

Article XIV. Definitions

157.219. GENERAL TERMS

Except as specifically defined herein, all words used in this ordinance have their customary dictionary definitions. For the purpose of this ordinance, certain words or terms used herein are defined as follows:

- A.** The word “city” means the City of Camden, South Carolina.
- B.** The words “city council” mean the city council of the City of Camden, South Carolina.
- C.** The words “board of zoning appeals” mean the City of Camden board of zoning appeals.
- D.** The words “planning commission” mean the City of Camden planning commission.
- E.** The words “city planner” mean the city planner for the City of Camden or his designee.
- F.** The words “zoning administrator” mean the zoning administrator for the City of Camden or his designee.
- G.** The words “urban forester” mean the urban forester for the City of Camden or his designee.
- H.** The word “ordinance” means the Zoning Ordinance of the City of Camden.
- I.** The words “shall,” “will” and “must” are mandatory; and the word “may” is permissive, except when the context of the particular use is negative (e.g., “may not”).
- J.** The word “lot” includes the words “plot,” “parcel” and “tract.”
- K.** The word “structure” includes the words “building” and “accessory structure.”
- L.** The word “street” includes the words “road” and “highway.”
- M.** The word “person” includes an individual, firm, association, organization, partnership, corporation, company, trust, governmental unit, and any combination thereof.
- N.** The words “zoning map” or “Official Zoning Map” shall mean the Official Zoning Map of the City of Camden.
- O.** The word “day” or “days” means calendar days unless otherwise specified.
- P.** Words used in the masculine gender include the feminine gender.

- Q.** Words used in the singular include the plural.
- R.** Any reference to a section shall mean a section of the Zoning Ordinance of the City of Camden, unless otherwise specified.
- S.** For purposes of interpreting this ordinance, certain words, concepts, and ideas are defined in § 157.220. Except as defined herein, all other words used in this ordinance shall have their customary dictionary meaning.

157.220. DEFINITIONS

“ACCESS ROUTE.” Defined entrance and exit route for a property during construction, tree work or landscaping operations.

“AFFORDABLE HOUSING DEVELOPMENT AGREEMENT.” A written agreement between an applicant for a development and the City of Camden containing specific requirements to ensure the continuing affordability of housing included in the development.

“AFFORDABLE HOUSING.” Housing with a sales price or rental amount within the means of a household that may occupy moderate- and low-income housing. In the case of dwelling units for rent, affordable means housing for which the rent and utilities constitute no more than 30% of such gross annual household income for a household of the size that may occupy the unit in question.

“AFFORDABLE HOUSING DWELLING UNIT.” Any affordable housing subject to covenants or restrictions requiring such dwelling units to be rented at prices preserving them as affordable housing for a period of at least 30 years.

“ALTERNATIVE NICOTINE PRODUCT.” Means a product or device not consisting of or containing tobacco that provides for the ingestion into the body of nicotine, whether by chewing, smoking, absorbing, dissolving, inhaling, snorting, sniffing, or by any other means. Alternative nicotine product does not include cigarette, smokeless tobacco, other tobacco products, or any other product approved by the United States Food and Drug Administration as a non-tobacco product for sale as a tobacco-cessation product, as a tobacco-dependence produce, or for other medical purposes, which is being marketed and sold solely for that approved purpose.

“ANIMAL FEEDING OPERATION (AFO).” An agricultural operation where animals, including poultry, are kept and raised in confined situations. AFOs congregate animals, feed, manure and urine, dead animals, and production operations on a small land area. Feed is brought to the animals rather than the animals grazing or otherwise seeking feed in pastures, fields, or on rangeland. Animals are confined for at least 45 days in a 12-month period and there is not grass or other vegetation in the confinement area during the normal growing season.

“ANIMAL SHELTER, DOMESTIC.” A pen, shelter, or structure where dogs or small domestic animals, not to include horses, cows, goats, swine including pot bellied pigs, sheep, ponies,

grazing animals and fowl of any kind, are boarded or kept.

"AWNING." An architectural structure projecting from and supported by the exterior wall of a building, and composed of a material such as vinyl or canvas on a light gauge framework that may or may not be retractable.

"BED AND BREAKFAST HOME." A dwelling whose primary purpose is as the personal residence of the owner-operator, providing accommodation for compensation with no more than seven guestrooms. Only breakfast or an afternoon tea or social may be provided to overnight guests of the bed and breakfast home.

"BED AND BREAKFAST INN." A residence occupied by the establishment manager providing accommodation for compensation with no more than seven guestrooms. Only breakfast or an afternoon tea or social may be provided to overnight guests of the bed and breakfast home.

"BEST MANAGEMENT PRACTICES (BMP)." Best-available, industry-recognized courses of action (in consideration of the benefits and limitations) based on scientific research and current knowledge.

"BUFFER." A strip of land, improved by landscaping, berms, walls, or fences, or any combination thereof, designed to mitigate the extent of higher intensity land uses on neighboring lower intensity uses. A buffer is an area in which no activity is allowed other than passive recreation and necessary utility and maintenance functions such as transmission lines, underground conduits, or irrigation. The buffer area is described by a linear measurement from the property line inward and will vary depending on the nature of the activity and its location.

