

## ARTICLE 5. - CONDITIONAL USES

### Sec. 38-5.0. - [Use.]

The standards listed in this section shall be applied in addition to any and all zoning district requirements applicable for the use specified. The zoning official may require site plans, technical specifications, and/or any other reasonable documentation necessary to verify compliance.

(Ord. No. 2012-14, § 1, 5-15-2012)

### Sec. 38-5.1. - [Reserved.]

### Sec. 38-5.2. - Auction houses (zoning districts: ARD, RRD, CCD, HCD).

All noises, excess light, or dust shall be controlled so as not to be detrimental or cause a nuisance to nearby residential or commercial uses. A landscape plan which provides for screening and buffering of a minimum width of 15 feet shall be submitted at the time of application for a zoning permit. Parking areas shall be no closer than 15 feet from the boundary of any adjoining parcel, and bordered on adjoining sides by a landscaped area which contains an evergreen screen a minimum of four feet in height.

(Ord. No. 2012-14, § 1, 5-15-2012)

### Sec. 38-5.3. - Bed and breakfast inns (zoning districts: AG, CCD).

Off-street parking shall be provided in accordance with the average amount of expected traffic utilizing the said business. A minimum of two spaces shall be provided off of the public thoroughfare. Whenever feasible all parking shall occur in the rear of the business.

(Ord. No. 2012-14, § 1, 5-15-2012)

### Sec. 38-5.4. - Cemeteries and accessory uses (zoning district: CCD).

Adquate ingress and egress shall be provided for and commercial cemeteries greater than 30 sites shall provide access points on two thoroughfares.

(Ord. No. 2012-14, § 1, 5-15-2012)

### Sec. 38-5.6. - Conservation subdivision (zoning districts: TRD, AG, ARD, RRD, RD, LRD, HCD).

- (a) A licensed landscape architect shall design the site layout and preliminary layout plans for the subdivision
- (b) A minimum of 50 percent of the gross area shall be preserved as green space.
- (c) Lot size may be reduced to 10,000 square feet provided that a nontraditional septic system is approved by the South Carolina Department of Health and Environmental Control (DHEC). An increase in green space by at least 15 percent shall permit the developer to decrease the minimum lot size by 20 percent (to 8,000 square feet).
- (d) Views of house lots from exterior roads and abutting properties shall be minimized by the use of changes in topography, existing vegetation, or additional landscaping.

- (e) At least half of the lots shall directly abut conservation land or face conservation lands from across the street.
- (f) Covenants and restrictions governing the preservation of green space, wetlands, and other sensitive lands shall be recorded with the final subdivision plat prior to any sales. A statement assigning the home owners association responsibility for maintaining the conservation land shall be clearly placed on the final subdivision plat.
- (g) All conservation lands shall be contiguous to provide for integrated open space throughout the subdivision, excluding thoroughfares. Long thin strips of conservation land (less than 150 feet in width) shall be prohibited.

(Ord. No. 2012-14, § 1, 5-15-2012)

Sec. 38-5.7. - Home occupations (zoning districts: TRD, AG, ARD, CD, RRD, RD, LRD, CCD, HCD).

Sufficient off-street parking shall be provided to accommodate the average amount of expected traffic utilizing the said business. At a minimum, two spaces shall be provided off of the public thoroughfare. Whenever feasible all parking shall occur in the rear of the business.

(Ord. No. 2012-14, § 1, 5-15-2012)

Sec. 38-5.8. - Motor vehicle services and repair (zoning district: CCD).

Space shall be provided in the rear of the building for long term and overnight storage of vehicles. No more than three working bays shall be permitted, unless otherwise approved by the board of zoning appeals.

(Ord. No. 2012-14, § 1, 5-15-2012)

Sec. 38-5.9. - Outdoor retail (zoning district: MUD).

Setbacks from the roadway shall be a minimum of 50 feet. Parking shall be clearly designated area apart from the merchant stands. Fire access shall be maintained throughout the entire outdoor retail area with fire lanes and thoroughfares that are a minimum of 20 feet wide. All adjacent residential areas shall be screened or buffered so as to ensure that the visual impacts are minimized. See Appendix A for screening and buffering guidelines.

(Ord. No. 2012-14, § 1, 5-15-2012)

[Secs. 38-5.10—38-5.16. - Reserved.]

Sec. 38-5.17. - Restaurants (up to 2,500 square feet) (zoning districts: TRD, RRD).

Sufficient off-street parking shall be provided to accommodate the average amount of expected traffic utilizing the said business. A minimum of ten spaces shall be provided off of the public thoroughfare. Whenever feasible all parking shall occur to the rear or side of the business.

(Ord. No. 2012-14, § 1, 5-15-2012)

Sec. 38-5.18. - Agricultural support services-veterinarians, kennels, feed/seeds, supply stores, implements, etc. (zoning district: AD-5, AD-50).

