

STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
ORDINANCE NO. 2016-41

AN ORDINANCE AMENDING CHAPTER 38 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING THE ADDITION OF AGRICULTURAL ZONING DISTRICTS, AMENDING AN EXISTING ZONING DISTRICT, AND AMENDING THE CONDITIONAL USE PROVISIONS CONTAINED IN CHAPTER 38; AND OTHER MATTERS RELATED THERETO.

WHEREAS, consistent with the powers granted county governments by S.C. Code § 4-9-25 and S.C. Code § 4-9-30 Oconee County ("County"), a body politic and corporate and a political subdivision of the State of South Carolina, acting by and through its governing body, the Oconee County Council (the "County Council"), has the authority to enact regulations, resolutions, and ordinances, not inconsistent with the Constitution and the general law of the State of South Carolina, including the exercise of such powers in relation to health and order within its boundaries and respecting any subject as appears to it necessary and proper for the security, general welfare, and convenience of the County or for preserving health, peace, order, and good government therein; and,

WHEREAS, the County has adopted multiple ordinances for the effective, efficient governance of the County, which, subsequent to adoption, are codified in the Oconee County Code of Ordinances (the "Code of Ordinances"), as amended; and,

WHEREAS, the County is authorized by Section 4-9-30(9) and Chapter 29 of Title 6 of the South Carolina Code of Laws, among other sources, to impose land use restrictions and development standards in the unincorporated areas of the County; and,

WHEREAS, County Council recognizes that there is a need to revise the law of the County to meet the changing needs of the County and that there is a need to amend, specifically, the Agricultural District sections of Chapter 38 of the Code of Ordinances, as to the creation of two additional Agricultural Districts (AD-5 and AD-50) and the revision of Agriculture District (AD) and the requirements thereof; and

WHEREAS, County Council has therefore determined to modify Chapter 38 of the Code of Ordinances, and to affirm and preserve all other provisions of the Code of Ordinances not specifically or by implication amended hereby.

NOW, THEREFORE, it is hereby ordained by the Oconee County Council, in meeting duly assembled, that:

1. Section 38-10.6 (AD) of the Code of Ordinances is restated as Section 38-10.6.1.

2. Section 38-10.6.2 and Section 38-10.6.3 of the Code of Ordinances, entitled *Agriculture District 5 (AD-5) and Agriculture District 50 (AD-50)*, including *Definition and Intent*, are hereby created to read as set forth in Attachment A, which is attached hereto and incorporated herein by reference.

3. Section 38-5.18 through Section 38-5.24 of the Code of Ordinances are hereby created to read as set forth in Attachment C, in order to add Conditional uses to the Zoning Use Matrix and add additional conditions to land uses to be found within the *Agriculture District (AD), Agriculture District 5 (AD-5) and Agriculture District 50*.

4. The Zoning Use Matrix found in Section 38 is hereby amended to read as set forth in Attachment B, which is attached hereto and incorporated herein by reference.

5. The "Official Zoning Map, Oconee County, South Carolina" will be updated as necessary and appropriate. *See O.C. Code 38-3.1*.

6. County Council hereby declares and establishes its legislative intent that Attachments A, B, and C, hereto, as may be amended from time to time, become the applicable zoning provisions of the County, or part thereof, with regard to the sections amended by Attachments A, B, and C, from and after their adoption; states its intent to so adopt Attachments A, B, and C; and, directs that a public hearing thereon be undertaken by County Council or the Oconee County Planning Commission, in accord with and as required by Section 6-29-760 and Section 4-9-130, South Carolina Code, 1976, as amended.

7. Should any part or provision of this Ordinance be deemed unconstitutional or unenforceable by any court of competent jurisdiction, such determination shall not affect the rest and remainder of this Ordinance, all of which is hereby deemed separable.

8. All ordinances, orders, resolutions, and actions of County Council inconsistent herewith are, to the extent of such inconsistency only, hereby repealed, revoked, and rescinded. However, nothing contained herein, or in the Attachments hereto, shall cancel, void, or revoke, or shall be interpreted as cancelling, voiding, or revoking, *ex post facto*, in any regard any prior zoning or rezoning acts, actions, or decisions of the County or County Council based thereon, which were valid and legal at the time in effect and undertaken pursuant thereto, in any regard.

9. All other terms, provisions, and parts of the Code of Ordinances not amended hereby, directly or by implication, shall remain in full force and effect.

10. This Ordinance shall take effect and be in full force and effect from and after third (3rd) reading and enactment by County Council, and will apply to all zoning processes initiated after first (1st) reading hereof. All processes actually initiated by submitting a properly and legally completed petition to the County, at a minimum, prior to first (1st) reading of this ordinance and the establishment of the pending ordinance doctrine thereby, shall be completed under the zoning rules and regulations of Chapter 38 of the Code of Ordinances, as in effect prior to final adoption of this ordinance.

ORDAINED in meeting, duly assembled, this _____ day of _____, 2017.

ATTEST:

Katie Smith,
Clerk to Oconee County Council

Edda Cammick, Chair
Oconee County Council

First Reading: December 20, 2016

Second Reading: March 21, 2017

Public Hearing: _____

Third Reading: _____

ATTACHMENT A
To Ordinance 2016-41
Creation of Section 38-10.6.2 and Section 38-10.6.3
Of the Oconee County Code of Ordinances

Sec. 38-10.6.2 - Agriculture district 5 (AD-5).

Title: Agriculture district 5.

Definition: Those areas that have traditionally been and continue to be significantly intertwined with agricultural activity and production.

Intent: To facilitate the protection of farm land while allowing sufficient latitude for reasonable development opportunities that enhance the welfare of area residents without imposing negative impacts on agricultural activities.

Dimensional requirements:*

Agricultural and Residential Uses	Density and Lot Size		Minimum Yard Requirements			Maximum Non-Agricultural Building Area	
	Min. Lot Size	Max. Density	Min. Width (ft.)	Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)	
	5 acres (217,800 sf)	1 dwelling per 5 acres*	100	35	10	20	10% of Total Lot Area
Non-Agricultural and Non-residential Uses	Minimum Lot Size		Minimum Yard Requirements			Maximum Non-Agricultural and Non-Residential Building Area	
	Min. Lot Size	Min. Width (ft.)	Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)		
	5 acres (217,800 sf)	100	35	10	20	50% of Total Lot Area	

*Dwellings dedicated to housing farm employees shall be excluded in calculating maximum density.

Sec. 38-10.6.3 - Agriculture district (AD-50).

Title: Agriculture district 50.

Definition: Those areas in which agriculture has traditionally, and continues to, be a dominant factor in both the economic prosperity and lifestyle of residents.

Intent: To protect and promote the sustainability of agriculture in Oconee County by limiting the negative impacts resulting from non-agricultural activities on the remaining concentration of prime farm lands.

Dimensional requirements:*

Agricultural and Residential Uses	Density and Lot Size		Minimum Yard Requirements			Maximum Non-Agricultural Building Area	
	Min. Lot Size	Max. Density	Min. Width (ft.)	Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)	
	50 acres (2,178,000 sf)	1 dwelling per 25 acres*	100	100	250	250	10% of Total Lot Area
Non-Agricultural and Non-residential Uses	Minimum Lot Size		Minimum Yard Requirements			Maximum Non-Agricultural and Non-Residential Building Area	
	Min. Lot Size		Min. Width (ft.)	Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)	50% of Total Lot Area
	50 Acres (2,178,000 sf)		100	100	250	250	

*Dwellings dedicated to housing farm employees shall be excluded in calculating maximum density.

All parcels of record duly recorded in the Oconee County Register of Deeds office on or before [enter date of adoption of this amendment] may be subdivided to create one non-conforming lot, provided resulting parcels conform with all minimum width and setback standards. The Planning Commission may for good cause approve additional subdivisions for bona fide family transfers.

ATTACHMENT B
To Ordinance 2016-41

Zoning Use Matrix

Uses	TRD	AD	AD 5	AD 50	ARD	CD	RRD	PR LD	RD	LRD	CCD	HCD	ID	MUD
Zoning Use Matrix														
Agricultural production, crops, livestock, and poultry	P	P	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	X	P	P	P	X	P	X	P	P	P	X
Agricultural support services- veterinarians, kennels, feed/seeds, supply stores, implements, etc.	P	P	C	C	P	X	P	X	X	X	P	P	P	X
Air strips	S	S	X	X	X	X	S	X	X	X	X	S	S	X
Auction houses	P	P	C	X	S	X	P	X	X	X	P	P	X	C
Auditorium/Indoor Public Assembly	P	S	X	X	X	X	X	X	X	X	P	P	X	X
Bed and Breakfast Inns	P	C	C	X	P	S	P	X	S	S	C	P	X	X
Building and Trade Contractors, including materials and supply uses	P	P	X	X	S	X	X	X	X	X	P	P	P	P
Cemeteries and accessory uses	P	P	P	X	P	P	P	X	P	X	C	P	P	P

Civic, fraternal, professional, and political organizations	P	P	X	X	P	X	P	X	S	X	P	P	X	P
Commercial Fishing, Hunting and Trapping	P	P	P	P	S	S	S	S	X	X	X	X	X	X
Communications towers	S	S	S	S	S	S	S	S	X	X	S	S	S	S
Conservation subdivisions	C	C	X	X	C	S	C	X	C	C	X	C	X	C
Convenience stores (excluding motor vehicle services)	P	S	X	X	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	X	X	S	X
Day Care Facilities (all ages)	P	X	X	X	S	X	S	X	S	S	P	P	X	S
Distribution and other Warehouses	P	C	C	C	X	X	X	X	X	X	S	P	P	S
Educational buildings, and Research Facilities (all types)	S	S	S	S	X	S	S	P	S	X	P	P	P	S
Emergency services	P	P	P	P	P	X	P	X	P	P	P	P	P	P
Farm and roadside markets	P	P	P	P	P	P	P	P	X	X	P	P	X	X
Financial Services	P	X	X	X	X	X	X	X	X	X	P	P	X	P
Forestry/Silviculture	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Fuel supply services	X	P	X	X	X	X	X	X	X	X	S	P	P	S
Funeral homes and services	X	X	X	X	X	X	X	X	X	X	P	P	X	P
Golf courses, country clubs, driving ranges	S	X	S	X	S	X	X	X	P	P	X	P	X	X

Government buildings (excluding correctional facilities)	P	S	S	X	X	S	P	P	P	X	P	P	P	P
Group Homes	S	X	X	X	S	X	S	S	S	X	X	X	X	S
Greenhouses, nurseries, and landscape commercial services	P	P	P	P	P	S	P	X	X	X	P	P	P	P
Gun and Archery clubs and shooting ranges	S	P	S	P	X	S	S	X	X	X	X	S	X	X
Health care services, service retail, and emergency short term shelters	P	S	S	S	S	X	P	X	X	X	P	P	X	P
Home occupations and businesses	C	P	P	P	C	C	C	X	C	C	C	C	X	C
Hotels, Motels, and Inns	S	X	X	X	X	X	X	X	X	X	P	P	X	X
Laundry Mats	P	X	X	X	P	X	X	X	X	X	P	P	X	P
Laundry and dry cleaning services	P	P	X	X	X	X	X	X	X	X	P	P	X	S
Light Manufacturing	P	C	C	C	X	X	X	X	X	X	S	P	P	S
Liquor stores and bars	X	X	X	X	X	X	X	X	X	X	S	S	X	S
Lumber and saw mills (permanent)	P	P	X	S	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	P	P
Manufactured Home Dealer	X	X	X	X	X	X	X	X	X	X	X	P	P	X
Heavy Manufacturing	X	X	X	X	X	X	X	X	X	X	X	S	P	X

