pest Plants of South Carolina**

A document published by the South Carolina Exotic Pest Plant Council that specifies nuisance plants that shall not be used toward meeting the landscaping requirements in this Ordinance.

**Kiosk**

A small structure in a public area used for providing information, displaying advertisements, or selling goods.

**Knee Wall**

A low-wall that is often part of or within a building.

**Land**

The earth, water, and air, above, below, or on the surface, including any improvements or structures customarily regarded as land.

**Land-Disturbing Activity**

Any human-made change of the land surface including removing vegetative cover, demolition, excavating, filling, or grading, but not including agricultural uses.

**Landscape**

Vegetation, whether existing or planted that is located on a lot or site. Landscape includes areas used by such vegetation that are occupied by a ground cover such as mulch, pine straw, or living ground cover.

**Landscape Frontage**

A frontage type described as such in Section 7.5, Landscape Frontage.

**Landscape Island**

A planting area within a surface parking area that is designated for trees, shrubs, and groundcover for the purposes of providing visual relief and heat abatement.

**Landscape Plan**

Separate sheets of a submittal for a site plan application that show how the development is designed to meet tree protection, landscape, buffers, and screening requirements.

**Landscape Surface Area**

The portion of a lot or development site not covered by impervious surface and is available for accommodating landscape material.

**Large-Scale Retail Building Type**

A principal building type described in Section 6.9, Large Scale Retail Building.

**Lattice Tower**

A structure composed of three or four support legs with crossed frame design.

**LED Display Screen**

A flat display panel that uses an array of light-emitting diodes as pixels for a display of an image or video. This definition includes plasma or similar screens.

**Levee**

For the purposes of Section 17.6, Floodplain Regulations, a man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control or divert the flow of water so as to provide protection from temporary flooding.

**Levee System**

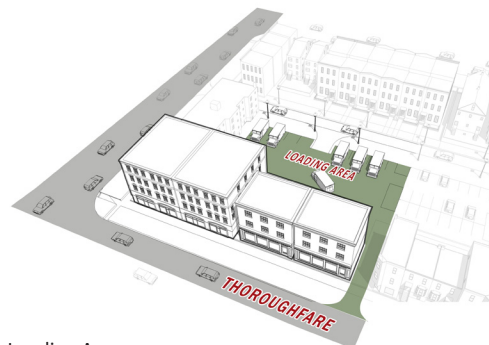
For the purposes of Section 17.6, Floodplain Regulations, a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

**Light Industrial Uses**

The manufacturing, processing, or assembly of products within a fully enclosed structure where noise, odor, light, or vibrations are not noticeable from the adjacent properties.

**Loading Area**

Area conveniently located for bulk pickups and deliveries, scaled to delivery vehicles, and not considered as part of the minimum required parking spaces.



■ Loading Area

**Local Street**

A type of street designed primarily for access directly to individual lots or developments.

**Lot**

A parcel of land occupied, or intended to be occupied, by one main building, or a group of main buildings, including open spaces as required by this Ordinance and other regulations and ordinances.



**Lot of Record**

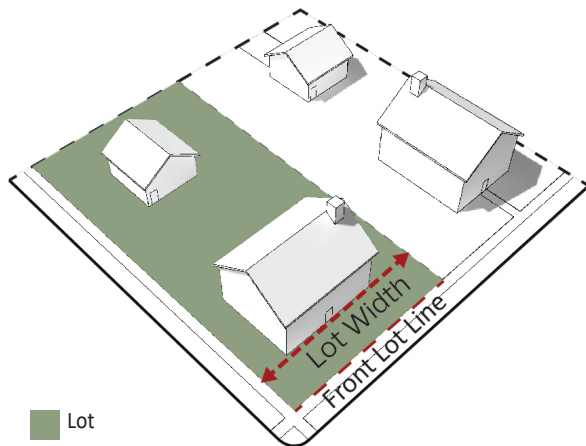
A lot or tract of land, described by deed and/or subdivision plat, filed in the Register’s Office, Laurens county, South Carolina.

**Lot Size**

The area, measured in gross square feet or acres, contained within a lot.

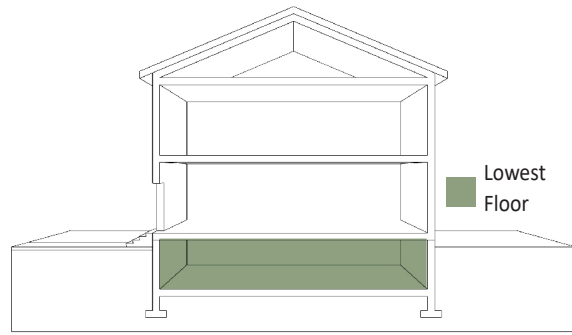
**Lot Width**

The distance between the side lot lines measured at the point of the front yard setback line. For corner lots, the lot width is the distance between the side lot line and the side street-facing lot line, measured at the point of the front yard setback line.



**Lowest Floor**

The floor surface of the lowest enclosed area of a structure, including a basement. An unfinished or flood-resistant enclosure, usable solely for parking vehicles, building access, or storage, in an area other than a basement area, is not considered to be the lowest floor of a building, provided that the enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this Ordinance.



**Machinery Assembly and Repair Facility**

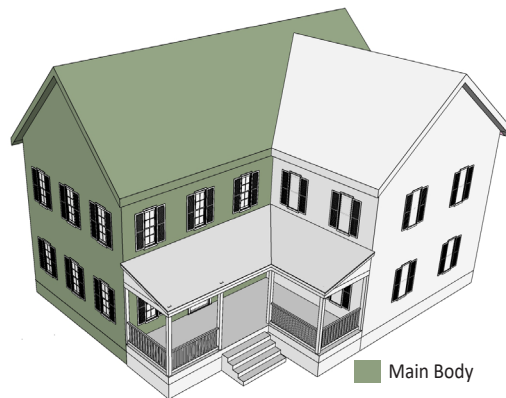
An establishment engaged in the assembly, maintenance, or repair of commercial and industrial machinery and equipment.

**Mailbox Delivery Facilities**

Pedestal mounted, cluster mailbox unit with individually locked mailbox compartments that is approved by the United States Postal Service.

**Main Body**

The primary mass of a building. The main body may be augmented by side or rear wings as well as bays, porches, and balconies.



**Main Color**

A color used on the facade of a building that constitutes the majority of the color on such facade.

**Main Entrance**

A place of ingress and egress to a building that faces the frontage.

**Major Intersection**

An intersection of one arterial street with another arterial, collector, or Interstate highway.

**Manufactured Home Park or Subdivision**

A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

**Masonry**

Brick, stone, or concrete. Fiber cement siding, stucco, and exterior insulation and finish systems (EIFS) are not considered masonry.

**Mass Grading**

Any stripping, cutting, filling, or stockpiling of earth or stone as a means of establishing new grades over a significant portion of a lot or site prior to new construction.

**Mean Sea Level**

The average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the floodplain. For the purposes of this Ordinance, the term is synonymous with the National Geodetic Vertical Datum (NGVD) of 1929, the North American Vertical Datum (NAVD) of 1988, or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

**Measurement**

A straight line from one lot line to another, from a building or structure to a lot line, or from a

building or structure to another building or structure unless otherwise stated.

