

ARTICLE IV. - COMMUNICATION TOWERS

Sec. 32-131. - Authority of article provisions.

The authority to regulate communication towers in the county is ~~found in the pursuant to South-Carolina- Code of Laws, Title 6, Chapter 29, 1976, § 6-29-310 et seq.~~

~~(Ord. No. 1999-14, § 4.1, 4-4-2000)~~

Sec. 32-132. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

~~*Agricultural districts* means those areas that are comprised primarily of farms, forested areas, or other areas that are undeveloped, not platted for development, and are otherwise not occupied by residential, commercial, and industrial uses.~~

~~*Antenna* means a device, dish or array used to collect or radiate electromagnetic waves- for the purpose of transmitting or receive telecommunications using telecommunications signals.~~

~~*Board* means the county zoning board of appeals.~~

~~*Commercial districts* means those areas that are comprised primarily of business and commercial uses including, but not limited to, retail and wholesale establishments, offices, service providers, public buildings, service stations, shopping centers, restaurants, fast food establishments, etc.~~

~~*Communication tower* means a tower, pole, or similar structure which-that supports or functions performs as a telecommunications antenna; that is constructed operated for commercial purposes above the ground level at in a fixed location; and that is. Communications towers either self-supporting, freestanding, guyed, or mounted on a building or structures.~~

~~*Height* (of a Ceommunication tower) means the distance from the base of the Ceommunication tower to the top of the Ceommunication tower.~~

~~*Industrial districts* means those areas that are in use as or platted for use for industrial plants, factories, warehouses, public utilities, waste treatment facilities, solid waste facilities and ancillary uses such as parking lots, shipping facilities, depots and the like.~~

~~*Performance standards* means performance zoning as authorized by S.C. Code 1976, § 6-29-720(C) et seq.~~

~~*Residential districts* means those areas of the county that are:~~

- ~~(1) Predominantly residential in nature consisting of single family or multifamily housing, residential subdivisions, residential manufactured housing units, or uses ancillary to residential uses such as churches, schools, neighborhood parks, neighborhood swimming pools etc.;~~
- ~~(2) Platted for the future development of residential uses; or~~
- ~~(3) Areas identified in the county comprehensive plan as future primary population areas.~~

Stealth tower means a Communication tower designed and installed in a manner such that the antenna, supporting apparatus and associated structures are aesthetically and architecturally complimentary and appropriate with regard to an existing structure or immediate environment in which the Communication tower is located. Examples include, without limitation, church steeples, bell towers, flagpoles, etc.

Telecommunications (as defined in the Federal Telecommunications Act of 1996) means the transmission, between or among points specified by the user, of information of the user's choosing, without change in the form or content of the information as sent and received.

~~(Ord. No. 1999-14, § 4.2, 4-4-2000)~~

Cross reference— Definitions generally, § 1-2.

Sec. 32-133. - Communications tower and antenna permitted.

(a) *Determination by Community Development Director or his designated staff representative ~~(collectively "Director" planning director~~. All applications for tower placement must be submitted to the county planning Director for review. Applications must be complete and shall include all of the materials required by this article (application requirements) and must meet all applicable requirements and/or conditions in this article before an application will be processed. Incomplete applications will be returned to the applicant. Under the following circumstances, the planning Director may administratively approve applications for placement of towers and associated antennas:*

- (1) As a Communication tower and/or antenna in any district co-located on existing towers or structures.
- (2) As co-locations, reconstruction or new construction in any district within the footprints of existing electric utility company transmission line towers (such as Duke Power Company transmission line towers).
- (3) As co-locations on existing electric utility company transmission line towers (such as Duke Power Company towers) which increase the height of the towers by no more than 20 feet.
- (4) As stealth towers in any district designed and installed in such a way so as not to detract from or conflict with surrounding uses.
- (5) As a tower in a site preselected by the Board as a recommended location based upon the county's county-wide Communication tower site study.

(6) —As an Individual Communications tower and associated antennas that do not exceed 4575 feet in total height in residential districts or 75 feet in commercial/industrial or agricultural districts.