Marinas	S	S	X	X	S	X	S	S	S	S	S	P	P	P	X
Mini-storage or mini-warehouses	X	X	X	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	X	X	X
Mixed-Use Buildings and parcels	P	C	C	C	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	X	X	P	P	P	X	
Motor vehicle sales and rental	S	X	X	X	X	X	X	X	X	X	P	P	P	X	
Motor vehicle services and repair	P	P	X	X	P	X	X	X	X	X	C	P	P	C	
Motor vehicle services and gas stations (excluding truck stops)	P	C	C	C	X	X	P	X	X	X	P	P	P	P	
Movie theater	P	X	X	X	X	X	X	X	X	X	S	P	X	X	
Multi-family residential development (structures containing 5 or more residential units)	P	X	X	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	X	X	S	X	X	X	P	S	S	S	X	P	
Museums, cultural centers, historical sites, sightseeing, and similar institutions	P	P	C	C	P	S	P	P	P	X	P	P	X	P	

Office uses, general	P	X	X	X	X	X	X	X	S	X	P	P	X	P
Outdoor Retail	P	P	P	X	P	X	P	X	X	X	P	P	X	C
Places of worship	P	P	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	C	X	P	S	P	P	P	S	P	P	X	X
Public and private utilities	P	P	P	P	P	P	P	P	X	X	P	P	P	P
Railroad stations	P	X	X	X	X	X	X	X	X	X	P	P	P	X
Residential care facilities	S	X	X	X	X	X	S	X	S	X	P	P	X	S
Restaurants (up to 2,500 square feet)	C	P	C	C	S	X	C	X	X	X	P	P	S	P
Restaurants (greater than 2,500 square feet)	S	S	S	X	X	X	S	X	X	X	P	P	S	S
Retail uses (up to 5,000 square feet)	P	S	S	X	S	X	P	X	X	X	P	P	P	P
Retail uses (5,000—50,000 square feet)	S	X	X	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	X	X	P	S	X
Roadside Stands	P	P	P	P	P	P	P	X	P	P	P	P	P	P
Salvage yard, Junkyard, and Recycling Operations	S	S	S	X	X	X	X	X	X	X	X	X	P	X
Single-family detached residential	P	P	P	P	P	P	P	X	P	P	P	P	X	P

Single-family subdivisions (10 units or less)	P	S	X	X	P	X	P	X	P	P	P	X	X	P
Single-family subdivisions (more than 10 units)	S	X	X	X	X	X	X	X	P	P	S	X	X	S
Solid waste landfill and Waste Management Services; (excluding hazardous waste)	S	X	X	X	X	X	X	X	X	X	X	X	S	X
Taxidermy, slaughter houses and wild game processing	P	P	P	P	S	S	P	X	X	X	S	S	X	X
Waste management services (excluding hazardous waste)	S	X	X	X	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)

ATTACHMENT C
To Ordinance 2016-41

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: AD-5, MUD).

All noises and excess light 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: AD, AD-5, 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).

Adequate 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, AD, ARD, RRD, RD, LRD, HCD, MUD).

- (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, ARD, CD, RRD, RD, LRD, CCD, HCD, MUD).

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, MUD).

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, AD-5, AD-50, 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, AD-5, AD-50).

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

(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, § 58, TBD)

Sec. 38-12.2. - Definitions.

Except where specifically defined herein, all words used in this chapter 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, not directory.

Abandoned sign: A sign which is not being maintained as required by S.C. Code of Laws, 1976, as amended § 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.

Abutting: Having property or district lines in common; i.e.; two lots are abutting if they have property lines in common. Lots are also considered to be abutting if they are directly opposite each other and separated by a street, alley, railroad right-of-way, or stream.

Access: A way of approaching or entering a property. Access also includes ingress, the right to enter and egress, and the right to leave.

Accessory building or use: A building or use, not including signs, which is:

- (1) Conducted or located on the same parcel as the principal building or use, except as may be specifically provided elsewhere in the chapter;
- (2) Clearly incidental to, subordinate in area and purpose to, and serves the principal use; and
- (3) Either in the same ownership as the principal use or is clearly operated or maintained solely for the comfort, convenience, necessity, or benefit of the occupants, employees, customers, or visitors of or to the principal use.

Addition (to an existing building): Means an extension or increase in the floor area or height of a building or structure. Additions to existing buildings shall comply with the requirements for new construction, unless the addition, renovation or reconstruction to any building, that was constructed prior to the initial flood insurance study for that area, and the addition, renovation or reconstruction does not equal 50 percent of the present market value of the structure. Where a fire wall is provided between the addition and the existing building, the addition(s) shall be considered a separate building and must comply with the standards for new construction.

Adult entertainment establishment (sexually oriented business): Includes clubs and eating and drinking establishments with nude or seminude entertainment or dancing; physical culture establishments, such as but not limited to, establishments that include adult bookstores, adult motion picture theaters, adult motels and hotels, and other similar establishments which depict or emphasize sexual activities and/or nudity.

Affected land (relating to mining): The surface area of land that is mined, the surface area of land associated with a mining activity so that soil is exposed to accelerated erosion, the surface area of land on which overburden and waste is deposited, and the surface area of land used for processing or treatment plant, stockpiles, nonpublic roads, and settling ponds.

Agriculture: The practice of farming by means of cultivating the soil, producing crops, and raising livestock; such as but not limited to dairying, pasturage, viticulture, horticulture, hydroponics, floriculture, aquaculture, truck farming, orchards, forestry, and animal and poultry husbandry.

Airport: Any area of land or water which is used or intended for use for the landing and taking off of aircraft, and any appurtenant areas which are used or intended for use for airport buildings or other airport facilities or rights-of-way, including all necessary taxiways, aircraft storage and tie-down areas, hangars, and other necessary buildings and open spaces.

Alley: A public or private right-of-way or easement primarily designed to serve as secondary access to the side or rear of those properties whose principal frontage is on a street, and not intended for general traffic.

Alter: To make any structural changes in the supporting or load-bearing members of a building, such as load-bearing walls, columns, beams, girders, or floor joists.

Apartment: A room or suite of rooms intended for use as a residence by a single household or family. Such a dwelling unit may be located in a multi-family structure, duplex, or as an accessory use in a single family home or a commercial building.

Apartment house: (See Multi-family housing)

Area of special flood hazard: Is the land in the floodplain within a community subject to a one percent or greater chance of being flooded in any given year.

Awning, canopy, marquee: A roof-like cover that is temporary or portable in nature and that project from the wall of a building for the purpose of shielding a doorway or window from the elements. Canopies and marquees are rigid, structures of a more permanent nature attached to a building or supported by columns extending to the ground.

Bed and breakfast: Sleeping accommodations for travelers where meals may be included or available. There is no restaurant, but a dining room may be used by overnight guests only. The owner must be a resident.

Billboard: 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.

Board of zoning appeals: A local body, created by ordinance pursuant to the authority of Chapter 28 of Title 6 of the South Carolina Code of Laws, 1976, as amended, whose responsibility is to hear appeals from decisions of the zoning administrator and to consider requests for variances from the terms of the zoning chapter.

Boarding house: A building other than a hotel, inn, or motel, where, for compensation, meals are served and lodging is provided.

Buffer: A portion of property designated to mitigate impacts between land uses or transportation routes, or to protect water features from pollutants.

Buffer, undisturbed natural vegetative: An area consisting of an undisturbed, maintenance free, self-perpetuating stand of vegetation comprised of plants, trees, and vegetation that normally survive in Oconee County without the need of fertilizers, herbicides, or pesticides.

Buildable area (building envelope): The space remaining on a parcel after the minimum open space requirements (yards, setbacks) have been met.

Building: Any roofed structure constructed or used for residence, business, industry, or other public or private purposes, or accessory thereto.

Building, accessory: See Accessory Building or Use.

Building footprint: The portion of a lot's area that is enclosed by the foundation of buildings, plus any cantilevered upper floor.

Building height: The vertical distance measured from the average elevation of the finished grade at the front of the building to the highest point of the building. Spires, cupolas, chimneys, antennae attached to a building, and/or projections from buildings, radios, TV, communications, telecommunication, and water towers are not to be included in the calculations of building height.

Building lot coverage: The amount of net lot area or land surface area, expressed in terms of a percentage that is covered by all principal buildings.

Building, principal (main): A building in which is conducted the principal use of the parcel on which it is situated.

Building setbacks: The minimum distance from the property line to closest projection of the exterior face of buildings, walls, or other form of construction (i.e. decks, landings, terraces, porches, and patios on grade).

Building setback line: The line on the front, rear, and sides of a lot, set according to the district regulations, which delineates the areas upon which a structure may be built or maintained. At the time of application, all yard setbacks are determined from the most recent Oconee County Tax Map.

Front yard setback —Shall be measured from the roadway right-of-way as shown on tax maps.

Side and rear yard setbacks —Shall be measured from the property lines as shown on tax maps.

Corner lot setbacks —Shall be measured from the roadway right-of-ways it is adjacent to.

On a flag lot the "building setback line" runs parallel to the street and is measured from the point in the main portion of the lot (i.e. the "flag" part of the lot, not the "pole" part), which is closest to the street. (The minimum lot width must be met in this area, as well. Therefore, if the point closest to the street is a corner rather than a line, the setback will have to extend as far as necessary to meet the required minimum lot width!)

Built-upon area: Built-upon areas shall include that portion of a development project that is covered by impervious or partially impervious surfaces, including buildings, pavement, gravel roads, recreation facilities (e.g. tennis courts), etc.

Campground: Land upon which, for compensation, shelters (such as tents, travel trailers, and recreational vehicles) are erected or located for occupation by transients and/or vacationers. They may include such permanent structures and facilities as are normally associated with the operation of a campground.

Centerline: A line along the center of a road, highway, river, creek, or property that equal divides the object into two equal parts; a line running through the middle.

Centroid: The geometric center of a polygon. In spatial information systems (GIS), the centroid is a point in a polygon to which attribute information about that specific area is linked. It is the "center of gravity" or mathematically exact center of an irregularly shaped polygon. The centroid is the center.

Certificate of occupancy: Official certification that a premise conforms to provisions of the zoning chapter (and state building code) and may be used or occupied. Such a certificate is granted for new construction or for alterations or additions to existing structures or a change in use. Unless such a certificate is issued, a structure cannot be occupied, but a certificate may be issued for a portion of a structure ready for occupancy, such as separate dwelling or commercial units in a structure with multiple units.

Civic, fraternal, professional, and political organizations: A nonprofit association of persons, who are bona fide members paying dues, which owns, hires, or leases a building, or portion thereof, the use of such premises being restricted to members and their guests. The affairs and management of such "private club or lodge" are conducted by a board of directors, executive committee, or similar body chosen by the members. It shall be permissible to serve food and meals on such premises, providing adequate dining room space and kitchen facilities are available. The sale of alcoholic beverages to members and their guests shall be allowed, provided it is secondary and incidental to the promotion of some other common objective of the organization, and further provided that such sale of alcoholic beverages is in compliance with the applicable federal, state, and local laws.

Common open space or green space: A parcel or parcels of land, or an area of water, or a combination of both land and water, within the site designated for development and designed and intended for the use and enjoyment of residents of the development or for the general public, not including streets or off-street parking areas. Common open space shall be substantially free of structures, but may contain such improvements as are in the plan as finally approved and are appropriate for the benefit of residents of the development.

Conditional use(s): Provisions that impose conditions, restrictions, or limitations on a permitted use that are in addition to the restrictions applicable to all land in the zoning district which have been set forth in the text of the zoning chapter.

Condominium: An attached multi-family dwelling unit in which the ownership of the occupancy rights to the dwelling unit is individually owned or for sale to an individual, and such ownership is not inclusive of any land.

Contractor: One who accomplishes work or provides facilities under contract to another. The major portion of a contractor's work normally occurs outside and away from his business location. As used in this chapter, the term "contractor" does not include general assembly, fabrication, or manufacture at his business location.

Convenience store: A commercial building where a variety of items are sold, which may include food, magazines, automobile accessories and maintenance supplies, and other such items. In addition to the commercial building, other services on the premises may include gasoline sales, and a coin operated (automated) car wash.