**Median**

A portion of a street or internal drive separating the opposing traffic flow and designed to prevent crossover movements by vehicles.

**Mew**

A type of alley as described in the Transportation and Street Technical Standards.

**Minor Accessory Structure**

A type of accessory structure that has a footprint of 200 square feet or less. Examples include storage or potting sheds, workshops, and greenhouses.

**Mixed-Use Development**

A tract of land or structure developed for both residential and nonresidential uses. Such uses may be vertically integrated within a multi-story building or horizontally integrated within one or more buildings on a lot or development site.

**Mobile Home**

A structure, transportable in one or more sections, which is built on a permanent single chassis and designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include "recreational equipment". For the purposes of this definition, "manufactured home" and "mobile home" shall be considered interchangeable.

**Mobile Service Provider Office**

A home occupation use that is limited to the

office accommodations for a professional service that is carried out in transitory locations. Examples include, but are not limited to mobile automotive detailing services and mobile pet grooming services.

**Monopole**

A structure composed of a single pole used to support telecommunications equipment and antennas.

**Monument Sign**

A type of sign described as such in Section 15.10, Monument Sign.

**Moving Sign**

A sign or device that swings, undulates, or otherwise attracts attention through the movement of parts, or through the impression of movement, and includes flashing, fluttering, moving, pennant, revolving, rotating, streamer, windblown, or similar signs or devices (e.g. inflatable tube signs, feather banner signs, etc.).

**Multi-Phase Development**

A development consisting of two or more distinct phases intended to occur in a sequential order.

**Multi-Stemmed Tree**

A canopy or understory tree having two or more primary stems or trunks, each of which is included within the determination of caliper or DBH.

**Multifamily (Building Type)**

A principal building type described as such in Section 6.7, Multifamily.

**Multifamily (Use Type)**

A type of residential use with a building containing five or more individual dwelling units, with the units often stacked vertically, sharing common vertical walls and/or horizontal floors and ceilings, often called apartments, lofts, condominiums, stacked flats, or age-restricted independent living, and may include units for sale or rent. This definition also includes any number of attached dwelling units above ground floor nonresidential use in a commercial/mixed-use building.

**Multiplex (Building Type)**

A principal building type described as such in Section 6.5, Multiplex.

**Multiplex (Use Type)**

A type of residential use with a building containing three to four dwelling units that has the appearance of one house from the street. They often share a common entrance.

**Museum**

An establishment with repositories of objects connected with literature, art, history, culture, or science collected and displayed for the edification, amusement, entertainment, or education of patrons and consumers.

**National Geodetic Vertical Datum (NGVD)**

For the purposes of Section 17.6, Floodplain Regulations, as corrected in 1929, a vertical control used as a reference for establishing varying elevations within the floodplain.

**National Historic Landmarks**

Nationally significant historic places designated by the Secretary of the Interior because they possess exceptional value or quality in

illustrating or interpreting the heritage of the United States.

**National Register of Historic Places**

The Secretary of the Interior’s official list of the nation’s historic places worthy of preservation; lands and structures on the list possess exceptional value or quality in illustrating or interpreting the heritage of the United States.

**Native Vegetation**

Any indigenous tree, shrub, ground cover, or other plant adapted to the soil, climatic, and hydrographic conditions occurring on the site.

**Natural Areas**

The type of open space described as such in Section 11.3, Natural Area.

**Naturally Occurring Slope**

The changes in grade or elevation on a lot or site that result from natural processes, not land-disturbing activities.

**Nature Trail**

A type of pedestrian path through natural areas, including hiking, walking/jogging, and mountain bike trails.

**Neighborhood Amenities**

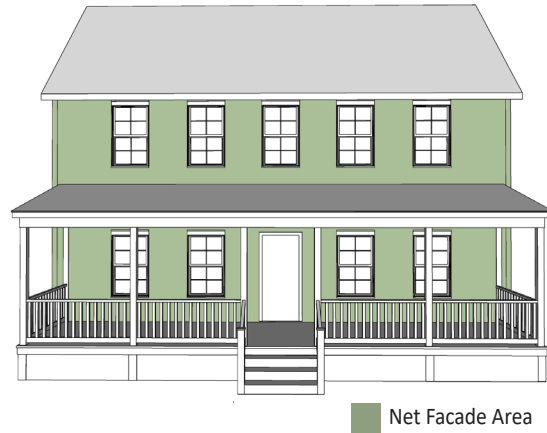
Outdoor recreation areas, such as pools, sports fields, sports courts, playgrounds, and dog parks typically for use by residents of the development.

**Neon**

Lights, tubes, or other devices used to emit neon light.

**Net Facade**

The area on a facade, excluding door and window openings.



**Non-Buildable**

Land not suitable or permitted to be built upon.

**Nonconforming Lots of Record**

A lot that was legally-created by deed or other legal mechanism before it was in the City or prior to the City and County initial adoption of Subdivision Regulations that does not meet the dimensional standards established by the applicable zoning district.

**Nonconforming Sign**

A sign or sign structure constructed or erected prior to the effective date of this Ordinance or amendment containing provisions with which the sign or sign structure does not comply, or any sign that was lawfully erected and complied with the sign regulations in effect at the time it was erected, but is no longer in compliance.

**Nonconforming Structure**

A structure or portion thereof, not including signs, legally developed before the effective

date of this Ordinance, or any amendment thereto, but that does not comply with one or more provisions of this Ordinance.

**Nonconforming Use**

The use of a building or land lawful at the time of the enactment of this Ordinance that does not conform with the provisions of this Ordinance for the zoning district in which it is located.

**Nonconformity**

An existing use, structure, lot of record, sign, or tower that was lawfully established before this Ordinance was adopted that no longer conforms with one or more provisions of this Ordinance.

**Nonresidential Building**

Any building containing solely nonresidential uses.

**Nonresidential Structure**

Any structure containing solely nonresidential uses.

**Nonresidential Use**

A use of land for recreation, civic or institutional, commercial, or industrial purposes that excludes any residential use.

**North American Vertical Datum (NAVD)**

A vertical control used as a reference for establishing varying elevations within the floodplain.

**Nuisance**

Any interference with the use and enjoyment of a neighboring property that is substantial and unreasonable, such as would be offensive or inconvenient to the normal person. Examples

may include any interference or disturbance, which renders physical occupation of a neighboring property uncomfortable, endangers life or health, gives offense to the senses, or violates the laws of decency.

**Nuisance Tree**

A tree that interferes with the quiet enjoyment of real or personal property or public infrastructure.

**Off-Road Head Style Fixture**

Light fixture consisting of a rectangular head and arm affixed to a pole. This type of light is typically used to light parking areas or other outdoor areas.

**Office**

The premises used by an establishment primarily engaged in providing professional, financial, administrative, clerical, and similar services.

**On-Site Parking**

Parking on a lot, not inclusive of parallel parking on internal drives.

**One-Half Story**

The uppermost habitable building level in which a sloping roof replaces the upper part of one or more of the facade walls, and which level contains less finished area than the first level of the building.

**One Hundred Year Flood**

Floods of a large magnitude that are only expected to be equaled or exceeded once (on average) during any 100-year period.