Applications approved by the planning director must comply with all other requirements of this article. The planning director may refer any application to the Board for final review and approval as a special exception.

See the Zoning Use Matrix found in Chapter 38 of the Oconee County Code of Ordinances for Communication tower citing restrictions as applied to various “districts.”

- (b) *Special exceptions granted by the BBoard.* Other than as permitted by Section 32-133 (a), Communication towers are permitted in the county for use only as a special exception. Applications for tower construction as are subject to review and approval by the Board. Priority in approving additional telecommunications facilities in the county shall be given to the:
- ~~(1) Co-location on existing towers or structures, including electric utility company transmission line towers;~~
 - (2) Reconstruction of, or new construction within the footprints of existing electric utility company transmission line towers;
 - ~~(3) New construction meeting the requirements of this article and proposed for location at a preselected site based upon the county's county wide communication tower site study.~~

Only when these possibilities have been exhausted or when it can be demonstrated by an applicant that the alternatives are not technically feasible to provide adequate coverage for the county, or when it can be documented by the applicant that the cost of the proposed lease for a site or location is more than 20 percent above the prevailing rate of leases in comparable Metropolitan Statistical Areas (M.S.A.'s) in the southeast, shall other sites be considered for approval. Communication towers approved by the Bboard in Residential districts, as defined in O.C. Code § 38-10.7 shall be constructed as stealth designs. Towers in other districts may, at the discretion of the Bboard, be required to be constructed as a stealth design depending on the impact of the tower on the surrounding area. Communication towers are not permitted in locally designated historic districts or within 1,000 feet of the right-of-way of Scenic U.S. Highway 11. ~~Under no circumstances are communication towers permitted in locally designated historic districts. Under no circumstances may communication towers be built within 1,000 feet of the right-of-way of Scenic U.S. Highway 11.~~

- (c) *Appeals to the Bboard.* Whenever there is an alleged error by the planning-Director in an order, requirement, decision, or determination, an applicant may request a hearing before the Bboard. The Bboard has the authority to correct, reverse, or uphold the decision of the planning-Director.
- (d) *Time limit for determination.* Failure of the planning-Director to act within 45 days from the date of the submission of a properly completed application, unless extended by mutual agreement, may be considered by applicant to be a denial of a permit and may be appealed to the Bboard.
- (e) *Co-locations.* Co-locations on existing Communication towers or other structures such as existing electric utility company towers which do not increase the height of the existing Communication tower or structure are strongly encouraged. Co-locations, construction of freestanding structures (such as monopoles) which are located within the footprint of the existing tower or reconstruction of existing towers, any of which increase the height of the existing tower by more than 20 feet may be approved by special exception if they do not exceed the total tower height permitted in section 32-136. All new towers shall be designed to accommodate the principal provider and at least two additional carriers. At the discretion

of the ~~B~~board, new stealth towers shall also be designed to accommodate additional carriers. The county, prior to final approval, must be satisfied that the Communication tower ~~does~~ makes reasonable accommodations for an additional user. The applicant shall make unused tower space available at fair market value.

~~(Ord. No. 1999-14, § 4.3, 4-4-2000)~~

Sec. 32-134. - General requirements.