Conversion: Changing the original purpose of the building to a different use.

County council: The governing body of Oconee County.

Covenant: A private legal restriction on the use of land, which is contained in the deed to the property or otherwise formally recorded. There may be certain legal requirements for formal establishment of a covenant such as a written document, a mutual interest in the property, that the covenant be concerned with the use of the land rather than individual characteristics of ownership, etc.

Current land use map: A nonregulatory map that graphically represents the existing land use, by parcel, throughout the county.

Day care facility (adults and children): A commercial facility, which provides for the care of children or adults. Those receiving care are not all related to each other by blood or marriage and are not legal wards or foster children of the attendant adults, and for which care a payment, fee, or grant is made. All state registration requirements and inspections shall be met.

Dedication: The transfer of property from private to public ownership with or without compensation involved.

Density: The average number of families, persons, housing units, or buildings per unit of land.

Density, gross: The total number of dwelling units proposed on a property per acre.

$$\text{Gross density} = \frac{\text{Proposed number of dwelling units}}{\text{The total acreage}}$$

Density, net: The total number of dwelling units proposed on a property per acre after the area of the infrastructure is taken into account.

$$\text{Net Density} = \frac{\text{Proposed number of dwelling units}}{\text{(The total acreage - roads and right-of-ways)}}$$

District, zoning: A specifically delineated area in a planning district, shown on the official zoning map, within which uniform regulations and requirements govern the use, placement, spacing, and size of land and buildings.

Dripline: A collective name for all vertical lines from the earth to the outermost tips of the crown of a tree. These lines will completely encircle the tree and thereby define its outermost reaches.

Driveway: A private roadway located on a parcel or lot used for vehicle access.

Dwelling: A building or portion thereof designed, arranged, or used for permanent living quarters. The term "dwelling" shall not be deemed to include a travel trailer, motel, hotel, tourist home, or other structures designed for transient residence.

Dwelling, single-family: A building containing one dwelling that is entirely surrounded by open space on the same lot, but may include separate units as accessory uses to be occupied only by employees or relatives of the household.

Easement: A right given by the owner of land to another party for specific limited use of that land. For example, a property owner may give an easement on his property to allow utility facilities like power lines or pipelines, to allow light to reach a neighbor's windows, or to allow access to another property. No land is dedicated to the party receiving an easement, only permission to use the land for a specific purpose.

Elevated building: Means, for floodplain management purposes, a non-basement building which has its lowest elevated floor raised above ground level by foundation walls, shear walls, posts, piers, pilings or columns.

Erect: Build, construct, erect, rebuild, reconstruct, or re-erect any building or other structure.

Exempted residential facility: Residential summer camps, day facilities, and religious retreat facilities, any of which do not provide for long-term stays of 30 days or more. Hospitals, nursing homes, and accredited college/accredited university housing are exempted from this definition.

Facade: The exterior walls of a building exposed to public view or that wall viewed by persons not within the building.

Farm and roadside market: A market or stand operated on a seasonal or year-round basis that allows for agricultural producers to retail their products and agricultural related items directly to consumers and enhance income through value-added products, services, and activities.

Flood or flooding: A general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) The overflow of inland or tidal waters; and,
- (2) The unusual and rapid accumulation of runoff of surface waters from any source.

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 one foot.

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

Floor area (for determining off-street parking and loading requirements): the gross total horizontal area of all floors below the roof, including usable basements, cellars, and accessory storage areas such as counters, racks, or closets, but excluding, in the case of nonresidential facilities, arcades, porticos, and similar areas open to the outside air which are accessible to the general public and which are not designed or used as areas for sales, display, storage, service, or production. However, "floor area", for the purpose of measurement for off-street parking spaces shall not include: floor area devoted to primarily storage purposes (except as otherwise noted above); floor area devoted to off-street parking or loading facilities, including aisles, ramps, and maneuvering space; or basement floor other than area devoted to retailing activities, to the production or processing of goods, or business or professional offices.

Floor area, gross: The total floor area enclosed within a building.

Foot-candle: A unit of illumination produced on a surface, all points of which are one foot from a uniform point source of one candle.

Frontage: All of the real property abutting a street line measured along the street right-of-way.

Future land use map (FLUM): A nonregulatory map that graphically represents what the citizens would like to see the county look like in the future; bringing together the goals expressed in all of the elements of the Comprehensive Plan.

Garage, private: A building or space used as an accessory to, or a part of, the main building permitted in any district, providing for the storage of motor vehicles, and in which no business, occupation, or service for profit is in any way conducted, except in an approved home occupation.

Glare: The effect of brightness in the field of view that causes annoyance or discomfort or interferes with seeing. It may be direct glare from a light source or reflected glare from a glossy surface.

Grade: The percent of rise or descent of a sloping surface; the average elevation of a specified area of land.

Greenhouses, nursery, and landscape commercial services: A place where various plants and trees are grown for sale, transplanting, or experimentation.

Groundcover: Any natural vegetative growth or other material that renders the soil surface stable against accelerated erosion.

Group home: A public, private, or not-for profit facility which may provide licensed or unlicensed counseling services, schooling, and care, and which houses ten or more persons not related by blood or adoption in a residential or dormitory environment for a period of 30 days or more per year. Residential treatment centers (RTC's) are included in this definition.

Home occupation: Any occupation or profession carried on entirely within a dwelling or accessory building on the same parcel by one or more occupants thereof, providing the following:

- (1) That such use is clearly incidental and secondary to the use of the dwelling for dwelling purposes; this shall be construed to include in-home duly licensed daycare;
- (2) That no more than 25 percent of the total floor area of the dwelling is used for such purposes;
- (3) That there is no outside or window display;
- (4) That no mechanical or electrical equipment is installed or used other than is normally used for domestic, or hobby purposes; and,
- (5) That not more than one person not a resident of the dwelling is employed in connection with the home occupation.

Hotel: A building or other structure kept, maintained, advertised as, or held out to the public to be a place where sleeping accommodations are supplied for pay to transient or permanent guests or tenants. Rooms are furnished for the accommodation of such guests, and the hotel may or may not have one or more dining rooms, restaurants, or cafes where meals are served. Such sleeping accommodations and dining rooms, restaurants, or cafes, if existing, are located in the same building. Entry to sleeping rooms shall be from the interior of the building.

Impervious surface: Four square feet or more of continuous surface area of any material that prevents absorption of stormwater into the ground.

Intensity of use: A measure of the extent to which a land parcel is developed.

Landfill, solid waste: A sanitary landfill facility for stumps, limbs, leaves, concrete, brick, wood, uncontaminated earth and other solid wastes resulting from construction, demolition or land clearing.

Landfill, waste management services: A facility where waste material and refuse is placed temporarily for shipping to the appropriate facility.

Landscape architect: A professional landscape architect registered by the State of South Carolina.

Landscaped area: A portion of the site or property containing vegetation to exist after construction is completed. Landscaped areas can include, but are not limited to, natural areas, buffers, lawns, and plantings.

Large-maturing tree: An evergreen or deciduous tree having a mature height of over 35 feet. Examples include but are not limited to: sycamore, oak, deodar cedar, red maple, elm, red cedar.

Large-maturing shade tree: An evergreen or deciduous tree having a mature height of over 35 feet with a substantial canopy that provides shade and overhead cover. Examples include but are not limited to: sycamore, oak, red maple, elm.

Loading area or space, off-street: An area logically and conveniently located for bulk pickups and deliveries, scaled to delivery vehicles expected to be used, and accessible to such vehicles. Required off-street loading space is not to be included as off-street parking space in computing required off-street parking space.

Lot: A parcel of land in undivided ownership occupied, or intended for occupancy, by a main building or group of main buildings together with any accessory buildings, including such yards, open spaces, width, and area as are required by this chapter, either shown on a plat of record or described by metes and bounds and recorded with the register of deeds. For the purpose of this chapter, the word "lot" shall be taken to mean any number of contiguous lots or portions thereof, upon which one or more main structures for a single use are erected or are to be erected.

Lot, corner: A lot abutting the intersection of two or more streets or a lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot at the apex meet at any angle of less than 135 degrees. In such a case the apex of the curve forming the corner lot shall be considered as the intersection of street lines for the purpose of this chapter, such as in corner visibility requirements.

Lot, depth: The depth of a lot is the average distance between the front and back lot lines measured at right angles to its frontage and from corner to corner.

Lot, interior: A lot other than a corner lot.

Lot lines: The lines bounding a lot. Where a lot of record includes a right-of-way, the lot lines are presumed not to extend into the right-of-way.

Lot, through: An interior lot having frontage on two streets.

Lot, width: The straight line distance between the points where the building setback line intersects the two side lot lines.

Lot of record: A lot which is a part of a subdivision, a plat of which has been recorded in the office of the Oconee County Register of Deeds, or a lot described by metes and bounds, the description of which has been recorded in the office of the Oconee County Register of Deeds by the owner or predecessor in title thereto.

Marina: Any commercial business on a public access body of water where commercially rented, leased, or for sale boat slips for overnight, on water or docked storage of boats; or access for trailered boats to be cast into the water. Other activities such as restaurants and mini-storage for boating purposes may be permitted on premises. Common docks for subdivision development is excluded.

Mining:

- (1) The breaking of the surface soil in order to facilitate or accomplish the extraction or removal of minerals, ores or other solid matter.
- (2) Any activity or process constituting all or part of a process for the extraction or removal of minerals, ores, soils, and other solid matter from their original location.
- (3) The preparation, washing, cleaning, or other treatment of minerals, ores, or other solid matter so as to make them suitable for commercial, industrial or construction use.

Mining does not include:

- (1) Those aspects of deep mining not having significant effect on the surface, where the affected land does not exceed one acre in area.
- (2) Excavation or grading when conducted solely in aid of on-site farming or of on-site construction for purposes other than mining, such as constructing a residence, garage, commercial or industrial building.

- (3) Mining operations where the affected land does not exceed one acre in area.
- (4) Plants engaged in processing minerals produced elsewhere and whose refuse does not affect more than one acre of land.
- (5) Removal of overburden and mining of limited amounts of any ores or mineral solids when done only for the purpose and to the extent necessary to determine the location, quantity, or quality of any natural deposit, provided that no ores or mineral solids removed during exploratory excavation or mining are sold, processed for sale, or consumed in the regular operation of a business, and provided further that the affected land resulting from any exploratory excavation does not exceed one acre in area.

Mini storage or mini warehouses: A building, or group of buildings, in a controlled access and/or fenced compound that contains varying sizes of individual, compartmentalized and controlled access stalls or lockers for the storage of a customer's goods or wares. No sales, service, or business activities shall occur out of the rented units.

Mixed use building or parcel: Any building comprised of a mixture of light commercial and residential uses; the commercial area shall be at least 25 percent of the building with the residential area, comprising no less than 35 percent of the building area. Parcels with existing or permitted residential structures may also include independent structures of light commercial usage limited to the permitted uses in the said district. Also, within any district, in addition to the permitted uses, multi-family residential (not to exceed four units), retail up to 2,500 square feet, restaurants up to 2,500 square feet, and office uses up to 2,500 square feet are also considered permitted use for mixed use buildings or parcels.

Motel: A building or other structure kept, maintained, advertised as, or held out to the public to be, a place where sleeping accommodations are supplied for pay to transient or permanent guests or tenants and where rooms are furnished for the accommodation of such guests. Entry to sleeping rooms may be from the interior or exterior of the building. Food may be served in dining rooms, restaurants, or cafes, which may be located in the same building as the sleeping rooms or may be in one or more separate buildings.

Motor vehicle services and gas stations (excluding truck stops): Any building or land use for the dispensing, sale, or offering for sale at retail any automobile fuels along with accessories and services such as lubricants or tires, car washing, except that mechanical and electrical repairs, and tire repairs shall only be performed incidental to the conduct of the service station and are performed indoors. There shall be no fuel pumps within 15 feet of any property line or street right-of-way and incidental activities shall not include tire re-treading, major body work, major mechanical work, or upholstery work.