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

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

"BUILDING, ACCESSORY." A detached subordinate structure on the same lot as the principal or main building or use occupied or devoted to a use incidental to the principal use. Included in this definition are private garages, storage sheds, workshops, domestic animal shelters, pool houses, and the like.

"BUILDING, PRINCIPAL." A building in which is conducted, or in which is intended to be conducted, the main or principal use of the lot on which it is located.

"CALIPER." The diameter measurement of the trunk taken six inches above ground level for trees up to and including four-inch caliper. Caliper shall be measured 12 inches above ground level for larger trees.

"CANOPY." A freestanding, open-sided structure, constructed of rigid or non-rigid materials, including, but not limited to, metal, canvas, wood, concrete, plastic or glass.

"CANOPY TREE." A deciduous tree that forms the top layer of vegetation in a forest. Examples of such trees include oaks, hickories, maples, and poplars.

“CHECK CASHING ESTABLISHMENT.” An establishment that regularly cashes checks, drafts and money orders for a fee, service charge or other consideration such as those services regulated by the State Board of Financial Institutions under *S.C. Code Chapter 41 of Title 34*.

“CHILD AND ADULT CARE SERVICES.” Any home, center, agency or place, however styled, where children or adults not related to the operator are received for custodial care, apart from their parents or guardians, whether for compensation, reward, or otherwise during part or all of the day or night and upon any number of successive days or nights.

“CIGAR LOUNGE.” Means any establishment, or area within an establishment, designated specifically for the smoking of tobacco products, purchased on the premises or elsewhere, that is equipped with an on-premises humidor and a dedicated ventilation system designed and maintained to ensure that smoke does not migrate into any other portion of the building or into any adjacent or nearby buildings, and is properly licensed and authorized under all applicable laws to prepare, sell and serve food and alcoholic beverages for on-premises consumption.

“CLEARING.” The act of cutting or removing vegetation.

“CLUB, PRIVATE.” An organization catering exclusively to members and their guests including buildings and grounds with commercial activities serving the membership only.

“CONDITIONAL USE.” A use of land or structure which is permitted in a district under conditions specified in the zoning ordinance.

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

“CRITICAL ROOT ZONE.” The area of soil around a tree where the majority of the roots are located and that provide structural stability as well as uptake of water and minerals. In general the CRZ will be determined by the ratio of radial distance to DBH (i.e. – 2 radial feet for every 1 inch of DBH).

“DEFERRED PRESENTMENT LENDER.” An establishment that is a business regularly accepts a check from a borrower, drawn on the borrower’s bank account, to be presented for payment at a later date, and that charges a fee for the service such as those regulated under *S.C. Code Chapter 39 of Title 34*.

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

“DENSITY BONUS.” An increase in the number of market-rate units on a site in order to provide an incentive for the construction of affordable housing pursuant to this ordinance.

“DEVELOPER.” An individual, partnership or corporation (or agent therefor) that undertakes the activities covered by these regulations.

“DEVELOPMENT.” Any manmade change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving,

excavation or drilling operations.

"DIAMETER AT BREAST HEIGHT (DBH)." Measurement of tree trunk diameter taken at breast height, which is measured 4.5 feet above ground level.

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

"DWELLING." One or more rooms providing complete living facilities for one family, including kitchen facilities or equipment for cooking or provisions for same, and including a room or multiple rooms for living, sleeping, bathing, and eating. Also known as a "DWELLING UNIT."

"DWELLING, APARTMENT." (See definition for "DWELLING, MULTI-FAMILY").

"DWELLING, ATTACHED." A dwelling unit attached to one or more other dwelling units by common vertical walls.

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

"DWELLING, DUPLEX." A detached house designed for and occupied exclusively as the residence of not more than two families, each living as an independent housekeeping unit.

"DWELLING, GROUP OCCUPIED." A dwelling unit occupied by five or more individuals unrelated by blood, marriage, adoption, or guardianship living together as a single housekeeping unit.

"DWELLING, MANUFACTURED HOME." A factory built home built after the enactment of and bearing a label of compliance with the Federal Manufactured Home Construction and Safety Standards Act, effective June 15, 1976 (HUD Code).

"DWELLING, MOBILE HOME." A factory built home built prior to enactment of the *Federal Manufactured Housing Construction and Safety Standards Act*, effective June 15, 1976.

"DWELLING, MULTI-FAMILY." A dwelling or group of dwellings on one lot containing separate living units for three or more families, but which may have joint services or facilities.

"DWELLING, PATIO HOME." A single-family detached or semi-detached dwelling unit that is built on a small lot and is generally enclosed by walls which provide privacy. The term is synonymous with zero lot line dwellings.

"DWELLING, SINGLE-FAMILY." A building containing one dwelling unit and that is not attached to any other dwelling by any means and is surrounded by open space or yards.

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

"DWELLING UNIT." See "DWELLING."

"DWELLING, ZERO LOT LINE." A zero lot line dwelling is a single-family detached unit which instead of being centered on a lot, is placed against at least one of the side lot lines. The term is synonymous with patio home.