**Opacity**

A measurement indicating the degree of obscuration of light or visibility.

**Opaque Screen**

Any combination of vegetative material, fences, or walls and designed to completely obstruct off-site views into the area.

**Open Space**

Land used for active or passive recreation or resource protection purposes, not including residential lots, right-of-way, or parking or loading areas.

**Open Space Lot**

A single lot or group of lots intended to contain open space set-asides.

**Open Space Set-Aside**

Portion of a proposed development required for reservation as permanent open space.

**Open Space Type**

A classification of open space. Open space types are described in Section 11.2, Overview of Open Space Types.

**Ornamental Fixture**

A pole-mounted light fixture with an ornamental head, such as a colonial head, coach head, acorn head, or other decorative head.

**Outdoor Dining Area**

The type of open space described as such in Section 11.9, Outdoor Dining Area.

**Outdoor Playground Areas**

An outdoor recreation area typically equipped with swings, slides, and other playground equipment.

**Outdoor Sales**

The placement of products or materials for sale outside the entrance of a retail or wholesale sales establishment.

**Outdoor Storage**

The keeping, in an unroofed area of any goods, material, merchandise, or vehicles in the same place for more than 24 hours. This does not include the display of vehicles or equipment for sale or rental in a sales lot.

**Overnight Stay**

For the purposes of Section 4, Overlay Zoning Districts, overnight stay refers to uses where people or animals sleep overnight, such as residential uses, group homes, continuum of care facilities, correctional facilities, hospitals, bed and breakfast establishments, hotels, and animal services with boarding facilities.

**Parallel Parking Space**

A parking space located parallel to a public or private street or internal drive.

**Parapet or Parapet Wall**

That part of a building facade that rises above the roof level, typically obscuring a flat roof as well as any roof-mounted equipment.

**Parcel**

See "Lot".

**Parked Vehicle Sign**

Signs placed on or affixed to vehicles or trailers that are parked on a public or private street or on public or private property so as to be visible from a public or private street or internal drive. This does not pertain to signs placed on or

affixed to vehicles, where the sign is incidental to the primary use of the vehicle or trailer or to exclude the advertising of the vehicle for sale.

**Parking Area**

Parking spaces that serve a principal use.

**Parking Bay**

A parking area consisting of one row of parking spaces or stalls and the drive aisle from which vehicles enter and leave the spaces.

**Parking Frontage**

A frontage type described as such in Section 7.4, Parking Frontage.

**Parking Pad**

An improved surface located on a residential lot for vehicle parking.

**Parking Space**

A space that is designated for the parking or temporary storage of one vehicle.

**Parking Structure**

A structure designed for vehicular parking below, at, and/or above grade, excluding, however, a garage.

**Passive Parks, Passive Recreation**

Land used for low-intensity recreation, open space, and conservation of natural habitat. Improvements are natural resource-oriented, such as picnic areas, canoe launches, arboretums, benches, trails for hiking, biking, or horseback riding, and archaeological and historical sites. Site disturbances, such as grading, vegetation removal, and lighting are minimal. These facilities are often located within dedicated natural areas.

**Pedestrian**

A person traveling on foot under their own locomotion.

**Pedestrian-Scale Lighting**

Devices intended to provide exterior lighting that are lower in height than commercial lighting and located proximate to pedestrian areas such as sidewalks, open space areas, or plazas.

**Performance Agreement**

An agreement between an applicant or developer and the City to ensure the completion of required improvements as part of site plan or final plat approval.

**Perimeter Landscape**

A planting area with vegetative material, walls, fences, and/or associated ground cover located along the perimeter of a surface parking area used as screening.

**Perimeter Planting Strip**

A planting area along the outer edge of a surface parking area.

**Person**

Person means any individual, corporation, government agency, government official, business trust, partnership, two or more persons having a joint interest, or any other legal entity. Persons subject to the remedies and penalties established in Section 22, Enforcement, for violating this Ordinance shall include an architect, engineer, builder, contractor, developer, agency, or any other person who participates in, assists, directs, creates, causes, or maintains a condition that

results in or constitutes a violation of this Ordinance; or an owner, any tenant or occupant, or any other person, who has control over, or responsibility for, the use or development of the land on which the violation occurs.

**Personal Services**

An establishment that primarily engages in providing services generally involving the care of the person or person's possessions. Personal services include laundry and dry-cleaning services, barber shops, salons, day spas, informational and instructional services, tanning salons, photography services, and other personal care services. Services associated with an animal are not included in this definition.

**Pervious Surface**

A surface that absorbs water or allows the passage of water through it to the ground below.

**Pier**

Posts, columns, or similar devices designed to elevate a building or structure above the grade level.

**Pilaster**

A rectangular column with a capital and base that is attached or affixed to a wall as an ornamental design feature.

**Place of Public Assembly**

An institution or facility that congregations of people regularly attend to participate in or hold meetings, workshops, lectures, civic activities, religious services, and other similar activities.

**Plan Amendment**

A type of application to amend the general

plan, entitled Envision Laurens.

**Plan of Services**

A plan for how the City would provide municipal services to land if annexed.

**Planting Season**

The dormant time of the year for trees beginning with leaf drop and ending with bud break; which is generally late fall (November) to early spring (March), excluding winter months when the ground is frozen.

**Planting Strip**

An area located immediately between the sidewalk and the curb or street pavement that serves as the area where street trees are planted.

**Platted Lot**

A lot shown on a recorded final plat.

**Plaza**

A type of open space described as such in Section 11.10, Plaza.

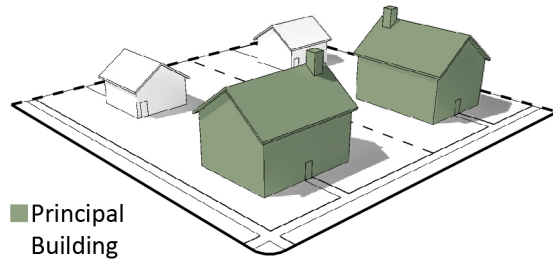
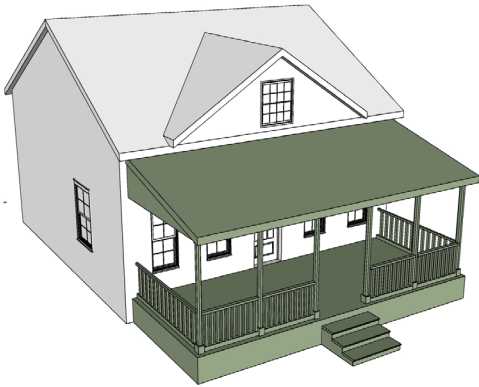
**Pocket Park**

A type of open space described as such in Section 11.6, Pocket Park.

**Porch**

A projection from an exterior wall of a building that is covered by a roof, for the purpose of providing shade or shelter from the elements. A porch is at least six feet deep and may be screened in, but shall not have impermeable walls greater than 48 inches in height.





■ Principal Building

### **Portable Shipping Container**

A large metal or wooden container, typically intended for transport by large truck, train, or ship, that is used for the temporary storage and or transport of personal property.

### **Portable Sign**

A sign or device, counterbalance sign, trailer sign, or any variation thereof, located on the ground, easily movable, not permanently attached thereto. Also includes any single or double surface painted or poster panel type sign or any variation thereof.