Agricultural support services shall be permitted as an accessory land use only.

(Ord. No. 2016-41, §38 TBD)

Sec. 38-5.19. – Distribution and other Warehouses (zoning district: AD, AD-5, AD-50).

Space shall be used exclusively for equipment customarily associated with agricultural use.

(Ord. No. 2016-41, § 38, TBD)

Sec. 38-5.20. – Light Manufacturing (zoning district: AD-5, AD-50).

Space shall be used exclusively for equipment customarily associated with agricultural.

(Ord. No. 2012-14, § 1, 5-15-2012)

Sec. 38-5.21. – Mixed Use Buildings and parcels (zoning district: AD, AD-5, AD-50).

A minimum of one land use established on a parcel shall be reserved as agricultural use.

(Ord. No. 2016-41, § 38, TBD)

Sec. 38-5.22. – Motor vehicle services and gas stations (excluding truck stops) (zoning district: AD, AD-5, AD-50).

Space shall be used exclusively for equipment customarily associated with agricultural use. No commercial sale of petroleum products or retail sales shall be permitted.

(Ord. No. 2016-41, § 38, TBD)

Sec. 38-5.23. – Museums, cultural centers, historical sites, sightseeing, and similar institutions (zoning district: AD-5, AD-50).

Space shall be used exclusively for display of items customarily associated with agriculture. This includes uses associated with the term “agri-tourism”.

(Ord. No. 2016-41, § 38, TBD)

Sec. 38-5.24. – Public, Private, and Commercial parks and recreation, camping or social facilities (zoning district: AD-5).

Space shall be used exclusively for the gathering of persons on topics customarily associated with agriculture. This includes uses associated with the term “agri-tourism”.

(Ord. No. 2016-41, § 38, TBD)

ARTICLE VIII. - SIGN CONTROL

Sec. 32-515. - Title.

This article shall be known as the "Sign Control Ordinance of Oconee County, South Carolina."

(Ord. No. 2007-09, § 1, 8-21-2007)

Sec. 32-516. - Purpose.

It is the purpose of this article to establish regulations for the safe and orderly placement, for all billboard signage in the unincorporated areas of the county; also, this article shall establish penalties such as are necessary to discourage the violations of these standards, and to establish appropriate fees to offset costs associated with implementation.

(Ord. No. 2007-09, § 2(1), 8-21-2007)

Sec. 32-517. - Authority.

This article is adopted pursuant to the provisions of S.C. Code 1976 § 4-9-30. Personnel employed by the county administrator as code enforcement officers and personnel employed by the Sheriff of the county shall be vested with the authority to enforce and administer signage control within the county in accordance with the provisions of S.C. Code 1976 § 44-67-10 et. seq and all rules and regulations adopted hereunder and the same are incorporated herein by reference as if fully set forth verbatim and as may be amended from time to time.

(Ord. No. 2007-09, § 2(2), 8-21-2007)

Sec. 32-518. - Jurisdiction.

The regulations set forth in this article shall be applicable within the unincorporated areas of the county. All billboards constructed in the unincorporated areas of the county after the date of adoption of these standards shall be permitted under these regulations. Billboards existing at the time of adoption of these standards shall be considered exempt, with the exception of any structure considered abandoned, disassembled, or otherwise removed from a site.

(Ord. No. 2007-09, § 3, 8-21-2007)

Sec. 32-519. - Terms and definitions.

Except where specifically defined herein, all words used in this article shall carry their customary meanings. Words used in the present tense include the future tense; the singular number includes the plural. The word "shall" is mandatory.

*Abandoned sign* means a sign which is not being maintained as required by S.C. Code of Laws § 57-25-110, or which is overgrown by trees or other vegetation not on the road right of way, or which has an obsolete advertising message or no advertising message for a period of six months. Any public service signage shall not be considered abandoned under this definition

*Billboard* means large format outdoor advertising displays or signs intended for viewing from extended distances. Billboards include but are not limited to 30-sheet posters, eight-sheet posters, vinyl-

wrapped posters, bulletins, wall murals, and stadium/arena signage as defined by the Outdoor Advertising Association of America. Typically the sign area of a billboard ranges anywhere from 50 square feet to 672 square feet.

*Existing billboard* means for the purposes of these regulations, an 'existing billboard' shall be defined as any billboard either erected within the boundaries of the county prior to adoption of this article, or duly permitted by an agency of the county subsequent to adoption of this article.

*Four-lane road* means any public road or highway consisting of four or more travel lanes allowing traffic to flow in opposite directions, or a public road or highway consisting of two or more one-way travel lanes.