- (a) *Illumination.* Communication towers shall be illuminated only as required by the Federal Communication Commission (FCC) and/or the Federal Aviation Administration (FAA).
- (b) *Color.* Communication towers shall only be painted with a gray, non-reflective paint unless otherwise required by state or federal regulations.
- (c) *Signs.* A ~~single~~ sign, two square feet in size which included the names of the companies operating the equipment and a phone number for emergencies shall be displayed in a visible location on or near the Communication tower. This sign shall be in addition to any signage requirements set by state and federal regulators. No commercial advertising of any type may be attached to a Communication tower.
- (d) *Removal.* A Communication tower which use has been discontinued for a continuous period of one year, shall be removed within 120 days of the date of the end of such period. Companies must notify the county within 30 days if telecommunications cease operations at a tower or antenna. All structures, fencing, screening and other improvements must be removed, and the site must be returned to its original condition at the company's expense.
- (e) *Security.* A self-supporting freestanding Communication tower and associated structures shall be appropriately secured by means of a wall, fence, or other device at least eight feet in height and installed an appropriate distance from the outer edge of the Communication tower at all points (collectively "Security Fencing").
- (f) *Screening.* The purpose of this subsection is to establish control for the visual quality of Communication towers from the ground level. A Communication tower, as pertains to this subsection, includes the tower, ~~and~~ the land, and everything within the required Security Ffencing including any other building and equipment. The screen shall be a minimum depth of ten feet of land surrounding the tower except for one service access. An appropriate plant material screen shall be evergreen plants of a quality and planted in accordance with the standards of the American Nurserymen Association that are indigenous or native to the county area. Such plantings shall be appropriately spaced and of such a size so as to achieve a dense screen with a minimum height of six feet within a three-year period from erection of a tower. Additional screening with deciduous or evergreen trees is desirable and encouraged. Existing trees shall be preserved unless a waiver has been granted by the ~~planning d~~Director to selectively cut specified trees. If in extreme or unusual situations and where it is proven impossible to properly construct the plant material screen, the ~~planning d~~Director may grant permission to construct the security fence as a solid masonry wall, either brick or stucco-type finish with a minimum height of six feet above ground level and constructed in accordance with applicable construction codes. A certificate of occupancy shall not be issued by the county codes department until the required planting is completed. When the

occupancy of a structure is desired prior to the completion of the required planting, a certificate of occupancy may be issued only if the owners or developers provide to the county a form of surety satisfactory to the county attorney and in an amount equal to 125 percent of the costs of the remaining plant materials, related materials, and installation (with the costs agreed to by the ~~planning director or designee~~). The form of the surety shall be in conformity with the land development regulations for the county. All required plantings must be installed and approved by the first planting season following issuance of the certificate of occupancy or the bond will be forfeited to the county. The owners and their agents shall be responsible for providing, protecting, and maintaining all required plant material in healthy condition, replacing unhealthy or dead plants within one year or by the next planting season, whichever comes first. Replacement material shall conform to the original intent of the approved plan.

- (g) ~~Tower Antenna capacity; wind load.~~ The Communication tower shall be designed to withstand winds in accordance with ANSI/EIA/TIA 222 (latest revision) standards based on the wind load presented by antenna, feedlines, and other associated hardware to be supported by the Communication tower. Certification from a structural engineer registered in the state shall constitute proof that such standard has been met.
- (h) ~~FCC authorization license.~~ The owner of the antenna and transmission/reception equipment to be installed on the a Communication tower shall possess either a valid FCC license/construction permit or a statement establishing for FCC for compliance for the proposed operation activity, or at the discretion of the board, the owner shall provide other substantial documentation in lieu of FCC licensing proving to the board that the owner has a verifiable history of satisfactory communications tower construction and operation.
- (i) *Design for multiple use.* A new Communication tower shall be designed to accommodate additional antennae as provided for elsewhere in this article.
- (j) *Safety codes.* A Communication tower shall comply with all applicable health, nuisance, noise, fire, building and safety code requirements.
- (k) *Distance between towers.* A proposed Communication tower in excess of 100 feet² shall not be permitted within 1,300 feet of an existing Communication tower in excess of 100 feet² in height unless the applicant certifies to the Board that the existing communication tower does not meet applicant's structural specifications and applicant's technical design requirements, or that a co-location agreement could not be obtained.
- (l) *Application of county land use regulations.* Land development regulations and other performance standards shall apply to the use, unless otherwise provided in this article.
- (m) *Minimum setbacks.* A Communication tower Minimum setbacks of communication tower (not including guy anchors) must be, at a -minimum, setback as follows: a minimum distance equal to one foot horizontally for every one foot in height plus 50 feet from:
 - (1) A distance equal to the total height of the Communication tower from all property lot lines. All lot lines of residential or commercial property.
 - (2) A distance equal to the total height of the Communication tower from tThe nearest point of any structure meeting minimum standards for human occupation as put forth in applicable building codes adopted by the county.