"E-CIGARETTE." Means any electronically actuated device or inhaler meant to simulate cigarette smoking that uses a heating element to vaporize a liquid solution, popularly referred to as "juice," and that causes the user to exhale any smoke, vapor, or substance other than that produced by unenhanced human exhalation. The juice used in e-cigarettes typically contains nicotine, and for this reason e-cigarettes and their juice can be classified as both tobacco products and tobacco paraphernalia.

"EVERGREEN TREE." A coniferous or deciduous tree that remains green throughout the year.

"FAÇADE." The exterior wall of a building that is set along a street.

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

"FAIR MARKET RENT." - FMRs are gross rent estimates developed by the US Department of Housing and Urban Development that include the housing unit rent plus the cost of all utilities, except for phone service.

"FAMILY." One or more persons occupying a dwelling and living together as a separate housekeeping unit in one or more rooms with complete living facilities, including kitchen facilities or equipment for cooking or provisions for same, and including a room or rooms for living, sleeping, bathing, and eating. (Also see definition for "HOME FOR THE HANDICAPPED.")

"FAMILY DAY CARE HOME." A family day care home is one in which care is given by a family member and not others during the day only for one to six children or adults, including the day care owner's own children or parents.

"FEDERAL MANUFACTURED HOME CONSTRUCTION AND SAFETY STANDARDS." Regulations promulgated by the Department of Housing and Urban Development (HUD) governing the design and construction, strength and durability, transportability, fire resistance, energy efficiency and quality of manufactured housing. These standards also set performance requirements for heating, plumbing, air conditioning, thermal and electrical systems.

"FENCE." A structural device erected to delineate a boundary or serve as an architectural element, barrier or screen. The term "wall" shall be interchangeable with fence.

"FORESTRY ACTIVITY." Forestry activity includes, but is not limited to, timber harvest, site preparation, controlled burning, tree planting, applications of fertilizers, herbicides, pesticides, weed control, animal damage control, fire control, insect and disease control, forest road construction, and any other generally accepted forestry practices.

"FOREST MANAGEMENT PLAN." A forest management plan is a document or documents prepared or approved by a forester registered in this State that defines a landowner's forest management objectives and describes specific measures to be taken to achieve those objectives. A management plan shall include silvicultural practices, objectives, and measures to achieve them, that relate to a stand or potential stand of trees that may be utilized for timber products, watershed or wildlife protection, recreational uses, or for other purposes.

"GARAGE, PRIVATE." (As defined by the International Building Code.)

"GARAGE, PUBLIC." (As defined by the International Building Code.)

"GRADING." Reshaping the ground surface to planned grades as determined by engineering survey evaluation and layout.

"GRADING PLAN." One sheet of a complete set of development plans that depicts both original and finished grades of a development site.

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

"HOME FOR THE HANDICAPPED." Pursuant to the *South Carolina Local Government Comprehensive Planning Enabling Act of 1994, S.C. Code § 6-29-770*, a home serving nine (9) or fewer mentally or physically handicapped persons, providing 24-hour care, and approved or licensed by a state agency, department or under contract with the agency or department, is exempt from local zoning ordinance requirements. Residents of such a home are perceived as a natural family, as if related by blood or marriage. Approval and licensing for such use is by the appropriate state agency, as provided in *S.C. Code § 6-29-770*.

"HABITABLE DWELLING." A dwelling meeting the minimum habitability requirements of this zoning ordinance, and other applicable regulations.

"HOME OCCUPATION." Any activity carried out for gain by a resident conducted as an accessory use in the resident's dwelling unit.

"IMPERVIOUS SURFACE." Impervious surfaces are manmade or engineered surfaces that do not readily permit the absorption of fluids thereby causing stormwater runoff.

"IMPERVIOUS SURFACE RATIO." The impervious surface ratio is determined by dividing the total area of all impervious surfaces within the site by the total site area.

"INDUSTRY, HEAVY." Any industrial establishment that cannot meet the definition of "INDUSTRY, LIGHT." This category includes those industries primarily engaged in the manufacture of foodstuffs, textiles, electrical components or tobacco products, and the fabrication of wood, leather, paper, water or plastic products, as well as the processing and manufacturing of products from extracted or raw materials, the assembly of large or heavy machinery, and the storing or using of flammable, explosive, hazardous, or toxic materials used in industrial processes. Because of the nature of its operations and products, heavy industry could impact immediately adjoining properties and possibly the general area due to noise, odor, light, dust, vibration, glare, and air and water pollution.

"INDUSTRY, LIGHT." An industrial establishment primarily engaged in the manufacturing, processing, fabrication, packing, or assembly of goods which, due to the nature of its operations and products, generally does not impact surrounding properties due to noise, odor, light, dust, vibration, glare, and air and water pollution.

"INVASIVE PLANT." Any species capable of propagating that is not native to the Camden ecosystem, and whose introduction does or is likely to cause economic or environmental harm or harm to human health.

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

"JUNK OR SALVAGE YARD." Any premises where salvage or junk as defined herein are found and have been permitted to remain with the consent of the owner, lessee, or person(s) responsible for maintenance of such premises.

"LAND DISTURBANCE." Any activity that changes the physical conditions of land form, vegetation and hydrology, creates bare soil, or otherwise causes erosion or sedimentation. Such activities include, but are not limited to clearing, removal of vegetation, stripping, grading, grubbing, excavating, filling, logging and storing of materials.