### **Preliminary Plat**

A type of application to propose a layout for subdividing land into more than two lots.

### **Primary Materials on a Facade**

The exterior building materials used to clad most of a building facade.

### **Principal Building**

The main building or structure on a lot in which the principal use occurs.

### **Principal Use**

The primary use or activity taking place on a lot. The principal use does not include any accessory uses occurring on the same lot.

### **Private Street**

Any street or road owned and maintained by a private individual, organization, or company rather than by a unit of government.

### **Property Owners Association**

An incorporated nonprofit organization operating under recorded agreements through which each owner in the development is automatically a member, and each lot is subject to a proportionate share of the expenses of the organization's activities or responsibilities.

### **Public Access Easement**

A grant by a landowner to the public for ingress and egress across private lands, commonly to provide access to public improvements, infrastructure, open spaces, or other specified purposes. A public access easement does not constitute fee simple ownership of the land.

### **Public Improvement**

Street, park, or other public way, ground, place or space, public building or structure, facility, or public utility, which serves and is available to the public.

**Public or Private Infrastructure**

Facilities and services needed to sustain development and land-use activities, including water, sewer, drainage, stormwater management improvements, streets, sidewalks, and other similar facilities.

**Public Sign**

A sign erected by a governmental entity or agency in the public interest, such as safety signs, danger signs, trespassing signs, traffic signs, memorial plaques, signs of historical interest, and similar signs.

**Public Street**

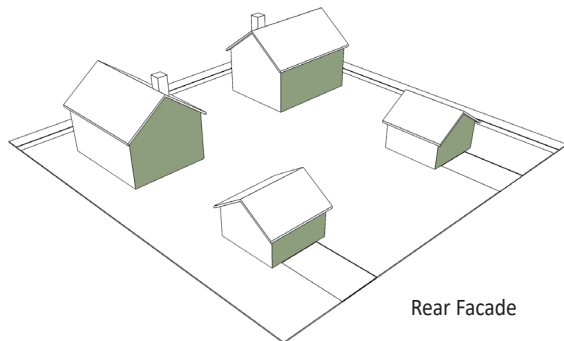
Any street or road owned or maintained by a unit of government.

**Quick Service Restaurant**

A type of restaurant that serves fast service food cuisine.

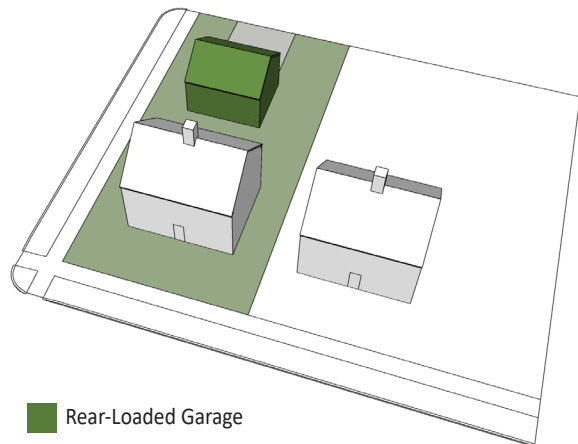
**Rear Facade**

The side of a building facing the rear or back of a lot or building site, not facing a street.



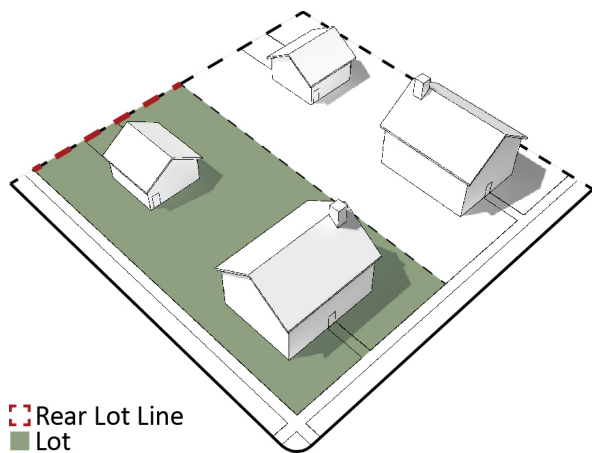
**Rear-Loaded Garage**

A garage whose vehicular entrance faces the rear lot line.



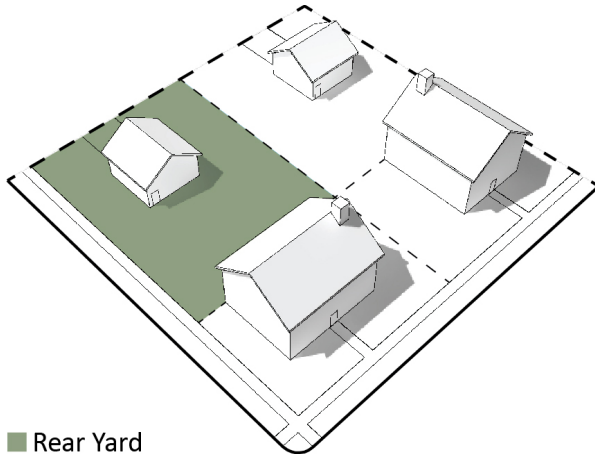
**Rear Lot Line**

The rear boundary line of a lot which is generally opposite of, and does not intersect, the front lot line.



**Rear Yard**

The open area, except as otherwise authorized in this Ordinance, located between the rear of a building or structure and the rear lot line, and extending from one side lot line to the other side lot line.



■ Rear Yard

### Reasonably Safe from Flooding

Base flood waters will not inundate the land or damage structures to be removed from the Special Flood Hazard Area and that any subsurface waters related to the base flood will not damage existing or proposed structures.

### Recreational Equipment

A vehicular or portable structure transportable on a mobile chassis, designed to be used for recreational and vacation uses, including travel trailers, pickup campers, coaches, motorized dwellings, tent trailers, boats, boat trailers, other motorized watercraft, and other similar recreational equipment.

### Recreational Vehicle

A vehicle which is built on a single chassis; 400 square feet or less when measured at the largest horizontal projection; designed to be self-propelled or permanently towable by a light-duty truck; and designed primarily not for use as a permanent dwelling, but as a temporary living quarters for recreational, camping, travel, or seasonal use.

### Recycling Drop-Off Center

A small collection facility where recyclable materials are purchased or accepted from the

public. It is an accessory use.

### Redevelopment

Any proposed expansion, addition, renovation, or major change to an existing building, structure, or aspect of development.

### Refuse Area

Area containing dumpsters, trash compaction, garbage or recycling collection, and other similar service areas.

### Regulatory Flood Protection Elevation

The Base Flood Elevation plus the Freeboard. In Special Flood Hazard Areas where Base Flood Elevations (BFEs) have been determined, this elevation shall be the BFE plus one foot. In Special Flood Hazard Areas where no BFE has been established, this elevation shall be at least three feet above the highest adjacent grade.

### Regulatory Floodway

The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

### Rehabilitation (of a Historic Structure)

The act of returning a historic structure to usable condition through repair, alteration, and/or preservation of its features.