~~(3) Properties or districts designated historic.~~

~~(34) A distance equal to the total height of the Communication tower from any p~~Properties containing churches, schools, colleges, children's homes and shelters, hospitals and nursing homes; except that ~~C~~communication ~~towers~~facilities which meet the definition of ~~S~~stealth tower in section 32-132 may be permitted by special exception on these properties.

~~(45) A distance equal to the total height of the Communication tower from t~~The right-of-way of all streets and roads.

~~(5) A Communication tower may not be sited (1) within a distance equal to two hundred and fifty (250) feet of the boundary of a history district; (2) on or within 250 feet of a structure that is a designated a National Historic Landmark or that is listed in, or eligible for listing in, the National Register of Historic Places; or (3) on or within property that is the subject of a pending complaint alleging an adverse effect on a historic property.~~

All guy cables and anchors must be set back at a minimum of 20 feet from all lot lines and habitable structures.

Variances may be granted from the requirements of subsections (1) and (2) upon submission of a properly prepared engineered fall zone design / construction document(s).

~~(Ord. No. 2001-14, § 1, 7-10-2001)~~

Sec. 32-135. - Additional requirements for location near the county airport.

(a) With the exception of towers for aeronautical purposes, in no case may a ~~C~~communication tower penetrate any imaginary surface, as described in chapter 14 of the Code of Federal Regulations, Federal Aviation Regulation (FAR) Part 77, associated with existing or proposed runways at any publicly owned airport. All ~~C~~communications towers located within the first 12,000 feet of the approach surface of an existing or proposed runway at such facility, or within the horizontal surface associated with such runways as described in FAR Part 77, shall be lighted. Such towers shall be illuminated by strobe lights during daylight and twilight hours, and red lights during nighttime hours.

(b) A copy of any plans whereby a ~~C~~communication tower will be located within such 12,000 feet area shall be provided by the applicant to the county airport manager and the ~~county planning d~~Director for comment. Any comments shall be made within ten days of delivery to such manager with a copy to the ~~planning d~~Director and the applicant. Prior to issuance of a building permit, the applicant shall provide documentation to the ~~planning d~~Director that the proposed ~~C~~communications tower has been reviewed by the Federal Aviation Administration (FAA), if so required, and that a finding of no hazard to air navigation has been determined.

~~(Ord. No. 1999-14, § 4.5, 4-4-2000)~~

Sec. 32-136. - Maximum height of ~~freestanding~~ Communication towers. [See the Zoning Use Matrix found in Chapter 38 of the Oconee County Code of Ordinances.](#)

~~The maximum height of freestanding communication towers shall be as follows:~~

District	Maximum Height
Residential	Not exceeding 175 feet
Commercial	Not exceeding 200 feet
Industrial/agricultural	Not exceeding 250 feet

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~~(Ord. No. 1999-14, § 4.6, 4-4-2000)~~

Sec. 32-137. - Permitted height of building-mounted Communication towers.

A Communication tower shall not exceed 20 feet in height if mounted on a building or any structure other than a freestanding or guyed Communications tower.

(Ord. No. 1999-14, § 4.7, 4-4-2000)

Sec. 32-138. - Application requirements.

The following information shall be submitted for all applications for approval of a Communication tower:

(1) ~~(1)~~ Structural Specifications. Two copies of the specifications for proposed structures ~~and antennae~~, including description of design characteristics and material.

(2) Technical Specifications.

For each antenna to be installed

- Manufacturer and model number
- Frequency ~~B~~and used for transmitting and ~~R~~receiving
- Effective radiating power
- ~~—~~ Mounting position above ground
- A Study demonstrating compliance with FCC RF exposure limits (all antennas)

(~~3~~2) Site plan. Two copies of a site plan drawn to scale showing property boundaries, Communication tower location, Communication tower height, guy wires and anchors, Security Fencing, Screening, existing structures, photographs or elevation drawings

depicting typical design of proposed structures, parking, fences, landscape plan, and existing land uses on adjacent property. A site plan is not required if antenna is to be mounted on an approved existing structure. Prototypical drawings indicating various types of equipment to be located on the Communication tower may be submitted at the time of the permit application. Identification of the owners of all antennae and equipment to be located on the site. Other equipment may be added to the Communication tower without additional permits or inspections as long as electrical wiring is not required.