"LOT." A parcel of land considered as a unit. The terms "LOT," "LOT OF RECORD," "PROPERTY" or "TRACT," whenever used in this zoning ordinance are interchangeable.

- (1) **"LOT, CORNER."** A lot located at the intersection of two or more streets.
- (2) **"LOT, DOUBLE FRONTAGE."** A lot which has frontage on two streets which are on opposing ends of the lot.
- (3) **"LOT, INTERIOR."** A lot, other than a corner lot, which has frontage on only one street other than an alley.
- (4) **"LOT, DEPTH."** The distance between front and rear lot lines, measured along a line which is equal distance from the side lines.
- (5) **"LOT OF RECORD."** A lot, the boundaries of which are filed as legal record.
- (6) **"LOT, WIDTH."** The distance between the side lines of a lot, measured at right angles to its depth and at the minimum required front setback line.

"LOT AREA." The area contained within the boundary line of a lot.

"LOT LINE." A line bounding a lot which divides one-lot from another or from a street or any other public or private space.

"LOW IMPACT DESIGN." An innovative stormwater management approach that seeks to mimic a site's predevelopment hydrology by using design techniques that infiltrate, filter, store, evaporate, and detain runoff close to its source.

"LOW-INCOME HOUSING." Housing that is affordable for rental or ownership, according to the U.S. Department of Housing and Urban Development, and that is occupied, reserved, or

marketed for occupancy by households with a gross family income that does not exceed 50% of the median family income for families of the same size within the county in which the housing is located.

“MANUFACTURED TOPSOIL.” Soil produced off-site by homogeneously blending mineral soils or sand with stabilized organic soil amendments to produce topsoil or planting soil.

“MARQUEE.” Any permanent, roof-like structure projecting beyond a building, or extending along and projecting beyond the wall of a building, generally designed and constructed to provide protection from the weather.

“MEDIAN FAMILY INCOME.” Means the median income level for Kershaw County, as established and defined in the annual schedule published by the U.S. Department of Housing and Urban Development, adjusted for family size.

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

“MIXED-USE BUILDING.” A multi-story building containing two or more separate types of uses that covers at least 85% of a single lot or development site containing few, if any, onsite parking spaces.

“MOBILE OR MANUFACTURED HOME PARK.” A lot or parcel with space, improvements and utilities for the long-term parking of two or more mobile or manufactured homes which may include services and facilities for the residents.

“MOBILE OR MANUFACTURED HOME PARK SPACE.” A plot or ground within a mobile or manufactured home park designed for the accommodation of one unit.

“MOBILE FOOD VENDING UNIT.” A self-contained, vehicle-mounted food service unit that returns daily to its base of operation, as approved by DHEC, and is used for the preparation and/or sale of food products.

“MOBILE FOOD VENDOR.” A person selling food other than fresh fruit or vegetables from a mobile vendor unit. This definition shall not include solicitors, peddlers, or transient merchants.

“MODERATE-INCOME HOUSING.” Housing that is affordable for rental or ownership, according to the federal Department of Housing and Urban Development, and that is occupied, reserved, or marketed for occupancy by households with a gross household income that is greater than 50% but does not exceed 80% of the median family income for households of the same size within the county in which the housing is located.

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

“MULCH.” Organic material that is spread on the soil surface, normally around newly planted

trees or other areas, to reduce weed growth, to retain soil moisture and moderate soil temperature extremes, to reduce compaction, to prevent damage from lawn-maintenance equipment, to reduce erosion, to improve soil quality and/or to improve aesthetic appearance of the landscape. Mulch can be composed of chipped, ground or shredded organic material such as bark or wood.

"MURAL." A graphic, artistic expression which covers a portion or all of a wall or building facade which is not intended for advertisement purposes.

"NONCONFORMITY." A nonconformity is any lot of record, use, building, structure, design element, or vegetation in existence prior to the effective date of this zoning ordinance, but which fails, by reason of such adoption, revision or amendment, to conform to the present requirements of the zoning ordinance.

"NON-RESIDENTIAL USE." A principal use of land for other than residential purposes, i.e. commercial, industrial, institutional.

"NOXIOUS PLANT." Any plant that can directly or indirectly injure crops and other useful plants, interests of agriculture or navigation, fish or wildlife resources, or the public health.

"OPEN SPACE." Open space is any parcel or area of land or water, essentially unimproved and set aside, dedicated, designated, or reserved for public or private use or enjoyment or for the use and enjoyment of owners, occupants, and their guests. Open space shall include recreational areas, greenways, wooded areas, and environmental open space.

"OPEN SPACE, ENVIRONMENTAL." Environmental open space is any pervious area set aside for the protection, enhancement, or creation of water quality buffers, wildlife habitat, view corridors, flood hazard mitigation, or similar environmental features and may or may not include public access. Such open space may be water bodies, forested land, pasture, cropland, wetlands, or similar open spaces approved by the zoning administrator. Water bodies may not constitute more than seventy-five percent (75%) of the required open space.

"OPEN SPACE RATIO." The open space ratio is a measure of the intensity of land use. It is calculated by dividing the total amount of open space within the site by the Total Site Area.