Motor vehicle services and repair: Any buildings or land used for the servicing or repairing of vehicles excluding fuel sales, but including the sale and/or the installation of lubricants or tires, car washing, mechanical and electrical repairs, tire repairs, and body work.

Multi-family residential: A building or buildings designed to be occupied by two or more households living independently of each other, with the number of households in residence not exceeding the number of dwelling units provided.

Nonconforming lot: A lot of record at the time of adoption or amendment, respectively, of this chapter which does not meet the minimum requirements for area and/or width applicable in the district in which such lot is located.

Nonconforming structure: A structure which existed lawfully on the date this zoning chapter became effective or the effective date of any amendments and does not conform to the permitted uses for the zoning district in which it is situated. Nonconforming uses are incompatible with permitted uses in the districts involved. Such nonconformities are permitted to continue until they are removed or vacated, as specified in this chapter.

Nonconforming use: A use that lawfully occupied a building or land at the time this chapter, or any amendment thereto, became effective, which has been lawfully continued and which does not now conform to the use regulations.

Ordinance: The Zoning Enabling Ordinance, Oconee County Ordinance 2007-18, creating this chapter, and any ordinance amendatory thereof. Whenever the effective date of the chapter is referred to, the reference includes the effective date of any amendatory ordinance.

Overlay district: A district, which applies additional supplementary or replacement regulations to land that is already classified in an existing zoning district.

Parking bay: The parking module consisting of one or two rows of parking spaces and the aisle from which motor vehicles enter and leave the spaces.

Parking lot or area: An area or plot of land used for, or designated for, the parking or storage of motor vehicles, either as a principal use or as an accessory use.

Parking space: A storage space of not less than 160 square feet for one automobile, plus the necessary access space.

Parking space, off-street: A parking space located outside of a dedicated street right-of-way.

Permitted uses: Those uses explicitly stated as permitted in the definition of a particular zoning district or any use that clearly meets the definition and intent of the zoning district in question, including accessory buildings and uses.

Petition: For the purposes of the zoning regulations contained in this chapter, a signed document in which one or more property owner(s) provides county council input as to their opinion on the proposed zoning or future use of their property, surrounding properties, or an area being considered for rezoning. Petitions are simply one mechanism for providing county council with such public input and do not limit or in any manner bind county council's decisions, and as such should in no way be considered to be a vote for or against a proposed rezoning. It is ultimately the sole prerogative and duty and decision of county council whether to zone any area(s) in Oconee County or not, and how to zone such area(s), if at all, in accordance with state law, the Comprehensive Land Use Plan of the county, and applicable zoning practices and regulations of the county.

Planning district advisory committee: A committee appointed by county council from within a planning area considering zoning. This committee will, among other activities, create a proposed zoning map to be considered as an amendment to the existing county zoning map and this chapter.

Planning district: Various planning areas modeled on the approximate Oconee County Fire Districts; although the planning areas are based upon the fire district boundaries, no link between the two exists, and either may be amended without impacting the boundaries of the other.

Person: An individual, firm, partnership, corporation, company, association, joint stock association or government entity; includes a trustee, a receiver, an assignee, or a similar representative of any of them.

Pervious pavement: Paving material that permits full or partial absorption of stormwater into the ground.

Place of worship: For the purposes of this chapter, any parcel or building, church, synagogue, temple, mosque, or other facility used primarily for religious worship; or, any parcel, building, or facility owned, managed, or otherwise governed by a religious organization with the intent to enhance or otherwise further the mission or purpose for which such organization exists.

Planned development district (PDD): A form of development usually characterized by a unified site design for a number of housing units, clustering buildings, providing common open space, density increases, and a mix of building types and land uses. It permits the planning of a project and the calculation of densities over the entire development, rather than on an individual lot-by-lot basis.

Planning commission: The public agency in a specific jurisdiction usually empowered to prepare a comprehensive land plan and to evaluate proposed changes in land use, either by public or private developers, for conformance with the plan.

Plant material: Large-maturing trees, understory trees, and/or shrubs.

Planting island: In parking lot design, a built-up, curbed structure placed at the end or within parking rows for landscaping and as a guide to traffic.

Plat: A map, usually of land which is to be or has been subdivided, showing the location, boundaries, and ownership of properties; the location, bearing, and length of every street and alley line, lot line, and easement boundary line; and such other information as may be necessary to determine whether a proposed subdivision or development meets all required standards of this chapter and other ordinances and amendments.

Premises: A single piece of property as conveyed in deed, or a lot or a number of adjacent lots on which is situated a land use, a building, or group of buildings designed as a unit or on which a building or a group of buildings are to be constructed.

Private road or street: Any road or street which is not publicly owned and maintained and is used for access by the occupants of the development, their guests, and the general public. The right-of-way has not been dedicated to either the State of South Carolina or Oconee County.

Property owner(s): For the purposes of this chapter, the person(s), entity(ies), corporation(s), or partnership(s), whether one or more, listed as being an owner of record of the property in question, either recorded with the deed of the property or as listed by the public tax records of Oconee County.

Public road or street: Roads, avenues, boulevards, highways, freeways, lanes, courts, thoroughfares, collectors, minor roads, cul-de-sacs and other ways including the entire right-of-way considered public and both dedicated to and accepted by the State of South Carolina or Oconee County.

Residential care facility (including, without limitation, convalescent homes): A facility which combines the functions of any combination of a retirement community, rest home, nursing home, and convalescent home, providing residential facilities for independent living, assisted care, and, possibly, nursing care.

Right-of-way: An area owned and maintained by a municipality, the State of South Carolina, a public utility, a railroad, or a private entity for the placement of such utilities and/or facilities for the passage of vehicles or pedestrians, including roads, pedestrian walkways, utilities, or railroads.

Roadside stand: Typically a seasonally temporary stand less than 200 square feet used to sell farm and garden products, hand crafts, and other homemade items; or those locations used for educational, religious, or recreational fundraisers; or those locations used for the conveyance of public information. Stands must be authorized by the property owner and the appropriate right-of-way entity such as SCDOT, Oconee County, etc. Unsafe or abandoned structures, or any structure that presents a health or safety threat to the public, shall not be considered a legitimate roadside stand.

Salvage yard, junk yard, and recycling operations: Any area, in whole or in part, where waste or scrap materials are bought, sold, exchanged, stored, baled, packed, disassembled, or handled, including but not limited to scrap iron and other metals, paper, rags, vehicles, rubber tires, and bottles. A "junk yard" includes an auto-wrecking yard, but does not include uses established entirely within enclosed buildings. A "junk yard" for vehicles is defined as four or more junk, inoperable or unlicensed vehicles stored on the property.

Screening: The use of plant materials and other landscape or architectural elements used separately or in combination to obscure views.

Searchlight: An apparatus with reflectors for projecting a powerful beam of light of approximately parallel rays in a particular direction, usually devised so that it can be swiveled about.

Setback: The required minimum distance between every structure and the lot lines of the lot on which it is located (measured from the road right-of-way in the front and property lines on the remaining portions of the property).

Sight triangle: A triangular-shaped portion of land established at street intersections in which nothing is erected, placed, planted, or allowed to grow in such a manner as to limit or obstruct the sight distance of motorists entering or leaving the intersection.

Sign: 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. The term does not include official traffic control signs, official markers, nor specific information erected, caused to be erected or approved by the South Carolina Department of Transportation.

Sign, awning: A sign mounted, painted, or attached to an awning.

Sign, banner: Any sign, except an awning sign, made of flexible fabric-like material.

Sign, canopy: A sign mounted, painted, or attached to a canopy.

Sign, directional: Signs limited to directional messages, principally for pedestrian or vehicular traffic, such as "one-way", "entrance", and "exit".

Sign, flashing: Any directly or indirectly illuminated sign that exhibits changing natural or artificial light or color effects by any means whatsoever. For the purposes of this chapter any moving, illuminated sign shall be considered a "flashing sign". Such signs shall not be deemed to include time and temperature signs or public message displays using electronic switching.

Sign, hanging: A sign forming an angle with a building which extends from the building and is supported by the building.

Sign, monument: A freestanding sign constructed on the ground with a continuous footing or foundation with the base of the sign at grade level.

Sign, portable: A sign that is not permanent, affixed to a building, structure, or the ground.

Sign, projecting: A sign forming an angle with a building which extends from the building and is supported by the building.

Sign, revolving/rotating: Any sign or part of a sign that changes physical position or light intensity by any movement or animation or that gives the visual impression of such movement.

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

Sign, temporary: A sign or advertising display intended to be displayed in connection with a specific event for a limited duration.

Sign, wall: A sign fastened to or painted on the wall of a building or structure in such a manner that the wall becomes the supporting structure for, or forms the background surface of the sign, and that does not project more than six inches from such building or structure.

Sign, window: A sign that is mounted for display on or within a window, and intended to be viewed from the outside.

Single-family detached residential: A parcel or lot containing a detached dwelling unit; includes homes and manufactured homes, but in no way excludes activities generally associated with residential living, such as; private parties, gardening, personal workshop(s), keeping of household pets and other animals such as horses provided sufficient acreage is available for such animals.

Site plan: A plan, to scale, showing uses and structures proposed for a parcel of land as required by the regulations involved. It includes such things as lot lines, streets, building sites, reserved open space, buildings, major landscape features—both natural and manmade and depending on requirements, the locations of proposed utility lines.

Special exception: A special exception use is one which is not permitted by right, but which may be permitted after a public hearing by the board of zoning appeals and all conditions stated in this chapter are met. The zoning chapter lists, by zoning district, those uses that may be allowed by right or by special exception. Uses that are included or fit the intent of these lists will be considered in each zoning district.

Spot zoning: Rezoning of a lot or parcel of land to benefit an owner for a use incompatible with surrounding land uses and that does not further the goals in the comprehensive plan.

Stormwater: Water that accumulates on land as a result of precipitation events, and can include runoff from impervious areas such as roads and roofs.

Street line: The line between the street right-of-way and abutting property (i.e. right-of-way line).

Structure: Anything constructed or erected, the use of which requires location in or on the land or attachment to something having a permanent location in or on the land.

Structural alterations: Any change in the supporting members of a building, such as bearing walls, columns, beams, or girders, except for repair or replacement.

Subdivision: The current official definition is found in the Oconee County Subdivision Regulations, including exceptions stated therein. All subdivisions shall conform to and with the dimensional requirements stated in this chapter, with the exception of existing and properly approved and recorded plats.

Substantial improvement: Means any repair, reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the start of construction of the improvement. This term includes structures, which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either: (1) any project of improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or, (2) any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure.

Tree protection: Measures taken, such as temporary fencing and the use of tree wells, existing at a minimum outside the dripline, to protect existing trees from damage or loss during and after project construction.

Understory tree: An evergreen or deciduous tree with a mature height of less than 35 feet. Examples include but are not limited to: red bud, dogwood, crape myrtle, wax myrtle, ornamental cherry.

Use: Any continuing or repetitive occupation or activity taking place upon a parcel of land or within a building including, but not limited to; residential, manufacturing, retailing, offices, public services, recreational, and educational.

Variance: A variance is a waiver of the dimensional terms of the zoning chapter where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of actions of the applicant, a literal enforcement of the chapter would result in unnecessary and undue hardship; and does not involve a change in the use of the property.

View lane: The portion of a natural buffer utilized and maintained by the property owner to enhance observation of the lake and surrounding landscapes. Typically, the vegetation in the view lane is lower in height and/or smaller in diameter than that found in the rest of the buffer.

Viewshed: An area of land, water, and/or other environmental elements that are visible from a fixed vantage point (or series of points along a linear transportation facility).