### Rehabilitation Center

A facility that provides formal, organized, services designed to alter specific physical, mental, or social functions of persons under treatment by reducing disability or discomfort. Such facilities also ameliorate the signs or symptoms causing such functions, which

may include physical therapy, counseling, vocational, social and/or educational services aimed at restoring the overall well-being, health, and abilities of those being treated. Rehabilitation centers may be stand-alone facilities or be a component of other facilities.

**Remote Parking**

A parking area intended to serve one or more nonresidential uses provided on a different parcel or lot than the nonresidential use it is intended to serve.

**Replacement Tree**

A tree that is required to be planted after the development of a site to replace predevelopment existing trees that were removed either accidentally or in violation of this Ordinance during or as a result of the land disturbance process.

**Required Landscape**

Landscape requirements, including site landscaping, parking area landscaping, buffers, streetscape landscaping, street trees, historic resource edge treatments, or screening composed of vegetative materials.

**Required Yard**

The space between a lot line and a building within which no structure shall be permitted, except as authorized in this Ordinance.

**Residential Character**

A building form, neighborhood, or area that is intended primarily for dwelling purposes, and includes human-scaled detailing, pedestrian orientation, and attributes intended to encourage human activity and interaction.

**Residential Development Sales Office/Model Home**

Temporary real estate sales offices used for the initial sale or lease of properties or buildings, or a display home used to show the living space and features of homes available within a developing residential development.

**Residential Lot**

A lot with an existing residential use or designated for residential use through zoning, excluding multifamily residential.

**Residential Uses**

The classification of those principal uses as listed under that heading in Subsection 5.1.3, Permitted Principal Uses by Zoning District.

**Restaurants**

An establishment engaged in the retail sale of prepared food and drinks for consumption on the premises or for carryout.

**Restricted-Access Bicycle Enclosure**

A locked area containing within it one bicycle rack space for each bicycle to be accommodated, and accessible only to the owners or operators of the bicycles parked within it.

**Retail Storefront**

The front facade and entryway of a retail store on the ground floor of a building.

**Retail Uses**

An establishment primarily engaged in the sale of goods and materials to the general public. Retail uses may include retail shops, bookstores, antique stores, convenience stores, bakeries, grocery stores, retail plant sales, and similar uses.

**Retaining Wall**

A wall or similar structure used at a grade change to hold the soil on the uphill-side of the wall from slumping, sliding, or falling. Examples include segmental walls, masonry walls, poured-in-place walls, boulder walls, and pre-split rock walls.

**Retention (Wet) Pond**

A stormwater management feature that uses a wet basin as a holding area for stormwater runoff and is designed to retain a permanent pool of water throughout the year.

**Rezoning**

A change in the district boundaries or district classifications of the zoning map. For the purposes of this Ordinance, rezoning also includes the initial zoning of a property that occurs with annexation.

**Ribbon Driveway**

A type of driveway that consists of two parallel tracks of paved material and separated by grass or gravel strip.

**Right-of-Way (ROW)**

An area owned or maintained by the City, County, the State of South Carolina, federal government, a public utility, a railroad, or a private concern for the placement of such utilities and/or facilities for the passage of vehicles or pedestrians, including roads, streets, pedestrian walkways, utilities, or railroads.

**Riparian Buffer**

The area of natural or planted vegetation adjacent to a natural watercourse as measured landward from the normal pool elevation of

impounded structures and from the bank of each side of streams, rivers, lakes, ponds, or wetlands which is intended to remain undisturbed.

**Riverine**

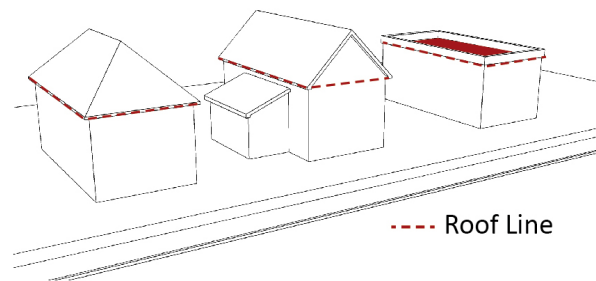
Relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

**Roof Forms**

The type, arrangement of ridges or parapet walls, or materials used on a roof.

**Roof Line**

The highest point of a flat roof or mansard roof and the lowest point of a pitched roof, excluding any cupolas, chimneys, or other minor projection.

**Roof Sign**

An attached sign wholly or partially dependent upon the roof of any building for support.

**Routine Maintenance**

The preventative or cyclical maintenance that is a part of the on-going care and upkeep of any building, structure, property, or improvement.

**Rural Character**

The development patterns, architecture, and arrangement of land uses such as agriculture and undeveloped lands found in sparsely settled areas.

**Sandwich Board Sign**

A type of sign described as such in Section 15.11, Sandwich Board Sign.

**Screening**

A method of visually shielding or obscuring one abutting or nearby structure or use from another by fencing, walls, berms in certain instances, gates, parapets, penthouse enclosures, features of a building, or densely planted vegetation.

**Seasonal Agricultural Sales**

Temporary retail sales of fresh fruits, vegetables, flowers, herbs, or plants. Such use may also involve the accessory sales of other unprocessed foodstuffs, home processed food products such as jams, jellies, pickles, sauces or baked goods, and homemade handicrafts.

**Secondary Street**

A street, by virtue of its use, location, absence of pre-existing pedestrian supportive qualities, or lack of prominence, that may be allowed to have some screened parking along the lot frontage.

**Security/Caretaker's Quarters**

An accessory dwelling located on the premises of another principal use for the occupancy of a caretaker, security guard, or other person charged with oversight or protection of the principal use.

**Self-Storage Facilities**

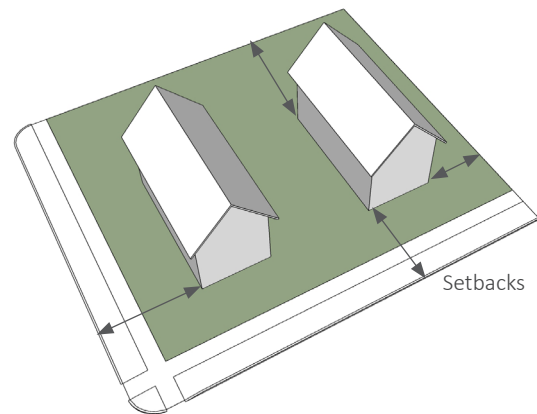
A building or group of buildings that contains equal or varying sizes of individual, compartmentalized, and controlled access stalls or lockers for the storage of residential or commercial customer's goods or wares.

**Service Area**

Maintenance areas, equipment areas, loading docks, loading berths, or similar spaces that serve the principal use or building.

**Setback**

A setback refers to the distance which a building is required to be set back from a right of way line, curb, lot line, or from a nearest building or structure, as applicable.

**Severe Pruning**

The pruning, cutting, or otherwise damaging of the natural form of a tree or shrub, whether existing or installed, such that a significant or noticeable portion of the crown system is removed (e.g., 25 percent of the crown removed from a tree, or the continued cutting/trimming of trees previously pruned illegally, or pruning of trees that must grow naturally to meet the landscaping requirements), or if more than one-third of the overall circumference of a tree or shrub is exposed by pruning cuts.