"PARCEL." A land area bounded by property lines that is recognized as such by the Kershaw County Assessor's Office.

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

"PERVIOUS PARKING SURFACE." Any material that permits full or partial absorption of water. Examples include uncompacted gravel and pervious pavers.

"PEST." An organism, including but not limited to insects, bacteria or fungi, that is severely damaging, noxious, a nuisance or fatal to a plant.

"PUBLIC PROPERTY." Any and all property deeded to or having a long-term easement to the City of Camden, SC Dept. of Transportation, Kershaw County, etc. Public property includes, but not limited to, parks, cemeteries, street rights-of-way, utility rights-of-way, school campuses, sidewalks, and streets.

"PUBLIC OR STREET TREE." Any tree within the city limits that is growing in a street ROW, utility easement, city park, or city-owned parcel. To qualify as a public street tree, the tree must be in the ROW corridor as determined by measuring from the road center line to the tree's center.

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

"PRINCIPAL USE." The primary or main use of land or structures, as distinguished from a secondary or accessory use.

"PRUNING, TOPPING." An outdated and inappropriate pruning technique which severely removes live tree limbs with cuts made between nodes; also known as "tipping," "heading," "hat-racking," "lollipopping," or "stubbing."

"PRUNING, TREE." The deliberate removal of tree branches for a specific purpose such as young tree training, deadwood removal, utility line clearance, traffic or pedestrian clearance or to correct structural defects.

"QUALIFIED PROFESSIONAL." A professional licensed and/or registered in the state of South Carolina performing services only in their areas of competence. This term shall include only registered land surveyors, registered engineers, registered architects, and registered landscape architects.

"RECREATION, PASSIVE." Recreational activities that do not require prepared facilities like sports fields or pavilions. Passive recreation include, but is not limited to, wildlife viewing, hiking, observing and photographing nature, picnicking, walking, bird watching, bicycling, and running/jogging.

"RELIGIOUS ORGANIZATION, COMMUNITY." A church or religious institution with a seating capacity of no more than 600 persons in the sanctuary or main activity area.

"RELIGIOUS ORGANIZATION, LARGE." A church or religious institution with a seating capacity of more than 600 persons in the sanctuary or main activity area.

"RIGHT-OF-WAY (ROW)." A defined area of land, usually a linear strip, dedicated for use as a street, crosswalk, railroad, for placement of utility transmission lines, sanitary storm sewer, or other similar uses.

"RISK TREE." A tree that is at risk for failure, either whole or in part, with the part large enough to cause damage and there exists within the falling distance of the tree or tree part a target, such as people, buildings, vehicles or hardscape.

"SETBACK." The linear distance that establishes buildable and non-buildable area measured inward from the road right-of-way or adjoining property lines. Buildings and other principal structures comprising the activity of the site may not encroach upon this space. However, an accessory activity such as parking or a driveway may be located within the setback unless superseded by a buffer.

"SETBACK LINE." The linear distance from which a structure or use is separated from a designated point, such as a property line or road right-of-way.

"SEXUALLY ORIENTED BUSINESS." For purposes of this zoning ordinance, sexually oriented business operations shall mean and include the following:

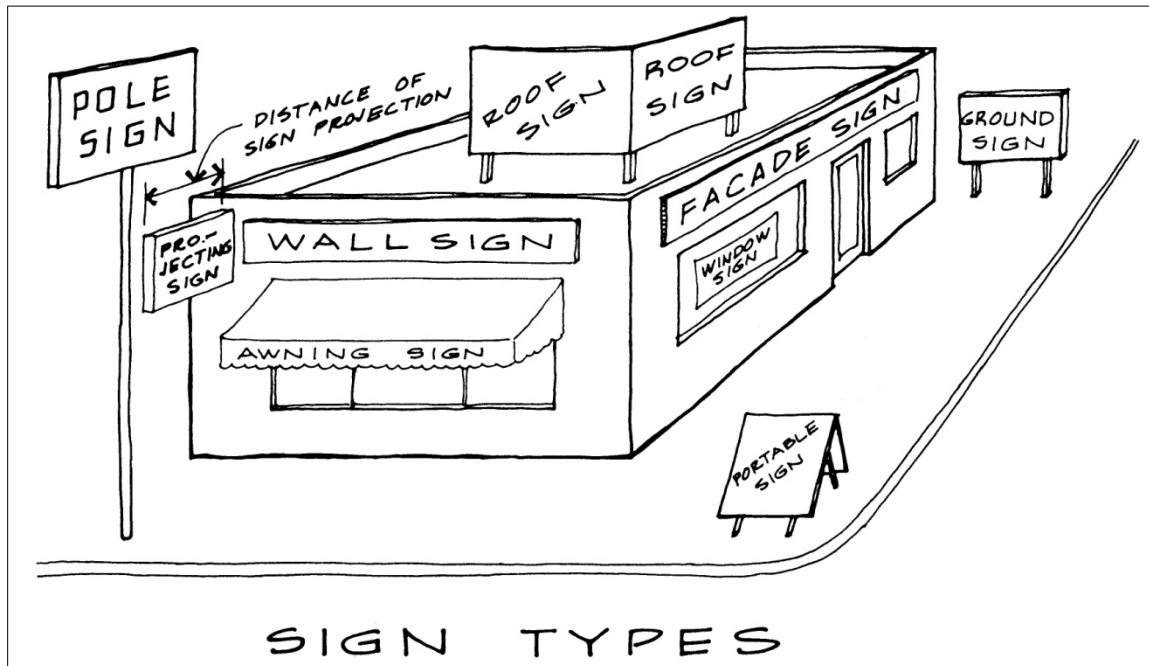
1. **"ADULT ARCADE."** Any place to which the public is permitted or invited wherein coin-operated or slug-operated or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by the depicting or describing of "specified sexual activities" or "specified anatomical areas."
2. **"ADULT BOOKSTORE OR ADULT VIDEO STORE."** A commercial establishment which, as one of its principal business purposes, offers for sale or rental for any form of consideration any one or more of the following:
 - (a) Books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes or video reproductions, slides or other visual representations which depict or describe "specified sexual activities" or "specified anatomical areas"; or
 - (b) Instruments, devices, or paraphernalia which are designed for use in connection with "specified sexual activities." A commercial establishment may have other principal business purposes that do not involve the offering for sale or rental of material depicting or describing "specified sexual activities" or "specified anatomical areas" and still be categorized as an adult bookstore or adult video store. Such other business purposes will not serve to exempt such commercial establishment from being categorized as an adult bookstore or adult video store so long as: one of its principal business purposes is the offering for sale or rental for consideration the specified materials which depict or describe "specified sexual activities" or "specified anatomical areas."
3. **"ADULT CABARET."** A nightclub, bar, restaurant or similar commercial establishment which regularly features:
 - (a) Persons who appear in a state of nudity; or
 - (b) Live performances which are characterized by the exposure of "specified anatomical areas" or by "specified sexual activities"; or
 - (c) Films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the description of it specified sexual activities" or "specified anatomical areas."
4. **"ADULT MOTEL."** A hotel, motel or similar commercial establishment which:
 - (a) Offers accommodations to the public for any form of consideration; provides patrons with closed-circuit television transmissions, films,

motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas"; and has a sign visible from the public right-of-way which advertises the availability of this adult-type of photographic reproductions; or

- (b) Offers a sleeping room for rent for a period of time that is less than ten hours; or
 - (c) Allows a tenant or occupant of a sleeping room to subrent the room for a period of time that is less than ten hours.
5. **"ADULT MOTION PICTURE THEATER."** A commercial establishment where, for any form of consideration, films, motion pictures, video cassettes, slides or similar photographic reproductions are regularly shown which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas."
6. **"ADULT THEATER."** A theater, concert hall, auditorium or similar commercial establishment which regularly features persons who appear in a state of nudity or live performances which are characterized by the exposure of "specified anatomical areas" or by "specified sexual activities."
7. **"SEXUAL ENCOUNTER CENTER."** A business or commercial enterprise that, as one of its primary business purposes, offers for any form of consideration:
- (a) Physical contact in the form of wrestling or tumbling between persons of the opposite sex; or
 - (b) Activities between male and female persons and/or persons of the same sex when one or more of the persons is in a state of nudity or seminude.

"SIGN." Any object, device, display or structure, or part thereof, situated outdoors or indoors, that is used to advertise, identify, display, or direct attention to an object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, design, symbols, fixtures, colors, illumination or projected images.

"SIGN AREA." The entire advertising area of a sign excluding any framing, trim, or molding, and the supporting structure.



Source: Moskowitz, Harvey S. and Carl G. Lindbloom. *The Latest New Illustrated Book of Development Definitions*, New Brunswick, N.J.: Center of Urban Policy Research, Rutgers University, 2007.

"SIGN TYPE."

1. **"ABANDONED SIGN."** A sign structure that does not contain a sign for more than 120 days, or a sign not in use for 120 continuous days, or a sign advertising an organization or event no longer occupying the site on which the sign exists or to which it refers.
2. **"AWNING SIGN."** A sign that is mounted to or painted on an awning.
3. **"BANNER."** A sign made of lightweight fabric or similar material. An official flag and a corporate flag shall not be considered banners for the purposes of this zoning ordinance.
4. **"BENCH SIGN."** A sign located on any part of the surface of a bench or seat placed on or adjacent to a public right-of-way.
5. **"BUILDING SIGN."** Any sign attached to any part of a building.
6. **"CANOPY SIGN."** A sign that is mounted to or painted on a canopy.
7. **"CHANGEABLE COPY SIGN."** A portion of a sign that includes letters that can be changed to communicate information concerning the activities of the organization.
8. **"DILAPIDATED SIGN."** Any sign that is not properly maintained, insecure or otherwise structurally unsound, has defective parts in the support, guys and/or anchors, or that is unable to withstand wind pressure, as determined by the Zoning Administrator and applicable regulations in the adopted Building Code.
9. **"FLAG."** Any fabric, banner or bunting containing distinctive colors, patterns or

symbols, attached to a flagpole that is used as a symbol of government, political subdivision, or other entity.