Yard: An open space that lies between the principal building or buildings and the nearest lot line. The minimum required yard as set forth in this chapter is unoccupied and unobstructed from the ground upward, except as may be expressly permitted.

Yard, front (highway yard): A yard across the full width of the lot extending from the front line of the building.

Yard, rear: A yard extending across the full width of the lot and measured between the rear line of the lot and the rear line of the main building.

Yard, side: An open space on the same lot with a building, between the building and the side line of the lot, extending through, from the front building line, to the rear of the lot.

Zoning: A police power measure, enacted primarily by general purpose units of local government, in which the community is divided into districts or zones within which permitted and conditional uses are established, as are regulations governing lot size, building bulk, placement, and other development standards. Requirements vary from district to district, but they must be uniform within districts. The zoning chapter consists of two parts - a text and a map.

Zoning administrator: The official person in charged with the enforcement of the zoning chapter.

Zoning chapter: The zoning chapter of the Oconee County Code of Ordinances, currently Chapter 38.

Zoning district: An area established by this chapter where the individual properties are designed to serve compatible functions and to be developed at compatible scales.

(Ord. No. 2012-14, § 1, 5-15-2012)

APPENDIX A

- (a) *Building standards.* Diversity in design consistent with the local natural and architectural surroundings is encouraged.
- (1) To the extent feasible, primary facades and entrances shall face the street.
 - (2) All buildings less than or equal to 20 feet in height shall have a setback of at least 30 feet from the property line along the primary road. Setback from remaining property lines shall be 15 feet.
 - (3) Buildings more than 20 feet in height shall have a setback of 30 feet plus an additional distance equal to one foot in horizontal distance for each one foot in additional vertical distance (building height over 20 feet) along the primary road. Setbacks from remaining property lines shall be 25 feet.
 - (4) Exterior building materials visible from the traffic lanes shall not consist of unadorned concrete masonry units (concrete blocks), corrugated metal, and/or sheet metal. Pre-cast panels and pre-engineered metal wall units, and 'split-faced' and other rusticated masonry wall are permitted.
 - (5) Suitable materials for treating building facades may include, but are not limited to: stone, brick, glass, wood siding, split block, or stucco. Alternative materials may be approved by the planning director.
 - (6) Blank, uninterrupted building facades shall not face residential areas or public or private street right-of-ways. Design techniques using architectural elements or repetitive features should be utilized to visually break up the facade. Examples include, but are not limited to: windows, doors, columns, canopies, lighting fixtures, building offsets/projections, decorative tile work, artwork, or other elements approved by the planning director. The following standards apply:
 - a. Industrial uses shall not have blank walls greater than 50 feet in length.
 - b. All other uses shall not have blank walls greater than 30 feet in length.
 - (7) The appearance of strip development resulting from flat, unvaried roof lines is discouraged. Roofline variation may be achieved using one or more of the following methods: vertical or horizontal offsets in ridge lines, variation in roof pitch, gables, or dormers.
 - (8) Roof mounted mechanical equipment shall be enclosed or screened to ensure such features are not visible to the extent possible. Enclosures and screens shall be compatible with the architectural style of the building.
 - (9) Shipping and receiving areas/docks shall be located in the rear of the structure and should not be visible from primary adjacent parking areas or street rights-of way.
- (b) *Signage standards.* The sign standards are created to maintain and enhance the aesthetic environment of transportation and economic gateways into Oconee County. The location and design of all signs shall be consistent with the objective of high-quality development and safe and efficient vehicular and pedestrian circulation.
- (1) *General standards.* All signs, including their supports, braces, guys, anchors, electrical parts and lighting fixtures, and all painted and display areas shall be constructed and maintained in accordance with the building and electrical codes adopted by Oconee County.
 - a. It shall be unlawful for any person to erect, construct, enlarge, move, or replace any sign (with the exception of signage requiring no permit) without first obtaining a sign permit from the planning department, except as relates to routine maintenance and repair or the changing of tenant name panels.
 - b. A preliminary sign permit application along with applicable fees and sign plan shall be submitted to Oconee County. The detailed sign plan shall include the following information, stamped by a South Carolina licensed surveyor, landscape architect, or engineer:

1. Parcel number.
 2. Scale of site plan and north arrow.
 3. Drawing of entire property with all existing and proposed structures shown.
 4. Length of street frontage.
 5. Dimensioned setbacks from street and side property line.
 6. Plan drawing with actual dimensions of sign (as seen from above).
 7. Location of all existing signs.
 8. Location of all proposed signs.
 9. Elevation drawing of the proposed sign or sign revision including size, height, copy, colors, illumination, materials.
 10. Verification that the proposed sign(s) meet all requirements set forth in this chapter.
- c. All on-premises nonconforming signs shall come into compliance with these standards when abandoned or the cost of repairs or replacement of such signs is beyond 50 percent of their replacement costs. Nonconforming signs are subject to all requirements of this code regarding safety, maintenance, and repair.
 - d. Signage shall be set back a minimum of ten feet from right-of-way, side, or rear property lines.
 - e. No sign shall produce a traffic hazard, such as visual obstruction at intersections or glare from lighting. Signs shall not obstruct the view of or resemble traffic directional/safety signs.
 - f. Rooftop signs are prohibited.
 - g. Flashing or animated signs are prohibited.
 - h. No sign shall be attached to a utility pole or street sign, or attached to or painted on tree trunks, rocks, or other natural objects.
 - i. No sign shall be placed within the public rights-of-way.
 - j. Signs shall not rotate or revolve.
- (2) *Signs allowed without a permit.* The following signs require no permit. These signs are subject to all requirements of this code regarding safety, maintenance, and repair.
- a. *Temporary/portable signs:*
 1. Shall be displayed only for the duration of time that they remain relevant to a specific event.
 2. Temporary signs shall be removed within seven days following the conclusion of the specific event being promoted.
 3. No temporary sign exceeding six square feet may be erected on a residential parcel.
 4. The maximum allowable size of any non-residential temporary sign is 32 square feet.
 - b. Traffic, directional, warning, official notice or informational signs authorized by any public agency.
 - c. Building nameplates with related inscriptions.
 - d. Window signs.
 - e. Flags and flagpoles.

- f. On-site directional signs, where each sign does not exceed nine square feet in area or four feet in height.
- g. Signs that display name, trademark, logo, brand, or prices, provided the display is an integral part of a vending machine, automatic teller machine, or gas pump. Such signage shall not exceed 32 square feet in area per side.

(3) *Signs allowed that require a permit.*

a. Allowable signs shall be the following:

- 1. Monument.
- 2. Wall.
- 3. Hanging/projecting.
- 4. Canopy/awning.

b. Monument signs:

- 1. Shall be architecturally designed to reflect the character of the structure/development for which they are advertising.
- 2. No monument sign shall exceed ten feet in height.
- 3. One double faced or single faced sign shall be allowed per parcel.
- 4. Developments with 400 feet of road frontage serving more than one building shall be permitted one additional sign, which shall not exceed 100 square feet in area. Minimum separation for all monument signs shall be at least 200 linear feet. However, if a building is located on a corner lot with two street facing sides, one sign may be located on each side served by an entryway.

c. Wall signs:

- 1. Wall signage shall not exceed 15 percent of the wall area, per wall face.
- 2. Wall signs shall display only one surface and shall not be mounted more than six inches from any wall.

d. Hanging/projecting signs:

- 1. Only one projecting/hanging sign is allowed per building frontage, except for shopping centers, which may have one projecting/hanging sign for each business use.
- 2. Signs shall project at a right (90 degree) angle to the building frontage.
- 3. Signs shall not extend more than four feet beyond the line of the building or structure to which it is attached.
- 4. Signs shall maintain a vertical clearance of eight feet above the sidewalk or ground level accessible to pedestrians.

e. Canopy/awning signs:

- 1. Shall not exceed 15 percent of the surface area of the face or the canopy or awning to which the sign is attached.
- 2. Sign shall not extend more than three inches horizontally from the surface of the awning or canopy.
- 3. Sign shall not project vertically outside the area of the canopy or awning.

f. Illumination:

- 1. No internal lighting shall include exposed incandescent or fluorescent bulbs.

2. Externally illuminated signs must have indirect light sources shielded from the view of persons viewing the sign and be further shielded and directed so that the light shines only on the sign and that illumination beyond the copy area is minimized.
 3. Signs shall not have light reflecting backgrounds but may use light reflecting lettering.
 4. No sign shall have lights or illuminations that flash, move, rotate, scintillate, blink, flicker, or vary in intensity or color.
 - g. Maintenance: All signs shall be maintained in good condition and working order, and be free of graffiti, peeling paint or paper, faded colors, weeds, vines, and/or broken and damaged materials. No internally or externally illuminated sign shall have only partial illumination for a period of more than 30 days.
- (c) *Lighting standards.* The purpose of these standards is to assure that adequate exterior lighting is provided to facilitate crime prevention, security, and safe passage, and that exterior lights be shielded to reduce the impact of lighting on neighboring uses, potential safety hazards to the traveling public, and the effect on viewsheds and nightscapes.
- (1) Lighting plans shall be submitted with the zoning permit application on projects that include the installation of outdoor lighting fixtures. Prior to obtaining a zoning permit, an applicant must receive approval of a lighting plan. The lighting plan shall be prepared by an appropriately licensed design professional in the State of South Carolina. The plan shall include the following information:
 - a. The location, type, and height of luminaries including both building and ground-mounted fixtures.
 - b. A description of the luminaries, including lamps, poles or other supports and shielding devices, which may be provided as catalogue illustrations from the manufacturer.
 - c. Photometric data, such as that furnished by the manufacturer, showing the angle of light emission.
 - d. Additional information as may be required to determine compliance with this chapter.
 - (2) Exterior lighting shall be shielded and directed to avoid illuminating the night sky.
 - (3) Lighting shall not illuminate neighboring properties or distract/harm the traveling public on road rights-of-way. Any necessary screening of lighting shall be shown on site plans. Lighting will be inspected before a certificate of occupancy is granted.
 - (4) On-site lighting may be used to accent architectural elements and provide safety and security on pedestrian walkways, at building entrances, and public areas between buildings, but shall not be used to illuminate entire portions of buildings.
 - (5) In order to promote safety and security in developments, lighting should be used at intersections, entrances, and in parking areas.
 - (6) The overall height of lighting fixtures shall not exceed 20 feet.
 - (7) Blinking or flashing lights shall be prohibited unless the lights are required as a safety feature (e.g. beacons on towers). Searchlight and laser light operation for advertising/commercial purposes is prohibited.
- (d) *Parking standards.* Parking areas should be designed in a manner to provide safe and efficient circulation of traffic and safe access for pedestrians. Appropriate parking design and layout should be used to reduce impacts associated with impervious surfaces.
- (1) *Parking layout.* Avoid parking layouts that dominate a development. The layout of parking areas, pedestrian connections, and open space should reduce the visual impact of parking. Parking is strongly encouraged to be located to the side or rear of the building unless prevented by a physical limitation of the site.

- (2) *Perimeter parking buffer.* A perimeter parking area buffer of 15 feet shall be required on sides parallel to abutting properties or street rights-of-way. Buffers shall be planted as specified in the landscape standards.

If parking is located in the front of the building, buffer requirements will be increased to 25 feet.

- (3) *Parking striping.* Parking areas shall have parking spaces marked by surface paint lines or approved alternative traffic marking material.
- (4) *Wheel stops.* Wheel stops or curbs are required where a parked vehicle encroaches on adjacent property, pedestrian access/circulation areas, right-of-way or landscaped areas.
- (5) *Planting islands.* Parking areas shall be designed so that a planting island is provided for every ten parking spaces in a continuous row. Planting islands are also required at the beginning and end of all parking bays. Planting islands shall be surrounded by curbing to prevent vehicular damage to plantings.

Minimum size for required planting islands is nine feet by 15 feet (inside of curb). Islands shall be planted as specified in the Landscape Standards.