*Sign* means any sign structure or combination of sign structure and message in the form of outdoor sign, display, device, figure, painting, drawing, message, plaque, poster, billboard, advertising structure, advertisement, logo, symbol or other form which is designated, intended or used to advertise or inform, any part of the message or informative contents of which is visible from the main traveled way. The term does not include official traffic control signs, official markers, nor specific information panels erected, caused to be erected, or approved by the South Carolina Department of Transportation.

*Sign area* means the entire face of a sign, including the advertising surface and any framing, trim, or molding, but not including the supporting structure.

*Sign permit* means any permit, other than a building permit, obtained by an applicant from the county for the purpose of the construction or maintenance of a sign or billboard or a permit obtained for any temporary or political sign as defined by this article.

*Stacked billboards* means any billboard structure so configured to present two or more sign areas at different elevations and/or presenting two or more sign areas facing in the same direction.

*Two-lane road* means any public road or highway consisting of two travel lanes allowing traffic to flow in opposite directions. Such roads may or may not also have at various locations turning lanes, medians, islands, or other traffic control features designed to enhance the safe and efficient utilization of the thoroughfare.

(Ord. No. 2007-09, § 4, 8-21-2007)

Sec. 32-520. - Requirements for billboards and other commercial signs.

- (a) All billboards erected in the unincorporated areas of Oconee County shall be permitted under the provisions of this article.
- (b) No billboard visible (other than in an incidental manner) from a four-lane road located within the unincorporated areas of the county, shall be erected within 1,300 feet of an existing billboard located on the same road. This distance shall be measured as the shortest route of ordinary pedestrian or vehicular travel along the public thoroughfare from the location of an existing billboard to the proposed site.
- (c) Billboards with a sign area greater than or equal to 50 square feet, but less than or equal to 75 square feet, shall be permitted on two lane roads, provided said billboards are located no less than 1,300 feet from any existing or permitted billboards. No billboards with a sign area greater than 75 square feet shall be permitted on two lane roads.
- (d) No billboard shall be located along any federal, state, or county designated scenic highways or roadways.
- (e) Billboards permitted under these regulations shall impose no obvious hazards to any drivers, pedestrians, bicyclists, or other users of any public road in the unincorporated areas of Oconee County. as such, the following materials shall be submitted to the planning director at the time of application:
  - (1) A completed application form;

- (2) A detailed site plan prepared and stamped by a surveyor licensed by the State of South Carolina, noting the proposed location of the structure, and verification that the new billboard meets with all location requirements set forth in this article;
  - (3) A set of construction plans, to include all proposed lighting features. All plans submitted shall be stamped by appropriate professionals licensed by the State of South Carolina;
  - (4) Appropriate fees.
- (e) No stacked billboards shall be permitted within the unincorporated areas of Oconee County.
- (f) An abandoned sign, as defined by this article, shall be removed by the owner of the sign or the owner of the property upon which the sign is located within 45 days of notification by an the county building official that the sign is an abandoned sign. The sign owner and/or the property owner may appeal the county's designation of the sign as an abandoned sign under this article to the magistrate's court of the county during the 45-day period to remove the sign. If the property owner files a timely appeal, the time period for removing the sign shall be tolled until the magistrate's court renders a decision. In the event that an abandoned sign is removed, the sign owner and/or the property owner shall have the right to replace the sign with a new sign of the same size and height and for the same location for a period of six months from the date of removal.

(Ord. No. 2007-09, § 5, 8-21-2007)

Sec. 32-521. - Exemptions.

Any sign or billboard with a sign area less than 50 square feet shall be exempted from these regulations.

(Ord. No. 2007-09, § 6, 8-21-2007)

Sec. 32-522. - Fees.

Fees shall be established for the cost of a billboard permit by resolution of the county council from time to time.

(Ord. No. 2007-09, § 7, 8-21-2007)

Sec. 32-523. - Permits.

Upon satisfactory completion of all requirements set forth in this article, the owner/agent shall be issued a land use permit by the planning director for construction of the billboard. The land use permit shall be valid for six months from the date of issue; the owner/agent may be granted a one-time six-month extension, provided a written request is submitted to the planning director no later than seven working days prior to the original expiration date. Request for extension shall include documentation of efforts to obtain other necessary permits and permissions needed to begin construction, specifically noting reason for extension request. Extensions shall be granted only to those projects that were delayed through no fault of the owner/agent of the billboard. The land use permit issued by the planning director shall in no way be construed to be a building permit needed to begin construction of a sign. No building permit, or other county-issued permit, certification or approval, shall be issued for a billboard or commercial sign prior to the issuance of the land use permit.

(Ord. No. 2007-09, § 8, 8-21-2007)

Sec. 32-524. - Penalties.

Any person or entity violating the regulations set forth in this article is guilty of a misdemeanor and may be fined up to \$500.00 dollars or imprisoned for 30 days or both.

(Ord. No. 2007-09, § 9, 8-21-2007)

Secs. 32-525—32-600. - Reserved.