10. **"FREESTANDING SIGN."** A sign supported by a sign structure secured in the ground and which is wholly independent of any building for support.
11. **"IDENTIFICATION SIGN."** A sign that identifies a building or a service within the building, using the name, symbol, address or date of the building, business or development.
12. **"INCIDENTAL SIGN."** A sign containing no advertisement, logo or name that has a purpose secondary to the use of the lot on which it is located. Examples include, but are not limited to, "no parking", "entrance", "loading only" or other similar directions or information.
13. **"INTEGRAL ROOF SIGN."** A sign whose structure is integrated into the structure of the roof and is an integral part thereof.
14. **"MARQUEE SIGN."** Any sign attached to, in any manner, or made part of a marquee.
15. **"MONUMENT SIGN."** A freestanding sign constructed on the ground with a continuous footing or foundation with the base of the sign at grade.
16. **"OFF-PREMISE SIGN."** A sign or billboard, except those advertising garage or yard sales, that directs attention to a business, commodity, service or entertainment conducted, sold or offered at a location other than the premises on which the sign is located.
17. **"PENNANT."** Any lightweight plastic, fabric or other material, whether or not containing a message of any kind, that is usually suspended from a rope, wire or string, and usually in a series, and designed to move in the wind.
18. **"PERMANENT SIGN."** A sign attached to a building, structure or the ground in some manner, and made of materials intended for more than short-term use.
19. **"POLE SIGN."** Any freestanding sign mounted on a pole.
20. **"POLITICAL SIGN."** A temporary sign announcing or supporting political candidates or issues for any national, state or local election.
21. **"PORTABLE SIGN."** A sign that is not permanently affixed to a building, structure, or the ground.
22. **"PRINCIPAL SIGN."** A freestanding sign that is the primary freestanding sign on the property, not including institutional or subdivision signs.
23. **"PROJECTING SIGN."** A sign that is wholly or partly dependent on a building for support, and that projects more than 12 inches from such building.
24. **"ROOF SIGN."** A sign that is mounted on the roof of a building, wholly dependent on the roof for support, and projects above the point of a building with a flat roof,

the ridge line of a building with a gambrel, gable, or hip roof, or the deck line of a building with a mansard roof. A sign mounted on the sloping section of a roof or the gable end of a roof shall be classified as a wall sign.

25. **"SIDEWALK SIGN."** A freestanding, moveable sign not secured or attached to the ground or any building or structure, composed of a sign panel and supporting structure of one or more panels that form both the structure and the sign face, and which is intended to be placed on a sidewalk or pedestrian area.
26. **"SUBDIVISION SIGN."** A sign identifying a residential land subdivision or planned development.
27. **"TEMPORARY SIGN."** Any sign or banner constructed of cloth, canvas, light fabric, cardboard or any other paper-based material, corrugated plastic, unfinished or untreated wood, wallboard or other light materials, with or without frames, which is not permanently secured, and is intended to be displayed for a limited period of time only.
28. **"WALL SIGN."** Any sign attached to and within six inches of an outside wall, and confined within the limits of an outside wall of any building or structure, that is supported by that wall or building, and that displays only one sign surface. A sign attached to the exterior surface of a window shall be classified as a wall sign.
29. **"WINDOW SIGN."** A sign that is attached to the interior face of a window.

"SIGNIFICANT TREE." Any existing healthy and structurally sound tree which has a diameter at breast height (DBH) between eight inches and 25 inches.

"SMOKE SHOP" and/or **"TOBACCO STORE."** Means any business or premises with more than an incidental or ancillary display, sale, distribution, delivery, offering, furnishing, or marketing of alternative nicotine products, vapor product, e-cigarette, tobacco, tobacco related products, or tobacco paraphernalia. Businesses or premises with an incidental or ancillary level are those where 10% or less of its annual revenue at that location is derived from the sale of such products or paraphernalia or 10% or less of its customer-facing square footage at that location is devoted to such products or paraphernalia. This definition shall not include a cigar lounge, as separately defined.

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

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

"STREET, PRIVATE." A street not dedicated for public use or maintenance.

"STRUCTURE." (As defined by the International Building Code.)

"STRUCTURAL ALTERATION." Any change in the supporting members of a building, such as the bearing walls, beams, or girders, or any change in the dimension or configuration of the roof or exterior walls.

"STRUCTURAL DEFECT, TREE." Any naturally occurring or secondary condition such as cavities, weak branch attachments, cracks or decayed wood in the trunk, crown or roots or a tree that may contribute to structural failure. Structural defects can lead to risk-tree designation based on the type, location, severity and/or number of the defect(s).

"TITLE LOAN LENDER." An establishment that is a supervised lender which regularly extends short term vehicle secured loans such as those regulated by *S.C. Code § 37-3-413* and accepts as security title to motor vehicles. The term does not include supervised lenders other than those specializing in short term vehicle secured loans or banks, credit unions, savings banks and like depository institutions.

"TOBACCO" and **"TOBACCO RELATED PRODUCTS."** Means items, including but not limited to cigarettes and any product containing, made, or derived from nicotine or tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, including by vaping, or any component, part, or accessory of a tobacco product; cigars; pipe tobacco, cheroots; stogies; peripheral; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff; snuff flour; cavendish; plug and twist tobacco; fine cut and other chewing tobaccos; shorts; refuse scraps; clippings, cuttings and sweepings of tobacco; dipping tobaccos; and other kinds and forms of tobacco. Tobacco excludes any tobacco product that has been approved by the United States Food and Drug Administration for sale as a tobacco-cessation product, as a tobacco dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose.