**Shared Parking**

Parking spaces shared by two or more uses that are in proximity to one another and the parking area, and that have different

operational characteristics such that utilization of the parking spaces by one use will not generally overlap with the utilization of the parking spaces by the other use(s).

**Shed**

A simple roofed accessory building that is typically used for storage, a shelter for animals, or a workshop.

**Shoebox-Style Fixture**

An exterior lighting device in the shape of a box that is typically mounted on a pole and constructed to direct illumination to a discrete area directly beneath the lighting fixture.

**Showroom**

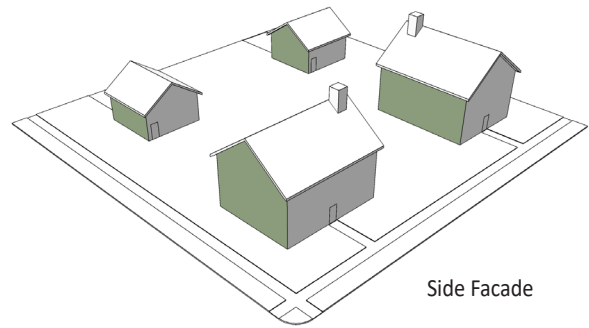
A large room used for displaying a company’s products for sale, such as vehicle models, appliances, furniture, plumbing or lighting fixtures. Showrooms typically have a small office component for sales.

**Shrub**

A woody plant, growing 18 inches to 15 feet in height at maturity, consisting of several small stems emerging from the ground or small branches near the ground. Shrubs may be deciduous or evergreen.

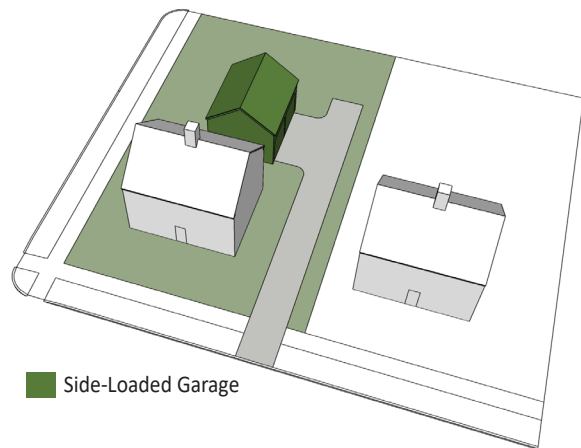
**Side Facade**

A side of a building and connects the front and rear facade. A side facade faces an internal lot line or a secondary street or secondary internal drive.



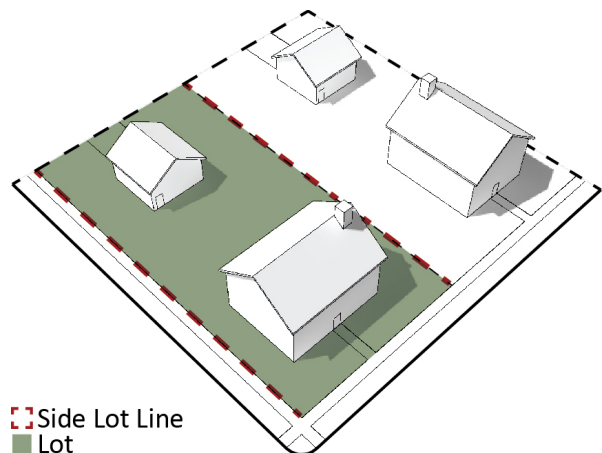
**Side-Loaded Garage**

A garage whose vehicular entrance faces a side lot line that is not along a side street.



**Side Lot Line**

The boundary line of a lot that intersects the front lot line, and the rear lot line, and any other side lot line.

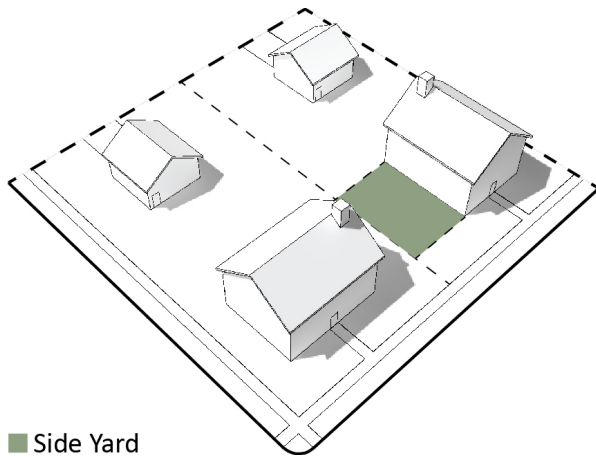


**Side Street**

For a corner lot, the side street is the side that is fronted by a side facade of the building, rather than the front facade and main entrance.

**Side Yard**

The open area located between a side facade of a building or structure and the nearest boundary of a lot.

**Sidewalk**

A paved path for pedestrians.

**Sight Distance Visibility**

The area located at the intersection of two streets, whether public or private, or a street and private driveway or internal drive through which an unobstructed view of approaching traffic is necessary for motorists.

**Sightline Analysis**

A line-of-sight analysis that provides a simulation of the visibility of rooftop mechanical equipment from anywhere along the adjacent right-of-way from a pedestrian's viewpoint. This analysis includes elevation of the right-of-way, future grade, building height, and adjacent structures.

**Sign**

Any device, fixture, placard, or structure that uses color, form, graphic, illumination, symbol, or writing to advertise, announce, or identify a person or entity or to communicate information of any kind.

**Sign Area**

The sign area is the computed area of the background upon which lettering, insignia, or other devices are placed.

**Sign Permit**

A type of permit to ensure that signs are compliance with this Ordinance.

**Sign Type**

A classification of a sign. Sign types are described in Section 15.2, Overview of Sign Types.

**Single-Family Residential (Use Type)**

A type of residential use containing one dwelling unit on its own lot, surrounded by open yards on all sides, and intended for permanent occupancy as a single-family residence, as defined below:

One or more persons occupying a premises and living as a single housekeeping unit. A dwelling unit will be considered a single-family residence only if its permanent occupants are limited to one of the following categories:

- A. One or more persons related by blood, marriage, civil union, or adoption, guardianship, or other custodial relationship;
- B. The description in A above, plus no more than one person who is not related to the occupant(s) in A above; all of whom occupy the dwelling unit and function as a single housekeeping unit with common kitchen



facilities; providing unrestricted access to the entire dwelling to all occupants; sharing food and other necessities; and sharing household expenses and responsibilities;

- C. Not more than four persons not so related, living together in a dwelling unit as a single housekeeping unit with common kitchen facilities; or
- D. The single-family dwelling definition does not include residences where persons with disabilities reside that are operated on a commercial basis. As used in this definition, “disabilities” does not include persons who are mentally ill and, because of such mental illness, pose a substantial likelihood of serious harm or who have been convicted of serious criminal conduct related to such mental illness.

Determination of whether a person is considered to be a permanent occupant is based on the following criteria:

- A. Occupies a dwelling for more than 21 days a month on average within any 12-month period;
- B. Registers to vote using the address of a dwelling;
- C. Receives mail at a dwelling;
- D. Registers a vehicle or applies for a driver’s license using the address of the dwelling; and
- E. Is registered to attend school, if applicable, using the address of the dwelling.