- (6) *Stormwater.* Parking areas shall be designed to convey and/or preferably infiltrate stormwater on-site. Stormwater shall not contribute to the subsidence, erosion, or sedimentation of the development site or off-site areas.
- (7) *Paving.* Parking areas shall be paved unless otherwise approved by the planning commission. Alternative paving materials that increase permeability such as pervious concrete, pervious asphalt, pavers, grid pavers, or any other approved pervious paving materials are encouraged.

- (e) *Landscape standards.* Trees and landscaping contribute to the public health, safety, and welfare. Among the benefits of landscaping are: screening of undesirable views; aesthetic enjoyment; climate modification; reduction of glare, noise, odors and dust; reduction of storm water runoff and flooding; buffers between land use; shelter and food for wildlife; and improved air quality. All of these benefits contribute to a higher quality of life and enhance property values within the county.

- (1) *Landscape plan.* The landscape plan shall be submitted with the zoning permit application. Prior to obtaining a zoning permit, an applicant must receive approval of a landscape plan. The landscape plan shall be prepared by a landscape architect licensed by the State of South Carolina. The landscape plan must contain all information necessary to show that the planned use, structure, or development complies with the standards set forth. This shall include utility information, irrigation plans, existing trees used for credit, and tree protection plans, if applicable.
- (2) *Installation.* No certificate of occupancy shall be issued until the landscaping is completed as certified by an on-site inspection. If the season or weather conditions prohibit planting of trees, the developer may provide a bond, an irrevocable letter of credit, or other financial surety in an amount equal to 125 percent of the cost of installing the required plantings to guarantee the completion of the required planting within 270 days. The financial surety shall be canceled and/or returned upon completion of the required landscaping. If the required landscaping is not completed within the time allowed, the owner shall forfeit the guarantee and the county shall use such funding to complete the required landscaping.
- (3) *Maintenance.* The plantings that constitute a landscape area must be properly maintained in order for the landscape area to fulfill the purposes for which it is established. The owner of the property shall be responsible for the maintenance of all plant material within the landscaped areas. This includes keeping landscaped areas free of litter and debris and keeping plantings healthy and orderly in appearance. Tree staking shall be removed within eight months after installation to prevent permanent damage. All dead or diseased vegetation shall be removed. Additionally, any required vegetation that dies or becomes diseased shall be replaced.

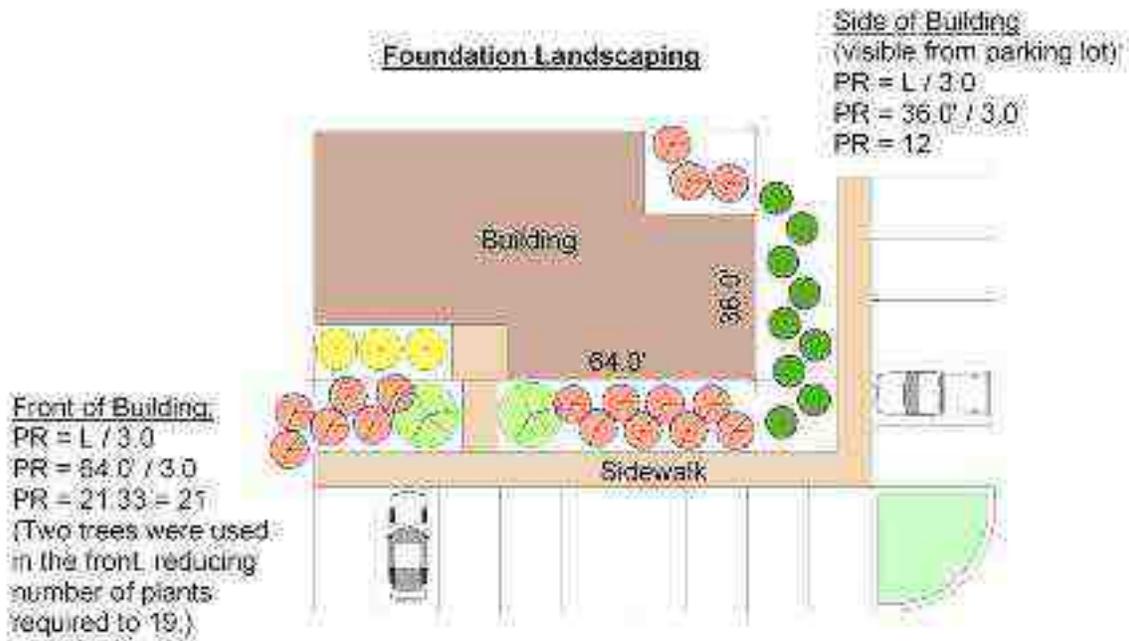
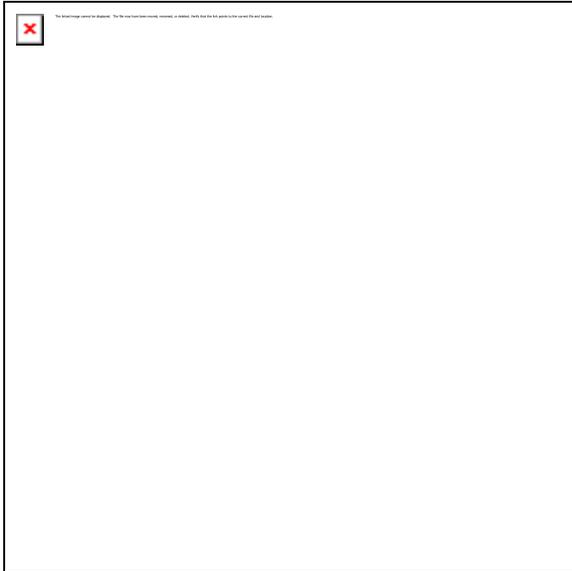
- (4) *Minimum material size.* All required trees shall be a minimum size of 2½-inch caliper measured six inches above ground at the time of installation. All required shrubs shall be a minimum size of three gallons at the time of installation. Reference the American Landscape and Nursery Association (ANLA) publication American Standard for Nursery Stock (ANSI Z60, 1-2004) for plant material quality specifications. All plant material shall be mulched with an organic mulch or other approved material.
- (5) *Water source.* A permanent water source (hose bib, etc.) shall be provided not more than 100 feet from any required landscaping.
- (6) *Foundation landscaping.* Landscaping shall be provided around the foundation of structures visible from any parking area. Plant material, as defined in this chapter, shall be located in a planting area adjacent to the building in the following quantities:

PR = L/3.0 where:

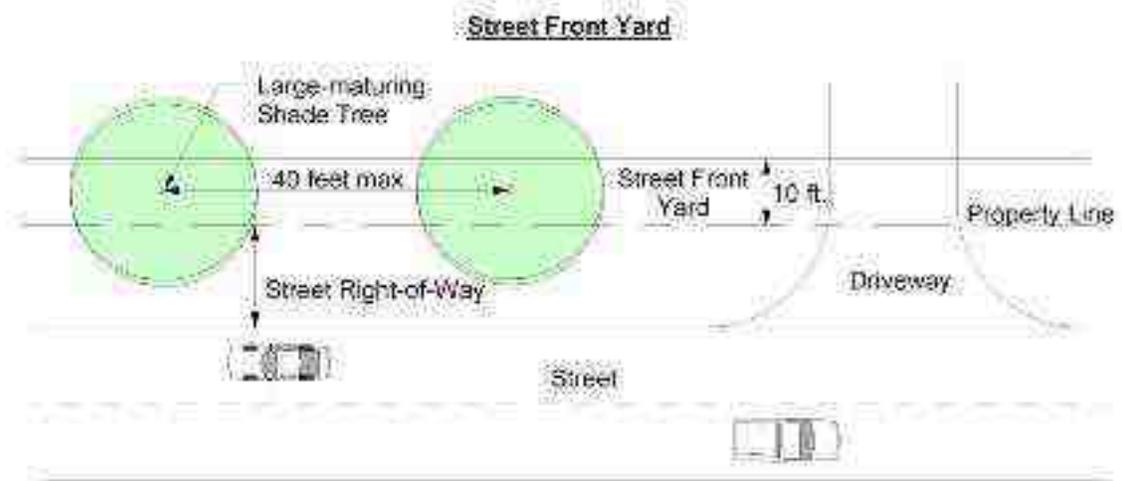
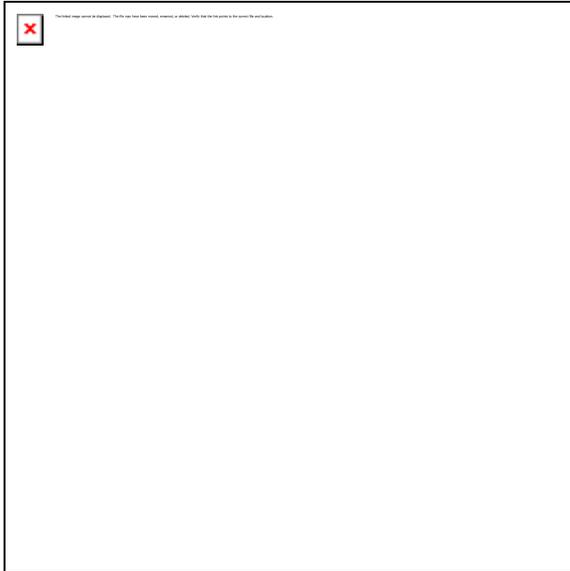
PR = number of plants required

L = building length, in feet, visible from any parking area

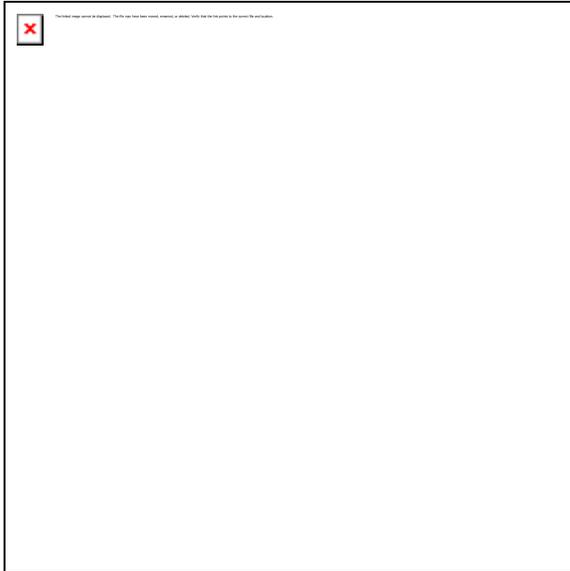
Each tree provided counts as a total of two required plants.



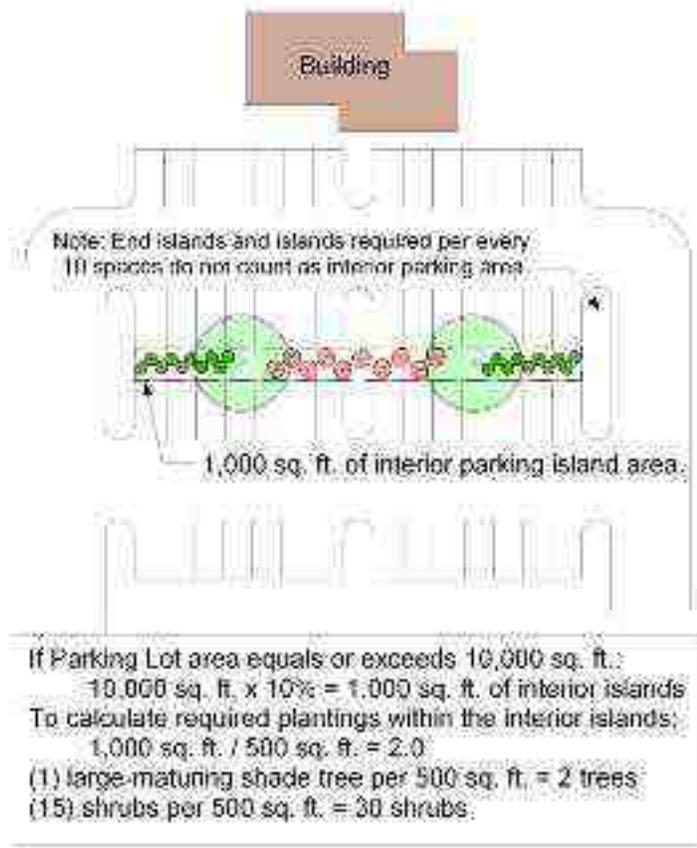
- (7) *Street front yard.* Street front yards shall be located along property adjacent to all street rights-of-way. Street front yards must be located on private property and not within the street right-of-way. Portions of the property needed for driveways are exempted from these requirements. Street front yards shall be a minimum of ten feet in width, measured from the street(s) right-of-way abutting the property. Each street front yard shall contain at least one large maturing shade tree every 40 linear feet or fraction thereof. No street front yard shall contain less than one shade tree. Shrubs, groundcover, understory, and/or turf shall cover the remaining area within the street front yard.