- (3) *Location map.* Two copies of a current map, or update for an existing map on file, showing ~~locations~~ geographic coordinates of the Communication tower's applicant's antennae, calculated coverage areas, facilities, location of existing nearby (within 3 miles) Communication towers, and proposed Communication towers, serving contiguous areas. any property within the county are required. An applicant may request that specific proprietary or confidential information be withheld from the public record.
- (4) *Owner authorization.* Written authorization from the site owner for the application.
- (5) *Visual impact analysis.* A line of sight analysis showing the potential visual and aesthetic impact on adjacent residential districts.
- (6) *Alternative to co-location or stealth design.* Co-located or stealth designs shall be required unless satisfactory documented evidence can be provided indicating that:
 - a. The proposed antenna and equipment cannot be accommodated and function as required;
 - b. The applicant's technical design requirements are such that without unreasonable modifications they cannot function on any existing structure or Communication tower under the control of applicant; and
 - c. The applicant has considered all available publicly owned sites, and available privately owned sites occupied by a compatible use, including all applicable sites or locations or a combination of sites and locations as described under section 32-133(b) for priority of approval and the applicant has demonstrated that for the reasons described in section 32-133(b) that these sites and/or locations are unsuitable for operation of the facility under applicable state and federal communications regulations, the applicant's technical design requirements and/or valid economic reasons.
- (7) *Indemnity.* The applicant must show by certificate from a registered engineer that the proposed facility will contain only equipment meeting FCC rules, and must file with the planning director a written indemnification agreement, on a form approved by the county. The applicant must also file with the County of the county and proof of liability insurance or financial ability to respond to claims up to \$1,000,000.00 in the aggregate which may arise from operation of the facility during its life, at no cost to the county, in a form approved by the county attorney.
- (8) *Application fees.* All Communication tower applications shall include a check made out to the county treasurer in an amount to be determined by the planning director, based upon a schedule of fees enacted by the county council. Additional fees may be

imposed in order to offset the costs associated with processing applications for special exceptions, appeals, or variances.

~~(Ord. No. 1999-14, § 4.8, 4-4-2000)~~

Sec. 32-139. - Special exceptions, variances and appeals.

- (a) *Special exception.* Unless indicated otherwise, Communications towers are permitted in the county only by special exception, approved by ~~the board~~the Board, within the criteria of the performance standards ordinance. The Bboard shall conduct a public hearing on each request for a special exception. All public hearings shall be advertised in a newspaper of general circulation in the county at least 15 days in advance of the hearing.
- (b) *Variance.* An applicant may submit a request to the Bboard for a variance from this or any other applicable land use ordinance. The Bboard shall hear and decide appeals for a variance from the requirements of the performance standards ordinance when strict application of the provisions of the article would result in unnecessary hardship. A variance may be granted in an individual case of unnecessary hardship if the Bboard makes and explains in writing a unique, exceptional and otherwise unusual circumstance as provided for in general criteria for granting a variance in Aarticle I of this chapter. Special exceptions and variances, may be applied for simultaneously and considered by the Bboard simultaneously.
- (c) *Appeals.* Applications for appeal shall be submitted through the ~~planning d~~Director to the Bboard. All appeals shall be accompanied by copies of the original application, supporting maps and documentation and shall include a detailed written summary of the alleged error or misinterpretation of this article by the ~~planning d~~Director in not granting approval to the original application. A copy shall be provided for each Bboard member and the ~~planning d~~Director, and other copies as may be required by the ~~planning d~~Director. Appeals shall be heard by the boardBoard within 45 days of submission of the completed application to the ~~planning d~~Director.