A single-family dwelling unit may include separate quarters for persons who are related by blood, marriage, civil union, or adoption, guardianship, or other custodial relationship, provided such quarters are connected by interior passageways to the other portions of the dwelling unit and are not rented to any unrelated tenants or otherwise used in violation of this Ordinance. If more than one meter is installed for the same type of household utility

service, it will be presumed that a structure is not being used as a single-family dwelling.

#### **Site**

The spatial location of an actual or planned structure or set of structures. The term includes lots, building sites, and development sites.

#### **Site Area**

The total area of land contained within the property lines of a development project.

#### **Site Landscape**

Required vegetative material consisting of trees, shrubs, groundcover, and turf that are placed on a development site.

#### **Site Lighting**

Exterior lights and light fixtures intended to illuminate on-site parking areas, access drives, and other areas.

#### **Site Plan**

A type of application defined as such in Section 20, Procedures.

#### **Site Preparation**

Excavating, grading, demolition, removing excess debris to allow for proper grading, or providing a surface for a proper foundation, drainage, and settling for a development project, and physical improvements including, but not limited to, water and sanitary sewer lines, footings, or foundations installed on the site for which construction permits are required.

#### **Sketch Plan**

A type of application defined as such in Section 20, Procedures.

**Sleeping Room**

A room or group of rooms forming a single habitable unit that is used, or intended to be used, for sleeping and living, but not for cooking or eating purposes, and that is leased individually as a unit within a bed and breakfast establishment or similar use.

**Slope**

The degree of deviation of surface from the horizontal, usually expressed in percent or a ratio.

**Special Flood Hazard Area (or Areas of Special Flood Hazard)**

The land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. The area may be designated as Zone A on the Flood Hazard Boundary Map. After detailed ratemaking has been completed in preparation for publication of the Floodplain Insurance Rate Map, Zone A usually is refined into Zones A, AO, AH, A1-30, AE or A99.

**Special Hazard Area**

An area having special flood, mudslide (i.e., mudflow) or flood-related erosion hazards, and shown on an Flood Hazard Boundary Map or Floodplain Insurance Rate Map as Zone A, AO, A1-30, AE, A99, or AH.

**Spire**

A tall, pyramidal, polygonal, or conical structure rising from a tower, turret, or roof (usually of an institutional use) and terminating in a point.

**Sports Courts/Sports Fields**

A court or field for playing a sport.

**Sports Court/Sports Field Sign**

A type of sign described as such in Section 15.13, Sports Field/Sports Court Sign.

**Square**

A type of open space defined as such in Section 11.8, Square or Green.

**Stacking**

A portion of a site that is dedicated to the temporary storage or “standing” of vehicles engaged in drive-through use of the site or development. Parking or storage of vehicles is typically not permitted within the stacking/standing area.

**Start of Construction**

The date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure (including a manufactured/mobile home) on a site, such as the pouring of slabs or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; and includes the placement of a manufactured home on a foundation. Permanent construction does not include initial land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds, not occupied as dwelling units or not part of the main structure. For a

substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

### Steep Slope

Any slope of 14 percent or greater.

### Steeple

A tower that tapers to a point at the top typically used as a decorative feature on a building or as an area on or within a building to house church bells, clocks, antennas, or similar devices.

### Stoop

A small staircase ending in a platform and leading to the entrance of the building, which is between three and six feet deep.



### Storage Building

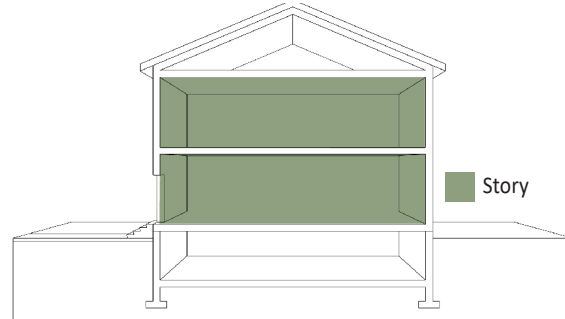
A building used for the storage or warehousing of goods, but not including temporary storage containers such as portable on-demand units or tractor trailers used for storage.

### Stormwater Management Feature

Any device, facility, or infrastructure that serves to collect, convey, temporarily detain, permanently retain, infiltrate, treat, or otherwise manage stormwater.

### Story

A habitable level of a building, excluding attics and basements.



### Streamers

A series of long, narrow banners, flags, or pennants attached to a cord.

### Street

An existing or planned public or private right-of-way that is designed, dedicated, or used principally for vehicular and pedestrian circulation, which provides access for abutting properties.

### Street Lights

Exterior lights and light fixtures intended to illuminate public and private street and other rights-of-way.

### Street Network

A system of higher and lower order streets that are generally arranged in a pattern where most streets and internal drives are connected and dead end streets are minimized.

### Street Stub

A nonpermanent, dead-end street intended to be extended in conjunction with development on adjacent property.

**Street Tree**

A canopy tree planted or existing within the planting strip or along either side of a public or private street or internal drive.

**String Lights**

Small white electric lights spaced evenly along a cable and used for decoration and/or low level lighting.

**Structure**

Anything constructed or erected requiring more or less permanent location on the ground or attachment to something having permanent location on the ground, excluding wheels.

**Substantial Damage**

Damage of any origin sustained by a structure, whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. The market value is determined either by the assessed value of the structure per the Williamson County Property Assessor, plus an additional 15 percent of that assessed value, or by independent appraisal by a State of South Carolina licensed or certified real estate appraiser. In calculating the substantial damage, construction improvement costs are tracked cumulatively over a five year period.

**Substantial Improvement**

For the purposes of Section 17.6, Floodplain Regulations, any reconstruction, rehabilitation, addition, alteration, or other improvement of a structure in which the cost equals or exceeds 50 percent of the market value of the structure before the “start of construction” of the initial improvement. This term includes structures which have incurred

“substantial damage”, regardless of the actual repair work performed. The market value is determined either by the assessed value of the structure per the Laurens County Property Assessor, plus an additional 15 percent of that assessed value, or by independent appraisal by a State of South Carolina licensed or certified real estate appraiser. In calculating the substantial improvement, construction improvement costs are tracked cumulatively over a five year period.

The term does not, however, include either:

- (1) Any project for improvement of a structure to correct existing violations of State or local health, sanitary, or safety code specifications which have been pre-identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions and not solely triggered by an improvement or repair project or;

- (2) Any alteration of a “historic structure”, provided that the alteration will not preclude the structure’s continued designation as a “historic structure”.

**Teardown**

The act or process of disassembling, demolishing, or destroying a building or structure.

**Telecommunication Towers and Antennas**

A free-standing structure or any structure to be attached to a building or other structure, that is used for telecommunications.

**Temporary Certificate of Use and Occupancy**

A temporary permit or authorization issued by the City allowing occupancy or use of a portion of building or a building which may be safely occupied prior to the final completion of the building and site improvements.

**Temporary Construction Site Sign**

A type of sign described as such in Section 15.17, Temporary Construction Site Sign.

**Temporary Field Office**

A temporary nonresidential use employed as a temporary working space while an existing principal use is rebuilt, altered, expanded, or renovated.