- (8) *Interior parking.* Whenever the impervious parking cover equals or exceeds 10,000 square feet, a planting area equal to ten percent of the total impervious surface must be provided as islands within the interior of the parking area. One large maturing shade tree and 15 shrubs must be planted for each 500 square feet of required interior landscape area. Plantings in landscape islands referenced under the parking islands section may not be used to satisfy this requirement. However, existing trees preserved in appropriately sized islands may be counted as outlined in the existing trees section.



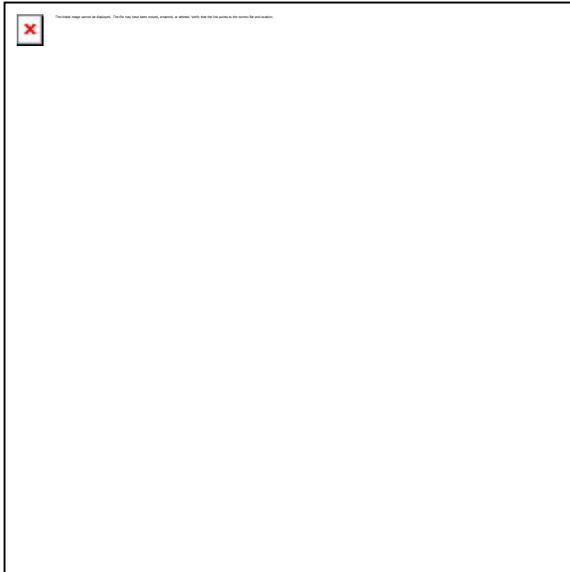
Interior Parking



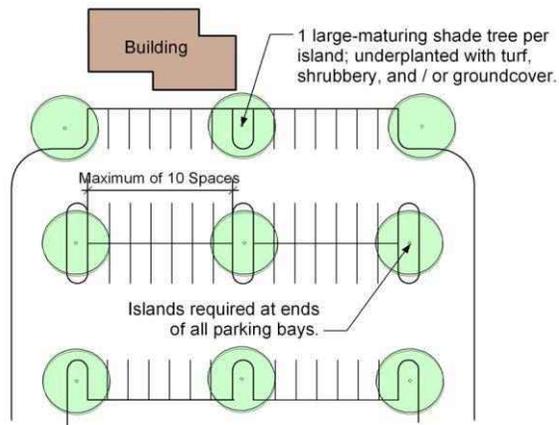
- (9) *Existing trees.* Existing trees that have a minimum caliper size of four inches may be counted towards satisfying interior landscaping and street front yard requirements if such trees are preserved and adequately protected through all phases of construction. Credited trees shall be uniformly encircled by a fenced protection area of sufficient size (a circle whose center is the trunk and outer edge is the dripline) to insure tree health. Each four caliper inches of an existing

tree shall be deemed the equivalent of one required two-inch caliper tree. If any preserved tree used for credit dies or fails to thrive, the owner shall plant new trees equal to the number of credited trees.

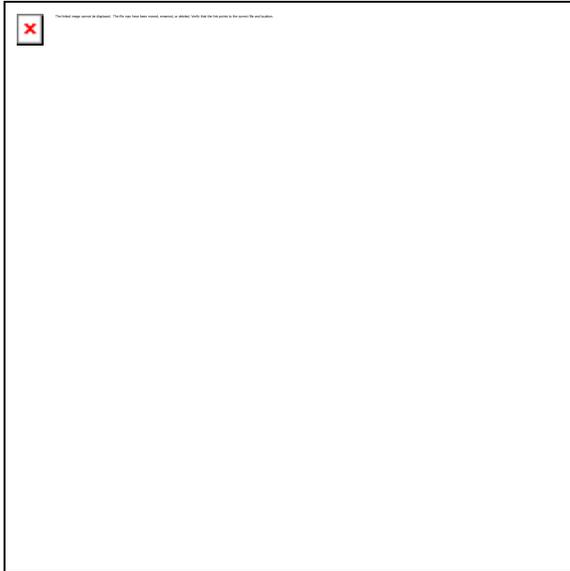
- (10) *Parking islands.* A planted parking island shall be provided for every ten parking spaces in a continuous row. Planting islands are also required at the beginning and end of all parking bays. Refer to the parking standards section for parking island design standards. Planter islands shall contain at least one large maturing shade tree, having a minimum clean trunk of six feet. Shrubbery, groundcover, and/or turf shall be used in the remainder of the island.



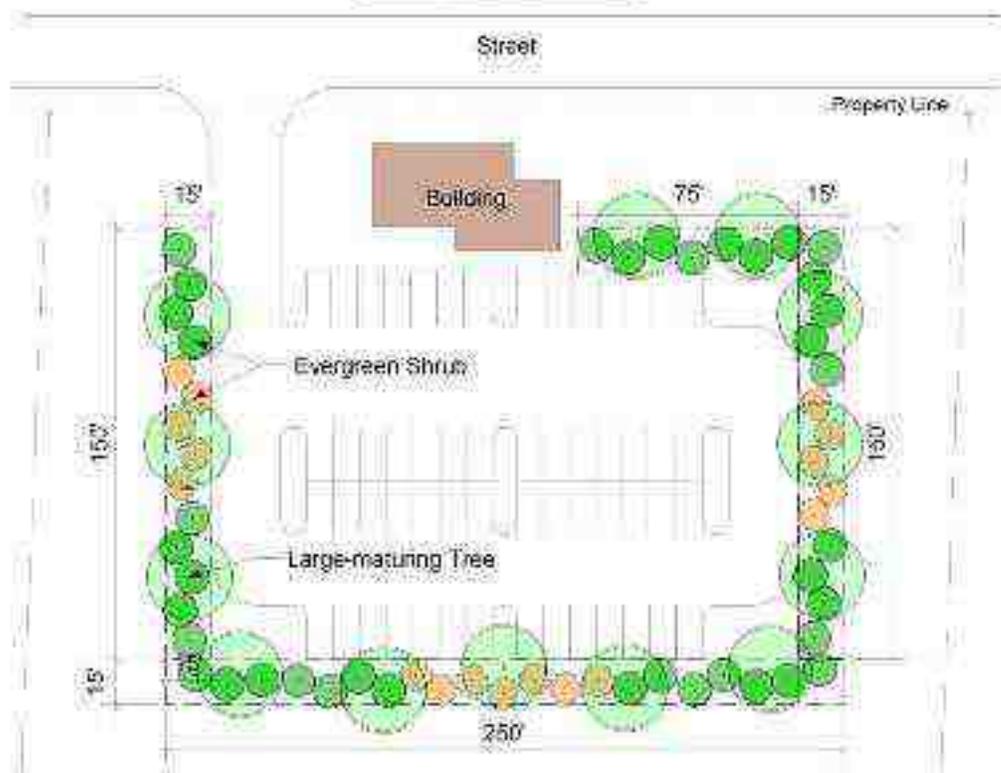
Parking Islands



- (11) *Perimeter parking buffer.* All parking lots and vehicular use areas shall be screened from all abutting properties or rights-of-way. The landscaped area shall be directly adjacent to the parking lot edge, and shall be a minimum width of 15 feet. The perimeter shall contain at a minimum, one large maturing tree for every 50 linear feet, and evergreen shrubs in sufficient quantity to provide screening with a minimum mature height of four feet. If parking is located in the front of the building, buffer requirements will be increased by 30 percent in terms of width and planting quantities.



Parking Perimeter Buffer



- Buffer must be 15' in width.
- 1 large-maturing tree required for every 50 linear feet of buffer
- Evergreen shrubs as required to create a screen with a min. mature height of 4'
 - 150' buffer / 50' = 3 large-maturing trees
 - 250' buffer / 50' = 5 large-maturing trees
 - 75' buffer / 50' = 1.5 = 2 large-maturing trees

(12) *Buffering adjacent uses.* In the event that non-residential development borders residential areas or industrial development bordering non-industrial development, a 25 foot wide landscape buffer shall be required along the common property boundary. The following mixture of plants per 100 feet of property boundary shall be required:

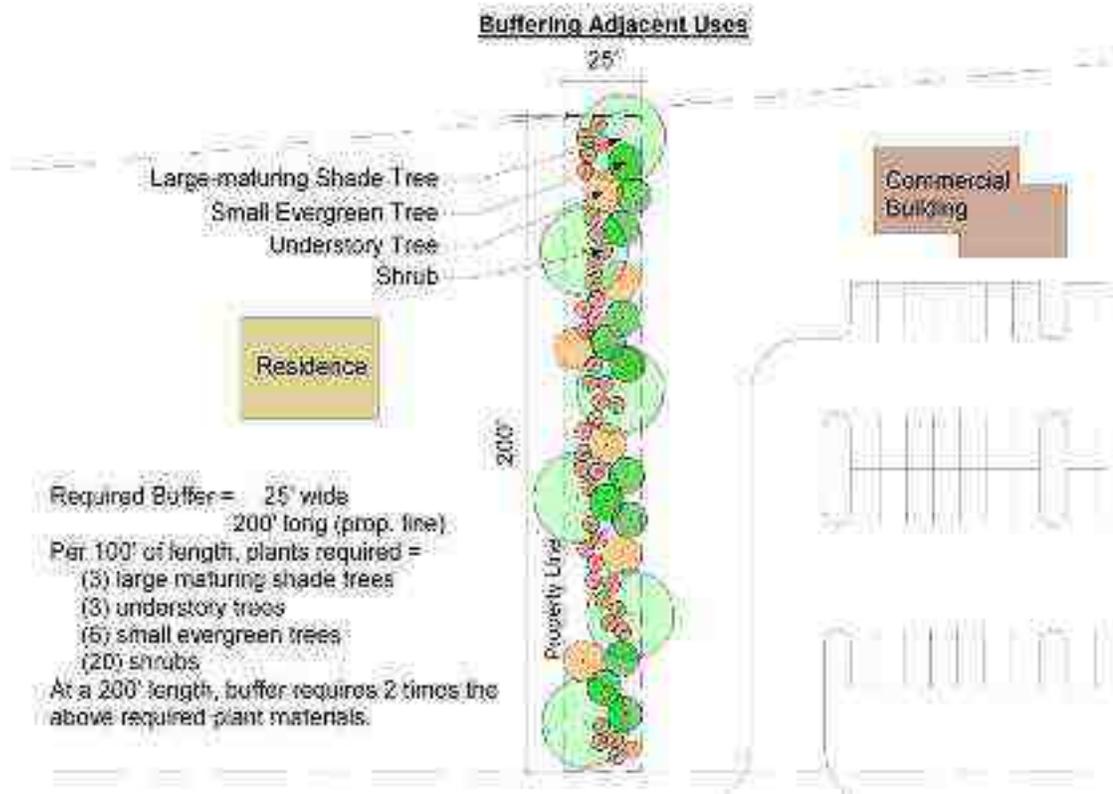
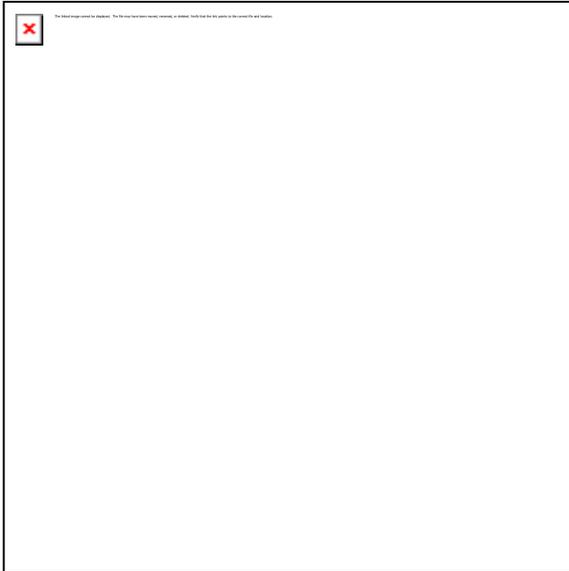
Three large maturing shade trees, equally spaced

Three understory trees, equally spaced

Six small evergreen trees

Twenty shrubs

If an abutting parcel contains a required buffer or screen, it shall count towards the buffer requirements.