~~(Ord. No. 1999-14, § 4.9, 4-4-2000)~~

Sec. 32-140. - Additional criteria for evaluating special exceptions and variances.

- (a) *Application; conditions.* All application requirements imposed by section 32-138 must be met.
- (b) *Setback requirements; additional conditions.* The applicant must demonstrate that the proposed Communication tower location is sufficient to satisfy setback requirements and must satisfy such other additional conditions, if any, necessary to remove dangers to safety and to protect adjacent property.
- (c) *Residential service area.* If location in a Residential district, as defined in O.C. Code § 38-10.7 has been requested, the applicant must show that the area cannot be adequately served by a facility placed in a nonresidential district for valid technical reasons.
- (d) ~~*Preferred locations in residential districts.* In the unusual circumstance the board shall grant a special exception and permit the location of a communications tower in a residential~~

~~district, the communication tower shall not be located on a parcel occupied by a residential structure. Preferred locations may include, but are not limited to, schools, churches, and public utilities.~~

- (e) *Greenspaces.* If location in a ~~R~~residential district has been requested, the tower shall not be located on land designated for public recreational uses on the county land use plan.
- (f) *Priority of approval.* If a location is requested which does not meet the requirements under section 32-133(b) for priority of approval the applicant must demonstrate that all alternative sites and locations or combinations thereof provided for in section 32-133(b) have been considered by the applicant, and the applicant has demonstrated that for the reasons described these sites and/or locations or combinations thereof cannot adequately serve the area for valid technical or economic reasons and are unsuitable for operation of the facility under applicable communications regulations.
- (g) *Denial on substantial evidence.* The Federal Telecommunications Act of 1996 requires that a denial of a permit be supported by substantial evidence. The ~~B~~board shall maintain a written record of all appeal proceedings and shall maintain supporting documentation for any and all decisions.

~~(Ord. No. 1999-14, § 4.10, 4-4-2000)~~

Sec. 32-141. - Annual report required.

All companies that operate or maintain ownership of ~~C~~ommunication towers in the county shall submit an annual report to the ~~C~~ounty ~~planning~~ ~~Community Development~~ department no later than January 15 of each year. The report shall include a description of all of ~~its~~ ~~the~~ ~~company's~~ active and inactive facilities located in the county, co-locations of its own equipment, co-locations of other companies using its facilities, and shall include telephone numbers and addresses for company officials and maintenance personnel.

~~(Ord. No. 1999-14, § 4.11, 4-4-2000)~~

Sec. 32-142. - Technical assistance required.

The ~~planning~~ ~~d~~irector (prior to issuing a permit) and the ~~B~~board (prior to issuing a permit by special exception or deciding an appeal or request for variance) may make use of technical consultants to review applications and to determine if the standards in this article are met. The permit applicant shall be required to bear the cost of the required technical services. The ~~planning~~ ~~d~~irector shall estimate any expenses and shall require payment with the completed application. Additional expenses shall be invoiced by the county finance department to the applicant. Amounts in excess of required fees and actual expenses shall be returned to the applicant.

~~(Ord. No. 1999-14, § 4.12, 4-4-2000)~~

Secs. 32-143—32-170. - Reserved.

Zoning Use Matrix

Uses	TRD	AD	ARD	CD	RRD	PRLD	RD	LRD	CCD	HCD	ID	MUD
	Zoning Use Matrix											
Agricultural production, crops, livestock, and poultry	P	P	X	P	P	X	X	X	X	X	X	X
Agricultural production, crops, livestock, and poultry (excluding commercial chicken houses, commercial hog parlors, and commercial feed lots)	P	P	P	P	P	X	P	X	P	P	P	X
Agricultural support services- veterinarians, kennels, feed/seeds, supply stores, implements, etc.	P	P	P	X	P	X	X	X	P	P	P	X
Air strips	S	S	X	X	S	X	X	X	X	S	S	X
Auction houses	P	P	S	X	P	X	X	X	C	C	X	C
Auditorium/Indoor Public Assembly	P	S	X	X	X	X	X	X	P	P	X	X
Bed and Breakfast Inns	P	C	P	S	P	X	S	S	C	P	X	X
Building and Trade Contractors, including materials and supply uses	P	P	S	X	X	X	X	X	P	P	P	P
Cemeteries and accessory uses	P	P	P	P	P	X	P	X	C	P	P	P
Civic, fraternal, professional, and political organizations	P	P	P	X	P	X	S	X	P	P	X	P
Commercial Fishing, Hunting and Trapping	P	P	S	S	S	S	X	X	X	X	X	X
Communications towers (up to 75 feet)	P	P	P	P	P	P	P	P	P	P	P	P
Communications towers (greater than 75 feet)	S	S	S	S	S	S	X	X	S	S	S	S