"TOBACCO PARAPHERNALIA." Means any paraphernalia, equipment, device, or instrument that is designed or manufactured for smoking, chewing, absorbing, dissolving, inhaling, snorting, sniffing, or ingesting by any other means into the body of tobacco or tobacco products. Items or devices classified as tobacco paraphernalia include but are not limited to the following: pipes, bongs, water bongs, electric pipes, e-cigarettes, e-cigarette juice, vaporizers and hookahs. It further includes items designed or manufactured which may be used in ingesting, inhaling, or otherwise introducing marijuana, cocaine, hashish, hashish oil, PCP, methamphetamine, or amphetamines, tobacco or tobacco related products into the human body. Lighters and matches are excluded from the definition of tobacco paraphernalia.

"TRANSPLANTING, PLANTS." Moving a plant to a new location.

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

"TREE." A woody perennial plant, generally with a single trunk but sometimes having multiple trunks, with the potential to attain a mature size of at least five (5) inches in trunk diameter at

4.5 feet above the ground and a height of at least 15 feet.

"TREE MAINTENANCE." Routine, periodic or occasional activities directed at maintaining or improving a tree's health and condition. Maintenance activities include but are not limited to mulching, pruning, irrigation, fertilization, pest control, cabling and bracing and lightning protection system installation and/or any other accepted arboricultural practice.

"TREE PLANTATION." A grouping of trees, either planted or naturally or artificially seeded, composed of at least 80 percent of the same species and approximately of the same height and diameter.

"TREE PROTECTION." The active protection of a tree's roots, trunk and crown for the purpose of avoiding damage to the living structure and to maintain tree health and structural integrity.

"TREE PROTECTION ZONE (TPZ)." A defined area within which certain activities are prohibited or restricted to prevent or minimize potential injury to designated trees before, during and after construction activities. The TPZ is defined by a physical barrier such as fencing, soil berms and signs.

"TREE REMOVAL." The cutting of a tree near ground line which removes the tree's trunk and crown. The tree stump and roots may or may not be removed along the trunk and crown.

"TREE ROOTS." The below ground portion of a tree that includes large, woody roots that anchor and support the trunk and crown as well as the small, fibrous roots responsible for water and mineral uptake and gas exchange. Roots are generally located within the top 18 inches of soil and may extend out from the trunk two to three times the width of the crown.

"TREE TRUNK." The main woody stem of a tree that connects the roots to the crown and which supports the crown. It functions in the transport of water, minerals and carbohydrates from the crown to the roots and the roots to the crown.

"UPPER-STORY RESIDENTIAL." A residential dwelling unit located above another use.

"USE." The purpose or activity for which land or any building thereon is designed, arranged or intended, or for which it is occupied or maintained.

"USE, ACCESSORY." A use of land or of a building or portion thereof clearly incidental and subordinate to the principal use of the land or building and located on the same lot with the principal use.

"USE, INSTITUTIONAL." A public or private for-profit or non-profit educational, hospital, museum, religious or care use such as, but not limited to, daycares, congregate care, nursing care and hospice or palliative care.

"USE, PRINCIPAL." See "PRINCIPAL USE."

"VAPOR PRODUCT." Means any non-combustible product, which may or may not contain nicotine that employs a heating element, power source, electronic circuit, or other electronic chemical or mechanical means, regardless of shape or size that can be used to produce vapor from a solution or any other form. Vapor products include any electronic cigarette, hookah, electronic cigar, electronic cigarillo, electronic pipe, hookah pipe or similar product or device, as

well as any vapor cartridge or other container that is intended to be used with or in an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, or similar product or device. Vapor product does not include any product regulated as a drug or device by the United States Food and Drug Administration under Chapter V of the Food, Drug, and Cosmetic Act.

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

"VEHICLE, RECREATIONAL." A vehicular type portable structure without permanent foundation, which can be towed, hauled or driven and primarily designed as temporary living accommodations for recreational, camping and travel use and including, but not limited to, travel trailers, truck campers, camping trailers and self-propelled motor homes.

"VEGETATION." A living organism of natural growth, including, but not limited to, trees, shrubs, groundcovers, vines, grasses (both lawn and ornamental), herbaceous perennials, biennials, annuals, bulbs, ferns, mosses and lichens.

"YARD." An open space that lies between the principal or accessory building or buildings and the nearest lot line.

"YARD, FRONT REQUIRED." A yard extending the full width of the front of a lot between the front (street) right-of-way line and the front building setback line.

"YARD, REAR REQUIRED." A yard extending the full width of the lot in the area between the rear lot line and the rear building setback line.

"YARD, REQUIRED." That part of a yard between a lot line and the minimum required building setback lines, within which no structure shall be located and certain uses limited or prohibited as required by this zoning ordinance.

"YARD, SIDE REQUIRED." A yard extending the full length of the lot in the area between the side lot line and a side building setback line.

"ZONING DISTRICT." A specifically delineated area or district within which regulations and requirements govern the use, placement, spacing and size of land and buildings.