**Temporary Holiday Storage in a Shipping Container**

A shipping container used for holiday storage that serves an existing principal use.

**Temporary Housing**

A temporary residential use employed as a temporary living space while an existing dwelling is rebuilt, altered, expanded, or renovated on a site where a previous dwelling was destroyed or rendered uninhabitable.

**Temporary Place of Business**

An approved structure intended to provide a temporary place of business on a site where the previous place of business was destroyed or deemed unsafe for human occupancy by natural disaster or hazard.

**Temporary Sign**

A type of sign described as such in Section 15.18, Temporary Sign.

**Temporary Storage in a Shipping Container**

A storage shipping container that serves an existing principal use.

**Temporary Structures for Institutional Uses**

Modular classrooms or portable buildings serving institutional uses.

**Tenant Space**

The portion of a building being occupied or leased for the purchase or use of goods and services.

**Ten-Year Flood Zone**

The area which has a minimum statistical probability of one in ten of being flooded in any given year.

**Tent**

A temporary portable structure typically composed of fabric or plastic stretched over poles or other support structure intended to provide habitable space on a short-term basis

**Text Amendment**

A change in the wording or substance of this Ordinance.

**Theater**

A structure used for dramatic, operatic, motion pictures, or other performance.

**Three-Dimensional Model**

Three-dimensional imagery of proposed buildings and the surrounding buildings to better understand how the proposed building will impact the nearby built and natural environment. The three-dimensional model shall include height, massing, scale, and setbacks.

**Tower**

Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas for radio, telephone, and similar communications purposes, including

self-supporting guyed towers, lattice towers, or monopole towers. The term includes cellular telephone towers, common-carrier towers, microwave towers, radio and television transmission towers, and the like. This term includes any alternative tower structures, such as man-made trees, bell steeples, clock towers, light poles and similarly designed mounting structures that camouflage or conceal the presence of antennas or towers. The term includes the structure and any support thereto.

**Townhouse (Building Type)**

The principal building type described as such in Section 6.6, Townhouse.

**Townhouse (Use Type)**

A type of residential use where the dwelling units are joined side-by-side and separated by shared walls. They have independent access to the exterior and generally have small yards.

**Traffic Calming Measure**

A natural or constructed feature located within or adjacent to a street that is designed to reduce motorist speed and/or vehicle volumes, while at the same time increasing safety for pedestrians and non-motorized vehicles.

**Traffic Impact Study**

An analysis of the effect of traffic generated by a proposed development or redevelopment on street capacity, operations, and public safety.

**Trail**

An access way, whether paved or unpaved, that is intended to serve multiple modes of travel including walking, jogging, bicycling, or other forms of non-motorized transport.

**Transitional Features**

Architectural elements or site aspects that provide a compatible transition between land uses, subdivisions, sites, lots, or structures throughout the City.

**Travel Lane**

Portions of a public or private street, internal drive, or drive aisle intended solely for the movement of vehicles, not parking or standing.

**Tree Bank**

A fund as described in Subsection 17.2.13, Tree Bank.

**Tree Pit**

Pervious areas within a sidewalk, plaza, or other impervious surface that have been designated for the growth of street tree roots. Tree pits may or may not be covered by a grate or other protective device.

**Tree Save Area**

The portion of a development site or lot located under existing tree canopy that is to be retained during the development process.

**Tree Topping**

Removal of entire branches, leaves, and/or trunk from the top of a tree.

**Trim Color**

A color used on the trim of a building.

**Understory Tree**

A small to medium-sized tree, growing 15 to 40 feet at maturity and often used for aesthetic purposes.

**Unified Site Plan**

A development option permitting a site plan to be submitted as an aggregation of two or more lots; however, bulk requirements, including buffers, building setbacks, landscape surface area, and parking shall be determined based on perimeter lot lines, regardless of the location, ownership, size, or quantity of the interior lots, effectively treating the aggregation of lots as one lot for meeting the requirements of this Ordinance.

**Uniformity Ratio**

A measurement of the relative difference in illumination values, at ground level, between differing exterior lighting sources on a single parcel of land.

**Urban Frontage**

A frontage type described as such in Section 7.6, Urban Frontage.

**Use Classification**

A designation of the use of land in one of six basic classifications, including agricultural, residential, institutional, commercial, or industrial

**Utilities**

A supply of gas, electricity, water, cable, fiber optic, or telephone service to homes, businesses, and development.

**Variance**

Relief granted from certain provisions of this Ordinance.

**Vehicle**

A car, truck, or motorcycle, but excluding recreational equipment.

**Vehicle Repair Facilities**

An establishment engaged in major repair and maintenance services for automotive vehicles, such as passenger cars, trucks, vans, and trailer bodies and interiors. Services are typically non-routine and include auto body work, collision repair, replacement of major parts, painting, or customization.

**Vehicle Sales and Rental**

An establishment primarily engaged in the retail sale or rental of new and used automotive vehicles, noncommercial trucks, or recreational equipment, including incidental storage, maintenance, and servicing.

**Vehicle Service Facilities**

An establishment providing a range of minor, routine maintenance services for automotive vehicles. These services are performed indoors and include oil changes, lubrication, fluid replacement, tire rotation and sales, and other quick service activities.

**Vehicle Wash Facilities**

An area or structure equipped with automatic or self-service facilities for washing automotive vehicles.

**Vertical Blade Sign**

A type of sign described as such in Section 15.14, Vertical Blade Sign.

**Wall Offset**

Projections or recess in the facade of a building for the purposes of screening mechanical or utility equipment.

**Wall Sign**

A type of sign described as such in Section 15.15, Wall Sign.

**Water Surface Elevation**

The height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, (or other datum, where specified) of floods of various magnitudes and frequencies in the floodplains of riverine areas.

**Watercourse**

A channel, natural depression, slough, gulch, stream, creek, pond, reservoir, or lake in which storm water runoff and flood water flows either regularly or infrequently and includes major drainage-ways for carrying urban storm water runoff.

**Wetland**

Areas that are inundated and saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances support a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs, and similar areas.

**Wheel Stop**

Precast concrete or other manufactured ground-mounted device located at the head of a parking space that is intended to prevent the wheels of a vehicle from moving beyond the stop.

**Wholesale Sales**

An establishment primarily engaged in selling merchandise to retail, industrial, commercial, institutional, or professional business users or to other wholesalers, but not to the public at-large.

**Window**

An opening in the wall of a building that is fitted with glass or other transparent material in a frame to admit light or air and allow people to see out.

**Window Sign**

A type of sign described as such in Section 15.16, Window Sign.

**Wing Wall**

A smaller wall attached or next to a larger wall or structure.

**Wrecker Service**

A service for towing wrecked or disabled vehicles or freeing vehicles stalled in snow or mud.

**Yard**

An open area that lies between a building or structure and the nearest property line and which is unoccupied and unobstructed from the ground upward except as permitted in this Ordinance.

**Yard Frontage**

A frontage type described as such in Section 7.3, Yard Frontage.



**Zoning District**

Areas of land divided into zones within which various uses are permitted and standards are applicable. This term may be referred to as a “district”.

**Zoning Map**

The official map upon which the boundaries of various zoning districts are drawn and which is an integral part of this Ordinance. The zoning map may be found on the City website.