Conservation subdivisions	C	C	C	S	C	X	C	C	X	C	X	C
Convenience stores (excluding motor vehicle services)	P	S	S	X	S	X	X	X	P	P	P	P
Correctional facilities and half-way houses	X	X	X	X	X	X	X	X	X	X	S	X
Day Care Facilities (all ages)	P	P	S	X	S	X	S	S	P	P	X	S
Distribution and other Warehouses	P	P	X	X	X	X	X	X	S	P	P	S
Educational buildings, and Research Facilities (all types)	S	S	X	S	S	P	S	X	P	P	P	S
Emergency services	P	P	P	X	P	X	P	P	P	P	P	P
Farm and roadside markets	P	P	P	P	P	P	X	X	P	P	X	X
Financial Services	P	S	X	X	X	X	X	X	P	P	X	P
Forestry/Silviculture	P	P	P	P	P	P	P	P	P	P	P	P
Fuel supply services	X	P	X	X	X	X	X	X	S	P	P	S
Funeral homes and services	X	X	X	X	X	X	X	X	P	P	X	P
Golf courses, country clubs, driving ranges	S	X	S	X	X	X	P	P	X	P	X	X
Government buildings (excluding correctional facilities)	P	S	X	S	P	P	P	X	P	P	P	P
Group Homes	S	S	S	X	S	S	S	X	X	X	X	S
Greenhouses, nurseries, and landscape commerical services	P	P	P	S	P	X	X	X	P	P	P	P
Gun and Archery clubs and shooting ranges	S	S	X	S	S	X	X	X	X	S	X	X

Health care services, service retail, and emergency short term shelters	P	P	S	X	P	X	X	X	P	P	X	P
Home occupations and businesses	C	C	C	C	C	X	C	C	C	C	X	C
Hotels, Motels, and Inns	S	S	X	X	X	X	X	X	P	P	X	X
Laundry Mats	P	P	P	X	X	X	X	X	P	P	X	P
Laundry and dry cleaning services	P	X	X	X	X	X	X	X	P	P	X	S
Light Manufacturing	P	S	X	X	X	X	X	X	S	P	P	S
Liquor stores and bars	X	X	X	X	X	X	X	X	S	S	X	S
Lumber and saw mills (permanent)	P	P	X	X	X	X	X	X	X	X	P	X
Lumber and saw mills (portable)	P	P	P	P	P	P	P	P	P	P	P	P
Manufactured Home Dealer	X	X	X	X	X	X	X	X	X	P	P	X
Heavy Manufacturing	X	X	X	X	X	X	X	X	X	S	P	X
Marinas	S	S	S	X	S	S	S	S	P	P	P	X
Mini storage or mini warehouses	X	X	X	X	X	X	X	X	P	P	P	X
Mining	S	S	X	X	X	X	X	X	X	X	X	X
Mixed Use Buildings and parcels	P	P	X	X	P	X	S	X	P	P	X	P
Motor vehicle parking and garages (as a principal business use)	X	X	X	X	X	X	X	X	P	P	P	X
Motor vehicle sales and rental	S	X	X	X	X	X	X	X	P	P	P	X
Motor vehicle services and repair	P	P	P	X	X	X	X	X	C	P	P	C
Motor vehicle services and gas stations	P	P	X	X	P	X	X	X	P	P	P	P