(13) *Existing natural buffers.* When a natural, undisturbed buffer is retained along a property boundary where a buffer is required, a waiver (in whole or part) of the required landscaping may be granted. The existing buffer must achieve the same screening effects as the required buffer materials and adhere to the requirements for protection and size outlined in the buffering adjacent uses section.

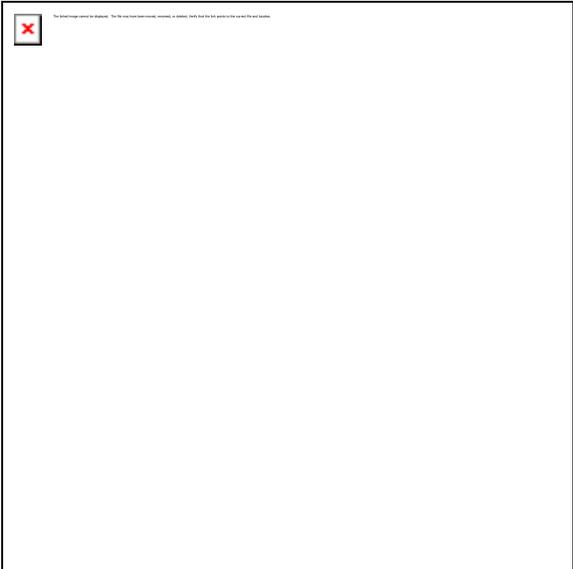
(14) *Screening of collection areas.* Screening of loading and trash collection areas must be accomplished with an opaque wall of masonry, rot-resistant wood, or evergreen shrubs that are

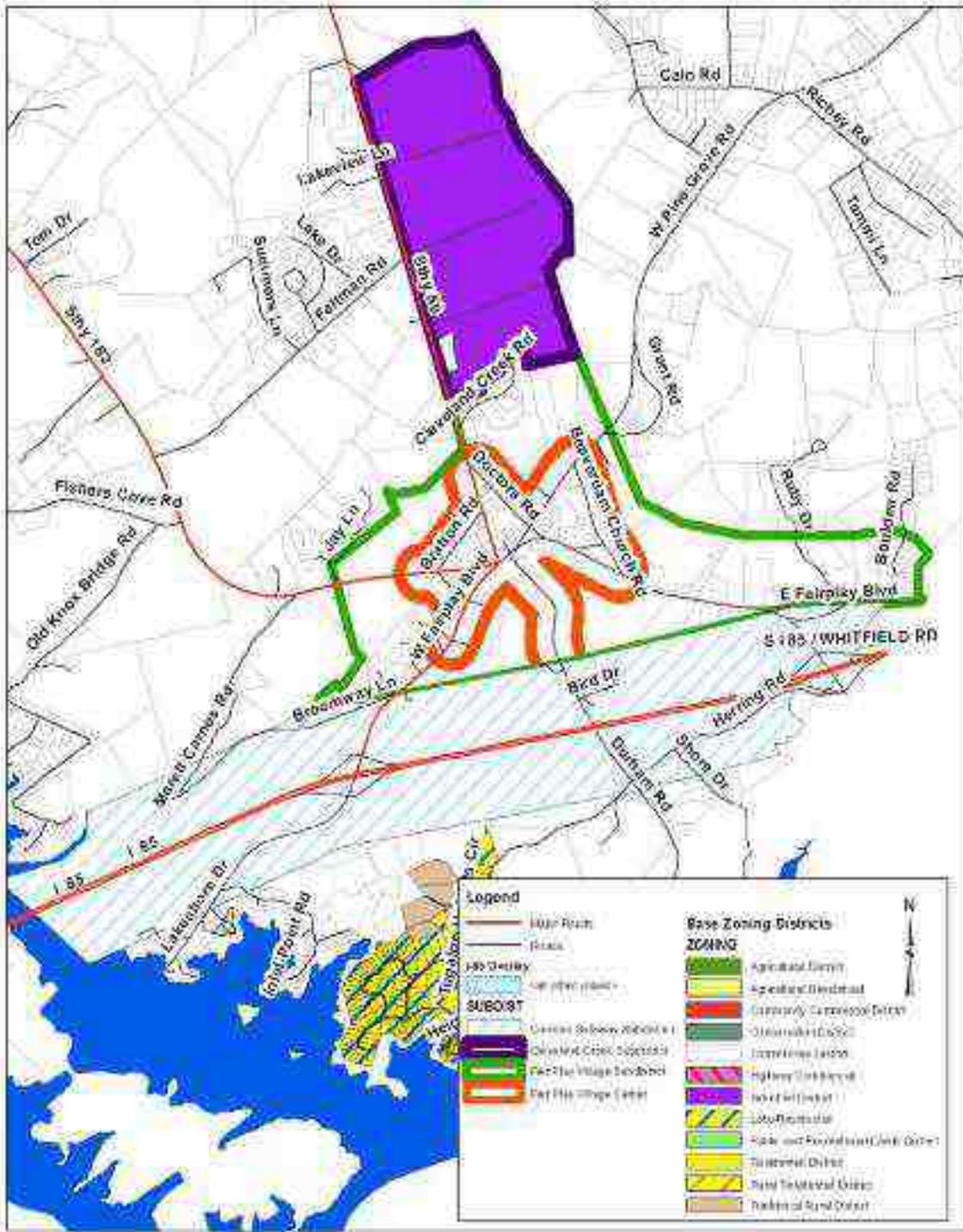
one foot taller than the object to be screened. If evergreen shrubs are used, they must achieve the required screening at the time of planting.

(15) *Sight triangles*. The placement of any material shall not obstruct the view between access drives and streets, or the intersecting streets of a corner lot. No fence, building, wall or other structure, (excepting single

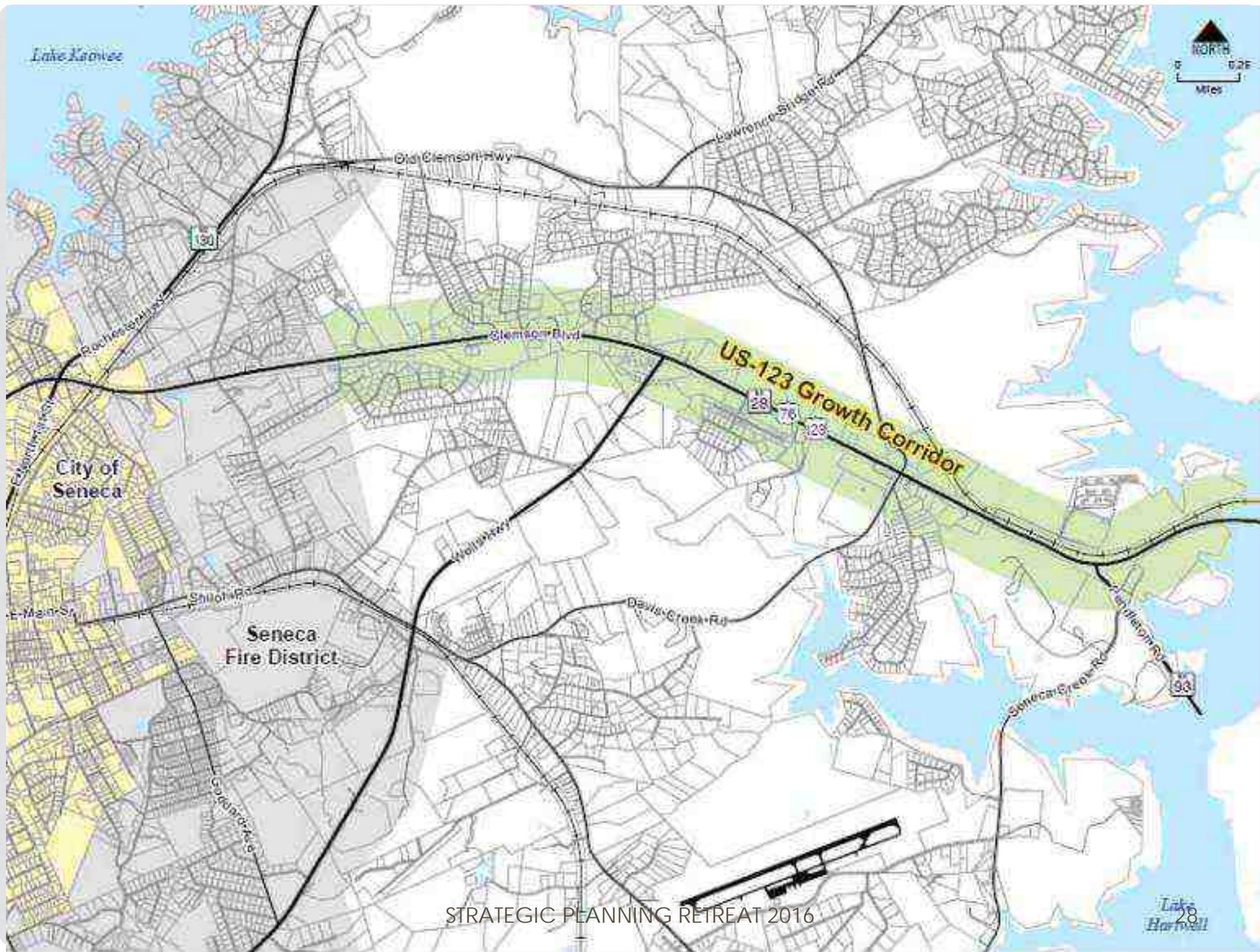
trunk trees less than 12 inches in diameter, pruned to a height of eight feet, and poles and support structures less than 12 inches in diameter), shall exist between a height of 2½ feet and eight feet above the upper face of the nearest curb (or street centerline if no curb exists) and the sight triangle. For a corner lot, the sight triangle area is the area bounded on two sides by the street right-of-way lines, each having a length of 25 feet, and a third side connecting the two right-of-way sides. For an intersecting street and driveway, the sight triangle is formed by measuring from the point of intersection of the right-of-way and the edge of drive the distance of 25 feet and connecting the points so established to form a triangle on the area of the lot adjacent to the street. Note that road design criteria concerning sight distances is governed by the standards in Chapter 32, Unified Performance Standards of the Oconee County Code of Ordinances.

(Ord. No. 2012-14, § 1, 5-15-2012)





(Ord. No. 2012-14, 5-15-2012; Ord. No. 2012-34, § 3(Exh. B), 1-22-2013)



Public Comment
April 3, 2017

1. MIKE SMITH
2. Tom Markovich
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