(excluding truck stops)												
Movie theater	P	X	X	X	X	X	X	X	S	P	X	X
Multi-family residential development (structures containing 5 or more residential units)	P	X	S	X	X	X	S	S	S	P	X	S
Multi-family residential development (structures containing no more than 4 residential units)	P	X	S	X	X	X	P	S	S	S	X	P
Museums, cultural centers, historical sites, sightseeing, and similar institutions	P	P	P	S	P	P	P	X	P	P	X	P
Office uses, general	P	X	X	X	X	X	S	X	P	P	X	P
Outdoor Retail	P	P	P	X	P	X	X	X	P	P	X	C
Places of worship	P	P	P	P	P	P	P	P	P	P	S	P
Public, Private, and Commercial parks and recreation, camping or social facilities	P	P	P	S	P	P	P	S	P	P	X	X
Public and private utilities	P	P	P	P	P	P	X	X	P	P	P	P
Railroad stations	P	X	X	X	X	X	X	X	P	P	P	X
Residential care facilities	S	X	X	X	S	X	S	X	P	P	X	S
Restaurants (up to 2,500 square feet)	C	P	S	X	C	X	X	X	P	P	S	P
Restaurants (greater than 2,500 square feet)	S	S	X	X	S	X	X	X	P	P	S	S
Retail uses (up to 5,000 square feet)	P	S	S	X	P	X	X	X	P	P	P	P
Retail uses (5,000—50,000 square feet)	S	X	X	X	S	X	X	X	X	P	P	S

Retail uses (greater than 50,000 square feet)	X	X	X	X	X	X	X	X	X	P	S	X
Roadside Stands	P	P	P	P	P	X	P	P	P	P	P	P
Salvage yard, Junkyard, and Recycling Operations	S	S	X	X	X	X	X	X	X	X	P	X
Single-family detached residential	P	P	P	P	P	X	P	P	P	P	X	P
Single-family subdivisions (10 units or less)	P	S	P	X	P	X	P	P	P	X	X	P
Single-family subdivisions (more than 10 units)	S	X	X	X	X	X	P	P	S	X	X	S
Solid waste landfill and Waste Management Services; (excluding hazardous waste)	S	S	X	X	X	X	X	X	X	X	S	X
Taxidermy, slaughter houses and wild game processing	P	P	S	S	P	X	X	X	S	S	X	X
Waste management services (excluding hazardous waste)	S	S	X	X	X	X	X	X	X	X	P	X

X—Not permitted

P—Permitted

C—Conditional use - permitted if conditions are met

S—Special exception - approved by Board of Zoning Appeals

(Ord. No. 2012-14, § 1, 5-15-2012)

To further remedy setback-related issues, the following is also presented for Commission review and comment:

Sec. 38-10.2. – Control Free District (CFD).

The control free district is intended to be the initial zoning district for all parcels within the jurisdiction at the time of initial adoption of zoning in Oconee County, only; any parcel subsequently rezoned to any other district shall not be a part of the control free district at any future date.

*Dimensional requirements:**

Residential Uses		Density and Lot Size			Minimum Yard Requirements			Max. Height
	Min. Lot Size	Lot Size	Max. Density	Min. Width (ft.)	Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)	Structure Height (ft.)
	N/A	Greater than or equal to ½ acre	N/A	N/A	25	5	10	65
	N/A	Less than ½ acre to greater than or equal to ¼ acre	N/A	N/A	15	5	5	65
	N/A	Less than ¼ acre	N/A	N/A	10	5	5	65
Nonresidential Uses		Minimum Lot Size			Minimum Yard Requirements			Max. Height
	Min. Lot Size	Lot Size	Min. Width (ft.)		Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)	Structure Height (ft.)
	N/A	Greater than or equal to ½ acre	N/A		25	5	10	65
	N/A	Less than ½ acre to greater than or equal to ¼ acre	N/A		15	5	5	65
	N/A	Less than ¼ acre	N/A		10	5	5	65